



6 SUMMER GULCH ROAD  
PHILIPSBURG, MT 59858

August 6, 2025

Lt. Col. Jesse Galvez  
Arizona Department of Public Safety  
2222 W. Encanto Blvd.  
Phoenix, AZ 85009

Re: City of Tempe Police Department  
Complaint of Criminal Conduct

Lt. Col. Galvez,

As you may know, I represent Tempe Police Commander Rashidi Johnson. In the course and scope of my representation of Commander Johnson, I have submitted a criminal complaint against City of Tempe Police Chief Kenneth McCoy to the Arizona Attorney General's Office via the online portal on February 23, 2025, and mailed a full packet of evidence and summary of the complaint on the same date. It is my understanding that this referral is now with the Arizona Attorney General's Office of Civil Rights. I have attached a copy of that report so that you can understand the intertwining facts and circumstances, and I believe it sheds light on the motives for this particular violation of the law by the City of Tempe and its personnel.

I am contacting you now because in the course of my representation of Commander Johnson and conducting due diligence on the multiple Notices of Claim that have been filed against the City of Tempe, it has come to my attention that the City of Tempe has further violated Arizona law in the use, access, secondary dissemination of criminal history and law enforcement sensitive information, as well as damage to the integrity of the AZ ACJIS system.

As I understand it, the AZ ACJIS system is a confidential computerized criminal record and confidential law enforcement system that is not to be used by the public nor is the system to be used for personal use by the department, and access cannot be allowed to the system for elected officials to use the confidential information for political motivations. Again, my understanding is that the City of Tempe Police Department is obligated to abide by all rules, policies, and procedures of the NCIC of the Federal Bureau of Investigation ("FBI"), the State of Arizona Central State Repository (Records and Identification Bureau) and for the Arizona Criminal Justice Information System ("ACJIS") under the authority of ARS 41-2205, et seq, ARS 41-1750, ARS 41-1751, ARS 41-2405 and ARZ 41-2204 and the National Law Enforcement Telecommunications System ("NLETS").

During the course of my investigation related to my client's defense against the City of Tempe and the Tempe Police Department, I have uncovered specific instances where the City of Tempe City Manager was given access to and provided information from ACJIS in her personal



efforts to initiate a campaign of harassment and selective enforcement against two citizens who were homeless advocates and had a program of feeding the homeless in City parks – Austin Davis and Ron Tapscott.

Rosa Inchausti informed Asst. Chief Dane Sorenson that she and the “City” wanted access to ACJIS police databases to address her efforts to clean up the river bottom and address the homeless crisis. Specifically, Rosa Inchausti requested demographic data on the homeless, which the police department did not gather at the time. In response, Rosa Inchausti arranged for her chosen technology personnel, Stephanie Deitrick and Waddel Holmes, to be seconded to the police department so that the capability of tracking homeless activity could be established using ACJIS database information and other confidential law enforcement resources. The Police Department assigned Molly Enright as the Police Department liaison for this effort.

Rosa Inchausti’s stated purpose was to use the confidential data from the Police Department’s ACJIS databases to determine the whereabouts of the homeless, which for legal reasons the department did not track, and Rosa Inchausti nevertheless assigned Stephanie to develop a tracking system in order to have that information provided to the City Manager from the Police Department. The stated goal was to use the confidential data to locate Tapscott/Davis during times they were feeding the homeless and cite them for trespassing.

The general consensus among the police department staff was to resist this tracking system as it was discriminatory to base police tracking of a demographic simply based on their homeless status. Rosa Inchausti, however, directed the Police Department’s downtown Lieutenant to collect and disseminate this homeless data from the ACJIS systems and provide it to the City Manager/Deputy City Manager.

In 2023 ACOP Sorenson was credited with the directive given to Departmental personnel that “the City” wanted, in addition to the demographic tracking of the homeless, access to Tempe Police Department investigative police reports. This access was resisted, but the Department was told that the City Manager/Deputy City Manager wanted that access, and therefore, it would be provided. Former Commander Wil Price and Commander Joise Montenegro were tasked with establishing that access for City Hall personnel to Police Department police reports, which as I understand it included access to ACJIS confidential data as well.

As part of establishing this City Manager directed police activity against Austin Davis and Ron Tapscott, Rosa Inchausti frequently inquired of ACOP Sorensen, who in turn queried down the chain of command about Davis/Tapscott’s activities and asking of their whereabouts multiple times and often. It was learned that Park Rangers were given a direct order from ACOP Sorenson to conduct surveillance on the parks frequented by Austin Davis and/or Ron Tapscott; they were instructed to watch their activities and report back to ACOP Sorenson. These directives came directly from City Manager Rosa Inchausti because on July 8, 2024, a text message from ACOP Sorenson was sent that said:



*"How is Papago? I have a 0800 meeting tomorrow with Rosa and/or Greg."*

The question related specifically to Papago Park, and the City Hall directed efforts involving Austin Davis, and at times mentioning Ron Tapscott, in Women's Park and Hallman Park and Moyer Park, which were all parks where Davis/Tapscott fed the homeless.

City Manager Rosa Inchausti, according to ACOP Sorenson and messages in my possession, apparently directed the Police Department's Threat Mitigation Unit ("TMU"), which is a unit designed to mine data, including ACJIS data, for terrorist threat assessment, to conduct social media/internet surveillance on Austin Davis and Ron Tapscott so the City and Police Department could be aware of which parks he was planning on feeding the homeless. Davis and Tapscott both have a long history of political activism directed at the City and have been involved in multiple complaints and legal actions against it, including sustained complaints against the City of Tempe made to the AZ Attorney General's office. A review of their social media activity supports these claims. This makes it all the more concerning that the City Manager would allocate police resources to target these two individuals for political purposes.

Again, it was reported that this was a very despotic action by the City Manager, and one that was not in line with the utilization of police resources, including ACJIS, for the best interests of the City of Tempe Police Department, which all fell on deaf ears. The practices were continued under order from Chief McCoy.

The dissemination of confidential ACJIS information to non-law enforcement personnel became so prevalent that Chief McCoy systematized the disclosure. McCoy created a quarterly department report-out meeting where Asst. City Manager Greg Ruiz was present at a regular meeting where every division of the police department reported out confidential information regarding police investigations from street level crimes to homicides. The information that Rosa Inchausti and Greg Ruiz were provided included ACJIS information that included victim/suspect personal information, related victim/suspect crime data, visual evidence/imagery/video, operational plans completed, on-going, and future, homeless data and investigations, and focused efforts of the police department from all divisions that included data from ASJIS.

This quarterly reporting involved all Commanders, Bureau Managers and lead Lieutenants. The sentiment from police personnel was universal – they were all uncomfortable with this process because this information had never been reported out to civilians, let alone civilians that do not possess ACJIS credentials. It was apparent that sworn staff were gravely concerned with what City Manager Rosa Inchausti and Asst. City Manager Greg Ruiz would do with the information that involved departmental operation goals and targets that could potentially jeopardize the safety of undercover officers and task force unit detectives who move discretely to enforce serious crimes against the community. Rosa Inchausti routinely asked for the names of officers and detectives involved in confidential or undercover operations, and McCoy willingly provided this environment despite the violations of ACJIS and safety to all employees at the police department.



In short, the Tempe Police Department used confidential information from ACJIS and anti-terrorist resources for political purposes, such as to track a guy who was feeding the homeless in order to give him a trespassing ticket. This is a tragic misuse of confidential law enforcement data, and draconian use of police resources for political gains. It is my understanding that this imputes the following:

1. A.R.S. § 41-1756(D) – ACJIS Access:  
A person who knowingly accesses or uses criminal justice information from the system for a purpose other than authorized by law is guilty of a class 6 felony.
2. A.R.S. § 13-2401 et seq. – Abuse of Public Records or Confidential Information:  
Knowingly disclosing or misusing confidential records (such as ACJIS data) outside lawful duties may also be prosecuted as official misconduct or unlawful use of confidential information.
3. A.R.S. § 38-504(C) – Conflict of Interest:  
Public officers shall not use confidential information acquired in the course of their official duties to further their personal interests.

ACJIS data also includes access to FBI NCIC and other federal systems, so misuse may also trigger violations of:

- 28 C.F.R. Part 20 – Governing criminal justice information systems;
- Federal Privacy Act or misuse of federal criminal databases.

I am formally requesting that the Arizona Department of Public Safety investigate a matter involving the suspected unauthorized access to and use of the Arizona Criminal Justice Information System (ACJIS) for purposes unrelated to a lawful criminal justice function. To the extent this conduct occurred, it constitutes a serious abuse of public resources, and compromises both the integrity of ACJIS and the privacy rights of individuals whose data may have been improperly disclosed or exploited.

Thank you for your attention to these matters. If you have any questions, please feel free to contact me at [larry@henkelaw-mt.com](mailto:larry@henkelaw-mt.com) or at (406) 479-5311.

Sincerely,

/s/ *Larry Henke*  
Lawrence E. Henke

cc: Rashidi Johnson