



CIVIL SERVICE COMMISSION

City of Tucson

Minutes

Ryan Remington
Appeal of Termination Hearing
Tucson Police Department
Oct. 30 – Nov. 3, 2023, & Nov. 17, 2023

October 30 – Day One

A quorum of the Civil Service Commission (CSC) of the City of Tucson met at 9:00 AM on Monday, October 30, 2023, at City Hall, 255 W. Alameda in Tucson, Arizona, for the Appeal of Termination filed by Ryan Remington from the Tucson Police Department (TPD). The hearing was made accessible remotely through technological means as permitted under Arizona law as well as in person.

Those present from the Civil Service Commission were Chairperson Paul Fimbres, Commission Members Rebecca (Becky) Montañño, and Carol West, and Donna Aversa, Legal Counsel for the Commission. The staff present were Suzette Yaezenko, HR Director, Elsa Quijada, HR Deputy Director, CSC Designated Secretary, and Reina Gallego, Administrative Assistant for Human Resources, Recording Secretary.

Also, present were Michael Storie, Attorney, representing Appellant Ryan Remington; Natasha Wrae, co-counsel for Appellant; Appellant Ryan Remington; Sue Carlstedt, Investigator; Mike Gamez, Appellant's Union Representative; Jennifer Stash, Principal Assistant City Attorney representing the City and the Tucson Police Department, and Chad Kasmar, TPD Police Chief/Department Director.

This appeal was held in Open Session and the rule was not invoked. Invoking the rule is a civil procedure that allows a party to request that a witness be prevented from hearing the testimony of other witnesses in the hearing.

The following witnesses were sworn during the hearing:

1. Deanne Zeis
2. Mickey Peterson
3. Chris Andreacola
4. Jesse Cornia
5. Michael Silva
6. Kevin Hall
7. Chad Kasmar
8. Stephanie Taylor
9. Ryan Remington
10. Paul Patterson

City's Exhibits Admitted

Exhibit A Tabs 1 – 6

- Tab 1 – Personnel Action Request Form
- Tab 2 – Notice of Decision (Appealable Action)
- Tab 3 – Employee's Right to Civil Service Appeal
- Tab 4 – Notice of Intent to Discharge
- Tab 5 – Notice of Intent to Discharge - Exhibit A



Tab 6 – Ryan Remington Appeal Email

Exhibit B Tabs 1 – 16

Tab 1 – HR Personnel File

Tab 2 – Department File

Tab 3 – Office of Professional Standards (OPS) File #21-0522

- TPD Personnel Report
- Ofc. Ryan Remington – Discharge Meeting: Notice of Intent; Right to Respond – Interview Transcriptions
- OPS Investigative Summary
- Ofc. Ryan Remington – OPS Interview Transcription
- Ofc. Stephanie Taylor – OPS Interview Transcription
- Ofc. Rico Acevedo - OPS Interview Transcription
- Ofc. Michael Holden - OPS Interview Transcription
- Sergeant Allen Smith - OPS Interview Transcription

Tab 4 – General Orders

Tab 5 – Definition of *Just Cause*, Tucson City Code §10-3

Tab 6 – TPD – OPS Discipline Guide and Thermometer
TPD – Force Reporting Guide

Tab 7 – OIS Protocols
TPD – Operations Pamphlet

Tab 8 - Event Chronology
Event Units
Event Chronology Face Sheet

Tab 9 - Off-Duty Employment Records

Tab 10 - Interview Transcripts – Sara Kardel [Lowe’s Employee]

Tab 11 - Photographs

Tab 12 - Forensic Video Analysis Report – Sgt. Andreacola 02/28/2022

Tab 13 - Forensic Audio Technical Report – Sgt. Andreacola 12/01/2021

Tab 14 – Stephanie Taylor – Criminal Interview Transcript

Tab 15 - David Louie – Criminal Interview Transcript

Tab 16 - Stephanie Taylor – Criminal Interview Transcript

Exhibit C Tab

Ofc. Ryan Remington – Training Documents Index

Exhibit D Tab

TPD General Orders 1400 Appearance Standards



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Exhibit E Tab

TPD Lesson Plan – 2021 Firearms AOT

Exhibit F Tab

TPD Operations Pamphlet 42 – Secondary Employment

Appellant’s Exhibits Admitted

Exhibits 1 - 4

Exhibit 1 – City’s Witness List

Exhibit 2 – Arizona Revised Statute § 13-410 Justification: use of deadly physical force in law enforcement.

Exhibit 3 – Google Map – 1800 W. Valencia Rd

Exhibit 4 – Various news articles regarding the shooting incident.

9:18 AM – 9:25 AM Hearing called to order. Chairperson Fimbres read the Opening Statement.

9:25 AM – 9:30 AM After discussion, it was decided the Rule would not be invoked. Witnesses were allowed to be present prior to their testimony.

9:30 AM – 9:57 AM Motion in Limine/Motion to Preclude argued. Chairperson Fimbres ruled the information would not be allowed. The Appellant brought a second preliminary matter regarding the witnesses that were being called by the City. Chairperson Fimbres ruled to include two additional witnesses.

10:00 AM – 10:01 AM Discussion of the schedule for the remainder of the week. The hearing on Tuesday will run until 12:00 PM and the Thursday hearing will start at 10:00 AM.

10:01 AM – 10:05 AM City Exhibits are read into the record by Elsa Quijada,

10:08 AM – 10:14 AM City’s Opening Statement

10:14 AM – 10:42 AM Appellant’s Opening Statement

The City called its first witness, Lieutenant Diane Zeis, Tucson Police Department

10:42 AM – 11:09 AM Lt. Zeis gave testimony.

11:09 AM – 11:22 AM Break



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11:22 AM – 12:00 PM Lt. Zeis continued with her testimony.

12:00 PM – 12:51 PM Lunch Break

12:51 PM – 1:12 PM Lt. Zeis continued with testimony.

1:20 PM – 2:20 PM Lt. Zeis gave testimony on cross-examination.

2:20 PM – 2:31 PM Break

2:31 PM – 2:52 PM Lt. Zeis gave testimony on re-direct. The Commissioners asked clarifying questions.

2:52 PM – 2:57 PM The City and the Appellant asked follow-up questions. The witness was excused.

The City called the second witness, Captain Mickey Petersen, Tucson Police Department.

2:57 PM – 3:27 PM Capt. Petersen gave testimony.

3:27 PM – 4:24 PM Capt. Petersen gave testimony on cross examination.

4:24 PM – 4:39 PM Capt. Petersen gave testimony on re-direct. The witness was excused.

4:40 PM The hearing was adjourned for the day to reconvene at 9:00 AM on Tuesday, October 31, 2023, for day two.

October 30 – Day Two

A quorum of the Civil Service Commission (CSC) of the City of Tucson met at 9:06 AM on Tuesday, October 31, 2023, at City Hall, 255 W. Alameda in Tucson, Arizona, for the Appeal of Termination filed by Ryan Remington from the Tucson Police Department (TPD). The hearing was made accessible remotely through technological means as permitted under Arizona law as well as in person.

Those present from the Civil Service Commission were Chairperson Paul Fimbres, Commission Members Rebecca (Becky) Montañó, and Carol West, and Donna Aversa, Legal Counsel for the Commission. The staff present were Suzette Yaezenko, HR Director, Elsa Quijada, HR Deputy Director, CSC Designated Secretary, and Reina Gallego, Administrative Assistant for Human Resources, Recording Secretary.

Also, present were Michael Storie, Attorney, representing Appellant Ryan Remington; Natasha Wrae, co-counsel for Appellant; Appellant Ryan Remington; Sue Carlstedt, Investigator; Mike Gamez, Appellant's Union Representative; Jennifer Stash, Principal Assistant City Attorney representing the City and the Tucson Police Department, and Chad Kasmar, TPD Police Chief/Department Director.



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The City called its third witness, Sergeant Chris Andreacola, Tucson Police Department

9:06 AM – 9:33 AM Sgt. Andreacola gave testimony.

9:33 AM – 9:37 AM Sgt. Andreacola gave testimony on cross-examination.

9:37 AM – 9:37 AM Sgt. Andreacola gave testimony on redirect. The witness was excused.

The City called its fourth witness, Lieutenant Jesse Cornia, Tucson Police Department.

9:40 AM – 10:38 AM Lt. Cornia gave testimony.

9:54 AM The City moved to enter the page from TPD General Orders 1400, Appearance Standards, into the record as Exhibit D.

10:38 AM – 10:56 AM Break

10:56 AM – 11:33 AM Lt. Cornia continued with his testimony.

11:33 AM – 12:01 PM Lt. Cornia gave testimony on cross examination.

12:01 PM Hearing adjourned for the day, to reconvene at 9:00 AM on Wednesday, November 1, 2023, for day three.

November 1 – Day Three

A quorum of the Civil Service Commission (CSC) of the City of Tucson met at 9:07 AM on Wednesday, November 1, 2023, at City Hall, 255 W. Alameda in Tucson, Arizona, for the Appeal of Termination filed by Ryan Remington from the Tucson Police Department (TPD). The hearing was made accessible remotely through technological means as permitted under Arizona law as well as in person.

Those present from the Civil Service Commission were Chairperson Paul Fimbres, Commission Members Rebecca (Becky) Montañó, and Carol West and Donna Aversa, Legal Counsel for the Commission. The staff present were Suzette Yaezenko, HR Director, Elsa Quijada, HR Deputy Director, CSC Designated Secretary, and Reina Gallego, Administrative Assistant for Human Resources, Recording Secretary.

Also, present were Michael Storie, Attorney, representing Appellant Ryan Remington; Natasha Wrae, co-counsel for Appellant; Appellant Ryan Remington; Sue Carlstedt, Investigator; Mike Gamez, Appellant's Union Representative; Jennifer Stash, Principal Assistant City Attorney representing the City and the Tucson Police Department, and Chad Kasmar, TPD Police Chief/Department Director.



9:07 AM – 10:49 AM Lt. Jesse Cornia continued testimony on cross examination.

10:49 AM – 11:07 AM Break

11:07 AM – 11:08 AM Discussion on the schedule and possible future dates if needed.

2:07 PM – 2:16 PM Lt. Cornia gave testimony on re-direct. Testimony completed, but witness was not released. Lt. Cornia was asked to return after the lunch break.

11:56 AM – 12:57 PM Lunch Break

12:57 PM – 1:14 PM The City moved to enter Exhibit E into the record. No objections by the Appellant. Lt. Cornia returned and provided testimony regarding the exhibit.

1:14 PM – 1:36 PM Lt. Cornia testified on cross-examination regarding Exhibit E.

1:36 PM – 1:41 PM Lt. Cornia testified on re-direct regarding Exhibit E. The witness was excused.

The City called its fifth witness, Assistant Police Chief Michael Silva, Tucson Police Department

1:42 PM – 2:17 PM Assistant Chief Silva gave testimony.

2:17 PM – 2:27 PM Break

2:27 PM – 3:20 PM Assistant Chief Silva gave testimony on cross examination.

3:20 PM – 3:34 PM Break

3:34 PM Prior to testimony resuming, Chairperson Fimbres directed the witness to answer Mr. Storie's questions as asked, and if additional information needed to be added, to ask to expand.

3:34 PM – 4:38 PM Assistant Chief Silva continued with testimony on cross examination.

4:40 PM Hearing concluded for the day, to reconvene at 10:00 AM on Thursday, November 2, 2023, for day four.



November 2, 2023 – Day Four

A quorum of the Civil Service Commission (CSC) of the City of Tucson met at 10:10 AM on Thursday, November 2, 2023, at City Hall, 255 W. Alameda in Tucson, Arizona, for the Appeal of Termination filed by Ryan Remington from the Tucson Police Department (TPD). The hearing was made accessible remotely through technological means as permitted under Arizona law as well as in person.

Those present from the Civil Service Commission were Chairperson Paul Fimbres, Commission Members Rebecca (Becky) Montañño, and Carol West, and Donna Aversa, Legal Counsel for the Commission. The staff present were Suzette Yaezenko, HR Director, Ryan Saxby, HR Administrator (AM session), Elsa Quijada, HR Deputy Director (PM session), CSC Designated Secretary, and Reina Gallego, Administrative Assistant for Human Resources, Recording Secretary.

Also, present were Michael Storie, Attorney, representing Appellant Ryan Remington; Natasha Wrae, co-counsel for Appellant; Appellant Ryan Remington; Sue Carlstedt, Investigator; Mike Gamez, Appellant's Union Representative; Jennifer Stash, Principal Assistant City Attorney representing the City and the Tucson Police Department, and Chad Kasmar, TPD Police Chief/Department Director.

10:10 AM – 10:18 AM Assistant Chief Silva gave testimony on re-direct. The witness was excused, but advised he may be asked to return at a later time.

The City called its sixth witness, Assistant Chief Kevin Hall, Tucson Police Department.

10:20 AM – 10:49 AM Assistant Chief Hall gave testimony.

10:49 AM – 12:26 PM Assistant Chief Hall gave testimony on cross examination.

12:26 PM – 1:27 PM Lunch Break

1:20 PM – 1:56 PM Assistant Chief Hall gave testimony in re-direct.

1:57 PM – 2:02 PM The Commission asked clarifying questions. The witness was excused.

The City called its seventh witness, Police Chief Chad Kasmar, Tucson Police Department.

2:06 PM – 3:32 PM Chief Kasmar gave testimony.

3:32 PM Hearing was concluded for the day, to reconvene at 9:00 AM on Friday, November 2, 2023.



November 3, 2023, Day Five

A quorum of the Civil Service Commission (CSC) of the City of Tucson met at 9:09 AM on Friday, November 3, 2023, at City Hall, 255 W. Alameda in Tucson, Arizona, for the Appeal of Termination filed by Ryan Remington from the Tucson Police Department (TPD). The hearing was made accessible remotely through technological means as permitted under Arizona law as well as in person.

Those present from the Civil Service Commission were Chairperson Paul Fimbres, Commission Members Rebecca (Becky) Montaña, and Carol West. The staff present were Donna Aversa, Legal Counsel, Suzette Yaezenko, HR Director, Elsa Quijada, HR Deputy Director, CSC Designated Secretary, and Reina Gallego, Administrative Assistant for Human Resources, Recording Secretary.

Also, present were Michael Storie, Attorney, representing Appellant Ryan Remington; Natasha Wrae, co-counsel for Appellant; Appellant Ryan Remington; Sue Carlstedt, Investigator; Mike Gamez, Appellant's Union Representative; Jennifer Stash, Principal Assistant City Attorney representing the City and the Tucson Police Department, and Chad Kasmar, TPD Police Chief/Department Director.

9:09 AM – 10:24 AM Chief Kasmar gave testimony on cross examination.

10:24 AM – 10:41 AM Break

10:41 AM – 11:19 AM Chief Kasmar gave testimony on re-direct. The Commission asked clarifying questions and the witness was excused.

11:19 AM – 11:27 AM The City rested its case. Mr. Storie made a request to break early for lunch as his first witness was not prepared to testify at this moment. Chairperson Fimbres decided to take a short break instead.

11:27 AM – 11:45 AM Break

The Appellant called its first witness, Officer Stephanie Taylor, Tucson Police Department.

11:45 AM – 12:09 PM Ofc. Taylor gave testimony.

12:09 PM – 12:25 PM Ofc. Taylor gave testimony on cross examination.

12:25 PM – 12:36 PM Ofc. Taylor gave testimony on re-direct. The Commission asked clarifying questions. The witness was excused.

12:36 PM – 1:30 PM Lunch Break



The Appellant called its second witness, Ryan Remington.

1:30 PM – 1:42 PM Mr. Remington gave testimony on direct examination. At this point Mr. Storie advised the Commission that Mr. Remington would not be able to answer any questions regarding the incident as there is still possible pending criminal litigation.

1:42 PM – 1:46 PM Chairperson Fimbres made a motion for the Commission to enter into Executive Session for legal advice, pursuant to A.R.S. §38-431.03(A)(3) and was duly seconded by Commissioner West and passed with a voice vote of 3-0. Chairperson Fimbres read the Executive Session announcement.

1:46 PM – 2:19 PM The Commission entered into Executive Session.

2:21 PM – 2:22 PM Commissioner West made a motion to exit Executive Session and returned to regular session. The motion was duly seconded by Chairperson Fimbres and the motion passed with a voice vote of 3-0. The Commission returned to regular session at 2:22 PM.

2:23 PM – 2:23 PM The City had no questions for Mr. Remington on cross examination.

2:23 PM – 2:26 PM Chief Kasmar was recalled to the stand and gave testimony on rebuttal. The witness was excused.

The Appellant called its third witness, Paul Patterson

2:27 PM – 4:34 PM Mr. Patterson gave testimony.

4:35 PM The hearing concluded for the day, to convene at 9:00 AM, Thursday, November 17, 2023.

November 17, 2023 – Day Six

A quorum of the Civil Service Commission (CSC) of the City of Tucson met at 9:10 AM on Thursday, November 17, 2023, at City Hall, 255 W. Alameda in Tucson, Arizona, for the Appeal of Termination filed by Ryan Remington from the Tucson Police Department (TPD). The hearing was made accessible remotely through technological means as permitted under Arizona law as well as in person.

Those present from the Civil Service Commission were Chairperson Paul Fimbres, Commission Members Rebecca (Becky) Montañó, and Carol West, and Donna Aversa, Legal Counsel for the Commission. The staff present were Suzette Yaezenko, HR Director, Ryan Saxby, HR Administrator, CSC Designated Secretary, and Reina Gallego, Administrative Assistant for Human Resources, Recording Secretary.



Also, present were Michael Storie, Attorney, representing Appellant Ryan Remington; Natasha Wrae, co-counsel for Appellant; Appellant Ryan Remington; Sue Carlstedt, Investigator; Mike Gamez, Appellant’s Union Representative; Jennifer Stash, Principal Assistant City Attorney representing the City and the Tucson Police Department, and Chad Kasmar, TPD Police Chief/Department Director.

The Appellant’s third witness, Paul Patterson, continued testimony.

9:11 AM – 9:44 AM Mr. Patterson gave testimony on cross examination.

9:44 AM – 10:02 AM Mr. Patterson gave testimony on re-direct. The witness was excused.

10:02 AM – 10:23 AM Break

10:23 AM – 10:30 AM Discussion about Mr. Storie’s request for a potential witness who was initially included on the witness list but had not participated. Chairperson Fimbres also requested that the Google map, identified as Exhibit B, Tab #3, bates #429, be admitted as a new exhibit since it had been altered during the course of the hearing.

10:30 AM – 10:38 AM Break

10:38 AM – 10:55 AM HR Director Yaezenko confirmed that the witness was not available. Chairperson Fimbres asked Mr. Storie to state what he was going to ask the witness and the Commission would consider it and give it its weight. Mr. Storie offered 8 news articles into evidence as Appellant’s Exhibit #4. The City made a rebuttal response to Mr. Storie’s statement.

10:55 AM – 11:00 AM The City made its closing argument.

11:00 AM – 11:37 AM The Appellant made its closing argument.

11:37 AM – 11:50 AM The City made its rebuttal statement.

11:50 AM – 11:51 AM Chairperson Fimbres made a motion to move into Executive Session, for legal advice, pursuant to A.R.S. §38-431.03(A)(3) and was passed by a voice vote of 3-0.



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11:51 AM – 1:13 PM The Commission entered into Executive Session.

1:13 PM – 1:20 PM The Commission returned to regular session at 1:13 PM, at which time Mr. Fimbres read the executive session disclaimer.

Civil Service Commission Deliberations

In open session, based on the testimony presented and exhibits admitted into evidence, a motion by Chairperson Fimbres, duly seconded to deny the appeal termination for Ryan Remington, and affirm the disciplinary action. The Commission found that the Appellant knew or should have known, that his conduct would lead to disciplinary action. The appeal of Ryan Remington was denied, and disciplinary action imposed upon him be affirmed for the reason that there was just cause for the discipline imposed. The vote was 3-0.

The Chairman directed the attorney for the Commission to work with the Chairman to finalize the Commission's written decision.

The hearing adjourned at 1:23 PM.

Paul Fimbres, Chairperson
Civil Service Commission

Date