



PHOENIX LAW ENFORCEMENT ASSOCIATION

# RECAP

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## PPSLA Launches Attack Against PLEA's Attorney

By Mark Spencer  
PLEA President

Mike Napier has been a crucial part of the PLEA team for over 34 years. He currently provides legal counsel for approximately 4000 police officers in Arizona. Beyond PLEA, this includes the Glendale Law Enforcement Association, Gilbert Law Enforcement Association, Chandler Law Enforcement Association, Mesa Police Association, Buckeye Law Enforcement Association, Avondale Law Enforcement Association, Peoria Police Officers' Association, Goodyear Police Officers Association, Deputies Law Enforcement Association, Maricopa County Association of Detention Officers, and the Arizona Corrections Association.

***Mr. Napier has set the standard for aggressive and successful police labor legal representation in the State and throughout the Southwest.***

Mr. Napier has set the standard for aggressive and successful police labor legal representation in the State and throughout the Southwest. With his PLEA and Arizona track record as his platform, the sergeants' and lieutenants' union utilized the services of Mr. Napier for over 10 years. Mr. Napier left PPSLA last year. Since then, PPSLA hired two former lawyers from Mr. Napier's office to provide legal tutelage: Dale Norris and John Commerford.

To their credit, PPSLA is consistent to their mission: Support the policy-makers. This logically sets them at odds with PLEA's mandate: It's all about the members. It's sad that PPSLA remains silent regarding relevant issues that impact the citizens we serve and our investigators and first-responders who take the risks. Not a whisper from PPSLA on the private purchase of rifles for patrol, or a civilian wagon/booking process to free up patrol, or the crisis at the crime lab that burdens detectives. When PPSLA does raise their voice, it belches support for a broken immigration policy or an endorsement of Mr. Harris' \$5000 a week conflict with pension rules.

PPSLA has spoken again. This past month they brought a bar complaint against PLEA's legal counselor Mike Napier. Allegations of misconduct brought against Mr. Napier by PPSLA include conflict of interest issues stemming as far back as 7 years as well as Mr. Napier being too aggressive in his questioning of a PSB investigator at a civil service board. PLEA's legal counsel shares a common fact of life with the PLEA members he serves - if both are doing their job they're going to get complaints. Bad guys hate being held accountable. They'll deflect their flaws and delay their demise through meaningless and stale complaints. The current PPSLA noise against Mr. Napier sounds like a suspect crying foul after being caught short.



# PMG'S...KNOW THE RULES, KNOW YOUR RIGHTS

By Ken Crane  
PLEA Secretary



The Performance Management Guide better known as the PMG is a document used by supervisors employed by the City of Phoenix to document the performance of their employees. Most employees receive a PMG annually.

The purpose of the PMG as outlined in the Supervisor's guide to PMG's and performance appraisal is to *"create a complete picture of an employee's performance during a rating period."*

There are times the PMG is misused by supervisors who fail to follow the rules laid out in the supervisor's guide, departmental policy, or the MOU. Sometimes, personality conflicts can interfere with a clear, unbiased assessment which, in turn, often leads to lopsided and unfair evaluations. Knowing some of the rules regarding the use of the PMG can help supervisors and employees alike. Supervisors that know the rules usually tend to do a better job of writing PMG's that are fair and accurate. They also tend to do a better job of documenting employee work performance throughout the rating period. Officers who are informed are better prepared when it comes to spotting errors, biases, and clear violations of the rules when supervisors try to put material into a PMG that should not be there.

Why should we care about the content of a PMG? An officer who is in the merit steps can find their merit pay increase being denied if they receive an overall "Not Met" on a PMG. Senior officers who are not in the merit steps can find themselves in a position to have their longevity pay denied. Officers could also find themselves in a position of having off duty work privileges suspended.

Let's look at timelines for a minute. A coaching is non-disciplinary in nature and is something that should only live in the officer's monthly notes. Coaching's **should not** be mentioned in a PMG. The supervisory counseling, while not considered formal discipline for most city employees, is the first formal step of discipline for police employees. Due to this fact, the supervisory counseling can be mentioned in the PMG however, the supervisory counseling has a life of 1 year and therefore can not be brought into the PMG if it is over 1 year old. A written reprimand has a life of 3 years and can be mentioned in the PMG. Once the written has been referred to (usually in the PMG immediately following the written) it should not be brought up in year 2 and 3 following the written since it has already been addressed. The next level of discipline is the suspension which can range from 8-40 hours. A suspension lives in your file for 5 years and can also be mentioned in your PMG. Again, once it has been addressed in the PMG, it shouldn't be brought up again. Information contained in the PMG should be reviewed with a critical eye because the PMG document itself lives for 10 years. Often times the testing processes for specialty assignments will have a file review as a part of the evaluation and PMG's can be examined during this process.

If discipline is mentioned in your PMG, the city asks supervisors to use the following language:

"Use the word "discipline" for written reprimands and suspensions. Example: "You have received discipline during this rating period for issue X." "Use the word "discussion" for Coaching and Supervisory counseling. Example: "During this rating period we have had discussions on issue Y and have identified a need

for you to improve in this area."

(Pg. 23, Supervisors guide to PMG's and Performance Appraisal)

When reviewing a PMG, officers need to be sure that any negative comments that might show up are backed up by their monthly notes. Did your supervisor let you know about the performance issue? Was the issue documented in your monthly notes? More importantly, did your supervisor have you sign your monthly notes within 14 days after the end of the month? If the answer to any of these questions is **"no"** then chances are that the supervisor will not be allowed to keep the adverse comments in the PMG.

Your monthly notes are a public record and as such, you the employee, should be allowed access to them at any time. Your supervisor may wish to be present when you review your notes. It is a good idea to make a copy of your monthly notes when you sign them. Keep them on hand in the event that you need them for future reference.

Per the PMG form, the rated employee should be given 72 hours excluding weekends and "N" days to review their PMG and respond in the employee comments section. There have been numerous cases over the years of supervisors serving past due PMG's on employees and rushing them to sign the document to get it sent off. We've even heard accounts of supervisors driving out to an employees house while the employee was on an "N" day to get a signature on a PMG (if this should ever happen to you, make sure you drop a slip for three hours of OT). Lack of preparedness on your supervisor's part doesn't justify an emergency on your part.

The employee comments section of the PMG can be used to rebut any negative comments made by your supervisor. This is your opportunity to tell your side of the story on any negative issues mentioned and you can attach an addendum if necessary. Remember, the PMG lives for 10 years so don't forego your right to attach comments if you feel it is necessary to bring balance and perspective to your PMG.

Only in rare instances can a PMG be grieved but there are measures in place that allow an adverse PMG to be appealed. Per the PMG manual:

"An employee may appeal an overall rating of "Not Met" up through the chain of command to the department head. You should address PMG appeals as soon as practical after receiving them. Ask your Personnel Officers/Liaisons to monitor the process to make sure that you respond promptly to any appeal."

(Pg. 20, Supervisors guide to PMG's and Performance Appraisal)

Are you entitled to representation if you appeal a PMG with an overall rating of "Not Met"? Per the MOU:

"Unit members are entitled to representation if a "Not Met" PMG is appealed and is at the Executive Level (Assistant Chief or Chief) or when management has more than one representative at the meeting to discuss the appeal of the PMG."

(MOU Article 1: Section 1-4. D. Rights of Unit Members)

The PMG process can be a fairly painless process for those involved, provided all the players are familiar with the rules. Supervisors who don't know the rules will often include material of an adverse nature that should not find its way into the PMG and officers who don't know the rules often pay the penalty when they sign and forward a document that is memorialized for 10 years.

# Sleep Deprivation, Shift Work Sleep Disorder & Other Problems Associated With Lack of Sleep

By Stephen L. Carson, Ph.D.  
Licensed Psychologist

In over twenty-eight years of consulting with police organizations, I have encountered numerous officers who have had problems executing the requirements of their duties. The majority of these officers have been referrals, either by self or by supervisors because of the inability to effectively perform. A number of these individuals have been formerly referred for Psychological Fitness for Duty Evaluations, while others were self-referrals for counseling. When these officers are evaluated either for counseling or to be formerly assessed, a significant percentage has been devoid of psychopathology or diagnosable mental illnesses. Recent research suggests that many of these problems may be due to sleep deprivation, either for a specific period of time or chronically, over a long period of time which has become part of their lifestyle. Chronic sleep deprivation is referred to as Shift Work Sleep Disorder, the official diagnosis Circadian Rhythm Sleep Disorder, shift work type. The sleep patterns of these individuals was never part of a formal assessment of their difficulties but would likely explain significant changes in behavior, poor decision-making or making “bone-head” comments or actions in the absence of a mental disorder. In reality, by the time an individual has made an appointment to see a psychologist, either for counseling or for an evaluation, he has likely had time to catch up on some of his sleep resulting in the absence of symptoms.

In the August 2007 edition of the Law Enforcement Bulletin, Dennis Lindsey, the author, suggests that up to twenty hours of wakefulness equals the behavior of an individual with a Blood Alcohol Concentration (BAC) of 0.10, beyond the presumptive level of intoxication in most states. Other studies have shown that being awake for seventeen hours equals a cognitive functioning level of a 0.05 BAC level.

## These results of lack of sleep include the following symptoms:

1. Irritability with coworkers, family or friends
2. Inability to remain alert or respond to demands of work
3. Memory impairment
4. Lack of concentration
5. Lower frustration tolerance
6. Accidents on the job or in the home
7. Stress related illness caused in-part by a compromised immune system
8. Inattention
9. Obesity
10. Hypertension
11. Changes in metabolic functions
12. Alteration of hormone functioning in ways that mimics aging

*It was also suggested that lack of sleep effects people's moral judgment.*

Many professionals, such as pilots, locomotive engineers, ship captains, public transportation and commercial truck drivers, firefighters and emergency room doctors are regulated by the various Federal agencies in the amount of work they can do without time off. Law enforcement has no such regulation.



It is estimated that fifteen hundred traffic deaths each year are likely caused by people driving when they are fatigued. The Exxon Valdez oil spill was likely the result of lack of sleep by those in control of the ship as well as numerous other incidents that have cost human lives and destroyed property. Additionally, when fatigued, Special Agent Lindsey, found that sleep deprivation causes a significantly lessened ability to “comprehend complex situations that require processing a substantial amount of data within a short time frame; to manage events and prove strategies; perform assessment and accurately predict consequences; be innovative; take personal interest in the outcome of an action; control mood and behavior; recollect a timing of events; monitor personal preference and communicate effectively.”

When individuals try to fight through periods of fatigue, the human body, in an effort to rest, goes into “micro sleeps” in which a person literally falls asleep for two to ten seconds at a time. As little as two hours of sleep loss on one occasion can result in degraded reaction time, cognitive functioning lapses, mood changes and lowered alertness.

Not surprisingly, sleep deprivation mimics many psychological disorders. Some even suggest (Fauber) that sleep deprivation may even cause or exacerbate difficulties such as hypertension, depression, irritability, anxiety, lethargy, hostility, indifference and poor decision-making. It is my suggestion when officers make poor decisions on the job, that a sleep history assessment be conducted as this may be related to their problem as frequently as a formal mental disorder. Police management decision makers can make policies that accommodate officers' ability to sleep appropriately.

*Lindsey, D. FBI Law Enforcement Bulletin August, 2007 p. 1-8.  
Fauber, J. Milwaukee Journal Sentinel*

*Vila, B. Tired Cops, The Products and Political Consequences of Police Fatigue NIJ Journal no 248, 2002 – p. 17-21*

*Fauber, John. Sleep Study Offer Hope vs. Disorders  
Milwaukee Journal Sentinel*

# They took my City Vehicle... Now What?

By Will Buividas  
Chief Negotiator

The City of Phoenix recently conducted an audit of all City departments' take home vehicle usage. This audit was requested by a union that represents civilian supervisors. The 4th floor did not initiate this audit and quite frankly didn't want anything to do with it. It was forced upon them. The results of the audit showed that the Police Department was left of center with personnel rules and policies when it came to our take home vehicle program. The City Manager gave the 4th floor great latitude in determining how to come into compliance. As evident by their decisions, it appears that management decided to use a hatchet on a problem that could have been solved with the use of a scalpel.

Basically, everyone except SAU, Homicide, Robbery and a few tactical support details have lost their take home cars. The 4th floor claims that by doing this the Department will save several million dollars. While in the long run that might be true, most of the savings initially are on paper and the real number of hard dollars saved in the 2009 - 2010 budget year will be minimal. Most of the savings are through depreciation costs that won't be realized for 5 -15 years. Undoubtedly, customer service at all levels of the department will suffer. Let me explain:

Detectives, remember when you get called out regardless of whether you are on paid standby or not, you are entitled to mileage reimbursement through fiscal (administrative regulation 6.21). Currently, you will be reimbursed 55 cents per mile from your house to your City vehicle and then back to your house after your callout is over. These forms are available through your administrative sergeant. Also, there are a few Operations Orders you should take note of: Ops Order 4.2.1.I states that to conserve energy employees will drive at reduced speeds. Translation, never drive over the posted speed limit. Make sure to obey ALL traffic laws. Ops order 4.19 states that employees are responsible to ensure that the scene is properly and THOROUGHLY processed. It further states that you must interview EVERY witness and victim and to conduct the interview as soon as possible while the information is still fresh in the person's memory. It goes on to say that all suspects should be interrogated. Here is an example of how this will work in the real world.

An assault detective gets a called out at 2000 hours to 2700 West Carefree Highway. The detective lives in the area of 2500

**NO  
VEHICLE  
BEYOND  
THIS POINT**

West Happy Valley Road. The detective leaves the house at 2030 hours after taking a shower and getting dressed. He then drives 21 miles (30 minutes in good traffic) to the 305 garage (2100 hours). It takes him at least 15 minutes to switch out his gear from his personal vehicle to the city vehicle (2115 hours). He then drives 27 miles (35 minutes) to the scene (2150 hours). After the callout is over, instead of just driving the 5 miles home, the detective drives back to the 305 garage (27 miles and 35 minutes). He spends another 15 minutes switching out equipment and finally drives another 21 miles home.

Through all of this the detective is getting paid mileage back and forth to the 305 garage and more importantly patrol now has to hold the scene for an extended period of time. While the patrol squad is holding the scene, calls are going unanswered,

backups are not being made, and citizens are not getting the services that they need. Not to mention that the victim of the above aggravated assault is not getting their investigation started for an extended period of time. But hey, saving a few bucks is worth calls going unanswered, crimes not being solved, tickets not being written (don't even get me started on the new motor policy), and morale falling deeper and deeper into the abyss. Clearly, another example of why Phoenix is the "Best run City in the World." I can only imagine every other City.

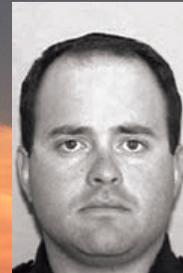
On a side note: Under FLSA laws your work shift starts wherever you pick up your vehicle. We have been told that some details, most notably the Drug Enforcement Bureau, have to park their City vehicle's as far as 20 minutes from their worksites. If this is the case your day starts the moment you get into your City vehicle and ends the moment you drop your City vehicle of at the off-site location. Clearly, the City is the primary beneficiary when they are telling you where to park their vehicle. Anyone having issues with this please contact the PLEA office immediately.

***Remember to stay safe and follow all Operations Orders when it comes to callout and investigative procedures.***

*Fallen Heros*



Phoenix Police Officer  
John Davis  
August 6, 1962



Phoenix Police Officer  
Eric White  
August 28, 2004



Phoenix Police Officer  
Jason Wolfe  
August 28, 2004

# HAVE A SAFETY NET BENEATH YOU: THE IMPORTANCE OF BEEFING UP YOUR PERSONAL UNINSURED & UNDERINSURED MOTORIST COVERAGE

*By Anthony J Coury  
Napier, Abdo, Coury & Baillie, P.C.*

“I’m fully insured.”

It is amazing how many of our personal injury clients make this statement during their initial consultation with our office after being involved in a motor vehicle accident. Then, after further investigation, it turns out that, in reality, “fully” means “minimally.”

Many drivers on Arizona streets have no insurance at all. In fact, current statistics demonstrate that the number of auto policy cancellations is increasing, likely due to the slow economy – people are being forced to choose which bills to pay, and oftentimes, auto insurance gets cut loose.

Hypothetical #1: Driver A injures Driver B in an accident. Driver A has no insurance. Driver B has no Uninsured Motorist coverage. Driver B receives nothing for his/her injuries.

Arizona state law requires all drivers to have an insurance policy that provides for \$15,000/\$30,000 of liability coverage. Many people buy only the minimum amount of insurance required by law.

Hypothetical #2: Driver A is responsible for an accident in which Driver B is injured. Driver A has the legal minimum, \$15,000, in liability coverage. The maximum that Driver B can recover for his injuries is \$15,000, regardless of the extent and severity of his/her damages. So, even if Driver B’s medical bills equal \$100,000, the most he/she can recover from Driver A’s insurance company is \$15,000.



Seems screwed up, huh? That’s where the safety net of Uninsured & Underinsured Motorist Coverage comes into play. Here are (some of) the benefits you can receive from having sufficient Uninsured and Underinsured motorist coverage:

- If you are injured by a driver who has no insurance, you can still make a claim and get a recovery.
- If you are injured by a driver who has minimal insurance, or less than the full value of your claim, you can potentially receive a total settlement amount to cover your claim.
- Settlement proceeds received from the Uninsured and/or Underinsured coverage in your auto policy are free from liens (including worker’s compensation liens).
- Proper levels of coverage can provide you peace of mind, especially since you spend many hours on the road.

## *Here’s what you need to do:*

1. Call your insurance agent and make an appointment.
2. When you meet, ask about your current levels of both Uninsured Motorist AND Underinsured Motorist coverage.
3. Ask about the cost of increases to higher levels of coverage. You will be surprised how small increases to your premium will get you much better coverage.
4. Push your coverage as high as you can afford. We recommend that officers carry UM/UIM coverage of \$100,000/\$300,000 AT A MINIMUM.
5. Follow these steps IMMEDIATELY – every day on the road creates risk of getting hurt with insufficient coverage.

*As always, the attorneys at our firm are available to provide guidance and to answer any questions you have regarding Uninsured & Underinsured Motorist coverage. We hope you all take immediate steps to make sure that you are “fully insured” with plenty of coverage.*

## 2nd Annual Indian School Corridor Block Party & Collectible Car Show.



The Indian School Corridor-Citywide Coalition in partnership with PLEA is proud to announce the 2nd Annual Indian School Corridor Block Party & Collectible Car Show, **Sunday Nov. 8th, from 12:00-5:00PM.**

All proceeds to benefit PLEA Charities, Donna Neill's Kid's Street Park, St. Vincent de Paul, and the Sheriff's Youth Assistance Foundation.

Go to [http://www.requiretheprior.org/download/car\\_show\\_app.pdf](http://www.requiretheprior.org/download/car_show_app.pdf) for more information and an application.

**Identify yourself as a PLEA member and get a 50% discount on the entry fee.**

The first hundred entrants will receive a T-shirt. Everyone will receive a dash plaque. Top 10 awards will be given.

**BENEFIT  
of  
THE  
MONTH**



**Wet 'n' Wild Water Park  
1-Day Tickets Adult/Child \$28  
Available at PLEA Office**

### DATES TO REMEMBER & BENEFITS TO MEMBERS

Rep from Aflac will be in the PLEA Office the second Wednesday of each month.  
Call Aflac Office @ 602.870.1122

Hester, Heitel & Associates Exclusive group insurance offers to PLEA Members only for homeowners, and auto and liability.  
Please call Mark or Loretta at 602.230.7726

Tom Jonovich  
Financial & Retirement Planning Sessions  
3rd Thursday each month at PLEA Office  
Exception will be August 13 (2nd Thursday) 10am - Noon

Rep from Nationwide will be in the PLEA Office the 4th Thursday of each month to assist with Deferred Comp, 401(a), or PEHP and updating your beneficiary. Call Kathleen Donovan @ 602.266.2733, x 1161.



**Membership meetings are the last Tuesday of each month at 7:30 a.m., 12:30 p.m., and 5:30 p.m.**

**Board meeting is held the 3rd Tuesday each month and members can attend at 8:30 am.**

## LAW OFFICES OF MICHAEL NAPIER, P.C.

**MICHAEL NAPIER** has been representing Phoenix officers for over 32 years. Mr. Napier is one of the most experienced labor and personal injury attorneys in Arizona. Mr. Napier has represented hundred of officers before administrative bodies throughout Arizona, and has assisted critically injured officers and the survivors of the officers in obtaining compensation for their injuries and losses.

**JANET FELTZ** was admitted to practice in Arizona in 1985. Prior to joining the firm in 2005, she served as an administrative hearing officer for twenty years in disciplinary and other employment matters on behalf of merit boards and commissions throughout the State. She also served as an administrative law judge for the Arizona Department of Economic Security from 2001 - 2005.

**ANTHONY COURY** has focused his 9 years of practice primarily on personal injury and wrongful death lawsuits in which he has served as plaintiffs' counsel. He has experience in cases dealing with dram shop liability, negligence, governmental claims and products liability including service as counsel on the litigation team for Phoenix Police Officer Jason Schechterle.

**KATHRYN BAILLIE** was born and reared in Phoenix, Arizona, completing her undergraduate degree at Arizona State University. She served as a J.A. for the Third Circuit Court and then worked as a Public Defender in the Commonwealth of Kentucky before joining the Law Office of Michael Napier, P.C. She has worked with Michael Napier on personal injury and wrongful death cases, dram shop liability, negligence, administrative, disciplinary, and other employment matters.

In addition to the full services provided to PLEA members to protect their careers, the Law Offices of Michael Napier P.C. provide the following:

**Personal injury recovery** (on or off duty); experienced representation at a reduced fee;

**Reduced fees** for matters not covered by the PLEA legal plan;

**Free probate** of officer's estate for line-of-duty death; Free consultations to members on any matter, and

**Referrals** to attorneys or specialists for matters not handled by the firm.

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# Stress, the Hidden Enemy

By Ken Crane, PLEA Secretary

Stress has often been referred to as a silent killer. Introducing enough stress into somebody's life on a continual basis can cause any number of physical maladies to manifest themselves and in extreme cases can even result in death.

Some professions typically have higher stress levels than others. Fire fighters, paramedics, EMT's, emergency room workers, military personnel, airline pilots, air traffic controllers and police officers just to name a few fall into this category. Someone once said that cops age in dog years. I tend to believe that there's a lot of truth in that statement. High levels of stress can cause some to age beyond their years.

Modern medical research done in the last several years has done much to expose the dangers of letting stress go unchecked. Research has shown that careers with the highest rates of suicide are doctors, veterinarians, dentists, EMT's, prison guards, and police officers. Stress is clearly the common denominator in these career fields. A 2007 USA Today article cited a report from the suicide foundation stating that there was an average of 450 police suicides per year from 2004-2006. This is striking considering that on average only 150 officers died annually in the line of duty.

Excess amounts of stress can contribute to problems such as lack of sleep, gastro intestinal disorders, depression, marital strife, increased problems in the work place, diminished sex drive, alcohol abuse, drug abuse and eating disorders to name just a few. Why do some people seem to be more heavily impacted by stress than others? It essentially boils down to how we cope with stress on an individual level. Police officers who don't cope well with stress are the ones who usually pay the heaviest price whether in the form of substance abuse, domestic violence, job loss or suicide. Those who choose to turn to drugs or alcohol as a coping mechanism usually see only short term relief and often see their problems compounded in the long run often with devastating results.

PLEA Trustee Jerry Gannon and I recently had the privilege of visiting and speaking with one of our retired officers who wanted to express his concerns to younger officers with regard to how important it is to deal with stress. The officer who retired in 2004 after 32 years of dedicated service realizes in hindsight that there are many things he could have done to heed warning signs that might have made post retirement much better.

Since retiring, he has had to deal with depression, heart problems, and other stress related issues requiring psychological counseling. These issues have also put stress on his marriage that he and his wife have had to work through. Many of his doctors and counselors have attributed his problems to the stresses associated with law enforcement that he simply kept bottled up inside. He related a story about dealing with his third incident of a Sids death when he was on the force. His Sergeant, seeing that he appeared to be troubled, encouraged and sent him to see a psychologist which he did. On returning to the station later in the shift the Lt. asked where he had been and when he told him, the Lt. went to the Sergeant and said "Next time tell him to go on his own damn time!"



I think we've come a long way since those times. The police profession has always been looked upon as a macho profession. Years ago, if someone would have sought counseling of any type for job related stress, they would have been ridiculed as being too weak to handle the job. That's probably why there were and are high levels of alcohol and other substance abuses in law enforcement. Cops are supposed to be the ones in control. We are expected to take charge and solve problems and therefore can't show weakness. Due to these factors it's sometimes easier to find counseling in a bottle or by taking a medication.

We work in a caustic environment. It is laced with violence, alcohol, drugs, pornography, crimes against children, animal abuse, vehicle accidents, prostitution, homicides, suicides and domestic disputes, not to mention those who would try to kill us during the course of our shift. Add to this the elements of internal job stress; worrying about internal investigations, how our own agency will treat us, how our peers view us, the threat of civil lawsuits as well as the potential to be criminally charged for doing our job and we can see that there is plenty of stress to go around for all.

Like the moth that flies near the flame, we as police officers are required to walk a fine line. The moth tries to get near the flame without getting burned while the police officer must be able to work in and amongst the dregs of society, the criminal element and in some cases worry about over zealous supervisors on a daily basis while attempting to remain unaffected and unscathed both physically and mentally; a challenging proposition to say the least.

Fortunately we have systems in place and help available that was unheard of 20-30 years ago. PAS (Performance Assessment System) is a type of early warning system that can flag employees that may be at risk in order to get needed help at the early stages before issues develop into more serious problems. Employees involved in shootings are mandated to see a police psychologist and given a minimum of three days off before returning to work.

Operations order 3.8 details the list of services available to officers who may need additional support to cope with job related stress. The Peer Support Program provides all employees access to a trained peer employee who can provide support during a time of personal crisis. The Employee Assistance Program provides professional counseling services to eligible police personnel and immediate family members. Critical Incident Stress Management (CISM) personnel can provide trained personnel to mediate the effects that result from a critical incident. This would include things such as post use of force de-briefings. The Police Chaplaincy Program allows officers to tap into and obtain support from members of the clergy to provide confidential support for them and their families. The Active Duty Support Team (ADST) is a volunteer program designed to assist employees and their families when an employee is called to active duty. Former PLEA Chaplain John South, who possesses an incredible resume with regard to counseling military and police personnel, now runs Critical Point Solutions LLC and is still available to provide crisis counseling to those in need.

Employees who seek help must realize that the only persons who have a legal basis to guarantee confidentiality are their spouse, doctors, attorneys, and members of the clergy. CISM and Peer Support counselors can only guarantee **limited** confidentiality.

Stress is one of those things that can accumulate and build up gradually over time. If you start seeing signs and symptoms of stress, seek help. With the systems and support networks that we now have in place there is no reason not to. It could save your health, your career, your marriage, and in an extreme case, even your life.



**PHOENIX LAW ENFORCEMENT ASSOCIATION**

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# Representation Committee



**Chairperson**  
Dave Kothe

**Vice Chairpersons**  
Jerry Gannon and Ken Crane

### Representatives

- Tim Baiardi • Kent Barnes • Ken Barton
- John Buckner • Bob Furneaux • Bill Galus • Greg Gibbs
- Bret Glidewell • Scott Gomez • Bryan Hanania
- Gary Hotchkiss • Steve Huddleston • Barry Jacobs
- Michael London • John McTernan • Terry Mills •
- Anthony Navas • JR Pool • Dave Sampson
- Rick Simonick • Frank Smith • Kevin Smith
- Jason Smith • Stu Sterling • Rusty Stuart • Tom Tardy
- Mike Walsh • James Ward • Vanessa Warren

#### *If You Have A Grievance*

**FIRST:** Attempt to resolve the matter informally with your supervisor.

**SECOND:** If you cannot resolve this with your supervisor, contact one of the representatives above.

**REMEMBER:** There are time limits to initiate a written grievance.

#### *If You Are Being Investigated*

**RECORD:** All interviews once you have been given an NOI.

**COPY:** All memos or paperwork related to the investigation.

**TRUTHFULLY:** Answer all questions related to the investigation.

If you are called by Professional Standards Bureau or any police supervisor regarding an investigatory interview or interrogation, you may have PLEA representation during that interview.

Call for representation as soon as possible. For your convenience, a PLEA board member and representative are available 24/7.

### The Board Of Trustees

- David Dager ..... Chairman of the Board
- Mark Spencer ..... President
- Danny Boyd ..... Vice President
- Joe Clure ..... Treasurer
- Ken Crane ..... Secretary
- Will Buividas ..... Trustee/Chief Negotiator
- Mark Enegren ..... Trustee/Representation
- Jerry Gannon ..... Trustee/Representation
- Dave Kothe ..... Trustee/Representation
- Frank Marino ..... Trustee/Representation
- Terry Yahweh ..... Trustee/Representation

### PLEA Legal Resources

- Michael Napier ..... Legal Counsel
- Janet Feltz ..... Legal Counsel
- Anthony Coury ..... Legal Counsel
- Kathryn Baillie ..... Legal Counsel
- James Abdo ..... Legal Counsel

(602) 248-9107

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### Legislative Liasons

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