

REC'D MESA CITY CLERK
22 JUN 2026 AM 9:33

June 22, 2026

City of Mesa
City Clerk's Office
20 E. Main Street
Mesa, AZ 85201

RE: Notice of Claim – David J. Klecka

To Whom It May Concern:

Enclosed please find my Notice of Claim submitted pursuant to A.R.S. § 12-821.01 regarding claims arising from actions and events involving the City of Mesa, Mesa Public Schools, and associated employees.

Please accept this correspondence and the attached Notice of Claim for review and processing. I respectfully request that all future communications regarding this matter be directed to me at the email address listed below.

Thank you for your attention to this matter. Please confirm receipt of this Notice of Claim at your earliest convenience.

Sincerely,

David J. Klecka

Email: david.klecka@gmail.com

NOTICE OF CLAIM

Pursuant to A.R.S. § 12-821.01

Claimant:

David J. Klecka

Respondent:

City of Mesa

20 E. Main Street

Mesa, Arizona 85201

Employee Involved:

Officer Barry Mullen

Mesa Police Department

NOTICE OF CLAIM

Pursuant to A.R.S. § 12-821.01, Claimant David J. Klecka hereby submits this Notice of Claim against the City of Mesa arising from the actions of Mesa Police Officer Barry Mullen related to a police report concerning an incident that occurred at Mesa High School on February 12, 2025.

FACTUAL BACKGROUND

At all relevant times, David Klecka was employed by Mesa Public Schools as Athletic Director and Assistant Principal at Mesa High School.

On February 12, 2025, following a varsity soccer match at Mesa High School, a fight occurred involving students in the school parking lot. Mr. Klecka responded as the on-site administrator and assessed the situation. He observed a student with a minor injury and was advised of unconfirmed rumors regarding a possible firearm. No firearm was located, no suspects were identified, and no witness provided Mr. Klecka with confirmed information that a firearm had been involved.

Officer Barry Mullen was present at the soccer match as a spectator and left campus before the incident occurred.

On February 13, 2025, Officer Mullen authored an email documenting his involvement. In that email, Officer Mullen stated that on February 12, 2025, at approximately 8:01 p.m., he received a telephone call from Sheldon Deer regarding the incident. Officer Mullen spoke with two security guards who were present that night in real time along with the school Principal. Officer Mullen further documented that he gathered information from school security personnel, attempted to contact Mr. Klecka, communicated with Principal Kirk Thomas, and characterized the matter as requiring police involvement.

Officer Mullen's February 13, 2025 email clearly establishes that he became aware of the incident on the evening of February 12, 2025.

A police report was subsequently prepared by Officer Mullen and approved by a supervisor on February 25, 2025.

After the report had already been approved, Officer Mullen added language on February 26, 2025, stating in substance that he did not become aware of the situation until the next school day.

That statement is directly contradicted by Officer Mullen's own contemporaneous February 13, 2025 email documenting his knowledge and involvement on February 12, 2025.

The report further attributed statements to Mr. Klecka suggesting that he did not want a police presence on campus and that he intentionally chose not to contact law enforcement. Mr. Klecka was never interviewed by Officer Mullen prior to the creation of the report and was never given an opportunity to provide his account of events.

As a result, the report presented a one-sided narrative in which Mr. Klecka was the only adult specifically identified as having allegedly prevented police involvement. The report omitted exculpatory information and included allegations that were never verified with Mr. Klecka.

DAMAGES

The report and the subsequent additions to the report had devastating professional consequences for Mr. Klecka.

The report became a substantial factor in the reopening of allegations against Mr. Klecka and contributed to later employment actions taken against him.

On January 2, 2026, Mr. Klecka was placed on administrative leave.

On January 12, 2026, the Mesa Public Schools Governing Board voted not to renew his contract.

On January 22, 2026, the Mesa City Prosecutor declined criminal charges.

Despite the prosecutorial declination, the damage to Mr. Klecka's professional reputation had already occurred.

Mr. Klecka had devoted decades to education, coaching, administration, and public service. His career included service as a teacher, dean of students, assistant principal, athletic director, and award-winning coach. Following the publication and reliance upon the report, Mr. Klecka suffered substantial damage to his professional reputation, loss of employment opportunities, emotional distress, humiliation, and financial losses.

Mr. Klecka applied for numerous educational leadership positions following his separation from Mesa Public Schools and was unable to secure comparable employment. Prospective employers were aware of the allegations and ongoing controversy surrounding the incident.

The resulting harm included lost wages, lost future earning capacity, loss of employment benefits, reputational damage, emotional distress, and attorney's fees incurred in responding to and defending against the consequences of the report.

LEGAL BASIS

Claimant contends that Officer Mullen, acting within the course and scope of his employment with the City of Mesa, knowingly or recklessly prepared, modified, and maintained a report containing materially false and misleading information, failed to conduct a reasonable investigation, failed to interview Mr. Klecka before attributing statements and motives to him, and later added information that was inconsistent with his own contemporaneous documentation.

Claimant further contends that these actions constitute negligence, gross negligence, defamation, false light, and related tortious conduct for which the City of Mesa is vicariously liable.

SETTLEMENT DEMAND

To fully and finally resolve all claims arising from the conduct described herein, David J. Klecka hereby demands the sum of Seven Hundred Fifty Thousand Dollars (\$750,000.00).

Acceptance of this amount within the statutory period will constitute full settlement and release of all claims against the City of Mesa and its employees arising from these events.

DATED this 22nd day of June, 2026.

Respectfully submitted,

David J. Klecka
Claimant