

April 23, 2013, 6:00 PM Contact: Carole V. Bartholomeaux, 602.404.8879 (office) or 602.628.2666 (mobile) or bprworks521@gmail.com

News Release from the Phoenix Law Enforcement Association

On Tuesday April 23, 2013, the Phoenix Law Enforcement Association received an 11 page ruling handed down from Judge Katherine Cooper of the Superior Court of Arizona granting the injunction requested by the Goldwater Institute against the City of Phoenix and the Phoenix Law Enforcement Association over the issue of full time release positions.

The Phoenix Law Enforcement Association has had full time release since its inception in 1975. Full time release positions have grown over the years to meet the joint needs of the city, rank and file officers, and the police department. All other city bargaining associations use release time.

Officers in full time release positions represent officers with regard to protecting their due process rights in the arena of discipline and grievances. These same full time officers also represent rank and file officers in contract negotiations every two years to determine wages, benefits, and working conditions. This representation is guaranteed under state law, the City Ordinance and the Memorandum of Understanding (MOU) that exists between the City and the Association.

The City, in prior testimony has agreed that full time release officers are an overall benefit to the city when it comes to being able to deal with labor relations that, in turn, contribute to the smooth and efficient operation of the city.

The Phoenix Law Enforcement Association believes that Judge Cooper got it wrong on her decision and believes the ruling as written is filled with inaccurate and or questionable information.

In her ruling, Judge Cooper states:

- “Release time is the practice of relieving police officers from police duties to perform PLEA activities and conduct PLEA business.”

PLEA responds: *Full time release encompasses dealing with issues of mutual benefit to the department and the Association. Full time release officers are assigned temporary position numbers and therefore are not counted against normal staffing numbers. PLEA sits on and provides input on numerous committees on the department. Full time release officers and field reps handle numerous issues on a day to day basis before they develop into larger problems that could be more costly and time consuming.*

- “Full-time officers do not report to a higher-ranking officer. They supervise themselves and other officers while those officers are on release time.”

This is incorrect. Everyone has a boss and full time release is no different. Full time release officers are bound by all of the provisions laid down in the MOU and department policies the same as any other police officers.

- Judge Cooper completely failed to address the issue of total compensation with regard to the membership paying for full time release positions.

- Judge Cooper failed to address the issue that Goldwater bears the burden of proof with regard to proving the City Council grossly abused their discretion with regard to granting full time release.

- Throughout her decision, Judge Cooper continuously states that PLEA receives financial benefit from the City.

This is false. PLEA as an organization receives no direct financial benefit from the city. Full time release officers receive their normal pay and benefits which is costed against the contract and funded by a portion of the wages of unit 4 members (all rank and file officers).

PLEA's legal counsel will be filing an immediate special action with the Arizona Court of Appeals, as will Judicial Watch, which represents five PPD officers who are participating individually in the lawsuit.

The actions of the Goldwater institute are nothing more than a thinly veiled union busting tactic falsely cloaked in the guise of saving taxpayer money.

Eliminating full time release positions will not put more money in the tax payer's pockets. During hearings, the City Labor Relations Administrator testified that if the six full time release personnel were returned to the street that any monetary savings would go back into the pockets of rank and file officers rather than city coffers. This in and of itself proves that the full time release positions are paid for by rank and file officers rather than the city.

For additional media information, please contact Carole V. Bartholomeaux, 602.628.2666, as PLEA Board members and Reps will not be available for interviews during regular office hours.