



418 E. Main Street, Springerville, AZ 85938 • Phone (928) 333-2656

July 10, 2025

VIA EMAIL AND US MAIL

Arizona Department of Public Safety
Attention Deputy Director LT. Cornel Deston Coleman
2222 W. Encanto Blvd.
Phoenix, AZ 85009
jglover@azdps.gov

RE: Request for Investigation/ Policies and Procedures review for Round Valley Police Department

Dear Cornel Glover:

The Town of Springerville is sending this letter to request an investigation and review of the Round Valley Police Department's policies and procedures, and officers. The Town of Springerville has authorized this request, and I am authorized to make it under the council's approval.

Please let us know what we need to do to coordinate with your department and set up any visits or interviews that are necessary to conduct your review and recommendations.

I did send an e-mail with the same request to Captain Cates asking for the same help on 6-24-2025. He replied that I would need to contact you for this request. He had forwarded this request to Commander Hancock.

Sincerely,

A handwritten signature in blue ink, appearing to read "Tim Rasmussen", is written over a horizontal line.

Tim Rasmussen
Town of Springerville
Town Manager

Cc: Magnum Walls Stoops & Warden. PLLC; Town Attorneys
Cc: Colonel Coleman
Cc: Chief Deputy County Attorney Chris Resare



Internal Administrative Investigation

Round Valley Police Department

ARIZONA DEPARTMENT OF PUBLIC SAFETY

INTEROFFICE MEMORANDUM



JEFFERY GLOVER
DIRECTOR

DATE: September 10, 2025

TO: Shelly Reidhead, Mayor/Town Manager, Springerville
Brannon Eager, Town Manager, Eager

FROM: Inspector Michael Kepler, Arizona DPS

SUBJECT: Investigative Narrative – Policy and Misconduct Complaint

FOR: ☐ Action ☐ Decision ☒ Information ☐ Signature

On Thursday, July 10, 2025, the Arizona Department of Public Safety (AZDPS) was requested by the Springerville Town Manager, Tim Rasmussen, to investigate alleged policy violations by Round Valley Police Department (RVPD) Chief Dayson Merrill and RVPD Lieutenant Shane Bevington. The alleged violations occurred in March of 2025.¹

Summary:

On Saturday, March 22, 2025, RVPD Officer Sidney Aragon was off duty in an American Legion Post when he and a friend of his, Josh Irigoyen, who was a citizen of the town and not affiliated with the RVPD, got into an altercation in the parking lot over whether or not Josh should drive home intoxicated. Officer Aragon alleged that Josh Irigoyen was the aggressor in the altercation in the parking lot. Josh Irigoyen alleges that Officer Sidney Aragon was the aggressor and had pictures of his injuries that included black eyes and facial bruising.

Due to the altercation, Officer Aragon advised his supervisor, Lt. Shane Bevington, of the incident the following workday, Sunday, March 23, 2025. Lt. Bevington believed that Officer Aragon was the victim in this incident and therefore chose not to conduct an internal investigation.

On April 9, 2025, a concerned citizen notified Mayor Shelly Reidhead of the incident. Mayor Reidhead then requested information regarding the incident from Chief Dayson Merrill. Chief Merrill was not aware of the incident and was later advised of it by Lt. Bevington. Still, no internal investigation was completed, only internal memorandums

Addendum 1 – Letter to AZDPS from Springerville / Eager Town Management

from Lt. Bevington to Chief Merrill² and then from Chief Merrill to Town Manager Tim Rasmussen³, explaining the incident.

Due to their concerns regarding the lack of an internal investigation, Springerville Town Manager Tim Rasmussen, Eager Town Manager Brannon Eager, and both Town Councils and Mayors chose to request AZDPS complete an investigation into why no internal investigation of the Officer Aragon incident was conducted.

Prior to AZDPS starting their investigation into the alleged policy violations, Springerville Town Manager Rasmussen also requested AZDPS investigate alleged acts of dishonesty by Chief Merrill and Officer Ashley Jala during a deposition of a wrongful death incident conducted by local defense attorney, Bryce Hamblin, the termination of former officer, Tannen Moreno, and the sharing of confidential information by police employees. These allegations were added to this investigation and documented accordingly.

Investigation areas of focus:

- Failure to complete an internal investigation into the former Officer Sidney Aragon incident.
- Integrity issues with Chief Dayson Merrill and Officer Ashley Jala during attorney Bryce Hamblin's depositions.
- Former Officer Tannen Moreno's termination – verify it was documented properly.
- Sharing of confidential information by Chief Merrill and Lieutenant Bevington in the presence of other employees not involved in the hiring process.

CASE NOTE: *AZDPS is responsible for the administrative side of this investigation. Arizona Attorney General's Office, Investigator Daniel Miller, is responsible for any criminal allegations that come from this investigation. This includes the alleged assault by former police officer Sidney Aragon towards civilian Josh Irigoyen, as well as the alleged threats made by former police officer Sidney Aragon towards local town attorney Bryce Hamblin.*

Background:

Chief Dayson Merrill, #100, has been the chief of police for the RVPD since September 2020. At the time of this investigation, Chief Merrill's immediate supervisor was Springerville Town Manager Tim Rasmussen. A few days into the investigation,

Addendum 2 – Memo from Lt. Bevington to Chief Merrill
Addendum 3 – Memo from Chief Merrill to Springerville Town Manager Tim Rasmussen

Rasmussen resigned, leaving Mayor Shelly Reidhead responsible for the Town Manager's business as well as her normal mayoral duties.

Lieutenant Shane Bevington, #105, has been a lieutenant for the RVPD since February 2023. At the time of this investigation, Chief Merrill was his immediate supervisor.

Officer Ashley Jala, #190, has been an officer with the RVPD since November 2024. At the time of this investigation, Sergeant Josh Polk, #215, was her immediate supervisor.

Administrative Executive (AE) Amy Sloane, #170, has been with the RVPD since January 2025. Prior to this investigation, Chief Dayson Merrill, #105, was her immediate supervisor. Due to Chief Merrill being placed on administrative leave, AE Sloane reports to the Springerville Town Manager/Springerville Mayor, Shelly Reidhead.

(former) Officer Tannen Moreno, #190, was hired in July of 2024, but was terminated in June of 2025 prior to completing probation. Lieutenant Shane Bevington was her supervisor.

(former) Officer Sydney Aragon, #145, was hired in September of 2023, but resigned in July of 2025. Lieutenant Shane Bevington was his supervisor.

Investigation:

Based on supporting documents and interviews, this internal investigation revealed the following facts.

Chief Dayson Merrill interview:

Regarding the failure to investigate an alleged assault on or by an RVPD police officer. RVPD Chief Dayson Merrill informed me that he was made aware of the (former) Officer Sidney Aragon incident on or about April 9, 2025. A complaint had come down from Springerville Mayor Shelly Reidhead regarding the incident. Chief Merrill said he consulted with RVPD Lieutenant Bevington, and they (Chief Merrill and Lieutenant Bevington) had talked to Officer Aragon and decided that since Officer Aragon was not the aggressor and no one had come forward to complain about the incident, they would not conduct an internal investigation.

Chief Merrill said that on June 10, 2025, he met with AZDPS Captain Lane Ciminski, #6864, to get his take on the incident. After a brief policy review and listening to how Chief Merrill described the incident, Captain Ciminski told him, "You don't have

anything.” Chief Merrill said he drafted a memo to Town Manager Tim Rasmussen⁴ and then met with him (Rasmussen) and explained to him what AZDPS Captain Ciminski had said. Chief Merrill said Town Manager Rasmussen said he “didn’t like it, but he agreed with it.” Chief Merrill also said that AZDPS Captain Ciminski said, “You gotta be careful... You have to document these kinda things.... they could potentially come back to bite ya.” Chief Merrill said he relayed this information to Town Manager Rasmussen and then “It all kinda went nowhere after that.” When asked what he thought about the situation now, Chief Merrill said, “I should’ve done an (internal) investigation.”

CASE NOTE: *(former) Officer Sidney Aragon was placed on administrative leave⁵ on June 28, 2025, and ultimately resigned⁶ from RVPD on July 8, 2025, which was accepted by Chief Merrill⁷ prior to AZDPS investigating this incident. Lieutenant Shane Bevington and Chief Dayson Merrill were placed on administrative leave⁸ on July 30, 2025.*

Chief Merrill went on to say that he consulted other RVPD personnel and city management about this, asking if he/they should contact Josh Irigoyen, the alleged victim of Officer Aragon. Chief Merrill said he specifically reached out to Lieutenant Bevington, RVPD AE Amy Sloane, and Springerville Mayor Shelly Reidhead, all of whom said, ‘We don’t solicit victims.’

Based on the information provided by Chief Merrill regarding how the former Officer Aragon incident was handled, I gave Chief Merrill a copy of the RVPD Policy #346, which states in part, “**Officers generally should not initiate law enforcement action while off-duty. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers.**” When asked if he was in compliance with this order by not completing an internal investigation into Officer Aragon’s actions off-duty, Chief Merrill said he was not. Chief Merrill said he was not aware of this policy but would have referenced it if the incident had been investigated.

I then gave Chief Merrill a copy of RVPD Policy #322, which states in part, “**The continued employment or appointment of every member of the Round Valley Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.**” When asked if he (Chief Merrill) thought Officer Aragon was in compliance with this policy, Chief Merrill said no. When asked

Addendum 4 – Memo from Chief Merrill to Springerville Town Manager Tim Rasmussen re: AZDPS Capt. Ciminski

Addendum 5 – Memo from Chief Merrill placing (former) Officer Aragon on paid administrative leave

Addendum 6 – (former) Officer Sidney Aragon’s letter of resignation

Addendum 7 – Chief Merrill’s acceptance letter of resignation

Addendum 8 – Chief Merrill and Lt. Bevington notifications of paid administrative leave

if he was in compliance with this order by not completing an internal investigation into Officer Aragon's actions off-duty, Chief Merrill said he was not. Lastly, I gave Chief Merrill a copy of RVPD Policy #1010, which states in part under section 1010.3.2.b, ***"Any department member becoming aware of alleged misconduct shall immediately notify a supervisor."*** Additionally, under section 1010.3.2.d, ***"Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided."*** When asked if he was in compliance with these policies, Chief Merrill said he was not. Chief Merrill reiterated that he should have known better and had an internal investigation completed regarding the Officer Aragon incident.

CASE NOTE: *There was an allegation by local town attorney, Bryce Hamblin, regarding a threat that (former) Officer Aragon made towards him (Hamblin). This was forwarded to the Arizona Attorney General's Office for possible criminal charges. Mr. Hamblin filed a complaint with the Arizona Police Officers Standards and Training (AZPOST)⁹ against several RVPD Officers, including Chief Merrill, Officer Jala, and Officer Aragon. A similar complaint was filed with AZPOST by ACAO Attorney Garet Kartchner.*

Regarding the integrity issue with attorney, Bryce Hamblin. Chief Merrill said he was subpoenaed to give a deposition¹⁰ to defense attorney Bryce Hamblin, who was representing the family in a wrongful death lawsuit unrelated to this investigation. Chief Merrill said that when he went to the deposition, he was told by Mr. Hamblin that he was not allowed to record the deposition.

Chief Merrill said that when he was in the deposition, the initial line of questioning was appropriate and directly related to the wrongful death lawsuit. As the deposition continued, Mr. Hamblin abruptly changed his line of questioning to questions regarding an alleged threat made by Officer Sidney Aragon towards Mr. Hamblin. Chief Merrill became confused by this and was not sure if he should be answering Mr. Hamblin's questions. Further, Chief Merrill said he was having a hard time recalling exactly what he had been told about the alleged threats made by Officer Aragon. Due to all of this, Chief Merrill said he was made out to appear untruthful.

Chief Merrill said he was disappointed in Mr. Hamblin's behavior, as he (Chief Merrill) said he considered Mr. Hamblin a friend. Chief Merrill referenced text messages received from Mr. Hamblin¹¹ that gave the impression the depositions were "nothing to worry about." Chief Merrill said he was also disappointed in the representative from the Apache County Attorney's Office (ACAO), whom Chief Merrill identified as "Bryce Kartchner", but research indicates the attorney was Garet Kartchner, a contract attorney for ACAO. Chief Merrill went on to say he was disappointed that Kartchner did not address the

Addendum 9 – Bryce Hamblin and Garet Kartchner complaints to AZPOST on RVPD Officers

Addendum 10 – Subpoena to Chief Merrill for deposition with Bryce Hamblin

Addendum 11 – Texts from Bryce Hamblin to Chief Merrill

change in questions from Mr. Hamblin. Chief Merrill said he thought the ACAO representative should have interrupted Mr. Hamblin and made him focus on the original line of questioning. Lastly, Chief Merrill said he typed a memo to the Town Manager Rasmussen regarding his issues¹² with how the deposition was conducted, but he felt his concerns fell on deaf ears.

CASE NOTE: *Attorney Office Mangum, Wall, Stoops, and Warden (MWSW) represent the RVPD Officers and sent a records request to attorney Bryce Hamblin for copies of the depositions. MWSW is currently looking into the issues surrounding the depositions provided by Chief Merrill and Officer Jala¹³.*

Regarding the termination of (former) Officer Tannen Moreno, Chief Merrill said she was terminated based on violations of several department policies and the fact that she was on probation. A review of the documents surrounding her termination, to include the policy violations documented by Lieutenant Bevington¹⁴, appears to indicate a justified termination. One of her violations of policy was not responding to a call for service. Per the documentation, Officer Moreno refused to respond to a family fight call for service that allegedly involved a handgun. Instead of going to the call, Officer Moreno called her dispatch and told them she refused to go to the call. Officer Moreno then dispatched another agency to the call for service without getting permission from her supervisor, as per policy. This was just one of the policy violations documented.

A review of the termination documentation and the policy violations included:

RVPD Policy 310.2 – Response to Calls

RVPD Policy 322.5.5 – Attendance

RVPD Policy 322.5.7 – Efficiency – Neglect of Duty

RVPD Policy 329 – Outside Agency Assistance

Due to the fact that the policy violations were documented, Officer Moreno was on probation, and the termination appeared to be justified, no further questions were asked of Chief Merrill regarding this topic.

Regarding the sharing of confidential information. Chief Merrill said he and Lieutenant Bevington were discussing the background information of a potential police candidate, specifically, polygraph information. Chief Merrill said Lieutenant Bevington had concerns about the candidate. Noting the concerns, Chief Merrill then contacted

Addendum 12 – Memo from Chief Merrill to Town Manager Rasmussen re: deposition complaint on Bryce Hamblin

Addendum 13 – MWSW deposition records request to attorney Bryce Hamblin

Addendum 14 – (former) Officer Tannen Moreno termination documentation

Arizona Police Officer Standards and Training (AZPOST) to seek clarification on potentially hiring the candidate.

When asked where the conversation occurred, Chief Merrill said it may have happened in his office with the door open, but he wasn't sure, as he could not recall. When asked if any civilian staff could have overheard their conversation, Chief Merrill said AE Amy Sloane overheard the conversation and addressed it immediately by telling him (Chief Merrill) that it was inappropriate to have the conversation where others could hear who were not part of the hiring staff for RVPD.

When asked if the conversation could have occurred in the administration area of the police department near AE Sloane's desk, Chief Merrill said, "At some point.... Possibly." Chief Merrill said he realized the infraction and continued the conversation behind closed doors in his office with Lieutenant Bevington.

I then handed Chief Merrill RVPD Policy #103, section 102.3.1 **Code Of Ethics**, which states in part, *"Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept secure unless revelation is necessary in the performance of my duty."* When asked if he was in compliance with this policy, Chief Merrill said he was not. Chief Merrill reiterated that they should have had the conversation behind closed doors. Chief Merrill had nothing further to add regarding this matter; therefore, no further questions were asked.

Lieutenant Shane Bevington interview:

Regarding the failure to investigate an alleged assault on or by an RVPD police officer. Lieutenant Bevington said he was made aware of the (former) Officer Sidney Aragon incident on March 23, 2025. Lieutenant Bevington said he was approached by Officer Aragon, and he explained that he was at the American Legion and was trying to stop a friend of his, Josh Irigoyen, from driving while intoxicated. Officer Aragon said Irigoyen became aggressive with him, and he (Officer Aragon) defended himself. Officer Aragon said that once the altercation was over, he (Officer Aragon) and Irigoyen went their separate ways. Officer Aragon said Irigoyen came to his house later that evening, and another altercation ensued. Officer Aragon had to restrain Irigoyen until he (Irigoyen) became tired and finally left without further incident.

Lieutenant Bevington told Officer Aragon to tell Chief Merrill about the incident and that Chief Merrill would determine what to do and how to handle the incident. Lieutenant Bevington did not hear anything back from Chief Merrill, so he did not pursue anything further.

When asked if he felt that the Officer Aragon incident rose to the level of an internal investigation, Lieutenant Bevington said that, in hindsight, he should have conducted an internal investigation.

Based on the information provided by Lieutenant Bevington regarding how the (former) Officer Aragon incident was handled, I gave him a copy of the RVPD Policy #346, which states in part, ***“Officers generally should not initiate law enforcement action while off-duty. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers.”*** When asked if he was in compliance with this order by not completing an internal investigation into Officer Aragon’s behavior off-duty, Lieutenant Bevington said he was not.

I then gave Lieutenant Bevington a copy of RVPD Policy #322, which states in part, ***“The continued employment or appointment of every member of the Round Valley Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.”*** When asked if he (Lieutenant Bevington) thought Officer Aragon was in compliance with this policy, he said no. When asked if he was in compliance with this order by not completing an internal investigation into Officer Aragon’s behavior off-duty, Lieutenant Bevington said he was not.

Lastly, I gave Lieutenant Bevington a copy of RVPD Policy #1010, which states in part under section 1010.3.2.b, ***“Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.”*** I asked Lieutenant Bevington if he was in compliance with this order by not immediately notifying Chief Merrill of the incident involving Officer Aragon, and he said he was not. Lieutenant Bevington said he should have made Chief Merrill aware of the incident and had no excuse as to why he didn’t.

Regarding former Officer Tannen Moreno, Lieutenant Bevington’s comments were similar to Chief Merrill’s. Lieutenant Bevington said former Officer Moreno had violated several policies, specifically:

RVPD Policy 310 – Officer Response to Calls
RVPD Policy 322 – Standards of Conduct
RVPD Policy 329 – Outside Agency Assistance

In review of Lieutenant Bevington’s investigation into the termination of former officer Moreno, the documentation clearly outlines the policy violations and the fact that she (Officer Moreno) was on probation at the time she violated the policies and was

ultimately terminated. No further questions were asked of Lieutenant Bevington regarding this topic.

Regarding the sharing of confidential information. Regarding the alleged discussion regarding confidential information, Lieutenant Bevington said he had the discussion with Chief Merrill in Chief Merrill's office with the door open, which is why or how the city employee heard the discussion. Lieutenant Bevington said during his second interview that when asked if he was positive the conversation took place in Chief Merrill's office, he said it might have taken place just outside Chief Merrill's office by AE Amy Sloane's desk.

I then handed Lieutenant Bevington RVPD Policy #103, section 102.3.1 **Code Of Ethics**, which states in part, ***"Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept secure unless revelation is necessary in the performance of my duty."*** When asked if he was in compliance with this policy, Lieutenant Bevington said he was not. Lieutenant Bevington said he recognized the issue and that they should have kept the conversation confined to a closed-door office. No further questions were asked of Lieutenant Bevington.

Officer Ashley Jala interview:

Regarding the integrity issue. During an interview on August 19, 2025, Officer Ashley Jala said she received a notice of deposition to be held on Wednesday, June 25, 2025, at 1330 hours regarding a wrongful death lawsuit in which local attorney Bryce Hamblin was representing the plaintiff. Officer Jala said when she arrived at Bryce Hamblin's office for the deposition, she was told she could not record the conversation. Officer Jala felt this was strange, but was unaware she could record the deposition if she wanted to. Officer Jala said they started the deposition, and after a few minutes of questioning, Officer Jala said Mr. Hamblin changed his line of questioning from questions related to the wrongful death case to an unrelated line of questioning related to an alleged incident involving a threat made by (former) Officer Sidney Aragon towards Bryce Hamblin.

During the deposition, Officer Jala felt that the change in the line of questioning was Mr. Hamblin's way of confusing her and making her feel like she was lying, as she could not quickly recall the answers to Mr. Hamblin's questions. Officer Jala said she felt disoriented and "foggy-headed" as Mr. Hamblin continued to rifle question after question at her until she (Officer Jala) was convinced by Mr. Hamblin that she had lied to him. Officer Jala said she felt like the idea was that, because she could not quickly recall the answers to the unrelated questions, Mr. Hamblin was attempting to make her (Officer Jala) seem dishonest. At one point during the deposition, Mr. Hamblin can be heard

putting words in Officer Jala's mouth like "you just lied to me twice, didn't you!" Officer Jala said Mr. Hamblin began yelling this at her to the point where she felt intimidated and extremely confused, and felt compelled to answer, "yes." Officer Jala said she was even more confused because there was an attorney present from the Apache County Attorney's Office (Garet Kartchner) who did not correct Mr. Hamblin on whether she (Officer Jala) could record the deposition, nor did he intervene when Mr. Hamblin abruptly changed his line of questioning.

Officer Jala said she was so upset by this that she filed a complaint with the Arizona BAR Association. Officer Jala said she recounted the incident and added State Bar of Arizona (AZBAR) violations committed by Mr. Hamblin¹⁵.

Lastly, Officer Jala showed me a video of a recent town council meeting from the week before, where Mr. Hamblin admits that he intentionally misled officers (referring to Officer Jala and Chief Merrill) by subpoenaing them for a wrongful death suit and then asking unrelated questions regarding comments made by Officer Aragon. Mr. Hamblin is heard saying that he did it to protect himself and his family. After his statements, citizens attending the meeting can be heard agreeing with Mr. Hamblin for protecting his family. No further questions were asked of Officer Jala.

CASE NOTE: *Due to a complaint sent to ACAO by Bryce Hamblin, ACAO is currently reviewing the integrity allegations and its eligibility for the Brady List¹⁶. As per their request, Chief Merrill and Officer Jala drafted responses to ACAO explaining their side¹⁷ of what had occurred in the depositions.*

Administrative Executive Amy Sloane interview:

Regarding the failure to investigate an alleged assault on or by an RVPD police officer. It was alleged that AE Sloane was one of the people that Chief Merrill "consulted" regarding the investigative direction of the alleged assault by (former) Officer Sidney Aragon on civilian Josh Irigoyen. When asked if she (AE Sloane) was one of the RVPD personnel who told Chief Merrill that "We don't solicit victims." AE Sloane said she was not. She went on to say that she was not consulted and, if she was, she would never say 'we don't solicit victims' in an incident like that.

Regarding the sharing of confidential information. During an interview on August 19, 2025, AE Sloane said that sometime in May or June of 2025, she was working at her desk in the administration area of the RVPD station. This area is directly outside of Chief Merrill's office door and is where AE Sloane's desk is located. AE Sloane said there was

Addendum 15 – Officer Jala complaint to AZBAR re: Bryce Hamblin

Addendum 16 – ACAO notice of disclosure review on Chief Merrill and Officer Jala

Addendum 17 – Chief Merrill and Officer Jala's response to ACAO disclosure review

a conversation that was going on between Lieutenant Bevington and Chief Merrill about confidential polygraph information on an RVPD applicant. AE Sloane said she was caught off guard as the conversation was not only about confidential information, but it was also being had in front of her in her work area. AE Sloane said she felt so uncomfortable about the discussion that she addressed Chief Merrill directly and told him that the conversation was inappropriate, confidential, and should be held behind closed doors. AE Sloane said Chief Merrill agreed, moved the conversation to his office, and closed the door.

Ultimately, AE Sloane discussed this matter with Town Manager Tim Rasmussen, who requested AE Sloane draft an email to him describing the incident¹⁸. No further questions were asked of AE Sloane regarding this incident.

***CASE NOTE:** RVPD and Springerville Township policies referred to in this investigation were added as addendum 19. Garrity forms used in this investigation were added as addendum 20.*

Timeline:

As the Round Valley Police Department is not a state agency, it does not abide by LEMSC Rules. However, as they are subject to Arizona Revised Statutes (ARS), **Monday, September 22, 2025**, is the 180-day time limitation established by **ARS 38-1110.A – Time limitation on disciplinary actions against law enforcement.**

On **Tuesday, September 10, 2025**, the investigative findings report was completed and submitted to the Director's Office for review.

Addendum 18 – AE Sloane email re: confidential information leak
Addendum 19 – RVPD and Springerville Town policies referenced in this investigation
Addendum 20 – Garrity forms for Chief Merrill, Lt. Bevington, and Officer Jala

Addenda List

1. DPS Investigation Request – Addressed to Colonel Glover and Lt. Colonel Coleman
2. Memorandum from Lt. Bevington to Chief Merrill – Report of Incident as Described by (former) Officer Aragon
3. Memorandum from Chief Merrill to the Town Manager
4. Memorandum from Chief Merrill – Subject: DPS Investigation/Capt. Lane Ciminski
5. Aragon Placement on Administrative Leave
6. Aragon's Letter of Resignation
7. Chief Merrill's acceptance of Aragon's Resignation
8. Paid Administrative Leave Notices – Merrill and Bevington
9. AZPOST complaints filed by Bryce Hamblin and Garet Kartchner re: Chief Merrill, Aragon, Jala, Holmes, and Scruggs
10. Subpoena from Bryce Hamblin for Chief Merrill deposition
11. Text Messages from Hamblin to Chief Merrill re: deposition
12. Memorandum from Chief Merrill re: deposition with Bryce Hamblin
13. MWSW Deposition Request Submitted by Hamblin
14. (former) Officer Moreno RVPD Investigation/Termination documents.
15. Officer Jala complaint to AZBAR re: Bryce Hamblin
16. ACAO Notice of Disclosure Review – Subjects: Chief Merrill and Officer Jala
17. Responses to Notice of Disclosure Review – Re: Jala, Merrill, and the Town of Springerville
18. AE Sloane email re: confidential information leak
19. RVPD and Springerville Town policies referenced in this investigation
20. Garrity forms for Chief Merrill, Lt. Bevington, and Officer Jala



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Attention Deputy Director LT. Cornel Deston Coleman
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Sincerely,

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Tim Rasmussen
Town of Springerville
Town Manager

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Tim Rasmussen
Town of Springerville
Town Manager

c: Magnum Walls Stoops & Warden. PLLC; Town Attorneys
Cc: Colonel Coleman
Cc: Chief Deputy County Attorney Chris Resare



Round Valley Police Department

"Respect for Our Past, Confidence in Our Future."



Dayson Merrill
Chief of Police

Chief Merrill,

On March 23, 2025, Officer Aragon spoke with me briefly as I was going off-duty and stated he wanted to speak with me about an incident that occurred over the weekend. Officer Aragon stated he did not feel it was an emergency issue and did not elaborate. Officer Aragon stated he would speak with me when he was off-duty at a later time. On March 27, 2025, Officer S. Aragon #145 spoke with me about an incident that occurred at the American Legion in Springerville on March 22, 2025.

Officer Aragon stated while leaving the American Legion on that date, he observed his close friend, Joshua Irigoyen, walking to his parked vehicle. Officer Aragon stated Joshua appeared to be visibly intoxicated. Officer Aragon stated Joshua was so intoxicated prior to exiting the American Legion that other patrons had disconnected the battery to his vehicle to prevent him from driving.

Officer Aragon stated he approached Joshua and stated he was too impaired to drive and offered to find him a ride home. Officer Aragon stated Joshua became belligerent and pushed him backwards and began to advance towards him in an aggressive manner. Officer Aragon stated he took Joshua to the ground to defend himself and was able to restrain him until other patrons became involved.

Officer Aragon stated that Joshua was driven home by another patron.

Officer Aragon stated a few hours later, he received a telephone call from a mutual friend stating that Joshua was on his way to his residence and was planning on shooting him in the face with a .357 magnum handgun. Officer Aragon stated that a short time later, Joshua arrived at his front door. Officer Aragon stated when he opened the door, he allowed Joshua into his home and spoke with him in the living room briefly. Officer Aragon stated while speaking with Joshua, Joshua attempted to punch him in the face.

Officer Aragon stated he was able to avoid being struck in the face, but Joshua continued to advance, attempting to repeatedly assault him. Officer Aragon stated he took Joshua to the ground in his living room and restrained him.

Officer Aragon stated Joshua was still trying to assault him, at which time his wife, Willow Aragon, retrieved her own personal civilian Taser and depressed the trigger, arcing the device. Officer Aragon stated Willow made no contact with the Taser on any part of Joshua's body and only activated it to calm Joshua down.



Round Valley Police Department

"Respect for Our Past, Confidence in Our Future."



Dayson Merrill
Chief of Police

Officer Aragon stated several minutes later, he released Joshua. Officer Aragon stated Joshua left his residence without further incident.

I advised Officer Aragon that his description of events indicated that he was attempting to prevent Joshua from driving intoxicated, which would endanger the public. I also advised Officer Aragon that it also sounded like he was defending himself when Joshua attempted to assault him at the American Legion and inside his residence.

While speaking with Officer Aragon, he advised me that he had briefly described this incident to you prior to speaking with me. I apologize for not confirming this with you and/or following up with you. I have no excuse for the breakdown in communication on my part and will ensure nothing like this happens in the future.

To date, Joshua, nor anyone else has reported this incident to law enforcement.

Please let me know if you need any further information regarding this incident.

Respectfully,

Shane E. Bevington, lieutenant
Round Valley Police Department



Round Valley Police Department

"Respect for Our Past, Confidence in Our Future."



Dayson Merrill
Chief of Police

April 14, 2025

Re: Incident at the American Legion

On Wednesday April 9, 2025, information was relayed to me by Town Manager Tim Rasmussen in reference to a third-party complaint from the public. Tim Rasmussen said he received information from Mayor Shelly Reidhead that Officer Aragon had been in some type of altercation at the American Legion over the weekend.

While in my office, Tim Rasmussen called Mayor Reidhead on the phone. Mayor Reidhead said she received information from Erika Slade that Officer Aragon had been in a physical altercation with Josh Irigoyen at the American Legion on Saturday March 29. Mayor Reidhead said she heard that Josh Irigoyen got up to leave the American Legion and Willow was disconnecting his battery cables in the parking lot. Mayor Reidhead said Officer Aragon came up behind Josh and put him in a choke hold and started beating him. Mayor Reidhead said Willow then took Officer Aragon's Taser and tased Josh. Mayor Reidhead was concerned that Officer Aragon may have been on duty at this time.

On Wednesday April 9, 2025, Town Manager Tim Rasmussen had Theryl Dillon who is a Springerville Town Employee and the Commander at the American Legion come into my office for a conversation. Theryl was asked about the incident at the American Legion on Saturday. Theryl said it happened on Saturday March 22, and he was present during the incident. Theryl said on the night of March 22, in the bar area of the American Legion, Willow slapped Josh Irigoyen to "try and get him strait." Theryl said Josh and Sidney (Officer Aragon) are, "family" by marriage. Theryl said he would consider Sidney and Josh, friends.

Theryl said the incident at the American Legion between Josh Irigoyen and Willow did not rise to the level where it would have been considered disorderly. Theryl said Sid tried to talk Josh into getting a ride home rather than driving himself while intoxicated. Theryl said Josh refused and said he was going to drive himself home. Theryl said they all went outside, and it appeared that someone had removed the battery cables off Josh's battery terminals. Theryl said he did not know who removed the battery cables. Theryl said the conversation continued and everyone was trying to talk Josh into getting a ride home rather than driving himself. Theryl said Sid (Officer Aragon) then got close to Josh and Josh pushed Sid. Theryl said Sid then pushed Josh back into the corner of his car. Theryl said Sid took Josh to the ground and that's when he pulled Sid off of Josh. I asked Theryl if there was a Taser involved during this altercation. Theryl said he had heard rumor of a "Taser" but said that would have happened at Sid's house and not at the American Legion.

Theryl said Sid left the American Legion around 2100 hours. Theryl said Josh later told him that he was going home to get a gun and shoot Sid in the face. Theryl said Josh somehow fixed his vehicle and drove away. Theryl said he called Sid and told him what Josh had said (2320 hours). Theryl said that ended his involvement in the situation. Theryl said he heard rumors that Josh did go to Sid's house later that night and there was some type of altercation.

On Wednesday April 9, 2025, Town Manager Tim Rasmussen and I spoke with Officer Aragon in my office. Officer Aragon confirmed that he had an altercation with Josh Irigoyen at the American on Saturday March 22, 2025. Officer Aragon said he was there with his wife Willow. Officer Aragon said he tried to stop his friend, Josh Irigoyen from driving away intoxicated. Officer Aragon said Joshua became angry and pushed him. Officer Aragon said Josh advanced toward him in an aggressive manner, so he pushed him back toward his truck. Officer Aragon said Josh came at him again, so he took Josh to the ground. Officer Aragon said he kneed Josh a couple of times before Theryl pulled him off. Officer Aragon said he and Willow left the American Legion shortly after the incident.

Officer Aragon said later that night he received a phone call from Theryl stating Josh was going to his house and was going to shoot him in the face. Officer Aragon said at no time did he feel scared or worried. Officer Aragon said Josh did show up at his house with his brother Marck Irigoyen and friend Merrik Newby. Officer Aragon said Josh knocked on the door, so he invited him into the house hoping to have a conversation. Officer Aragon said Josh took a swing at him, so he took him to the ground in his family room and restrained him. Officer Aragon said Josh continued to fight and that's when Willow used a personal Taser, pulling the trigger to make the taser arcing noise. Officer Aragon said no one was tased.

Officer Aragon said he held Joshua to the ground until he was too tired to fight back. Officer Aragon said Joshua left his house without further issues.

Officer Aragon stated that he had reported this incident to Lieutenant Bevington. I contacted Lieutenant Bevington who confirmed Officer Aragon had reported the incident. See Lieutenant Bevington's Memo.

I confirmed through our dispatch system that Officer Aragon was not on duty during the incident at the American Legion.

To date, this incident has not been reported to the police department by Josh Irigoyen or others.



Dayson Merrill
Chief of Police
Round Valley Police Department



Round Valley Police Department

"Respect for Our Past, Confidence in Our Future."



Dayson Merrill
Chief of Police

July 28, 2025

To: Town Manager, Tim Rasmussen.

On June 10, 2025, I met with Arizona Department of Public Safety, Captain Lane Ciminski in reference to Sidney Aragon's third party allegations of assault at the American Legion. I provided Captain Ciminski a copy of our Police Department Policy, my memo documenting my interview with Mr. Aragon and American Legion Commander Theryl Dillion, Lieutenant Bevington's memo, Aragon's Taser report, and a cad log.

Upon review, Captain Ciminski said the following:

Aragon did not represent himself as a police officer and was off duty.

Aragon acted as a private citizen and was doing the right thing by trying to stop a drunk driver from leaving and potentially protecting the citizens of Round Valley.

No use of department equipment.

From on scene witnesses, Mr. Aragon acted in self-defense.

Per ARS, Mr. Aragon had the right to defend himself.

No proof that Mr. Aragon or Mrs. Aragon had anything to do with disconnecting the battery cables.

As a result of my conversation with Captain Ciminski, I did not further my inquiry into Mr. Aragon.

Respectfully

Dayson Merrill
Chief of Police



Round Valley Police Department

"Respect for Our Past, Confidence in Our Future."



Dayson Merrill
Chief of Police

June 28, 2025

Effective immediately, you (Officer Sidney Aragon #145) have been placed on paid administrative leave until further notice.

You are to remain available via telephone at all times to the best of your ability.

You are directed to not speak about this matter with any other Town employees or Round Valley Police Officers.

Respectfully,

Dayson Merrill, Chief of Police
Round Valley Police Department

Dayson Merrill #100

[Signature] #145

Sidney M, Aragon
[REDACTED]

07/08/2025

Round Valley Police Department
418 E. Main Street
Springerville, AZ , 85938

Dear Chief Dayson Merrill

Due to my inability to perform my essential function as Police Officer for the Round Valley Police Department, I am writing to formally announce my resignation from my position as a Round Valley Police Officer, effective two weeks from today's date, (07/23/2025).

I want to express my gratitude for the opportunities for growth and development. Your support and the trust you placed in me will never be forgotten. I wish you and the entire department all the best and continued success. If there are any post- resignation matters that require my attention I can be contacted via email [REDACTED] or by phone [REDACTED]

Again thank you for everything.

Sincerely
Sidney m. Aragon

Tim Rasmussen

From: Dayson Merrill
Sent: Tuesday, July 8, 2025 5:14 PM
To: Sidney Aragon
Cc: Tim Rasmussen
Subject: RE: Letter of Resignation
Attachments: Letter of Resignation acceptance.pdf

Sid,

Attached is acknowledgement and acceptance of your resignation letter for your records.

Respectfully acceptance

Dayson Merrill

Chief of Police
Round Valley Police Department
Town of Springerville
(formerly Springerville Police Department)
418 E. Main Street
Springerville, AZ 85938
dmerrill@springervilleaz.gov
Office (928) 333-4240



From: Sidney Aragon [REDACTED]
Sent: Tuesday, July 8, 2025 11:48 AM
To: Dayson Merrill <dmerrill@springervilleaz.gov>
Subject: Fwd: Letter of Resignation

----- Forwarded message -----

From: Sidney Aragon [REDACTED]
Date: Tue, Jul 8, 2025 at 11:39 AM
Subject: Letter of Resignation
To: <dmerrill@springervilleaz.gov>



Round Valley Police Department

"Respect for Our Past, Confidence in Our Future."



Chief Dayson Merrill

Tuesday, July 08, 2025

To: Sidney Aragon

Re: Letter of Resignation

Sidney Aragon, as Chief of Police with the Round Valley Police Department, I acknowledge and accept your letter of resignation.

Respectfully

Dayson Merrill

Chief of Police

Round Valley Police Department

Town of Springerville

dmerrill@springervilleaz.gov



418 E. Main Street, Springerville, AZ 85938 • Phone (928)333-2656

July 30, 2025

Chief Dayson Merrill
Round Valley Police Department
418 E Main St.
Springerville, AZ 85938

RE: Placement on Paid Administrative Leave

Dear Chief Merrill:

This letter is to formally inform you that, effective immediately, you are being placed on *paid administrative leave* pending the outcome of an investigation into your handling of a recent incident involving an officer's alleged assault on a civilian.

This action is being taken due to concerns regarding the manner in which the situation was addressed under your leadership, including potential deviations from department protocols and failure to take appropriate supervisory action. The decision to place you on administrative leave is not a disciplinary action, nor does it imply any presumption of wrongdoing at this stage. It is intended to ensure the integrity of the review process and allow for a thorough and impartial investigation.

During this period, you are relieved of all duties and responsibilities associated with your position as Chief of Police. You are expected to fully participate in the DPS investigation of the department and to remain available during regular business hours should further information or clarification be required. You are also reminded that you are not to perform any official duties, access department facilities or systems, including ACJIS, without prior approval. You may still access any information available to the general public.

You are directed to surrender your service weapon, ammunition, badge, and any RVPD property including, but not limited to, all phones, computers, keys, and credit cards in your possession to me by Friday, August 1, 2025. You must also refrain from coming on the property of the Towns of Springerville and Eager unless permitted or directed to do so by me. This directive does not prohibit you from attending Town Council meetings or other activities open to the public. You are not to contact, whether in person, by telephone, letter, text, email, or otherwise, any employee of RVPD. The leave period will extend until we have had the opportunity to investigate this matter and formulate a decision as to whether further action is required.



418 E. Main Street, Springerville, AZ 85938 • Phone (928)333-2656

July 30, 2025

Lieutenant Bevington
Round Valley Police Department
418 E Main St.
Springerville, AZ 85938

RE: Placement on Paid Administrative Leave

Dear Lieutenant Bevington:

This letter is to formally inform you that, effective immediately, you are being placed on *paid administrative leave* pending the outcome of an investigation into your handling of a recent incident involving an officer's alleged assault on a civilian.

This action is being taken due to concerns regarding the manner in which the situation was addressed under your leadership, including potential deviations from department protocols and failure to take appropriate supervisory action. The decision to place you on administrative leave is not a disciplinary action, nor does it imply any presumption of wrongdoing at this stage. It is intended to ensure the integrity of the review process and allow for a thorough and impartial investigation.

During this period, you are relieved of all duties and responsibilities associated with your position as Lieutenant. You are expected to fully participate in the DPS investigation of the department and to remain available during regular business hours should further information or clarification be required. You are also reminded that you are not to perform any official duties, access department facilities or systems, including ACJIS, without prior approval. You may still access any information available to the general public.

You are directed to surrender your service weapon, ammunition, badge, and any RVPD property including, but not limited to, all phones, computers, keys, and credit cards in your possession to me by Friday, August 1, 2025. You must also refrain from coming on the property of the Towns of Springerville and Eagar unless permitted or directed to do so by me. This directive does not prohibit you from attending Town Council meetings or other activities open to the public. You are not to contact, whether in person, by telephone, letter, text, email, or otherwise, any employee of RVPD.

The leave period will extend until we have had the opportunity to investigate this matter and formulate a decision as to whether further action is required.



Arizona Peace Officer Standards and Training Board

2643 East University Drive Phoenix, Arizona 85034-6914 Phone (602) 223-2514 www.azpost.gov

RECEIVED

JUL 07 2025

July 9, 2025

Tim Rasmussen
418 E Main St
Springerville, AZ 85938.

Re: Citizen Complaint 2025-167 – Additional Information

Mr. Rasmussen:

The Arizona Peace Officer Standards and Training (AZPOST) Board received additional information alleging misconduct by Round Valley Police Department. Enclosed is a copy of the additional complaint we received on July 2, 2025.

Historically, it has been the policy of AZPOST to afford the employing agency an opportunity to review any allegations of misconduct submitted to Round Valley Police Department; therefore, we are forwarding the complaint to you for the appropriate action. Please advise AZPOST staff of the results of your agency's review. Should there be any misconduct identified, AZPOST is requesting notification of such. This notification will afford compliance staff with AZPOST to make a determination as to whether or not there were violations of AZPOST rules.

The Compliance Specialist assigned to your matter is Rich Bradshaw. You can contact him at 602-774-9376, or by email at RichardB@azpost.gov.

Thank you in advance for your attention to this matter.

Sincerely,

Mark Post
Compliance Manager

MP:me

Attachment
Cc: Brannon Eagar, Eagar Town Manager

7/3/25, 11:11 AM

State of Arizona Mail - Webform submission from: Citizen Complaint Form



Marissa Escandon <marissae@azpost.gov>

Webform submission from: Citizen Complaint Form

Peace Officer Standards and Training Board <contactus@azpost.gov>
Reply-To: contactus@azpost.gov
To: marissae@azpost.gov, mark.post@azpost.gov, mikeg@azpost.gov

Wed, Jul 2, 2025 at 2:36 PM

Caution: The following message contains information provided by an anonymous user through an online form. Please treat the below message with caution, avoid clicking links, downloading attachments, or replying with personal information.

ARIZONA

AZPOST

PO Box 24070
Phoenix, AZ 85074-4070

Physical Address:
2643 E. University Drive
Phoenix, AZ 85034

Email: contactus@azpost.gov

Submitted on Wed, 07/02/2025 - 14:36

Submitted by: Anonymous

Submitted values are:

First Name
Bryce

Last Name
Hamblin

Email
bryce@hamblinlawoffice.com

Phone
[REDACTED]

Address
PO Box 488
Eagar, Arizona. 85925

Complaint Information

Date
Wed, 05/21/2025 - 17:00

Location
Eagar/Springerville Arizona

Officer Name(s)
Chief Dayson Merrill, Officer Sidney Aragon, Officer Ashley Jala, Officer Bryan Holmes, Officer Thomas Scruggs

Agency
Round Valley Police Department

DPS 000030

Summary of Incident

Chief Dayson Merrill has actively covered up crime and corruption committed by his police officers. Officer Sidney Aragon attached a man in March at a bar, knocking him unconscious. Roughly an hour later Aragon tried to choke the man to death after his wife had tied the man. Chief Merrill was made aware of the situation but did nothing. He and his sergeant completed internal memos regarding the situation that I have reason to believe were not drafted until after I had made a public records request, roughly 2 months later. No investigation was done and to this day officers have not spoken to the victim.

On May 21, 2025, Officer Aragon threatened to kill me in great detail and in front of my daughter to another officer. An officer within the department disclosed this information to me in June. In Depositions conducted on June 25, 2025, Officer Jala admitted that Aragon had made the threat and that she had reported it to Chief Merrill. She initially lied about it and admitted to lying under oath. She also admitted that Aragon had threatened to kill her if she ever put him in a situation to be hurt. It is possible that her dishonesty was due to her being terrified of Aragon. Chief Merrill eventually acquiesced that the threat had been reported to him. During the entirety of Chief Merrill's deposition he was deceptive and told numerous provable lies.

Upon information and belief, earlier this year, Officer Bryan Holmes (he was a Sergeant at the time but has since went to another department because of this situation) admitted to another officer that he regularly stole unopened alcohol from vehicles when he made arrests. The other officer had noticed the alcohol was missing from a vehicle and confronted him. Holmes later snuck the alcohol back into evidence. Chief Merrill was made aware of the situation and refused to take disciplinary action. Instead Holmes was allowed to go to another department with his theft undisclosed, unreported to POST, and no criminal prosecution.

Officer Thomas Scruggs lied in his report regarding an arrest of an Anthony Dotson. Mr. Dotson is [REDACTED] and informed officers of such immediately upon contact. Aragon was in Dotson's face and requesting that he give him his cell phone. Dotson wanted to call his dad and Aragon didn't want him to. Aragon can be heard to say to Scruggs that he was going to pull Dotson out of his vehicle (officers had allowed him to sit on his driver seat) and cuff him because it would be easier. Scruggs put in his report that they had to go hands-on with Dotson because he tried to get in his vehicle and drive away which body cam footage shows never happened. Scruggs can be heard telling the man that he was going to break his f-ing arm.

I can provide names, reports, videos, and affidavits to support the above information.

AZPOST takes all citizen complaints against sworn peace officers seriously. It is our responsibility to ensure that an agency's complaint process and outcome appropriately address officer conduct. For this reason, you have the responsibility to ensure that your complaint is based on fact and that you have provided us with all of these facts to the best of your ability.

Pursuant to section 13-2907.01, Arizona Revised Statutes, "It is unlawful for a person to knowingly make to a law enforcement agency of either this state or a political subdivision of this state a false, fraudulent or unfounded report or statement or to knowingly misrepresent a fact for the purpose of interfering with the orderly operation of a law enforcement agency or misleading a peace officer."

AZPOST

PO Box 24070
Phoenix, AZ 85074-4070

Physical Address:
2643 E. University Drive
Phoenix, AZ 85034

Phone: (602) 223-2514

Email: contactus@azpost.gov



Arizona Peace Officer Standards and Training Board

2643 East University Drive Phoenix, Arizona 85034-6914 Phone (602) 223-2514 www.azpost.gov

July 2, 2025

RECEIVED

JUL 07 2025

Tim Rasmussen
418 E Main St
Springerville, AZ 85938

Re: Citizen Complaint 2025-167

Mr. Rasmussen:

The Arizona Peace Officer Standards and Training (AZPOST) Board received a complaint alleging misconduct by Officers with the Round Valley Police Department. Enclosed is a copy of the complaint we received.

Historically, it has been the policy of AZPOST to afford the employing agency an opportunity to review any allegations of misconduct submitted to Round Valley Police Department; therefore, we are forwarding the complaint to you for the appropriate action. Please advise AZPOST staff of the results of your agency's review. Should there be any misconduct identified, AZPOST is requesting notification of such. This notification will afford compliance staff with AZPOST to make a determination as to whether or not there were violations of AZPOST rules.

The Compliance Specialist assigned to your matter is Rich Bradshaw. You can contact him at 602-774-9376, or by email at RichardB@azpost.gov.

Thank you in advance for your attention to this matter.

Sincerely,

A handwritten signature in black ink that reads "M Post".

Mark Post
Compliance Manager

MP:me

Attachment
Cc: Brannon Eagar, Eagar Town Manager

6/30/25, 12:09 PM

State of Arizona Mail - Webform submission from: Citizen Complaint Form



Marissa Escandon <marissae@azpost.gov>

Webform submission from: Citizen Complaint Form

Peace Officer Standards and Training Board <contactus@azpost.gov>
Reply-To: contactus@azpost.gov
To: marissae@azpost.gov, mark.post@azpost.gov, mikeg@azpost.gov

Fri, Jun 27, 2025 at 9:37 PM

Caution: The following message contains information provided by an anonymous user through an online form. Please treat the below message with caution, avoid clicking links, downloading attachments, or replying with personal information.

ARIZONA

AZPOST

PO Box 24070
Phoenix, AZ 85074-4070

Physical Address:
2643 E. University Drive
Phoenix, AZ 85034

Email: contactus@azpost.gov

Submitted on Fri, 06/27/2025 - 21:37

Submitted by: Anonymous

Submitted values are:

First Name
Garet

Last Name
Kartchner

Email
[REDACTED]

Phone
[REDACTED]

Address
[REDACTED]

Complaint Information

Date
Wed, 06/25/2025 - 13:00

Location
Eagar, Arizona

Officer Name(s)
Officer Ashley Jala, Chief Dayson Merrill, Officer Sidney Aragon, Lieutenant Shane Bevington

Agency
Round Valley Police Department

DPS 000033

Summary of Incident

On 06/25/2025, I attended a deposition for a wrongful death claim in a probate case at the Law Office of Bryce Hamblin in Eagar, Arizona. I am a prosecutor in a homicide case in which Officer Jala and Chief Merrill are listed as witnesses.

During the deposition of Officer Jala, Attorney Hamblin asked her several questions to assess her truthfulness. Officer Jala was untruthful when asked whether she heard Officer Aragon say something to the effect of "I should blow his [Bryce Hamblin's] fucking brains out and splatter his brain matter all over his daughter. Let's see how she will like that. I should do it. I need to leave or I will do it." According to the testimony, as well as other information provided to Attorney Hamblin, this was done at a high school graduation parade in which Attorney Hamblin's daughter was the valedictorian. When asked whether she knew that she had been untruthful, Officer Jala admitted to being untruthful. Officer Jala admitted that she had reported this threat to Chief Merrill.

During the deposition of Chief Merrill, Chief Merrill initially denied that he had received any such type of report from Officer Jala. When confronted with the fact that Officer Jala had admitted to reporting Officer Aragon's threat to Chief Merrill, Chief Merrill said he couldn't remember that report. He later stated that it was possible that Officer Jala did report it. Finally, he stated that he remembered Officer Jala telling him about this incident, but couldn't remember specifics. This took course during approximately 30 minutes of deposition. There were several other issues that were brought up during the deposition relating to the conduct and truthfulness of himself and other officers, including Officer Aragon and Lieutenant Shane Bevington. This other information is in the form of audio and video recordings, in the possession of Attorney Hamblin. Reference this material for the full statements.

AZPOST takes all citizen complaints against sworn peace officers seriously. It is our responsibility to ensure that an agency's complaint process and outcome appropriately address officer conduct. For this reason, you have the responsibility to ensure that your complaint is based on fact and that you have provided us with all of these facts to the best of your ability.

Pursuant to section 13-2907.01, Arizona Revised Statutes, "It is unlawful for a person to knowingly make to a law enforcement agency of either this state or a political subdivision of this state a false, fraudulent or unfounded report or statement or to knowingly misrepresent a fact for the purpose of interfering with the orderly operation of a law enforcement agency or misleading a peace officer."

AZPOST

PO Box 24070
Phoenix, AZ 85074-4070

Physical Address:
2643 E. University Drive
Phoenix, AZ 85034

Phone: (602) 223-2514

Email: contactus@azpost.gov

HAMBLIN LAW OFFICE, PLC
367 N Main St., Ste. 3
PO Box 488
Eagar, AZ 85925
928-333-0000
Bryce M Hamblin - SBN 026959

IN THE SUPERIOR COURT OF THE STATE OF ARIZONA
IN AND FOR THE COUNTY OF APACHE

In the Matter of the Estate of)
MICHAEL WAYNE EVANS,) Case No.: PB2025-062
An Adult, Deceased.) **SUBPOENA**

TO: CHIEF DAYSON MERRILL

YOU ARE COMMANDED to appear at the place, date and time specified below to testify at the taking of a deposition in the above cause:

Place of Deposition: HAMBLIN LAW OFFICE
Address: 367 N. Main St. Suite 3 Eagar, Arizona
Date: Wednesday, June 25, 2025
Time: 1:30 pm
Method of Recording: Digital Video & Audio

Your Duties in Responding To This Subpoena

Attendance at Deposition. If this subpoena commands you to appear at a hearing or deposition, you must appear at the place, date and time designated in this subpoena unless either: (1) you file a timely motion with the court and the court quashes or modifies the subpoena; or (2) you are not a party or a party's officer and this subpoena commands you to travel to a place other than: (a) the county where you reside or you transact business in person; or (b) the county where you were served with the subpoena or within forty (40) miles from the place of service; or (c) such other convenient place fixed by a court order. See Rule 45(b)(3)(B) and Rule 45(e)(2)(A)(ii) of the Arizona Rules of Civil Procedure. See also "Your Right To Object To This Subpoena" section below.

Your Right To Object To This Subpoena

Generally. If you have concerns or questions about this subpoena, you should first contact the party or attorney who served the subpoena. The party or attorney serving the subpoena has a duty to take reasonable steps to avoid imposing an undue burden or expense on you. The superior court enforces this

1 duty and may impose sanctions upon the party or attorney serving the subpoena if this duty is
2 breached. See Rule 45(e)(1) of the Arizona Rules of Civil Procedure. Unless otherwise ordered by the
3 court for good cause, the party seeking discovery from you must pay your reasonable expenses incurred
4 in responding to a subpoena seeking the production of documents, electronically stored information,
5 tangible things, or an inspection of premises. If you seek payment of expenses other than routine clerical
6 and per-page copying costs as allowed by A.R.S. § 12-351, you must object on the grounds of undue
7 burden to producing the materials without the subpoenaing party's payment, and send an advance
8 estimate of those expenses to the subpoenaing party, before the time specified for compliance or within
9 14 days after the subpoena is served, whichever is earlier. You need not comply with those parts of the
10 subpoena that are the subject of the objection, unless the court orders you to do so. The court may enter
11 an order conditioning your response to the subpoena on payment of your additional expenses, including
12 ordering payment of those expenses in advance. See Rule 45(e)(1)(B).

13 ***Procedure for Objecting to a Subpoena for Attendance at a Hearing, Trial or Deposition.*** If you wish
14 to object to a subpoena commanding your appearance at a hearing, trial or deposition, you must file a
15 motion to quash or modify the subpoena with the court to obtain a court order excusing you from
16 complying with this subpoena. See Rules 45(b)(5) and 45(e)(2) of the Arizona Rules of Civil Procedure.
17 The motion must be filed in the superior court of the county in which the case is pending or in the
18 superior court of the county from which the subpoena was issued. See Rule 45(e)(2)(A) and (B) of the
19 Arizona Rules of Civil Procedure. The motion must be filed before the time specified for compliance or
20 within 14 days after the subpoena is served, whichever is earlier. See Rule 45(e)(2)(D) of the Arizona
21 Rules of Civil Procedure. You must send a copy of any motion to quash or modify the subpoena to the
22 party or attorney who served the subpoena. See Rule 45(e)(2)(E) of the Arizona Rules of Civil
23 Procedure. Even if you file such a motion, you must still attend and testify at the date, time, and place
24 specified in the subpoena, unless excused from doing so--by the party or attorney serving the subpoena
25 or by a court order--before the date and time specified for your appearance. See Rule 45(b)(5) of the
26 Arizona Rules of Civil Procedure.

27 The court *must* quash or modify a subpoena:

- 28 (1) if the subpoena does not provide a reasonable time for compliance;
- 29 (2) unless the subpoena commands your attendance at a trial, if you are not a party or a party's officer
30 and if the subpoena commands you to travel to a place other than: (a) the county where you reside or
transact business in person; (b) the county where you were served with a subpoena, or within forty (40)
miles from the place of service; or (c) such other convenient place fixed by a court order; or
- (3) if the subpoena requires disclosure of privileged or other protected matter, if no exception or waiver
applies; or
- (4) if the subpoena subjects you to undue burden.

See Rule 45(e)(2)(A) of the Arizona Rules of Civil Procedure.

The court *may* quash or modify a subpoena:

- (1) if the subpoena requires you to disclose a trade secret or other confidential research, development or
commercial information;
- (2) if you are an unretained expert and the subpoena requires you to disclose your opinion or
information resulting from your study that you have not been requested by any party to give on matters
that are specific to the dispute;

1 (3) if you are not a party or a party's officer and the subpoena would require you to incur substantial
travel expense; or

2 (4) if the court determines that justice requires the subpoena to be quashed or modified.

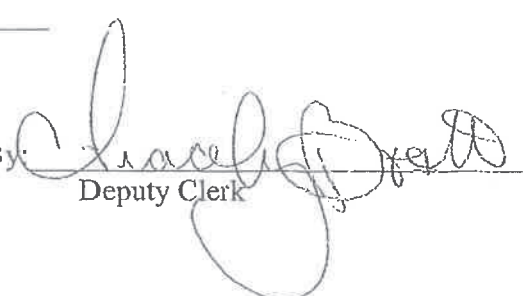
3 See Rule 45(e)(2)(B) of the Arizona Rules of Civil Procedure.

4 In these last four circumstances, a court may, instead of quashing or modifying a subpoena, order your
appearance or order the production of material under specified conditions if: (1) the serving party or
5 attorney shows a substantial need for the testimony or material that cannot be otherwise met without
undue hardship; and (2) if your travel expenses or the expenses resulting from the production are at
6 issue, the court ensures that you will be reasonably compensated. See Rule 45(e)(2)(C) of the Arizona
Rules of Civil Procedure.

7
8 **ADA Notification**

9 Requests for reasonable accommodation for persons with disabilities must be made to the court by
parties at least 3 working days in advance of a scheduled court proceeding.

10
11 SIGNED AND SEALED this date: June 24, 2025

12
13
14 By: 
15 Deputy Clerk

I am taking depositions in the Michael Evan's estate for the wrongful death action. I need to take both Jala as the case officer and yours as the supervisor. Before I file the notices I wanted to check if tomorrow or Wednesday works better.

**wednesday works
best after 1 pm**

**That works. I think
the prosecutor
wants to be there
just because there
is the criminal case
too and I told him I
was fine with that.
He said Wednesday
is better for him too.**

**I filed the notices
and sent you copies
to your email. Is
that sufficient for**

hers to her directly?

You can tell Ashley it's nothing to worry about. It's mostly just trying to solidify cause of death. There are rumors that medical personnel may have messed up so I just want to know her observations and conversations.

Perfect. I will make sure Ashley gets

Eagar

Round Valley Police Department

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Dayson Merrill
Chief of Police

June 26, 2025

To: Town Manager, Tim Rasmussen.

On June 23, 2025, I received a Notice of Deposition, notifying me that I was to be examined by Attorney Bryce Hamblin in reference to the Matter of the Estate of Michael Wayne Evans, an Adult, Deceased civil case (Case No. PB2025-062).

On June 24, 2025, I was served a Subpoena to appear in reference to the Matter of the Estate of Michael Wayne Evans, An Adult Deceased. (Case No. PB2025-062)

According to the Subpoena I was ordered to appear on June 25, 2025, at 1330 hours, in Bryce Hamblin's office located at 367 N. Main Street Suit 3 Eagar, AZ.

I arrived on time and entered Mr. Hamblin's Office. I was told by Mr. Hamblin I could not have my body camera or my cellular phone with me during the interview. Prior to the interview, I was told I would be placed under oath and had to answer every question. There was a representative from the court and Mr. Kartchner from the Apache County Attorney's Office present in the room. Mr. Hamblin explained a deposition and said I had to answer every question and if I did not, he would call the judge, and the judge would order me to answer the questions.

I entered this deposition under the pretense that I would be answering questions related the Micael Wayne Evens traffic accident and D.U.I. investigation.

As I do not have the video and audio recording of the interview deposition, I cannot write word for word everything said, every question asked and how I responded to each question.

Mr. Hamblin asked about Officer Jala at the accident scene and her contact with the at fault driver. I believe I told Mr. Hamblin that Officer Jala initially did not smell alcohol on the driver but did later at the hospital did.

Mr. Hamblin asked questions about Mr. Evens to which I respond, Mr. Evans was walking around on scene when the police arrived.

At some point Mr. Hamblin asked me if Officer Jala had ever mentioned to me that Officer Aragon had told her he was going to shoot Bryce in the face. I was taken back by this question and felt compelled to answer as I was under oath. I believe I initially said Officer Jala did not tell me that but after thinking about it, I told Mr. Hamblin that Officer Jala did mention something to that effect.

Other questions Mr. Hamblin asked me that did not pertain to the Evans case.

Mr. Hamblin asked me about Officer Aragon and his involvement in an incident that occurred at the American Legion on March 22, 2025. I responded to the best of my memory.

Mr. Hamblin asked if I had fired Tannen Moreno. I responded that Tannen did not make probation.

Mr. Hamblin asked what the reason for Tannen not making probation was and I responded, nonfeasance. Mr. Hamblin asked what the exact reason was. I felt like I was under oath and compelled to give Mr. Hamblin an answer. I told Mr. Hamblin the Tannen failed to respond to a call for service. Mr. Hamlin asked me what Tannen said when I talked to her about it. I told Mr. Hamblin I did not talk to her about it. Mr. Hamblin asked me when the call occurred and what type of call it was. I explained the call was a Domestic Violence call that occurred on December 25, 2024.

Mr. Hamblin asked me when the last time I suspected Shane Bevington of being intoxicated at work.

Mr. Hamblin asked if Mr. Rassmesen had recorded a conversation he had with Tannen. I said I believe he did record a conversation. Mr. Hamblin asked me if Mr. Rassmessen ever played the recording to me, I told him that Mr. Rassmesen only read me notes for the recording.

I believe I was misled into a deposition to gain information unrelated to the Subpoena. At no time was I trying to be dishonest deceitful.

Brandon J. Kavanagh
Jeffrey D. Dollins
Jessica A. Armfield
Philip (Jay) McCarthy
E. Duane Weston

Of Counsel (Retired):
Stephen K. Smith

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Jessica A. Armfield
Associate Attorney

Serving Arizona Since 1955

M·W·S·W
MANGUM WALL
STOOPS & WARDEN
P.L.L.C., ATTORNEYS

Bryce Hamblin
Bryce M Hamblin Law Offices
367 N Main St
Eagar, AZ 85925

Dear Mr. Hamblin,

We represent the Town of Springerville and the Round Valley Police Department. On June 25, 2025, two officers of the Round Valley Police Department participated in a deposition held at your office. We are requesting, on behalf of the officers who were the deponents and in our capacity as counsel for the Round Valley Police Department, that the transcript of the deposition be released to Chief Merrill and Officer Jala through their undersigned counsel. Arizona Rules of Civil Procedure Rule 30(f)(3) states:

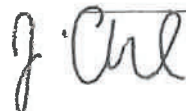
Unless the parties agree or the court orders otherwise, the officer must retain the record of a deposition according to the applicable records retention and disposition schedules adopted by the Supreme Court. Upon payment of a reasonable charge, the officer must provide a copy of the transcript or recording to any party or to the deponent.

It is clear from Rule 30(f)(3) that you, the officer of the deposition, must provide a copy of the transcript or recording to the deponents, or, in this case, the officers involved in the deposition. Please provide us with a copy of the transcript or recording of the deposition by Monday, July 7th, 2025. Failure to do so will result in further action taken including notifying the court and the Arizona State Bar of your refusal.

July 2, 2025

Sincerely,

MANGUM, WALL, STOOPS & WARDEN, P.L.L.C.



Jessica A. Armfield



**TOWN OF SPRINGERVILLE
EMPLOYEE ACTION FORM**

Effective Date: 6/16/2025

Employee Name: Tannen Moreno

Employee # 324

Dept: Round Valley Police Department

Title: Partol Officer

Classification Status:

☐ Salary
☐ Hourly
☐ Reserve Unpaid

Employment Status:

☐ Part Time
☐ Full Time

☐ Probation
☐ Temp

☐ Title V
☐ Volunteer

Proposed Action:

☐ New Hire
☐ Merit Increase
☐ Extended Probation

☒ Termination
☐ Promotion

☐ Reclassification
☐ Retirement

☐ Rehire
☐ Resign

Classification of Position:

Range:

Step:

Salary:

Present

Proposed

Proposed Title

Comments:

Tannen Moreno failed to meet probation.

Employee Signature

Date

6/16/2025

Department Head Signature

Date

6/17/2025

Town Manager Signature

Date

TR Approved
☐ Denied

Original goes to human resource - 1 copy to employee - 1 copy to payroll



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Dayson Merrill
Chief of Police

Memorandum:

Thursday June 12, 2025

Re: Probationary Period

To: Eagar Town Manager, Brannon Eagar and Springerville Town Manager, Tim Rasmussen

I am writing this memorandum/report as required by the Intergovernmental Agreement between the Towns of Eagar and Springerville, Section 6. Operations. Paragraph 2.

Upon review of Lieutenant Bevington's report, in reference to a call for service that occurred on December 25, 2024, at 2124 hours, in the jurisdiction of the Round Valley Police Department. Officer Tannen Moreno failed to uphold her duty and responsibility as a member of the Round Valley Police Department by not responding to an emergency call for service and failed to notify her supervisor, putting both her fellow officers and the public in potential danger. Furthermore, Officer Moreno took it upon herself to dispatch a separate law enforcement agency without supervisor approval. It is my recommendation as the Chief of Police and per RVPD Policy 1000.08 A, that Tannen Moreno has failed to meet the terms of her probationary period and should be terminated immediately.

Respectfully

Dayson Merrill
Chief of Police



Round Valley Police Department

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Dayson Merrill
Chief of Police

June 11, 2025

Chief Merrill,

On May 30, 2025, Officer S. Aragon #145 and I were speaking with each other via telephone regarding another matter. During that conversation, Officer Aragon asked me if Officer T. Scruggs #135 had spoken to me regarding an incident that occurred on December 25, 2024, in which he requested Officer T. Moreno #155 to respond to an incident (2412250025) to back him up, to which Officer Moreno failed to respond. I advised Officer Aragon that Officer Scruggs had not spoken with me regarding that incident.

Officer Aragon stated that Officer Scruggs expressed concern to him and stated that on December 25, 2024, he and Officer S. Rivera #195 were dispatched to a domestic violence situation in Eagar. Officer Aragon stated Officer Scruggs told him that when he and Officer Rivera were dispatched to the call for service, they were leaving the Apache County Jail in St. Johns and had an extended response time. Officer Aragon stated Officer Scruggs told him that he requested dispatch to call out Officer Moreno to respond to the call for service, however, Officer Moreno never responded.

After speaking with Officer Aragon, I contacted Officer Scruggs via telephone to inquire about this incident. Officer Scruggs stated that on December 25, 2024, he and Officer Rivera were dispatched to a domestic violence situation in Eagar. Officer Scruggs stated at the time, he and Officer Rivera were leaving the Apache County Jail in St. Johns and had an extended response time. Officer Scruggs stated he subsequently requested to have Officer Moreno called out to respond via dispatch. Officer Scruggs stated Officer Moreno never responded to the call for service.

Officer Scruggs stated afterwards, he reviewed the incident via RIMS and noticed that a call note was entered stating that Officer Moreno stated she was not responding to the call for service and instead had her husband (Arizona Department of Public Safety Trooper) respond.

After speaking with Officer Scruggs, I was able to locate the above-mentioned call for service in RIMS. That call stated that the reporting party (third party) reported that a male and female subject were involved in a verbal argument while inside a vehicle. At some point, the male subject exited the vehicle with a handgun, stated he was going to commit suicide, and entered a residence where a twelve-year-old juvenile was thought to be inside.

418 E Main Street
Springerville, AZ 85938

Main (928) 333-4240
Email: www.springervilleaz.gov



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Dayson Merrill
Chief of Police

Upon reviewing the incident, I observed that on ~~December 25, 2025~~²⁰²⁴, at approximately 2124 hours, the call for service was created by dispatch personnel. The call notes indicated that at approximately 2129 hours, Officer Moreno, was dispatched to the call for service. At approximately 2140 hours, dispatch personnel entered the following call note: "RV155 10-8 NOT COMING DUE TO POSSIBLE HOSTAGE IN WHICH HE 101M HAS EQUIPMENT FOR THAT."

Officer Scruggs, Officer Rivera, several Apache County Sheriff's Office deputies, and Arizona Department of Public Safety troopers subsequently responded to the call for service. However, Officer Moreno failed to respond.

It should be noted; Officer Moreno was on-call at this time and required to respond to callouts as indicated on the schedule.

On May 30, 2025, I sent an email to Apache County Sheriff's Office Records Clerk Franchesca Romero, requesting all telephone and radio recordings for the above-mentioned incident. On June 5, 2025, I received a USB drive from Ms. Romero, which contained all telephone and radio traffic regarding that incident.

Upon listening to the recording of our radio frequency, I noted that on December 25, 2024, at approximately 2126 hours, Officer Scruggs and Officer Rivera were dispatched to this call for service via radio. Officer Scruggs immediately requested for Officer Moreno to be dispatch as well.

Upon listening to the telephone recordings, I noted that on December 25, 2024, at approximately 2127 hours, dispatch personnel contacted Officer Moreno via telephone to advise her of this traffic. Officer Moreno ended the telephone call by advising dispatch personnel that she would be getting dressed.

On December 25, 2024, at approximately 2138 hours, Officer Moreno contacted dispatch personnel via telephone. Officer Moreno advised dispatch personnel that she would not be responding to this call for service. Officer Moreno advised the dispatcher that her husband and "his squad" were responding instead, in the event that the incident turned out to be a barricaded subject. Officer Moreno advised the dispatcher that the Arizona Department of Public Safety has the necessary equipment to handle such calls for service and that the Round Valley Police Department did not. Officer Moreno did not contact a supervisor to request outside agency assistance.



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Dayson Merrill
Chief of Police

Upon review of this incident, I have determined that Officer Moreno violated the following Round Valley Police Department policies:

310.2 - Response to Calls

Officers responding to an emergency call shall proceed immediately.

329.4 - Requesting Outside Agency Assistance

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor.

322.5.5 – Attendance

(b) Unexcused or unauthorized absence or tardiness

(d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform the duties without reasonable excuse.

322.5.7 – Efficiency

(a) Neglect of duty

I have included the following items in reference to this matter:

- Incident 2412250025 printout
- Officer Moreno's activity log for December 25, 2024
- Officer Moreno's submitted timesheet for the week of December 25, 2024
- Round Valley Police Department Policy 310 – Officer Response to Calls
- Round Valley Police Department Policy 322 – Standards of Conduct
- Round Valley Police Department Policy 329 – Outside Agency Assistance
- USB drive containing telephone and radio recordings

Please let me know if you have any questions or need any additional information.

Respectfully,

Shane E. Bevington, Lieutenant
Round Valley Police Department

Outside Agency Assistance

329.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members when requesting or responding to a request for mutual aid or when assisting another law enforcement agency.

329.2 POLICY

It is the policy of the Round Valley Police Department to promptly respond to requests for assistance by other law enforcement agencies, subject to available resources and consistent with the applicable laws and policies of this department.

329.3 ASSISTING OUTSIDE AGENCIES

Generally, requests for any type of assistance from another agency should be routed to the Sergeant's office for approval. In some instances, a mutual aid agreement or other established protocol may exist that eliminates the need for approval of individual requests (ARS § 13-3872).

When another law enforcement agency requests assistance from this department, the Sergeant may authorize, if available, an appropriate number of personnel to assist. Members are reminded that their actions when rendering assistance must conform with applicable laws and be consistent with the policies of this department.

Officers may respond to a request for emergency assistance, however, they shall notify a supervisor of their activity as soon as practicable.

Arrestees may be temporarily detained by this department until arrangements for transportation are made by the outside agency. Probation violators who are temporarily detained by this department will not ordinarily be booked at this department. Only in exceptional circumstances, and subject to supervisor approval, will this department provide transportation of arrestees to other facilities on behalf of another agency.

When transportation assistance is rendered, a report shall be prepared and submitted by the handling member unless otherwise directed by a supervisor.

329.3.1 AGREEMENTS

The Department may establish a mutual aid agreement with another law enforcement agency by action of the Town to (ARS § 13-3872):

- (a) Assist other peace officers in the line of their duty and within the course of their employment.
- (b) Exchange department peace officers with peace officers of another agency on a temporary basis.

329.3.2 INITIATED ACTIVITY

Any on-duty officer who engages in law enforcement activities of any type that are not part of a mutual aid request and take place outside the jurisdiction of the Round Valley Police Department

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Round Valley Police Department

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Outside Agency Assistance

shall notify his/her supervisor or the Sergeant and Dispatch as soon as practicable. This requirement does not apply to special enforcement details or multi-agency units that regularly work in multiple jurisdictions.

329.4 REQUESTING OUTSIDE ASSISTANCE

If assistance is needed from another agency, the member requesting assistance should, if practicable, first notify a supervisor. The handling member or supervisor should direct assisting personnel to where they are needed and to whom they should report when they arrive.

The requesting member should arrange for appropriate radio communication capabilities, if necessary and available, so that communication can be coordinated between assisting personnel.

329.5 REPORTING REQUIREMENTS

Incidents of outside assistance or law enforcement activities that are not documented in a crime report shall be documented in a general case report or as directed by the Sergeant.

329.6 MANDATORY SHARING

Equipment and supplies purchased with federal funds or grants that require such equipment and supplies be shared with other agencies should be documented and updated as necessary by the Administration Sergeant or the authorized designee.

The documentation should include:

- (a) The conditions relative to sharing.
- (b) The training requirements for:
 - 1. The use of the equipment and supplies.
 - 2. The members trained in the use of the equipment and supplies.
- (c) Any other requirements for use of the equipment and supplies.

Copies of the documentation should be provided to Dispatch and the Sergeant to ensure use of the equipment and supplies is in compliance with the applicable sharing agreements.

The Training Officer should maintain documentation that the appropriate members have received the required training.

Officer Response to Calls

310.1 PURPOSE AND SCOPE

This policy provides for the safe and appropriate response to all emergency and non-emergency situations.

310.2 RESPONSE TO CALLS

Officers responding to an emergency call shall proceed immediately. Officers responding to an emergency call shall continuously operate emergency lighting equipment and shall sound the siren as reasonably necessary (ARS § 28-624(B)).

Responding with emergency lights and siren does not relieve the operator of an authorized emergency vehicle of the duty to drive with due regard for the safety of all persons and does not protect the driver from the consequences of his/her reckless disregard for the safety of others (ARS § 28-624(B)). The use of any other warning equipment without emergency lights and siren does not provide any exemption from the Arizona motor vehicle laws.

Officers should only respond as an emergency call response when so dispatched or when circumstances reasonably indicate an emergency response is required. Officers not responding as an emergency call response shall observe all traffic laws and proceed without the use of emergency lights and siren.

310.3 REQUESTING EMERGENCY ASSISTANCE

Requests for emergency assistance should be limited to those situations where the involved personnel reasonably believe there is an imminent threat to the safety of officers, or assistance is needed to prevent imminent serious harm to a citizen. Where a situation has stabilized and emergency response is not required, the requesting officer shall promptly notify Dispatch.

If circumstances permit, the requesting officer should give the following information:

- The unit number
- The location
- The reason for the request and type of emergency
- The number of units required

310.3.1 NUMBER OF UNITS PARTICIPATING

Normally, only those units reasonably necessary should respond to an emergency as an emergency call response. The Sergeant or the field supervisor should monitor all emergency responses and reduce or enhance the response as warranted.

310.4 INITIATING EMERGENCY CALL RESPONSE

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If an officer believes an emergency call response to any call is appropriate, the officer shall immediately notify Dispatch. Emergency responses of more than one unit should include, if

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Officer Response to Calls

circumstances reasonably permit, coordination of the response of the second responding unit by Dispatch to avoid unanticipated intersecting of response routes.

An emergency call response of more than one unit should initiate notification by Dispatch to the Sergeant or field supervisor. The Sergeant or field supervisor will make a determination regarding the appropriateness of the response and reduce or enhance the response as warranted.

310.5 RESPONSIBILITIES OF RESPONDING OFFICER

Officers shall exercise sound judgment and care with due regard for life and property when responding to an emergency call. During a response to an emergency call officers may (ARS § 28-624(B)):

- (a) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- (b) Exceed the prima facie speed limits if the driver does not endanger life or property.
- (c) Disregard laws or rules governing the direction of movement or turning in specified directions.
- (d) Disregard regulations governing parking or standing when using a warning lamp.

Continuing an emergency call response is at the discretion of the officer. If, in the officer's judgment, the roadway conditions or traffic congestion does not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of red lights and siren at the legal speed limit. In such an event, the officer should immediately notify Dispatch. An officer shall also discontinue an emergency call response when directed by a supervisor or as otherwise appropriate.

Upon determining that an emergency call response is appropriate, an officer shall immediately give the location from which he/she is responding.

310.6 COMMUNICATIONS RESPONSIBILITIES

A dispatcher shall ensure acknowledgment and response of assisting units when an officer requests emergency assistance or when the available information reasonably indicates that the public is threatened with serious injury or death and an immediate law enforcement response is needed. In all other circumstances, the dispatcher shall obtain authorization from the Sergeant or a field supervisor prior to assigning an emergency response. The dispatcher shall:

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- (a) Attempt to assign the closest available unit to the location requiring assistance.
- (b) Immediately notify the Sergeant.
- (c) Confirm the location from which the unit is responding.
- (d) Notify and coordinate outside emergency services (e.g., fire and ambulance).
- (e) Continue to obtain and broadcast information as necessary concerning the response, and monitor the situation until it is stabilized or terminated.

Officer Response to Calls

- (f) Control all radio communications during the emergency and coordinate assistance under the direction of the Sergeant or field supervisor.

310.7 SUPERVISORY RESPONSIBILITIES

Upon being notified that an emergency response has been initiated, the Sergeant or the field supervisor shall verify the following:

- (a) The proper response has been initiated.
- (b) No more than those units reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified as practicable.

The field supervisor shall, whenever practicable, monitor the response until it has been stabilized or terminated, and assert control by directing units into or out of the response if necessary. If, in the supervisor's judgment, the circumstances require additional units to be assigned an emergency response, the supervisor may do so.

It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment, is inappropriate due to the circumstances.

When making the decision to authorize an emergency call response, the Sergeant or the field supervisor should consider the following:

- The type of call or crime involved
- The necessity of a timely response
- Traffic and roadway conditions
- The location of the responding units

310.8 FAILURE OF EMERGENCY EQUIPMENT

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency call response and respond accordingly (ARS § 28-624(C)).

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The officer shall notify the Sergeant, field supervisor or Dispatch of the equipment failure so that another unit may be assigned to the emergency response.

Standards of Conduct

322.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Round Valley Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

322.2 POLICY

The continued employment or appointment of every member of the Round Valley Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

322.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

322.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

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Standards of Conduct

The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

322.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

322.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Arizona constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

322.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service:

322.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or Town manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.

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- (c) Violation of federal, state, local or administrative laws, rules or regulations.

322.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Round Valley Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

322.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

322.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.

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Standards of Conduct

(e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

322.5.5 ATTENDANCE

(a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.

(b) Unexcused or unauthorized absence or tardiness.

(c) Excessive absenteeism or abuse of leave privileges.

(d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.

322.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

(a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.

(b) Disclosing to any unauthorized person any active investigation information.

(c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.

(d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.

(e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

322.5.7 EFFICIENCY

(a) Neglect of duty.

(b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.

(c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.

Round Valley Police Department

RVPD Policy Manual

Standards of Conduct

- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Department within 24 hours of any change in residence address or contact numbers.
- (f) Failure to notify the Human Resources of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

322.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.

Round Valley Police Department

RVPD Policy Manual

Standards of Conduct

2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by Town policy, the collective bargaining agreement or the Chief of Police.

(h) Engaging in political activities during assigned working hours except as expressly authorized by Town policy, the collective bargaining agreement or the Chief of Police.

(i) Any act on- or off-duty that brings discredit to this department.

322.5.9 CONDUCT

(a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

(b) Unreasonable and unwarranted force to a person encountered or a person under arrest.

(c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.

(d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.

(e) Engaging in horseplay that reasonably could result in injury or property damage.

(f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the Town.

(g) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.

(h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.

(i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.

(j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.

(k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or contract to include fraud in securing the appointment or hire.

Round Valley Police Department

RVPD Policy Manual

Standards of Conduct

(l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.

(m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members

322.5.10 SAFETY

(a) Failure to observe or violating department safety standards or safe working practices.

(b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).

(c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.

(d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.

(e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.

(f) Unsafe or improper driving habits or actions in the course of employment or appointment.

(g) Any personal action contributing to a preventable traffic collision.

(h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

322.5.11 INTOXICANTS

(a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.

(b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.

(c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

TOWN OF SPRINGVILLE POLICE TIME SHEET

Employee Name: Tannen Moreno

Empl# 324

PPE: 12/28/2024

Week 1

	Sun	Mon	Tue	Wed	Thur	Fri	Sat	Payroll Office Use
Date:	12/15/24	12/16/24	12/17/24	12/18/24	12/19/24	12/20/24	12/21/24	
Regular	0			13	11.5	10	5.5	40
Overtime	6						11	17
Call Standby				11	12.5	14	7.5	45
Vacation								
Sick								
Holiday		3.85						3.85
Bereavement								
Comp Time Pay								
GOHS Traffic Detail								
GOHS DUI								

Week 2

	Sun	Mon	Tue	Wed	Thur	Fri	Sat	Payroll Office Use
Date:	12/22/24	12/23/24	12/24/24	12/25/24	12/26/24	12/27/24	12/28/24	
Regular				10	12.5	11	6.5	40
Overtime							4.5	4.5
Call Standby				14	11.5	13	13	51.5
Vacation								
Sick								
Holiday								
Bereavement								
Comp Time Pay								
GOHS Traffic Detail								
GOHS DUI								

Pay Overtime ☒

Put Overtime to Accrued Comp Time ☐

Tannen Moreno
Employee Signature

12/28/24
Date

Dayton Moreno
Supervisor Signature

12/30/24
Date

FOR PAYROLL OFFICE USE ONLY

Regular	Overtime	Vacation	Sick
<u>80</u>	<u>21.5</u>		
101	201	301	401
Call Time	Holiday	Comp Time Earned	Comp Time Pay
<u>56</u>	<u>3.85</u>		
503	700	801	802
Bereavement	GOHS Traffic	GOHS DUI	
902	202	203	161.35

Complaint to the State Bar of Arizona

Ashley Jala

Phone: [REDACTED]

Email: [REDACTED]

Attorney: Bryce Hamblin

Law Office: Bryce M. Hamblin Law Offices

Date of Deposition: June 25, 2025

Subject: Formal Complaint – Intentional Abuse of Subpoena Power and Misconduct Under Oath

Description of Misconduct:

I am a law enforcement officer with the Round Valley Police Department. On June 25, 2025, I was subpoenaed by attorney Bryce Hamblin to testify in a civil wrongful death case involving an alleged DUI fatality. Mr. Hamblin represents the family of the deceased.

I was the case officer on the incident. Two other officers who had equal or greater direct contact with the deceased were involved in the response — yet neither of them were subpoenaed. In contrast, my police chief, who had no involvement at all, was subpoenaed and compelled to appear.

During the deposition, Mr. Hamblin began with case-relevant questions. However, he later deliberately shifted to questioning me about an entirely unrelated incident involving my coworker, whom Mr. Hamblin is currently suing in a separate civil lawsuit. I was not advised this unrelated incident would be discussed. I was also led to believe I was legally required to answer all questions, including those unrelated to the current case. Mr. Hamblin explicitly stated that he was asking these questions to “test my credibility.”

However, these questions:

- Had no relevance to the wrongful death case I was subpoenaed for,
- Targeted a coworker against whom Mr. Hamblin has pending litigation,
- Were asked under oath, despite being unrelated,

- And came after he knowingly bypassed other relevant witnesses.

It is my belief that this questioning was not accidental or harmless, but rather a calculated effort to use the subpoena process as a pretext to gather under-oath testimony about a different case and individual. Mr. Hamblin intentionally misled me under the guise of standard deposition questioning, knowing full well that the unrelated subject matter was outside the lawful scope of the subpoena.

This conduct is not only unethical — it appears to be a willful abuse of the discovery process. It reflects a misuse of legal authority to retaliate against or harass a third party (my coworker) under color of court authority. The deliberate nature of the questioning, the pattern of who was and wasn't subpoenaed, and Mr. Hamblin's active legal interests in the coworker all indicate intent to misuse process, not legitimate fact-finding.

I believe this conduct constitutes serious violations of the Arizona Rules of Professional Conduct, including:

- Rule 4.4(a): Knowingly using legal process to harass or burden others without legitimate purpose.
- Rule 3.4(c): Knowingly violating discovery rules and deposition scope.
- Rule 8.4(c): Engaging in conduct involving dishonesty or misrepresentation.
- Rule 8.4(d): Conduct prejudicial to the administration of justice.

I request that the State Bar open a formal investigation into this incident. I am prepared to provide the subpoena documents or additional statements.

Thank you for your time and consideration.

Sincerely,

Ashley Jala

Tim Rasmussen

From: Christopher Resare <cresare@apachecountyaz.gov>
Sent: Tuesday, July 15, 2025 11:37 AM
To: Tim Rasmussen; Dayson Merrill
Cc: Jasmine Blackwater-Nygren
Subject: Brady List Review - Agency Notice Letters
Attachments: Brady List Review - Agency Head Notice - Chief Merrill.pdf; Brady List Review - Agency Head Notice - Officer Jala.pdf; Brady List Review - Officer Notice - Merrill.pdf; Brady List Review - Agency Head Notice - Officer Aragon.pdf; Brady List Review - Officer Notice - Aragon.pdf; Brady List - Officer Notice - Jala.pdf

Hi Tim,

Per our conversation this morning, please find attached the Brady List Review notices for Chief Merrill, Former Officer Aragon, and Officer Jala. I've also included a copy of the letter that will be sent to each officer by mail.

For your information, these are the criteria we are required to evaluate and meet before placing someone on the Brady list:

Examples of Conduct Requiring an Officer's Placement on a Rule 15.1 List:

1. Any finding by a prosecuting agency that probable cause exists that an officer intentionally, knowingly, or recklessly made false or misleading statements in a police report, official document, or official proceeding (e.g., deposition), or was otherwise dishonest or untruthful about any matter reasonably requiring honesty or truthfulness, and the officer knew or believed the statement(s) to be false, dishonest, or untrue.
2. Any finding by a prosecuting agency that probable cause exists that an officer committed a felony or any crime involving dishonesty, or that the officer has been charged in a criminal proceeding with a felony or any crime involving dishonesty.
3. Any finding by a prosecuting agency that probable cause exists that an officer was biased against a particular gender, ethnicity, race, or national origin.
4. Any finding by a prosecuting agency that probable cause exists that an officer engaged in conduct constituting an abuse of power or that could significantly diminish the public's trust in law enforcement, and such conduct involved misfeasance, nonfeasance, or malfeasance.
5. Any finding by a prosecuting agency that probable cause exists that an officer engaged in a pattern of unreasonable or excessive use of force.
6. Any finding by a prosecuting agency that probable cause exists that an officer engaged in a pattern of violating any constitutional or statutory rights.
7. Any finding by a prosecuting agency that probable cause exists that an officer suffers from any physical or mental defect or disorder, and such defect or disorder significantly impairs the officer's ability to perceive, recall, or relate events.
8. Any finding by a prosecuting agency that probable cause exists that an officer used illegal or legal substances, and such use significantly impairs the officer's ability to perceive, recall, or relate events.

Let me know if you have any questions.

Regards,



CHRIS RESARE
CHIEF DEPUTY COUNTY ATTORNEY

APACHE COUNTY ATTORNEY JASMINE BLACKWATER-NYGREN
245 W. 1ST S.
P.O. BOX 637
ST. JOHNS, AZ 85936
PHONE: (928) 337-7560
FAX: (928) 337-2427

CONFIDENTIAL INFORMATION
CONFIDENTIAL AND NONDISCLOSURE NOTICE: THIS E-MAIL TRANSMISSION AND ANY ATTACHMENTS ARE INTENDED FOR USE BY THE PERSON(S) IDENTIFIED NAME(S) ABOVE, AND MAY CONTAIN CONFIDENTIAL/PRIVILEGED INFORMATION. ANY UNAUTHORIZED USE, DISCLOSURE, OR DISTRIBUTION IS STRICTLY PROHIBITED. IF YOU ARE NOT THE INTENDED RECIPIENT, PLEASE CONTACT THE SENDER BY E-MAIL AND DELETE OR DESTROY ALL COPIES PLUS ATTACHMENTS.



JASMINE BLACKWATER-NYGREN
APACHE COUNTY ATTORNEY'S OFFICE

**County Attorney's Office Statement:
Case Review of Round Valley Cases**

The Apache County Attorney's Office takes its prosecutorial obligations seriously. In response to recent complaints involving members of the Round Valley Police Department, this Office has initiated a case-by-case review of potentially affected matters. As part of this review, certain cases may be dismissed without prejudice, allowing for potential refiling once an external investigation is complete and additional information becomes available.

While we cannot comment on individual cases or personnel matters involving the Round Valley Police Department, the Apache County Attorney's Office remains committed to ensuring that all prosecutions are conducted in accordance with constitutional and ethical standards. These actions reflect a responsible and measured response to evolving circumstances.

Apache County remains committed to transparency, justice, and the rule of law. All decisions are made with the goal of maintaining public trust and protecting the integrity of the criminal justice system.



JASMINE BLACKWATER-NYGREN
APACHE COUNTY ATTORNEY'S OFFICE

July 15, 2025

Chief Dayson Merrill
Chief of Police
Round Valley Police Department
418 E Main St. Springerville, AZ 85938

Re: Notice of Disclosure Review – Chief Merrill

Dear Chief Merrill,

I am writing to inform you that the Apache County Attorney's Office is currently reviewing information related to you that may trigger our constitutional and ethical obligations to disclose potential impeachment material under *Brady v. Maryland*, *Giglio v. United States*, and *Rule 15.1 of the Arizona Rules of Criminal Procedure*.

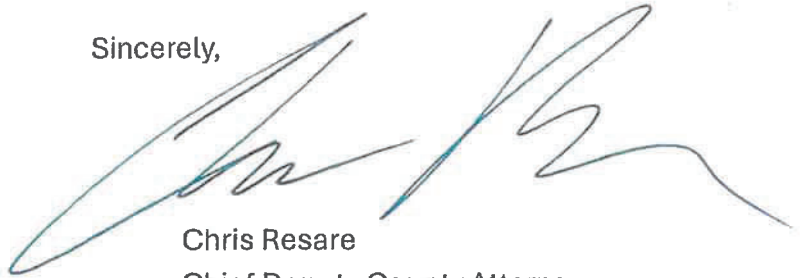
At this stage, no final determination has been made. Our office has not yet concluded whether the information under review meets the threshold for ongoing disclosure in criminal cases where you may serve as a material witness.

In accordance with our internal Rule 15.1 review procedures, we are providing you with an opportunity to respond before any decision is made. You may submit a written response, explanation, or any documentation you believe is relevant for our review. If you would prefer to meet in person or request a meeting, we are open to arranging that as well.

Please submit any response within 10 business days from the date of this letter, unless an extension is requested and granted.

If you have any questions, or if you would like to discuss this matter further, please feel free to contact me directly.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Chris Resare', with a large, sweeping flourish extending to the right.

Chris Resare
Chief Deputy County Attorney
Apache County Attorney's Office
928-337-7598
cresare@apachecountyaz.gov



JASMINE BLACKWATER-NYGREN
APACHE COUNTY ATTORNEY'S OFFICE

July 15, 2025

Officer Ashley Jala
Round Valley Police Department
418 E Main St. Springerville, AZ 85938

Re: Notice of Disclosure Review - Officer Jala

Dear Officer Jala,

I am writing to inform you that the Apache County Attorney's Office is currently reviewing information related to you that may trigger our constitutional and ethical obligations to disclose potential impeachment material under *Brady v. Maryland*, *Giglio v. United States*, and *Rule 15.1 of the Arizona Rules of Criminal Procedure*.

At this stage, no final determination has been made. Our office has not yet concluded whether the information under review meets the threshold for ongoing disclosure in criminal cases where you may serve as a material witness.

In accordance with our internal Rule 15.1 review procedures, we are providing you with an opportunity to respond before any decision is made. You may submit a written response, explanation, or any documentation you believe is relevant for our review. If you would prefer to meet in person or request a meeting, we are open to arranging that as well.

Please submit any response within 10 business days from the date of this letter, unless an extension is requested and granted.

If you have any questions, or if you would like to discuss this matter further, please feel free to contact me directly.

Sincerely,

A handwritten signature in dark ink, appearing to read 'Chris Resare', written in a cursive style.

Chris Resare
Chief Deputy County Attorney
Apache County Attorney's Office
928-337-7598
cresare@apachecountyaz.gov



JASMINE BLACKWATER-NYGREN
APACHE COUNTY ATTORNEY'S OFFICE

July 15, 2025

Chief Dayson Merrill
Chief of Police
Round Valley Police Department
418 E Main St. Springerville, AZ 85938

Tim Rasmussen
Town Manager
Town of Springerville
418 E Main St. Springerville, AZ 85938

Re: Notice of Consideration for Rule 15.1 Disclosure List - Officer Jala

Dear Chief Merrill and Mr. Rasmussen

I am writing to inform you that the Apache County Attorney's Office is currently reviewing information related to Officer Jala that may trigger our disclosure obligations under *Brady v. Maryland*, *Giglio v. United States*, and *Rule 15.1 of the Arizona Rules of Criminal Procedure*.

As part of our office's established *Brady* review process, we are assessing whether the identified information rises to a level that would require ongoing disclosure to the defense in criminal proceedings in which Officer Jala may serve as a material witness. If so, Officer Jala may be formally added to the nationwide disclosure list (commonly referred to as the "Brady list").

Please note that no final determination has been made at this time. Both Officer Jala and your agency are being notified of the pending review and are hereby provided with an opportunity to submit any relevant information or response. This includes any documentation, explanation, or mitigating context you believe may assist in our evaluation.

We are providing this notice to ensure transparency and fairness throughout the review process. If you have any questions or wish to discuss this matter further, please feel free to contact me directly.

Sincerely,



Chris Resare

Chief Deputy County Attorney
Apache County Attorney's Office
928-337-7598
cresare@apachecountyaz.gov



JASMINE BLACKWATER-NYGREN
APACHE COUNTY ATTORNEY'S OFFICE

RECEIVED
JUL 21 2025

July 15, 2025

Tim Rasmussen
Town Manager
Town of Springerville
418 E Main St. Springerville, AZ 85938

Re: Notice of Consideration for Rule 15.1 Disclosure List - Chief Merrill

Dear Mr. Rasmussen

I am writing to inform you that the Apache County Attorney's Office is currently reviewing information related to Chief Merrill that may trigger our disclosure obligations under *Brady v. Maryland*, *Giglio v. United States*, and *Rule 15.1 of the Arizona Rules of Criminal Procedure*.

As part of our office's established *Brady* review process, we are assessing whether the identified information rises to a level that would require ongoing disclosure to the defense in criminal proceedings in which Chief Merrill may serve as a material witness. If so, Chief Merrill may be formally added to the nationwide disclosure list (commonly referred to as the "Brady list").

Please note that no final determination has been made at this time. Both Chief Merrill and your agency are being notified of the pending review and are hereby provided with an opportunity to submit any relevant information or response. This includes any documentation, explanation, or mitigating context you believe may assist in our evaluation.

We are providing this notice to ensure transparency and fairness throughout the review process. If you have any questions or wish to discuss this matter further, please feel free to contact me directly.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Chris Resare', with a large, sweeping initial 'C' and a stylized 'R'.

Chris Resare
Chief Deputy County Attorney
Apache County Attorney's Office
928-337-7598
cresare@apachecountyaz.gov



Round Valley Police Department

"Respect for Our Past, Confidence in Our Future."



Chief Dayson Merrill

TO: Chief Deputy County Attorney Chris Resare

FROM: Officer Ashley Jala

Date: July 23, 2023

RE: Notice of Disclosure Review Response

Dear Mr. Resare,

I want to begin by stating that during my deposition on June 25, 2025, I answered questions to the best of my ability. I was subpoenaed to provide testimony regarding a DUI case, and I fully intended to cooperate within the scope of that subpoena.

What I did not anticipate, nor was I ever prepared for was to be questioned about a completely unrelated matter involving another officer and an incident I was not assigned to investigate.

Prior to the deposition, I went to Mr. Hamblin's office voluntarily and in good faith. I showed up with the best of intentions expecting to answer questions truthfully and directly about a DUI case that I believed the deposition was related to.

At the start of the deposition, Mr. Hamblin made a troubling statement. He warned that if I refused to answer any questions, he would call the judge and have me compelled to respond.

This felt coercive and created a hostile environment before I had even spoken. My memory was unclear, yet I felt pressured to respond to questions that I was not prepared to answer, again about a matter that had nothing to do with the stated purpose of the subpoena.

The line of questioning, conducted by attorney Bryce Hamblin, quickly departed from the scope of the subpoena. It became apparent that the true intention of the deposition was not to discuss the DUI, but to gather hearsay and indirect testimony related to Sidney Aragon.

During the deposition, I was asked about statements made by Sidney Aragon. I had no written documentation of those statements. It is unreasonable and unfair to expect any officer to recall the exact wording of a third-party's statement, especially when they did not document the event.

In the course of my duties, I take great care to ensure accuracy and thoroughness in my documentation. When writing reports, I regularly review my body-worn camera footage to confirm important details and ensure my statements are factual and complete.

This practice helps eliminate reliance on memory alone and maintains the integrity of my reports. However, in this particular instance, there was no report written by me and no body-worn camera footage available for review.

Expecting me to recall specific statements made by another officer, in an incident that I had minimal involvement in and did not document, is an unfair standard and one that does not reflect how law enforcement professionals are trained to report and recall facts accurately. Relying on documented/recorded evidence is how I was trained, not memory alone.

In law enforcement, when officers are called to testify, they prepare by reviewing their reports and any relevant documentation. This is a standard and necessary part of the process because police officers handle numerous calls, investigations, and contacts on a daily basis, often months before weeks before they're asked to testify.

Police officers rely on our reports to refresh our recollection and ensure we're giving accurate and complete answers.

In my case, I was subpoenaed to testify regarding a DUI incident, and I prepared for that accordingly. During the deposition, I had to refer to my report several times in order to accurately answer questions, and while I was permitted to do so for some of them, Bryce Hamblin made a comment suggesting that I shouldn't be relying on my report, even though there were details I clearly did not remember without it.

I was not subpoenaed for, nor given notice about the separate incident I was questioned about during the deposition.

As such, it is unreasonable to expect me to recall specific details about a day and event that I was not assigned to investigate, did not document, and was never informed I would be questioned about.

The misuse of the subpoena process in this way is deeply troubling. It placed me in a situation where I was caught off guard, without proper notice or legal representation, and forced to respond to questions unrelated to the matter I had been lawfully compelled to testify about.

At no point did I lie or attempt to deceive anyone. The reality is that I was placed in a legal trap: asked to remember something I was never involved in documenting, then later accused of dishonesty for not recalling it.

That is not dishonesty, that is human limitation, made worse by an attorney's calculated effort to exploit the situation for his own fishing expedition.

Now, I find myself potentially facing consequences as though I committed misconduct, when in reality I did nothing wrong. The Brady List exists to ensure that prosecutors disclose known credibility issues with officers who testify in criminal cases. It is designed to protect defendants' rights by flagging officers who

have knowingly lied, falsified evidence, or engaged in serious misconduct that would call their future testimony into question.

It is not intended to punish officers for not remembering something that was never documented, especially when that topic falls outside the scope of their subpoenaed testimony.

I never fabricated, exaggerated, or misled.

That distinction matters.

This entire situation has caused me great personal and emotional distress. It has made me question the integrity of the very system I believed in and committed myself to serving. I took my oath seriously, and I conduct myself accordingly. I should not be punished for being placed in a situation where an attorney abused the subpoena process for his own personal vendettas, and I certainly should not be labeled as dishonest for an incident I had no recollection of.

If I had intentionally lied under oath, I would fully understand the consequences, and I would accept that being placed on the Brady List was warranted. I take that responsibility seriously, and I would never risk compromising a case, undermining the integrity of an investigation, or denying justice to a victim because of my own dishonesty.

I would never put the people I serve in a position where my actions could prevent them from getting the justice they deserve.

That is exactly why this situation is so devastating, because I know in my heart that I did not lie. I answered honestly to the best of my ability, and my only shortcoming was not recalling something that was outside the scope of what I was brought there to testify about.

It's important to note that our Town Attorney is actively working to strike the deposition from the record due to serious concerns regarding how it was conducted and the clear misuse of the subpoena process by Bryce Hamblin.

If the deposition is successfully struck, it would demonstrate that the testimony should never have been relied upon in the first place. This would invalidate any actions or accusations that have stemmed from that deceptive deposition, including the efforts to damage my professional credibility and integrity.

It would further confirm that the process was not only unfair but also strategically manipulated for purposes that were never disclosed to me.

Throughout this entire situation, there has been a complete lack of due process. While there seems to be an overwhelming concern for ethics on my part, there has been little to no acknowledgment of the blatant ethical violations committed by Bryce Hamblin and his counterpart present at the deposition.

His misuse of the subpoena process, inappropriate line of questioning, and very apparent personal motivations have been ignored and accepted.

Even more troubling that a representative from the County Attorney's Office was present during the deposition and not only failed to intervene but appeared to aid and enable this conduct.

The County Attorney listed my Police Chief as a witness in an AZ Post complaint to the DUI incident in question. He is/was the prosecuting attorney for the case. He knows that my Police Chief is not a witness and has never been listed as such in any official capacity related to the DUI case.

Moreover, why would he allow my Police Chief to be questioned under oath when he knew, based on his role in the case, that the Chief had no relevant involvement in the DUI case.

These actions not only undermine ethical standards but further reinforce the perception that the subpoena was used as a tool to advance personal or retaliatory agendas, rather than to pursue legitimate legal inquiry.

The prosecuting attorney allowed improper questioning, enabled a civil attorney to overreach, and presented misleading witness lists (Chief Merrill). These actions could compromise the integrity of the DUI case. The defense attorney could argue that procedural errors or misconduct by the prosecution have prejudiced the case.

Their decision to prioritize personal vendettas over ethical responsibility risks undermining the justice they are supposed to be pursuing.

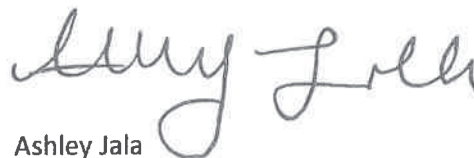
I have never been reprimanded for dishonesty at any point in my career, and I take great pride in maintaining integrity in both my career and personal life.

It is entirely unfair to label me as dishonest simply because I could not recall a specific statement made by another officer, especially in relation to an incident I was not subpoenaed to testify about and did not document.

Holding me to an unrealistic standard in a situation where I had no opportunity to prepare or review any relevant material is not only unjust, it's contrary to how proper and ethical testimony is expected to be given.

It's impossible for anyone who is human to rely solely on memory. I hope you can understand that and see the real ethical concerns behind this.

Sincerely,

A handwritten signature in cursive script, appearing to read "Ashley Jala".

Ashley Jala



Round Valley Police Department

"Respect for Our Past, Confidence in Our Future."



Dayson Merrill
Chief of Police

July 23, 2025

Chief Deputy County Attorney Resare,

I am writing this response to inform you that I have received your letter regarding the Notice of Disclosure Review dated July 15, 2025. I am currently out of state at this time and will not be back in the office until Monday July 28, 2025. As a result, I am respectfully requesting an extension for me to respond to this notice.

Please let me know if you have any questions.

Respectfully,

A handwritten signature in blue ink that reads "Dayson Merrill".

Dayson Merrill, Chief of Police
Round Valley Police Department



Round Valley Police Department

"Respect for Our Past, Confidence in Our Future."



Dayson Merrill
Chief of Police

July 28, 2025

To: Chief Deputy County Attorney Chris Resare
From: Chief Dayson Merrill
Re: Notice of Disclosure Review Response

Dear Mr. Resare,

I am writing this letter in response to the Notice of Disclosure Review, dated July 15, 2025.

First, I want to thank you for the extension as I was out of town and unable to properly respond.

On June 23, 2025, I received a text Message from Mr. Bryce Hamblin stating that he was taking depositions in the Michael Evan's estate for the wrongful death action. In his text message, Mr. Hamblin stated that he thinks the prosecutor wants to be there because there is a criminal case. Mr. Hamblin also sent me a text message stating that I could tell Ashley (Officer Jala) that there is nothing to worry about and it's just trying to solidify cause of death. Both these statements were misleading and apparently untruthful.

On June 24, 2025, Mr. Hamblin personally served me with a subpoena where I was commanded to appear at Hamblin Law Office in Eagar, AZ, on June 25, 2025, at 1330 hours. Mr. Hamblin told me that Garek Kartchner would be present alluding to the fact that the Apache County Attorney's Office would be represented. I reminded Mr. Hamblin that I was not present during the vehicle collision and that Lieutenant Bevington was the supervisor on scene. Simply, I was led to believe that I was to be deposed regarding the accident involving Michael Wayne Evans and nothing more.

On June 25, in Mr. Hamblin's office, before the interview, I was told I could not have my body camera or my cell phone. Prior to the interview, I was also told by Mr. Hamblin that I had to answer every question asked and if I didn't, he would call the judge and have the judge order me to answer the question. This caught me off guard and I was confused by the

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Springerville, AZ 85938
www.springervilleaz.gov

Main (928) 333-4240
Email:

statement. In that moment, I was led to believe that I was not allowed to have legal counsel present. During the deposition, I was quickly puzzled by the forced and leading questions asked by Mr. Hamblin that were not related to the Evans case. With Mr. Kartchner present and the threat of calling the judge, I felt compelled to answer every unrelated question that was clearly outside the scope of the subpoena.

I was deliberately misled to believe I had to answer unrelated questions that I later realized were for the personal gain of Mr. Hamblin. I was also misled to believe that Mr. Karchner was there on my behalf. I feel I was forced and obligated to answer questions I was not prepared for. I was completely caught off guard and I tried to answer to the best of my memory.

Information gained by both Mr. Hamblin and Mr. Kartchner was used against me and Officer Jala in a complaint to AZPOST. As law enforcement officers, we are held to a higher standard that would never allow us to use this type of information against another.

Exclusionary Rule.

At no time was I trying to be deceptive or dishonest. In fact, I was trying my best to recall details of the events that happened over one month prior.

My integrity and honesty have never been questioned in my nearly 17 years of law enforcement. I am a kind and compassionate person, and I now realize that Mr. Hamblin has taken full advantage of that. I was naive to believe Mr. Hamblin's intentions were pure in regards to the Evans Family case. Mr. Hamblin clearly took advantage of the Evan's family by using their case for his own personal gain. This is not fair to me or the Evens family.

I understand that you must take this situation seriously but know that at no time did I intentionally or knowingly make false or misleading statements.

Thank you for all you do and please be understanding as you go forward with your decision.

Respectfully



Dayson Merrill
Chief of Police

Brandon J. Kavanagh
Jeffrey D. Dollins
Jessica A. Armfield
Philip (Jay) McCarthy
E. Duane Weston

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Jessica A. Armfield
Associate Attorney

July 24, 2025

Via Email only:

Chris Resare
Chief Deputy County Attorney
Apache County Attorney's Office
245 W 1st S
St John, AZ 85936
cresare@apachecountyaz.gov

RE: Town of Springerville response to Notice of Disclosure Review

Dear Mr. Resare,

In response to your letters addressed to Officer Jala and Chief Merrill, the Town of Springerville ("Town") is requesting that you consider the following information while conducting your investigation. The Town is writing on its own behalf as the employer of the two officers and not on their behalf.

Officer Jala and Chief Merrill understood they were to be deposed on the fatal accident involving Michael Wayne Evans by attorney Bryce Hamblin and were prepared to discuss that matter. Officer Jala and Chief Merrill were completely caught off guard by the questions asked as they far exceeded the scope of the Michael Wayne Evans probate case. They were required to answer questions about topics they had not given any consideration. Statements that may appear to be untruthful or inconsistent were the result of under-preparedness in combination with a defense attorney forcing them to answer leading questions. Officer Jala and Chief Merrill were diligent in responding to their subpoenas and appearing for their depositions. They complied with Mr. Hamblin's directions and attempted to the best of their ability to answer all the questions asked.

Officer Jala and Chief Merrill were also unrepresented by counsel during their depositions taken by Mr. Hamblin. They were intentionally allowed to believe that the Deputy County Attorney was present at the depositions to protect their interests when that was not true. The Town understands this was not communicated by the Apache County Attorney's Office ("ACAO"), but Officer Jala and Chief Merrill were nevertheless confused by the Deputy County Attorney's presence at the depositions. Officer Jala and Chief Merrill did not have the assistance of counsel to object to questions asked and to clarify answers given.

The Town and the Round Valley Police Department are taking action to address the incidents brought up in the depositions, including participating in a DPS investigation. The Town understands that the ACAO must take these incidents into account when making prosecutorial decisions, but the Town requests that Officer Jala and Chief Merrill's depositions be given the

Apache County Attorney's Office
RE: Brady Investigation
July 24, 2025
Page 2 of 2

weight they deserve based on the totality of the circumstances. It is inappropriate for Mr. Hamblin to manufacture inconsistent statements from the officers by intentionally depriving them of the opportunity to be properly prepared and represented at the depositions.

The Town thanks you for your consideration and is available to answer additional inquiries should they arise.

Sincerely,

MANGUM, WALL, STOOPS & WARDEN, P.L.L.C.

Jessica A. Armfield

JAA:

cc: T. Rasmussen, Town Manager (via email only)

Tim Rasmussen

From: Amy Sloane
Sent: Monday, August 11, 2025 5:20 PM
To: Tim Rasmussen
Subject: Polygraph Info Leak

Although I recall the incident, I cannot recall the specific date it occurred but I believe the time frame would be May/June 2024.

I was sitting at my desk when Chief Merrill, Lt. Bevington and Sgt. Gleeson were all standing in the PD administration area by my desk. We were discussing the upcoming academy class, as we had police officer cadets attending. Sgt. Gleeson made a comment referring to very specific details of a cadet's recent polygraph examination that led me to believe he either read the polygraph report or was told about the details of the report. His comment was in a joking and "poking fun of" manner. I was shocked by his knowledge of this information and by his statement. I immediately stated that he should not have that information and to not discuss it further with anyone as that was privileged information. The conversation stopped and the officers dispersed from the area.

I later spoke to Chief Merrill reiterating the gross negligence on behalf of Lt. Bevington in sharing this information with Sgt. Gleeson. He agreed and stated he would talk to Lt. Bevington about it. I do not know if he ever did.

It should be known that Lt. Bevington conducted the background investigation on this cadet. The polygraph is part of the background investigation along with other privileged information that no one outside the Chain of Command should even know about much less discuss or joke about.

Amy Sloane

Administrative Assistant
Records Administrator
Property & Evidence Manager
Round Valley Police Department
(formerly Springerville and Eagar Police Department)
418 E. Main Street
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Tim Rasmussen

From: Tim Rasmussen
Sent: Tuesday, August 12, 2025 5:15 PM
To: Michael Kepler
Cc: Brannon Eagar
Subject: Sloane Polygraph Info Leak
Attachments: Facebook.png; Sloane Polygraph Leak.pdf

Mike,

Good Afternoon.

I am writing this to make you aware of another possible issue with RVPD.

As you may understand, in a small community and with the allegations of issues within it, some of the community is upset and turning to Facebook. Yesterday, Sergeant Polk and Officer Scruggs came to see me about this Facebook post. We then went into the PD, where Any Sloane is the Administrative Assistant. I was made aware of an issue about a possible polygraph leak within the department. I asked her to send me a memo to better understand what she was describing. It is also attached.

She can be contacted at the RVPD if you would like to discuss this with her.

Thank you,
.m

Oath of Office

102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that oaths, when appropriate, are administered to department members.

102.2 POLICY

It is the policy of the Round Valley Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

102.3 OATH OF OFFICE

At or before appointment or election, all employees of this department shall be required to affirm the oath of office expressing commitment and intent to respect constitutional rights in discharging their duties (ARS § 38-232).

Before any department employee begins his/her duties, the officer or employee shall take and subscribe the following oath or affirmation in addition to any other form of oath or affirmation required (ARS § 38-231):

State of Arizona, County of _____ I, (employee name) do solemnly swear (or affirm) that I will support the Constitution of the United States and the Constitution and laws of the State of Arizona, that I will bear true faith and allegiance to the same and defend them against all enemies, foreign and domestic, and that I will faithfully and impartially discharge the duties of the office of (name of office) according to the best of my ability, so help me God (or so I do affirm).

102.3.1 CODE OF ETHICS

AZ R13-4-105(e) requires a peace officer to commit to the following Code of Ethics and affirm the peace officer's commitment by signing the code:

I will exercise self-restraint and be constantly mindful of the welfare of others. I will be exemplary in obeying the laws of the land and loyal to the State of Arizona and my agency and its objectives and regulations. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept secure unless revelation is necessary in the performance of my duty.

I will never take selfish advantage of my position and will not allow my personal feelings, animosities or friendships to influence my actions or decisions. I will exercise the authority of my office to the best of my ability, with courtesy and vigilance, and without favor, malice, ill will or compromise. I am a servant of the people and I recognize my position as a symbol of public faith. I accept it as a public trust to be held so long as I am true to the law and serve the people of Arizona.

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed in ARS § 38-233.

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Blank for Chief's Preface - 1

LAW ENFORCEMENT CODE OF ETHICS

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against abuse or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or abuse and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

Standards of Conduct

322.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Round Valley Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

322.2 POLICY

The continued employment or appointment of every member of the Round Valley Police Department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

322.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

322.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

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The person countermanding the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

322.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiesce to such a violation, or are indifferent to any such violation by a subordinate.
- (d) The unequal or disparate exercise of authority on the part of a supervisor toward any member for malicious or other improper purpose.

322.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Arizona constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

322.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service:

322.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate any policy, procedure, rule, order, directive, requirement or failure to follow instructions contained in department or Town manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.

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- (c) Violation of federal, state, local or administrative laws, rules or regulations.

322.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Round Valley Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

322.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

322.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.

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(e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know of such criminal activities, except as specifically directed and authorized by this department.

322.5.5 ATTENDANCE

(a) Leaving the job to which the member is assigned during duty hours without reasonable excuse and proper permission and approval.

(b) Unexcused or unauthorized absence or tardiness.

(c) Excessive absenteeism or abuse of leave privileges.

(d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without reasonable excuse.

322.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

(a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.

(b) Disclosing to any unauthorized person any active investigation information.

(c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.

(d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.

(e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

322.5.7 EFFICIENCY

(a) Neglect of duty.

(b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.

(c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.

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- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Department within 24 hours of any change in residence address or contact numbers.
- (f) Failure to notify the Human Resources of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

322.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts, or making any false or misleading statement on any application, examination form, or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.

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2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty or on department property except as expressly authorized by Town policy, the collective bargaining agreement or the Chief of Police.

(h) Engaging in political activities during assigned working hours except as expressly authorized by Town policy, the collective bargaining agreement or the Chief of Police.

(i) Any act on- or off-duty that brings discredit to this department.

322.5.9 CONDUCT

(a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.

(b) Unreasonable and unwarranted force to a person encountered or a person under arrest.

(c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.

(d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.

(e) Engaging in horseplay that reasonably could result in injury or property damage.

(f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the Town.

(g) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.

(h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.

(i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.

(j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.

(k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any collective bargaining agreement or contract to include fraud in securing the appointment or hire.

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(l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.

(m) Any other on- or off-duty conduct which any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members

322.5.10 SAFETY

(a) Failure to observe or violating department safety standards or safe working practices.

(b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver license, first aid).

(c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.

(d) Unsafe firearm or other dangerous weapon handling to include loading or unloading firearms in an unsafe manner, either on- or off-duty.

(e) Carrying, while on the premises of the work place, any firearm or other lethal weapon that is not authorized by the member's appointing authority.

(f) Unsafe or improper driving habits or actions in the course of employment or appointment.

(g) Any personal action contributing to a preventable traffic collision.

(h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

322.5.11 INTOXICANTS

(a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.

(b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.

(c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

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Policy

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Native American Graves Protection and Repatriation - 249

Round Valley Police Department

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Off-Duty Law Enforcement Actions

346.1 PURPOSE AND SCOPE

The decision to become involved in a law enforcement action when off-duty can place an officer as well as others at great risk and must be done with careful consideration. This policy is intended to provide guidelines for officers of the Round Valley Police Department with respect to taking law enforcement action while off-duty.

346.2 POLICY

Officers generally should not initiate law enforcement action while off-duty. Officers should not attempt to initiate enforcement action when witnessing minor crimes, such as suspected intoxicated drivers, reckless driving or minor property crimes. Such incidents should be promptly reported to the appropriate law enforcement agency.

Officers are not expected to place themselves in unreasonable peril. However, any certified member of this department who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage may take reasonable action to minimize the threat.

When public safety or the prevention of major property damage requires immediate action, officers should first consider reporting and monitoring the activity and only take direct action as a last resort.

Officers should remember that their authority as a peace officer may not extend to actions taken outside their jurisdiction unless authorized by law (ARS § 13-3883).

346.3 FIREARMS

Officers of this department may carry firearms while off-duty in accordance with federal regulations, state law and Department policy. All firearms and ammunition must meet guidelines as described in the Department Firearms Policy. When carrying firearms while off-duty, officers shall also carry their Department-issued badge and identification.

Officers should refrain from carrying firearms when the consumption of alcohol is likely or when the need to carry a firearm is outweighed by safety considerations. Firearms shall not be carried by any officer who has consumed an amount of an alcoholic beverage or taken any drugs or medication or any combination thereof that would tend to adversely affect the officer's senses or judgment.

346.4 DECISION TO INTERVENE

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There is no legal requirement for off-duty officers to take law enforcement action. However, should officers decide to intervene, they must evaluate whether the action is necessary or desirable and should take into consideration:

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Off-Duty Law Enforcement Actions

- (a) The tactical disadvantage of being alone and the fact there may be multiple or hidden suspects.
- (b) The inability to communicate with responding units.
- (c) The lack of equipment, such as handcuffs, OC or baton.
- (d) The lack of cover.
- (e) The potential for increased risk to bystanders if the off-duty officer were to intervene.
- (f) Unfamiliarity with the surroundings.

(g) The potential for the off-duty officer to be misidentified by other peace officers or members of the public.

Officers should consider waiting for on-duty uniformed officers to arrive and gather as much accurate intelligence as possible instead of immediately intervening.

346.4.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. The operator should be informed that an off-duty officer is on-scene and should be provided a description of the officer if possible.

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an Round Valley Police Department officer until acknowledged. Official identification should also be displayed.

346.4.2 INCIDENTS OF PERSONAL INTEREST

Officers should refrain from handling incidents of personal interest, (e.g., family or neighbor disputes) and should remain neutral. In such circumstances officers should call the responsible agency to handle the matter.

346.4.3 RESPONSIBILITIES

Non-sworn members should not become involved in any law enforcement actions while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

346.4.4 OTHER CONSIDERATIONS

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she needs to maintain an undercover capability.

346.5 REPORTING

Any officer, prior to taking any off-duty enforcement action, shall notify and receive approval of a supervisor (or other applicable law enforcement authority if acting outside the jurisdiction of the

Round Valley Police Department). If prior contact is not reasonably possible, an officer shall notify the applicable local law enforcement agency as soon as reasonably practicable. The Sergeant shall determine whether a report should be filed by the employee.

Off-Duty Law Enforcement Actions

Officers should cooperate fully with the agency having jurisdiction in providing statements or reports as requested or as appropriate.

Personnel Complaints

1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation and disposition of complaints regarding the conduct of members of the Round Valley Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1010.2 POLICY

The Round Valley Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local law, municipal and county rules and the requirements of any collective bargaining agreements.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1010.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy or federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

1010.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the Sergeant is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Internal Affairs, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Internal Affairs, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

1010.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1010.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other Town facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1010.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

1010.5 DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or the authorized designee.

1010.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

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1010.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
 - 1. The original complaint form will be directed to the Sergeant of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
 - 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the member's Sergeant or the Chief of Police, who will initiate appropriate action.
- (b) Responding to all complaints in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
 - 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
 - 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Sergeant.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Sergeant and Chief of Police are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the Human Resources and the Sergeant for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Sergeant, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:

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1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed.
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1010.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Internal Affairs, the following applies to members covered by the Officers' Bill of Rights.

- (a) Interviews that could reasonably result in dismissal, demotion, or suspension shall be conducted pursuant to ARS § 38-1104.
- (b) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she shall be compensated.
- (c) Unless waived by the member, interviews of an accused member shall be at the Round Valley Police Department or other reasonable and appropriate place.
- (d) No more than two interviewers should ask questions of an accused member.
- (e) Prior to any interview, an accused member shall be provided with written notice and a copy which may be retained at the member's discretion of the alleged facts that are the basis of the investigation, and with the specific nature of the investigation, the member's status in the investigation, all known allegations of misconduct that are the reason for the interview, and the member's right to have a representative present at the interview. The member shall also be provided with any relevant and readily available materials, including copies of all complaints that contain the alleged facts that are reasonably available, except complaints that are filed with the Department that include allegations of unlawful discrimination, harassment, or retaliation, or complaints that involve matters under the jurisdiction of the Equal Employment Opportunity Commission (ARS § 38-1104).
- (f) All interviews should be for a reasonable period and the member's personal needs should be accommodated.
- (g) No member should be subjected to offensive or threatening language, nor shall any promises, rewards, or other inducements be used to obtain answers.
- (h) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.

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1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).

2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.

(i) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview should be provided to the member prior to any subsequent interview.

(j) In order to maintain the integrity of each individual's statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.

(k) Any accused member may request to have a representative present during an interview at no cost to this department (ARS § 38-1104):

1. The member shall select a representative who is available on reasonable notice so that the interview is not unreasonably delayed.

2. The representative shall participate in the interview only as an observer, but may take notes for the purposes described in ARS § 38-1104. The member or his/her representative may record the member's own interview; however, this recording does not constitute an official record of the interview (ARS § 38-1104).

3. Unless agreed to by the Chief of Police or the authorized designee, the representative shall be from this department and shall not be an attorney.

4. The member shall be permitted reasonable breaks of limited duration during any interview for telephonic or in-person consultation with others who are immediately available, including an attorney.

5. A member shall not be disciplined, retaliated against, or threatened with retaliation for requesting that a representative be present or for acting as the representative for another officer.

6. The member may discuss the interview with his/her representation or his/her attorney. A member or representative, if the representative is from this department, who releases confidential information without authorization may be subject to disciplinary action (ARS § 38-1104).

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(l) If the member is designated as a witness, the member may request to have a representative present at no cost to this department. Unless agreed to by the Chief of Police or the authorized designee, the representative shall be from this department and shall not be an attorney (ARS § 38-1105).

1. Witnesses who learn of information during an interview shall keep the information confidential until served a notice of investigation by the department or released from the confidentiality requirement. However, the witness may discuss the interview with his/her representation or that representative's attorney. A witness or representative if representative is from this department, who releases confidential information without authorization may be subject to disciplinary action (ARS § 38-1105).

2. The representative of the witness may take notes for the purposes outlined in ARS § 38-1105.

(m) All members shall provide complete and truthful responses to questions posed during interviews.

(n) No employee should be compelled to submit to a polygraph examination, nor should any refusal to submit to such examination be mentioned in any investigation (ARS § 38-1104; ARS § 38-1108).

(o) At the conclusion of the interview, the member may consult with his/her representative and may make a statement that is not to exceed five minutes, addressing specific facts or policies that relate to the interview (ARS § 38-1104).

(p) An officer who recorded a video of an incident where the officer's use of force resulted in a death or serious physical injury to another person shall be allowed the opportunity to view the recorded video and provide any further information regarding the footage that the officer believes is relevant, prior to the completion of the administrative investigation. Prior to viewing the video, the officer shall be read the required notice provided in ARS § 38-1116.

1010.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements.

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Other evidence related to each allegation should also be detailed in this section.

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

1010.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1010.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within three months of the date a person authorized by this department to initiate an investigation receives notice of an allegation. This will allow time for review by the Chief of Police and allow the Chief of Police to provide the law enforcement officer with a notice of discipline or findings within 180 days, as provided in ARS § 38-1110.

The investigation period may be extended by the employee in a written waiver or may be suspended during a criminal prosecution if the law enforcement officer is incapacitated or unavailable, or under other special circumstances (ARS § 38-1110).

Should additional time be required, a written request should be made to the Chief of Police requesting an extension. A request for extension should include the reason for the request and the completion date requested. Such a request must be approved by the Chief of Police or the authorized designee in writing and a copy provided to the accused law enforcement officer before the end of the 180-day time period (ARS § 38-1110).

1010.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

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1010.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

1010.8 ADMINISTRATIVE LEAVE

When a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift, and will report as ordered.

1010.9 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation.

Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Round Valley Police Department may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

1010.10 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police through the chain of command. Each level of command should review and include his/ her comments in writing before forwarding the report. The Chief of Police may accept or modify any classification or recommendation for disciplinary action.

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1010.10.1 SERGEANT RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Sergeant of the involved member shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Sergeant may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police, the Sergeant may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police, the Sergeant shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

1010.10.2 CHIEF OF POLICE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police shall review the recommendation and all accompanying materials. The Chief of Police may modify any recommendation and/or may return the file to the Sergeant for further investigation or action.

Once the Chief of Police is satisfied that no further investigation or action is required by staff, the Chief of Police shall determine the amount of discipline, if any that should be imposed. In the event disciplinary action is proposed, the Chief of Police shall, within 180 days, provide the member with a written notice and the following (ARS § 38-1110):

(a) Access to all of the materials considered by the Chief of Police in recommending the proposed discipline.

1. If requested by the law enforcement officer, a basic summary or file copies of similar disciplinary cases within the last two years shall be provided, unless prohibited by court rule (ARS § 38-1104).
2. No final action should be taken or hearing scheduled until the basic summary or file copies have been provided to the law enforcement officer.

(b) An opportunity to respond orally or in writing to the Chief of Police within five days of receiving the notice.

1. Upon a showing of good cause by the member, the Chief of Police may grant a reasonable extension of time for the member to respond.
2. If the member elects to respond orally, the presentation shall be recorded by the Department. Upon request, the member shall be provided with a copy of the recording.

Once the member has completed his/her response or if the member has elected to waive any such response, the Chief of Police shall consider all information received in regard to the recommended discipline. The Chief of Police shall render a timely written decision to the member and specify the grounds and reasons for discipline and the effective date of the discipline. Once the Chief of Police has issued a written decision, the discipline shall become effective.

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1010.10.3 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.

1010.11 PRE-DISCIPLINE EMPLOYEE RESPONSE

The pre-discipline process is intended to provide the accused employee with an opportunity to present a written or oral response to the Chief of Police after having had an opportunity to review the supporting materials and prior to imposition of any recommended discipline. The employee shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.
- (b) Although the employee may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.
- (c) The employee may suggest that further investigation could be conducted or the employee may offer any additional information or mitigating factors for the Chief of Police to consider.
- (d) In the event that the Chief of Police elects to cause further investigation to be conducted, the employee shall be provided with the results prior to the imposition of any discipline.
- (e) The employee may thereafter have the opportunity to further respond orally or in writing to the Chief of Police on the limited issues of information raised in any subsequent materials.

1010.12 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

1010.13 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by any collective bargaining agreement and/or personnel rules.

In the event of punitive action against a member covered by the Officers' Bill of Rights, the appeal process shall be in compliance with ARS § 38-1106.

1010.14 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any

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rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their names through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

Any probationary period may be extended at the discretion of the Chief of Police in cases where the individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate (see the Temporary Modified-Duty Assignments Policy).

1010.15 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

1010.16 NOTIFICATION TO THE ARIZONA PEACE OFFICER STANDARDS AND TRAINING BOARD

1010.16.1 MISCONDUCT REPORTING

The Department may report to the Arizona Peace Officer Standards and Training Board (AZPOST) any misconduct involving a certified officer that could result in the suspension or revocation of his/ her certified status (ARS § 41-1828.01(A)). Conduct that results in discipline may be reported for (AAC § R13-4-109):

- (a) Failure to meet the minimum qualifications for certification.
- (b) Providing false information related to certification as a peace officer.
- (c) A medical, physical, or mental disability that substantially limits the person's ability to effectively perform the duties of a peace officer.
- (d) Violation of a restriction or requirement for certified status.
- (e) Engaging in behavior related to controlled substances that would be disqualifying under AAC § R13-4-105.
- (f) Unauthorized use of, or being under the influence of, alcohol on-duty.
- (g) The commission of any offense that would be a felony if committed in Arizona or any offense involving dishonesty, unlawful sexual conduct, or physical violence.
- (h) Refusal, failure, or delay in performing the duties of a peace officer.
- (i) A conduct or pattern of conduct that tends to disrupt, diminish, or otherwise jeopardize public trust.

1010.16.2 TERMINATION REPORTING

The Department shall inform AZPOST of the termination, resignation or separation of any certified officer for misconduct pursuant to AAC § R13-4-108 and ARS § 41-1828.01(A). A report shall be submitted within 15 days of a termination and include:

- (a) The effective date and nature of the termination.

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(b) A detailed description of any termination for cause.

(c) A detailed description of the cause for the suspension or revocation of certified status, including supporting documentation for the decision.

SECTION 12 – DISCIPLINARY ACTION

1. OVERVIEW

The Town expects its employees to maintain a high level of personal and professional conduct at all times, and will take appropriate action when this standard is not met. No workplace conduct statement can possibly cover every circumstance that may arise. Use good common sense. If there is any question, it is your responsibility to get clarification from the Department Head. The disciplinary process usually proceeds as follows: a written reprimand, suspension, demotion, and then dismissal. The entire process will be documented and retained in an employee's file.

2. PURPOSE

The proper performance of an employee's work and conduct befitting the employee's position play an important part in the continuance of employment with the Town. Disciplinary actions shall be a constructive means of dealing with an employee's unacceptable conduct or performance and should be appropriate to the seriousness of the infraction or performance deficiency: Disciplinary actions can range from a formal discussion with the employee about the matter to immediate discharge. Action taken by management in an individual case does not establish a precedent in other circumstances.

3. WRITTEN REPRIMAND

A reprimand may be issued by the immediate supervisor for an offense when, in the Town's discretion, other forms of discipline are not warranted. A reprimand shall be in writing and a copy shall be forwarded to the Town Manager for insertion in the employee's personnel file.

4. SUSPENSION

A Department Head with the approval of the Town Manager may suspend a non-exempt employee without pay at any time for disciplinary reasons, not to exceed three (3) working days. The Town Manager may suspend an employee without pay not to exceed thirty (30) calendar days: No employee shall be penalized by suspension without pay for more than thirty (30) calendar days in any calendar year. Any employee who is suspended for more than three (3) working days may request a pre-suspension hearing with the Town Manager. This request must be made in writing. The Town Manager may suspend an employee with pay pending completion and disposition of an investigation.

The Town will not pay any portion of any employee's insurance premium during the period of a thirty (30) day suspension. A suspended employee who wishes to continue any insurance coverage must pay the premium directly to the Finance Department within two (2) working days of the beginning of the suspension.

5. DEMOTION

A Department Head, after approval by the Town Manager, may demote an employee whose

ability to perform required duties falls below the minimum job requirements or for disciplinary reasons as provided in this article. No employee shall be demoted to a position for which he/she does not possess the minimum qualifications.

Written notice of the intended action shall be given to the employee before the effective date of the demotion, and a copy shall be filed with the Town Manager. Any employee who is demoted may request a pre-demotion hearing with the Town Manager. This request must be made in writing.

Final authority for demotion rests with the Town Manager.

6. DISMISSAL

- A. Authority: The Department Head, with the approval of the Town Manager, may dismiss an employee from the Town service for a variety of reasons.
- B. Pre-dismissal Hearing: Once the recommendation has been made to dismiss a Town employee, the Department Head must schedule a pre-dismissal hearing. The employee will be notified not less than two (2) working days in advance of the hearing. The employee will be allowed to bring a personal representative and any pertinent information to the hearing. If the employee's representative is a Town employee, the representative must secure the approval of the employee's supervisor to attend the hearing. The Town Manager will carefully weigh the information provided.
- C. Notification: The Town Manager shall sign a written order, which shall constitute the Notice of Dismissal. This notice shall clearly state the specific charges made against the employee and copy of the charges shall be provided to the employee.

SECTION 13 – APPEAL PROCEDURE

1. DEFINITIONS

An appeal is a complaint filed by an employee, in connection with a suspension of more than three (3) days, demotion or dismissal.

2. APPEAL OFFICER

The Town Council will appoint an Appeal Officer for a term of up to five (5) years.

3. APPEAL PROCEDURE

An employee who has completed the trial period may appeal any suspension, demotion or dismissal in writing to the Town Manager within ten (10) working days of written notice of the suspension, demotion, or dismissal. The Town Manager shall transmit a copy of the appeal to an Appeal Officer within ten (10) working days from the receipt of the appeal.

4. APPEAL HEARING

The hearing will be set by the Appeal Officer within ten (10) working days of receipt of the appeal.

The Officer will cause notice to be given to the appealing party and the Town Manager of the time, place, and location of the hearing. The appealing party shall have the right to representation by legal counsel.

The Appeal Officer shall have the power to examine witnesses under oath and compel their attendance or production of evidence by subpoena issued in the name of the Town and the Chief of Police shall cause service of the same. Formal rules of procedure need not be followed during the course of the hearing.

A record of the proceedings shall be made available to all parties within ten (10) working days following the completion of the hearing. The Appeal Officer shall furnish the appealing party and the Town Manager with their written decision. If a written transcript is requested, the Appeal Officer will have ten (10) working days to provide the transcript.

SECTION 14 – CHANGES IN ASSIGNMENTS

The Town supports the growth of its employees and promoting from within its ranks. Internal candidates will get preference to available positions. Exceptions to this process require prior approval by the Town Council.

SECTION 15 – POSITION CLASSIFICATION PLAN

The Town Manager or a person or agency employed for that purpose, shall ascertain and record the duties and responsibilities of all positions in the classified service and, after consultation with the Department Heads affected, shall recommend a classification plan for such positions. The classification plan shall consist of classes of positions in the classified service defined by class specifications, including job titles. The classification plan shall be so developed and maintained that all positions substantially similar with respect to duties, responsibilities, authority and character of work are included within the same class, and the same schedules of compensation may be made to apply with equity under like working conditions to all positions in the same class. The plan shall be amended as the duties, responsibilities, and employment conditions change.

SECTION 16 – COMPENSATION AND BENEFITS

COMPENSATION PHILOSOPHY

1. GENERAL

The Town established a pay policy and compensation methodology. Additional details can be found in the current report.

2. SALARY RANGES

Each position is assigned a salary range. An employee is paid a wage within the salary range unless their wage was above the range before the range was determined.

3. CLOTHING AND UNIFORMS ALLOWANCE

Recruitment and Selection

indicates a disrespect for traffic laws or a disregard for the safety of others on the highway

1000.8 PROBATIONARY PERIODS

A. The probationary period shall be utilized for the effective adjustment of newly appointed employee's and for the elimination of any law enforcement officer whose performance does not, in judgment of the Chief of Police, meet the required standards of performance as outlined in the position summary.

B. All law enforcement officers shall serve an initial appointment probationary employment period of one (1) year, beginning on the first day of completing field training. If, in the judgment of the Chief of Police, the law enforcement officer, does not meet the required performance standard, the Chief of Police may extend the probationary period when additional time is needed to properly assess an employee's suitability or the position, but in no event extend more than six (6) months. The law enforcement officer shall be given written or verbal notice of action by the Chief of Police prior to the expiration of the established probationary period, or the law enforcement officer will be considered to have successfully completed the probationary period.

C. Time taken as vacation, sick leave, compensatory time, working in a modified duty status, while on unpaid leave of absence, or while absent due to an industrial injury or illness, not to excess of ten (10) working days, shall be counted as time served toward completion of the probationary period. If the amount of time taken exceeds ten (10) working days, the probationary period shall be automatically extended for a period of time equal to the full period of absence.

D. The promotional probationary period for a law enforcement officer who has achieved regular status shall be one (1) year. A promoted law enforcement officer who fails to successfully complete the one (1) year probationary period shall be demoted to a position not less than the classification of the position they previously held without the right of appeal. A determination by the Chief of Police that the employee's performance was unsatisfactory shall be sufficient cause for demotion. If no appropriate vacancy exists in the Department, the employee shall be dismissed without the right of appeal.

E. The period of probation for a law enforcement officer who has been demoted shall be six (6) months. If in the judgment of the Chief of Police, the demoted law enforcement officer does not meet the required performance standards, the Chief of Police may extend the probationary period for an additional six (6) months or alternatively terminate the law enforcement officer. The law enforcement officer shall be given written notice of the action taken by the Chief of Police prior to the expiration of the established probationary period, with accompanying reasons of the law enforcement officer's failure to complete the demotional probationary period. The employee shall be dismissed without the right of appeal.

The Administration Sergeant should coordinate with the Round Valley Police Department Human Resources to identify other positions subject to probationary periods and procedures for:

- (a) Appraising performance during probation.

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- (b) Assessing the level of performance required to complete probation.
- (c) Extending probation.
- (d) Documenting successful or unsuccessful completion of probation.

Evaluation of Employees

1001.1 PURPOSE AND SCOPE

The Department's employee performance evaluation system is designed to record work performance for both the Department and the employee, providing recognition for good work and developing a guide for improvement.

1001.2 POLICY

The Round Valley Police Department utilizes a performance evaluation report to measure performance and to use as a factor in making personnel decisions that relate to merit increases, promotion, reassignment, discipline, demotion and termination. The evaluation report is intended to serve as a guide for work planning and review by the supervisor and employee. It gives supervisors a way to create an objective history of work performance based on job standards.

The Department evaluates employees in a non-discriminatory manner based upon job-related factors specific to the employee's position, without regard to actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

1001.3 EVALUATION PROCESS

Evaluation reports will cover a specific period of time and should be based on documented performance during that period. Evaluation reports will be completed by each employee's immediate supervisor. Other supervisors directly familiar with the employee's performance during the rating period should be consulted by the immediate supervisor for their input.

All certified and non-sworn supervisory members shall attend an approved supervisory course that includes training on the completion of performance evaluations within one year of the supervisory appointment.

Each supervisor should discuss the tasks of the position, standards of performance expected and the evaluation criteria with each employee at the beginning of the rating period. Supervisors should document this discussion in the prescribed manner.

Assessment of an employee's job performance is an ongoing process. Continued coaching and feedback provides supervisors and employees with opportunities to correct performance issues as they arise.

Non-probationary employees demonstrating substandard performance shall be notified in writing of such performance as soon as possible in order to have an opportunity to remediate the issues. Such notification should occur at the earliest opportunity, with the goal being a minimum of 90 days written notice prior to the end of the evaluation period.

Employees who disagree with their evaluation and who desire to provide a formal response or a rebuttal may do so in writing in the prescribed format and time period.

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Evaluation of Employees

1001.4 EVALUATION FREQUENCY

Employees are evaluated based on the following chart:

Position	Evaluated Every	Evaluated Yearly	Length of Probation
Month			
Probationary Certified Employees	X		1 Year
Non-Probationary Certified Employees		X	
Probationary Non-sworn Employees	X		1 Year
Non-Probationary, Non-sworn Employees		X	

1001.5 FULL-TIME PROBATIONARY PERSONNEL

Personnel must successfully complete the probationary period before being eligible for certification as regular employees. An evaluation will be completed monthly for all full-time non-sworn personnel during the probationary period. The probationary period for certified personnel starts one year from the time they successfully complete their Field Training. Sworn personnel are evaluated daily, weekly and monthly during the FTO period and annually during the one-year probationary period.

1001.6 FULL-TIME REGULAR STATUS PERSONNEL

Regular employees are subject to three types of performance evaluations:

Regular - An Employee Performance Evaluation shall be completed once each year by the employee's immediate supervisor on or near the anniversary of the employee's date of hire except for employees who have been promoted in which case an Employee Performance Evaluation shall be completed on the anniversary of the employee's date of last promotion.

Transfer - If an employee is transferred from one assignment to another in the middle of an evaluation period and less than six months have transpired since the transfer an evaluation shall be completed by the current supervisor with input from the previous supervisor.

Special - A special evaluation may be completed any time the rater or the rater's supervisor determine one is necessary due to employee performance that is deemed less than standard. Generally, the special evaluation will be the tool used to demonstrate those areas of performance

that are applicable to all employees. Common sense should prevail in maintaining a professional appearance and decorum.

B. Personal Appearance

Personal appearance includes, but is not limited to:

1. Clean clothes in good repair.
2. No offensive slogans or advertisements.
3. No portion of torso exposed.
4. No braless appearance (halter, spaghetti straps, exposed cleavage).
5. Good grooming and hygiene.
6. Limited piercing of ears is acceptable however other visible body piercings are prohibited due to safety concerns related to the jewelry and work environment.

C. Unacceptable Attire/Appearance

Extravagance and extremes of style and attire are not in good taste in the public service environment. The Town reserves the right to advise any employee at any time that his or her grooming, attire or appearance is unacceptable.

D. Discipline for Unacceptable Appearance

After being advised of unacceptable attire issues an employee will be expected to comply with the suggested change. Failure to do so will result in corrective action.

3. UNIFORMS

Employees who are required to wear a uniform of any type in the performance of their duties will be provided a uniform allowance by the Town.

- A. Uniforms that are provided by the Town become the property of the employee during the employment service to the Town.
- B. Laundering, cleaning and general upkeep of uniforms is the responsibility of each employee.
- C. Employees should be aware that the furnishing of uniforms and maintenance or replacement allowance, if any, may, under certain circumstances, be considered a taxable benefit.
- D. Employees receiving a uniform allowance will be required to wear a uniform while at work.

SECTION 11 – EMPLOYMENT TRIAL PERIOD

New employees are on a trial period for up to six (6) months. During and after this period the supervisor closely observes the employee's job performance. Upon completion of the first six months of employment, employees become eligible for certain benefits.

New employees begin accruing vacation from their first day of work but are not eligible to use or receive a payout of vacation until after the trial period is completed.

Police officers will remain in a twelve (12) month trial period from their date of graduation from the police academy or first day of employment. Police officers will begin accruing vacation from their first day of work but are not eligible to use or receive a payout of vacation until after six months of employment.

ensure that the appraisal process is administered in a timely manner. Employees are requested to sign the evaluation to indicate acknowledgement, and may submit written comments in response to the evaluation. The evaluation, and any comments, will be maintained in the employee's personnel file. An employee may discuss any aspect of his or her evaluation with the Town Manager.

SECTION 18 – LEAVING THE TOWN SERVICE

An employee wishing to leave the Town service in good standing should give notice as soon as practical. A written resignation stating the effective date and the reasons for leaving should be filed with the Town Clerk as soon as practical. The resignation shall be forwarded to the Town Clerk for processing. Upon receipt of the signed resignation, the Town Clerk shall prepare the appropriate release documents. Failure of the employee to comply with the provisions of this article shall be entered into the employee's personnel file and may be cause for denial of future employment with the Town. Employees leaving the Town service shall turn in all Town property and clear all debts to the Town.

SECTION 19 – TYPES OF LEAVE

1. HOLIDAY PAY

The Town currently observes the following holidays:

- New Year's Day
- Martin Luther King Day
- President's Day
- Memorial Day
- Independence Day
- Labor Day
- Veteran's Day
- Thanksgiving Day
- Friday following Thanksgiving Day (only if working an 8-hour shift)
- Christmas Eve
- Christmas Day

Full-time employees receive holiday pay at their normal rate of pay for their regular shift in lieu of hours worked.

Part-time employees, who accrue leave, shall receive holiday pay based upon a proration of their budgeted working hours.

Employees whose regularly scheduled day-off falls on an observed Town holiday will receive a different day off during the calendar week.

If an eligible employee is required to work on an observed holiday, the employee will receive the employee's normal rate of pay for their usual shift, plus holiday pay for the holiday. Overtime pay will apply for any hours actually worked over forty (40) work hours in that work week.

When any of the above holidays fall on a Sunday, the following Monday shall be observed as a holiday. When any of the above holidays fall on a Saturday or Friday, the prior Thursday shall be observed as a holiday.

The Town Manager may implement decisions to maintain essential services during the holiday.

Paid time off for other religious holidays may be granted by the Town Manager in lieu of the observed holidays.

This policy does not pertain to Patrol Officers (Officer, Sergeant, etc.). Instead, these employees will be provided 3.85 hours per pay period in holiday pay.

1. VACATION LEAVE

Vacation leave is provided to full-time and part-time employees of the Town to enable each eligible employee to return to work mentally refreshed. All full-time employees in the Town service shall receive annual vacation leave as follows:

Non-Exempt Employees

Years of Service	Accrued Per Year	Accrued Per Pay Period
0 - 5	10 days	3.846
6 - 10	12 days	4.615
11 - 15	15 days	5.769
15+	20 days	7.692

Exempt Employees

Years of Service	Accrued Per Year	Accrued Per Pay Period
0 - 5	15 days	5.769
6 - 10	17 days	6.538
10+	20 days	7.692

Part-time employees accrue vacation at a prorated amount based upon their work schedule and years of service.

Upon completion of the employment trial period, vacation leave may be taken subject to the accrual schedule as established in this policy.

The times during a calendar year at which an employee may take vacation time shall be determined by the Department Head with due regard for the wishes for the employee and particular regard for the needs of the employee's service. Except under unusual circumstances, requests for vacation leave shall be made by the employee to the supervisor far enough in advance to allow the supervisor to plan for the absence and must not unduly disrupt the operations of the department.

Earned vacation hours may be voluntarily transferred from one employee to another in order to alleviate a hardship for an employee who has used all his/her leave due to a personal or family emergency. The amount of time that may be transferred will not exceed forty (40) hours of vacation.

Under no circumstance may an employee accrue more vacation leave than can be accumulated within a two-and-a-half-year period or thirty (30) months. The total may not exceed four hundred and eighty (480) hours.

2. LEAVE PAYOUT AT DISMISSAL AFTER TRIAL PERIOD

Employees who have completed the employment trial period and who are dismissed, shall be paid in a lump sum for all vacation leave and compensatory time accrued prior to the effective date of dismissal. Should any liabilities be outstanding to the Town, they must be taken care of first. Employees who are dismissed before the completion of the employment trial period shall not be entitled to receive vacation leave pay.

3. PAID SICK LEAVE

Sick leave with pay will be granted to all full and part-time employees in the Town service. In the event that an employee becomes sick or has an accident during paid time off for vacation, with proper medical documentation, the time may be charged to accrued sick time.

Sick leave shall be accrued at the rate of 3.08 hours per pay period (ten (10) days per year) for all full-time employees working a scheduled forty (40) hours per week. All employees may accrue up to four hundred (400) hours of sick leave, after which time additional sick leave is not accrued until the accrued balance falls below the maximum.

Employees must use paid sick leave in half hour increments.

Paid sick leave will not be used in the calculation of overtime.

Accrued unused sick leave is not paid to an employee upon separation.

Any employee who has exhausted available sick leave may substitute with accumulated vacation leave.

A. Employees may use sick leave for any of the following reasons:

- An employee's mental or physical illness, injury or health condition; an employee's need for medical diagnosis, care or treatment of a mental or physical illness, injury or health condition; an employee's need for preventive medical care.
- Care of a family member with a mental or physical illness, injury or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury or health condition; care of a family member who needs preventive care.



NOTICE OF INTERNAL INVESTIGATION

CASE NUMBER

SPRINGVILLE

I, DAYSON MERRILL have been advised that an administrative investigation is ongoing regarding an incident and that I am a FOCUS in this administrative investigation.

DM Would you like a Support Observer? ☐ Yes ☒ No
Initials

1. DM I will completely and truthfully answer all questions posed to me by the investigator(s) during this investigation.
Initials
2. DM I understand any intentional attempt on my part to be untruthful by either concealing information or by misleading the investigator(s) in this investigation may result in additional disciplinary action taken against me. If applicable, any such conduct may also affect my peace officer certification through AZPOST.
Initials
3. DM I understand this investigation is confidential and I am ordered not to discuss any part of the investigation, including the sharing and / or dissemination of this notice, with anyone other than those individuals specified by the complaint investigator until such a time the investigation has been completed to include disposition. (This does not preclude discussion with your attorney, doctor, support observer, clergy member, or spouse, however, these discussions may not be deemed "confidential" and may be used in the investigation.)
Initials
4. DM I understand I am ordered by the investigator to answer questions and/or submit to any test or examination and produce documents as requested. I further understand the questions, documents, tests, and examinations will be narrowly and specifically related to the allegation(s) or my fitness for duty.
Initials
5. DM I understand any compelled statements, tests, examination results, or any information / evidence gained as a result of compulsion can be used against me in a disciplinary, administrative, or civil proceeding, but will not be used against me in any subsequent criminal action related to the scope of this investigation. I understand any false statement made by me can be used in other criminal actions, such as Obstruction of Justice and / or Perjury.
Initials
6. DM I understand any statements, tests, documents, or examinations provided during the investigation may be used in an administrative or civil proceeding.
Initials
7. DM I understand I have the responsibility to bring to the attention of the investigator any witness information, or evidence which may be relevant to the investigation. I also understand any witness or evidence relevant to the investigation must be provided to the investigator prior to the case being submitted for chain of command review.
Initials
8. DM I understand my refusal to answer questions or submit to tests, examinations, or produce documentation as requested will result in disciplinary action against me, up to and including dismissal from employment.
Initials

SIGNATURE(S)

<u>Dayson Merrill</u> EMPLOYEE SIGNATURE	<u>Dayson Merrill</u> PRINTED NAME	<u>100</u> BADGE NO.	<u>8/18/25</u> DATE
<u>Michael Kepler</u> INVESTIGATOR SIGNATURE	<u>MICHAEL KEPLER</u> PRINTED NAME	<u>11569</u> BADGE NO.	<u>8/18/25</u> DATE

CONFIDENTIAL INFORMATION - DO NOT REPRODUCE ANY PORTION OF THIS REPORT.



NOTICE OF INTERNAL INVESTIGATION

I, SHANE BEVINGTON have been advised that an administrative investigation is ongoing regarding an incident and that I am a FOCUS in this administrative investigation.

SB

Initials

Would you like a Support Observer? ☐ Yes ☒ No

1. SB

Initials

I will completely and truthfully answer all questions posed to me by the investigator(s) during this investigation.

2. SB

Initials

I understand any intentional attempt on my part to be untruthful by either concealing information or by misleading the investigator(s) in this investigation may result in additional disciplinary action taken against me. If applicable, any such conduct may also affect my peace officer certification through AZPOST.

3. SB

Initials

I understand this investigation is confidential and I am ordered not to discuss any part of the investigation, including the sharing and / or dissemination of this notice, with anyone other than those individuals specified by the complaint investigator until such a time the investigation has been completed to include disposition. *(This does not preclude discussion with your attorney, doctor, support observer, clergy member, or spouse, however, these discussions may not be deemed "confidential" and may be used in the investigation.)*

4. SB

Initials

I understand I am ordered by the investigator to answer questions and/or submit to any test or examination and produce documents as requested. I further understand the questions, documents, tests, and examinations will be narrowly and specifically related to the allegation(s) or my fitness for duty.

5. SB

Initials

I understand any compelled statements, tests, examination results, or any information / evidence gained as a result of compulsion can be used against me in a disciplinary, administrative, or civil proceeding, but will not be used against me in any subsequent criminal action related to the scope of this investigation. I understand any false statement made by me can be used in other criminal actions, such as Obstruction of Justice and / or Perjury.

6. SB

Initials

I understand any statements, tests, documents, or examinations provided during the investigation may be used in an administrative or civil proceeding.

7. SB

Initials

I understand I have the responsibility to bring to the attention of the investigator any witness information, or evidence which may be relevant to the investigation. I also understand any witness or evidence relevant to the investigation must be provided to the investigator prior to the case being submitted for chain of command review.

8. SB

Initials

I understand my refusal to answer questions or submit to tests, examinations, or produce documentation as requested will result in disciplinary action against me, up to and including dismissal from employment.

SIGNATURE(S)

	Shane Bevington	105	8/19/2025
EMPLOYEE SIGNATURE	PRINTED NAME	BADGE NO.	DATE
INVESTIGATOR SIGNATURE	PRINTED NAME	BADGE NO.	DATE



NOTICE OF INTERNAL INVESTIGATION

CASE NUMBER

SPRINGVILLE

I, ASHLEY JALA have been advised that an administrative investigation is ongoing regarding an incident and that I am a WITNESS in this administrative investigation.

AJ Would you like a Support Observer? ☐ Yes ☒ No
Initials

1. AJ I will completely and truthfully answer all questions posed to me by the investigator(s) during this investigation.
Initials
2. AJ I understand any intentional attempt on my part to be untruthful by either concealing information or by misleading the investigator(s) in this investigation may result in additional disciplinary action taken against me. If applicable, any such conduct may also affect my peace officer certification through AZPOST.
Initials
3. AJ I understand this investigation is confidential and I am ordered not to discuss any part of the investigation, including the sharing and / or dissemination of this notice, with anyone other than those individuals specified by the complaint investigator until such a time the investigation has been completed to include disposition. *(This does not preclude discussion with your attorney, doctor, support observer, clergy member, or spouse, however, these discussions may not be deemed "confidential" and may be used in the investigation.)*
Initials
4. AJ I understand I am ordered by the investigator to answer questions and/or submit to any test or examination and produce documents as requested. I further understand the questions, documents, tests, and examinations will be narrowly and specifically related to the allegation(s) or my fitness for duty.
Initials
5. AJ I understand any compelled statements, tests, examination results, or any information / evidence gained as a result of compulsion can be used against me in a disciplinary, administrative, or civil proceeding, but will not be used against me in any subsequent criminal action related to the scope of this investigation. I understand any false statement made by me can be used in other criminal actions, such as Obstruction of Justice and / or Perjury.
Initials
6. AJ I understand any statements, tests, documents, or examinations provided during the investigation may be used in an administrative or civil proceeding.
Initials
7. AJ I understand I have the responsibility to bring to the attention of the investigator any witness information, or evidence which may be relevant to the investigation. I also understand any witness or evidence relevant to the investigation must be provided to the investigator prior to the case being submitted for chain of command review.
Initials
8. AJ I understand my refusal to answer questions or submit to tests, examinations, or produce documentation as requested will result in disciplinary action against me, up to and including dismissal from employment.
Initials

SIGNATURE(S)

<u>Ashley Jala</u> EMPLOYEE SIGNATURE	<u>Ashley Jala</u> PRINTED NAME	<u>190</u> BADGE NO.	<u>08/19/25</u> DATE
INVESTIGATOR SIGNATURE	PRINTED NAME	BADGE NO.	DATE

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