



March 19, 2024

Via Email Only

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Kurt Christianson, City Attorney
Karen Osburn, City Manager
Russ Martin, Human Resources Director
City of Sedona

Re: *Sedona Police Department*
Clients: Deputy Chief Kwitkin and Sgt. Leon

Dear City Manager Osburn, Human Resources Director Martin and City Attorney Christianson:

I have been retained by AzCops to represent Deputy Chief Ryan Kwitkin and Sergeant Laura Leon. As you know, both have raised significant concerns about the hostile work environment in the Sedona Police Department, orchestrated by Chief Foley.

Historically, and unfortunately, such concerns within the Department have led to retaliation, and we wish to take all necessary, appropriate action to protect them from retaliation.

Beyond the significant concerns raised by the Deputy Chief and Sergeant Leon, we understand that you are aware of other complaints, regarding Chief Foley's belittling and disruptive behavior against Department Employees.

As you know, Deputy Chief Kwitkin and Sergeant Leon have significant law enforcement experience from outside Agencies and they have provided their experience and professionalism to the Sedona Police Department.

The current culture for the Department, as created by Chief Foley, is objectively and subjectively hostile. The Chief displays unprofessional responses to questions, including inappropriate, unwarranted anger.

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Chief Foley also spreads distrust throughout the Department, underlying unity that is necessary to effective law enforcement. She directs her subordinates to surreptitiously record Others. Doing so has and will continue to undermined trust. Nonetheless, she has insisted that Employees of the Department be recorded when others are asking questions directed by the Chief.

After six months of employment, Deputy Chief Kwitkin received a review that reflected his skill and dedication as a seasoned law enforcement professional. It is fair to characterize that review as glowing. Later, and just before ending his probationary status, the Chief told the Deputy Chief that she would conduct a “360 review” of him. That review was performed, and it is noted that such a review is uncharacteristic of other reviews in the Department.

Thereafter, the Chief informed Deputy Chief Kwitkin that there would be an extension of his probationary period, while he worked on his “communication skills.”

Despite requests, the 360 review that had a significant effect on the Deputy Chief’s employment has never been shared by the Chief with the Deputy Chief, and, without question, he has been treated differently than others in the Department, based upon this undisclosed review.

The initiation of the 360 review occurred, following an exchange with the Chief; wherein, she lost her temper over a small incident. Specifically, the incident was delivering water and a podium to the Department Holiday Party. Deputy Chief Kwitkin had asked another Employee for assistance. When the Chief discovered that Deputy Chief Kwitkin requested assistance for delivering water and the podium, she lost her temper, displayed very hostile behavior and claimed that his request for assistance was insubordination.

Sergeant Leon has witnessed and also been the object of disrespect, inappropriate conduct and retaliation from the Chief. When Sgt. Leon raised concerns about the Chief and the Chief’s conduct, Sgt. Leon became the object of an investigation. The investigation cleared Sgt. Leon of any concern; yet, Sgt. Leon did not receive a promotion within the Department – even though she was the highest scoring Candidate, when she applied to become a Lieutenant.

Again, Sergeant Leon, an experienced, in-house candidate, received the highest marks for her candidacy. But, she was not promoted, a decision directed by the Chief.

The history of hostility and retaliation is well-known in the Department.

It is also both odd and unusual that The Chief is not on paid, administrative leave, while an investigation is occurring. Historically, the City has placed Individuals under similar investigations on administrative leave, which creates an environment for concerned Employees and Witnesses to freely come forward without fear of retaliation. Simply put, we know that other Department Employees would verify our Clients’ concerns and would raise significant concerns of their own, if they could do so without fear of retaliation.

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On behalf of AzCops and our Clients, we thank you for your consideration of the above.

Sincerely,

THE LEDBETTER LAW FIRM, P.L.C.

/s/ James E. Ledbetter

James E. Ledbetter

JEL/bna