

August 20, 2020

Maricopa County Attorney Allister Adel
225 West Madison Street
Phoenix, AZ 85003

Mayor Kate Gallego
Phoenix City Hall
200 W. Washington Street
Phoenix, AZ 85003

HOLD OFFICERS ACCOUNTABLE FOR THE MURDER OF MUHAMMAD MUHAYMIN JR.

County Attorney Adel and Mayor Gallego,

On behalf of 61 Maricopa County-based and national organizations representing people of color, American Muslims, the disabled, the Black Lives Matter movement, students, immigrants, religious communities and civil rights advocates, we write this letter to demand that actions finally be taken to hold Phoenix Police Department officers accountable for the killing of Muhammad Muhaymin Jr.

Muhammad Muhaymin Jr was taken from his daughter when she was just 10 years-old. His adult son, and his three sisters are still grieving to this day because of the actions of the Phoenix Police Department.

On July 9, 2020 and August 20, 2020, body camera footage was released showing Muhaymin being killed by multiple Phoenix police officers at the Maryvale Community Center on January 4, 2017. In the footage, Muhaymin was handcuffed while multiple officers pressed their knees into his head, neck and body onto an asphalt parking lot. Muhaymin was polite and non-violent despite struggling, begging for his life, pleading that he could not breathe and even calling out to God saying "Please Allah." Instead of responding with concern for Muhaymin's well-being, the officers mocked him, saying back "Allah? He's not going to help you right now."

Those were among the last words Muhaymin heard before officers squeezed the life from his body. Muhaymin vomited and went limp on camera. One officer can be heard cavalierly pronouncing "Yeah, he's dead".

Muhaymin was a family man, a Black man, a Muslim man, and a disabled man. The footage and subsequent news reporting shows officers either mocked or disregarded all of these aspects of his identity before they killed him. The camera footage of the moments before and the murder itself clearly shows that officers:

- *Failed to protect Muhaymin's rights after he was falsely accused of assaulting a community center employee.* Police responded to a reported assault on an employee who was arguing with Muhaymin about whether he was allowed to bring his service dog

with him into the public bathroom. On camera, the employee confirmed to police that no assault had actually taken place. Instead of addressing the false report that was filed against Muhaymin, officers sought an excuse to arrest him.

- *Singled him out for criminal enforcement.* Officers demanded Muhaymin's identification as entry into a public bathroom for the purposes of running his name through a criminal database. While Muhaymin used the restroom, officers found he had an outstanding warrant for missing a court date on misdemeanor possession of a marijuana pipe - a charge he received after being stopped for jaywalking the prior year.¹
- *Dismissed his need of a service animal and demanded he show papers documenting that his service dog, Chiquita, could accompany him to the public restroom.* This is despite the fact that federal and state laws do not require proof of documentation for a service animal's assistance.² Police subsequently ignored or denied every request that his service dog be protected or given to his sister. In fact, after killing Muhaymin, the officers reportedly gave his dog away to an onlooker.³

Despite this, none of the four officers directly responsible for this death -- Oswald Grenier, Jason Hobel, Ronaldo Canilao and David Head -- have been disciplined in any way shape or form. In fact, one of them has since been promoted to detective.⁴ Even though the footage clearly demonstrates the officers engaged in illegal and discriminatory acts, and a Maricopa County medical examiner determined the cause of death to be that of "homicide," the Phoenix Police Department cleared the officers of any wrongdoing.⁵

Since the county originally considered the facts and circumstances surrounding this death, a civil action has uncovered numerous factual errors and eye-witness testimony that clearly establishes that Muhaymin was murdered and the conduct by the officers violated the department's use of force and duty to intervene policy.

As a result, we call for you to:

¹ Robert Kuznia, Scott Bronstein and Drew Griffin, "Bodycam footage from Phoenix arrest reveals new details about Black man's death in custody," *CNN*, July 9, 2020,

<https://www.cnn.com/2020/07/09/us/phoenix-muhammad-muhaymin-invs/index.html>.

² Uriel J. Garcia, "When my brother loved, he really loved": Sister of Muhammad Muhaymin shares his story, *The Arizona Republic*, June 11, 2020,

<https://www.azcentral.com/story/news/local/phoenix/2020/06/11/sister-muhammad-muhaymin-killed-phoenix-police-cant-breathe-shares-his-story/5327511002/02/>.

³ Uriel J. Garcia, "When my brother loved, he really loved": Sister of Muhammad Muhaymin shares his story," *The Arizona Republic*, June 11, 2020,

<https://www.azcentral.com/story/news/local/phoenix/2020/06/11/sister-muhammad-muhaymin-killed-phoenix-police-cant-breathe-shares-his-story/5327511002/>,

⁴ Robert Kuznia, Scott Bronstein and Drew Griffin, *Bodycam footage from Phoenix arrest reveals new details about Black man's death in custody*, *CNN*, July 9, 2020,

http://lite.cnn.com/en/article/h_49d86f84391765dd3a17eb9c86081c4a.

⁵ Kuznia, Bronstein, and Griffin, *Bodycam footage from Phoenix arrest reveals new details about Black man's death in custody*, *CNN*, July 9, 2020,

http://lite.cnn.com/en/article/h_49d86f84391765dd3a17eb9c86081c4a.

- **Appoint a special criminal prosecutor with no conflicts of interest** to investigate this murder.
- **Direct the Phoenix Police Department to fire** Oswald Grenier, Jason Hobel, Ronaldo Canilao, David Head and all officers involved in this killing.
- **Immediately arrest and charge** Oswald Grenier, Jason Hobel, Ronaldo Canila, David Head and all officers involved in this killing.

In the aftermath of the George Floyd murder, County Attorney Adel said that “the hurt and outrage expressed in the past several days demonstrates that there are many in our community who feel justice is out of reach.”⁶

Mayor Gallego, you spoke clearly of how hard it is to explain police violence to your son. You said that you “want to change the world while he's growing up ... so that hopefully fewer mothers will have to have those conversations.”⁷

Change starts at home, Mayor Gallego and County Attorney Adel. If you want to show your residents that justice is within reach, it starts by delivering justice for the Muhaymin family.

Please reach out to Scott Simpson at Muslim Advocates at scott@muslimadvocates.org for further discussions about holding Muhaymin’s killers accountable.

Sincerely,
 Muslim Advocates, Convener
 Poder in Action, Convener

MARICOPA COUNTY AND ARIZONA ORGANIZATIONS
 American Civil Liberties Union of Arizona
 Arizona Advocacy Network
 Arizona Center for Disability Law
 Arizona Chapter National Asian Pacific American Women’s Forum
 Asian Chamber Inc
 Asian Pacific Community in Action
 BLACK LIVES MATTER PHOENIX METRO
 Black Mothers Forum, Inc.
 Black Phoenix Organizing Collective (bpoc)
 CAIR-AZ
 Islamic Community Center of Tempe

⁶ Helen Wieffering, “114 people arrested during Phoenix protests over George Floyd's death on Saturday,” *The Arizona Republic*, May 31, 2020, <https://www.azcentral.com/story/news/local/phoenix/2020/05/31/phoenix-protests-arrests-george-floyd-dion-johnson-death/5299675002/>.

⁷ Jessica Boehm, “Phoenix Mayor Kate Gallego promises changes, talks about her son and George Floyd,” *The Arizona Republic*, June 7, 2020, <https://www.azcentral.com/story/news/local/phoenix/2020/06/07/phoenix-mayor-kate-gallego-promises-lead-way-police-reform-george-floyd-use-of-force-shootings/3157294001/>.

Japanese American Citizens League, Arizona Chapter
National Council of Jewish Women Arizona
Oh My Ears
One Arizona
Phoenix LOC
Poder Latinx
Progress Arizona
Puente Human Rights Movement
Re:Frame Youth Arts Center
Refugees and Immigrants Community for Empowerment
Revisionary Arts
Semillas Arizona
The Arizona Students' Association
Unitarian Universalist Justice Arizona
White People 4 Black Lives - Phoenix

NATIONAL ORGANIZATIONS

ACCESS

American-Arab Anti-Discrimination Committee (ADC)
Athlete Ally
CAIR National
Center for Disability Rights
Center for Law and Social Policy (CLASP)
Demand Progress
Dignity and Power Now
Disability Rights Education & Defense Fund
Drug Policy Alliance
Faithful America
Human Rights Campaign
ICNA Council for Social Justice
Instituto de Educacion Popular del Sur de California (IDEPSCA)
Latino American Dawah Organization
MALDEF (Mexican American Legal Defense and Educational Fund)
MediaJustice
MomsRising
Movement Advancement Project
Muslim Public Affairs Council (MPAC)
Muslim.co
National Action Network
National Center for Transgender Equality
National Council on Independent Living
National Disability Rights Network
National Equality Action Team (NEAT)
National Network for Immigrant and Refugee Rights

SPLC Action Fund
The Sikh Coalition
Voices for Progress
Zoeglossia

STATE ORGANIZATIONS

California LGBT Arts Alliance
Washington State Religious Campaign Against Torture