



PHOENIX LAW ENFORCEMENT ASSOCIATION

# RECAP

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The Official News Magazine of the Phoenix Law Enforcement Association

## KNOWING YOUR RIGHTS, RESOURCES AVAILABLE, YOUR NEW PLEA PRESIDENT, AND WHEN TO CALL HIM

*A PLEA Member Speaks Out*

*A newly discovered, life-threatening medical condition...*

*A new beginning of a different life...*

*A new PLEA President...*

*A new understanding of the resources available to officers...*

*A new understanding of an officers' rights...*

*A new sworn position...*



*Editors note: The following was submitted by a PLEA member who wishes to remain anonymous due to the medical information disclosed. It is hoped that by sharing what they went through, other officers can avoid a similar situation.*

In July of 2010, I had a CT scan at a hospital and was informed that something was seen in the scan which may, or may not be life threatening. It was recommended I see a specialist immediately, however, I left the hospital, disregarding what I was told. Afterwards I told myself and my wife I didn't want to know if I had this condition and there was no way I was having surgery if I did. Here I was, living in denial while my loved ones and friends kept telling me I needed to go see the specialist. I knew it, but my fear kept me from doing so until three months later.

Eventually, I made an appointment with a surgeon who recommended I have an MRI. Two weeks later, I was informed I indeed had this condition and I needed immediate surgery. I told him I didn't know what to do and needed time to think it over. A few weeks later, I made the decision to move forward with the first surgery in my life and it was a big one. However, I told my surgeon I needed to wait two months to take care of a few things in my life when he informed me that after surgery, I'd be incapacitated and unable to work for a minimum of three months. He didn't recommend waiting, but understood my position and warned me of the possible health risks I was facing, including eventual, certain death.

As soon as I set the surgery date for February 1, 2011, I immediately informed my sergeant I would be taking FMLA (Family and Medical Leave Act) leave. Although I had given him ample notice, he immediately called me into his office and pulled OPS up on his computer to research FMLA requirements. During this time, he seemed agitated, not only because I was taking three months off, (the maximum FMLA amount allowed for employees) but also at my refusal to tell him my exact diagnosis or medical condition. He demanded I tell him because he was my supervisor. Luckily, I had researched my FMLA rights and knew that I did not have to tell him and told him he was wrong. He made the next few months very stressful for me between all the paperwork and regular meetings with him about my leave, when there was really nothing further to discuss. He even marked the calendar our squad had access to for personal leave, with my name and "F2" (FMLA leave) written on every single day from Feb.1, 2011 and for the following three months. The next day I had most of my squad mates asking me what was wrong with me and why I was taking so much time off.

I'm still not sure, but I believe my FMLA rights were violated.  
*Continued on page 2.*

# KNOWING YOUR RIGHTS. . .



*Continued from page 1.*

Unfortunately, I never looked into it, nor did anything about it. After all, I was preoccupied with the thought of dying. I was dealing with a supervisor who instead of leading me and helping me or showing concern and compassion for me, was making my life more difficult and probably making my health condition even worse. But that's just my opinion, how I truly felt about the "facts" of how I was being treated. My wife, who is mostly a passive person and got to the point of anger after hearing about all of this, told me (by using some "choice" words) to take whatever punishment I'd be given for telling him to "get lost," the next time he brought up my FMLA leave. It got so bad, that I prayed to God nightly to allow one of my many transfer requests to go through. I was dealing with the worst situation in my life and I had a supervisor who was not there for me. He even pulled me out of the locker room in the three minutes of my final shift (Jan. 30, 2011, since I took off Jan. 31st to be with my wife in case I died in surgery the next day) and gave me many instructions, including calling him every month for an update for the Lieutenant. (that seems to be a common excuse for things used by some supervisors; at least this one)

The moral to that story? **KNOW YOUR RIGHTS!** If you don't, research them, call PLEA and ask questions, don't be afraid to express them to your supervisor, (without being insubordinate) and put your own health first.

A month and a half after surgery, my health became worse. I found myself with a physical condition which left me unable to perform most duties as a patrol officer. My three months of FMLA leave was exhausted, along with my 800 plus hours of sick, vacation, and comp time. My release back to work by my doctors was put on hold, possibly indefinitely. I had no choice but to file for disability through the City's Human Resources Department, which was a right that I and most officers I have spoken to didn't know of. Filing for disability was hard in terms of accepting the thought of it. It would be for most of us, since we earned our positions, work hard to keep receiving a paycheck, and take pride in how we earn a living. I received 2/3 of my regular pay, then had to pay the city \$315/month out of pocket to keep my family health insurance. It was a tough time, but I'm thankful the disability was there for me through it. The term "medical retirement" kept coming up whenever I spoke to an HR employee on the phone and I felt as though I was being forewarned of what was to come. When I was informed that if I were to medically retire, I would receive \$1474/mo. for the rest of my life and no health benefits, I began to worry about my family's future.

The moral to that story? **SAVE YOUR SICK TIME!** One day things are going great, the next you need to use it all. It's not a benefit, it's a necessity.

I called PLEA, asked for the President, and Joe Clure answered my call. I told him of my situation and my fear of being forced into medical retirement. Joe assured me the City of Phoenix Police Department would not turn their back on me or my now "disabled" status. He said he wished I'd called him sooner, so he could have been aware of my illness and began helping me get back to work. He assured me my job was not in jeopardy and told me the only thing I needed to worry about was my health and getting better. He even went as far as giving me his cell phone number and told me to call him anytime. I took him up on that, calling him several times and he was always available to speak, without making me feel like a burden. That's someone who led me, helped me, and showed concern and compassion for me.

The moral to that story? **KNOW YOUR PLEA PRESIDENT!** He is there for you. He was for me.

After being out of work for 10 months, Joe suggested I call Detective Kevin Collins of the EAU (Employee Assistance Unit); a resource I didn't even know existed. Kevin started our first phone conversation by stating he was not a sergeant (because I had left him a phone message calling him "Sergeant Collins"). He further told me he was a detective of no higher rank than me. He stated he accepted this position because he'd been through similar situations, not knowing the resources available to him, and decided to help other officers who needed guidance. Kevin was compassionate, concerned, knowledgeable, and guided me through the process of returning to a full-time, full duty capacity. He too gave me his cell phone number and was available to speak to him whenever I needed him. Since returning to work on Dec. 12, 2011, he's visited me at work several times to follow up, make sure I was doing well, and my needs and doctor's restrictions were being met. He'll say he was "just doing his job", but I feel it was more.

The moral to that story? **KNOW YOUR RESOURCES!** They are there for a reason.

I've learned that people do care. Joe Clure cares, Kevin Collins cares, hopefully your sergeant and squad mates care. A sergeant from a previous squad I was on visited me in the hospital on multiple occasions, and called me almost weekly the entire 10 and a half months I was out of work. Know that people and resources are there for you.

Lastly, you might find yourself judging an officer who's permanently working behind a desk. I know I have. They may not be carrying a firearm or facing turmoil on the street that you are. You might find yourself saying things like "they're not REAL cops" or "I'm doing REAL police work." Remember, you might not know their situation and ask yourself what you might do to keep your job if you were faced with a life changing, life threatening illness. I'd bet you'd take a job behind a desk in a heartbeat.

## 2011 PLEA Dues Breakdown

Dues	673.08
Pager Basic	66.00
False Arrest	120.00



# Cost Savings and Other Innovations, At What Cost?

by Franklin R. Marino  
PLEA Secretary

As a City employee, I normally read the informational bulletins put out by City Manager David Cavazos thanking us for our efforts in reducing costs to the City, which ultimately, has saved services and jobs. Aside from obvious cuts, which have come through Budgeting and Research, other innovative ways to save money have come through employee suggestions and committees.

When it comes to marked vehicles, after initial testing of the Chevy Tahoe in 2005, it was determined to be a viable alternative to the Crown Victoria Police Interceptor. Over the past two years, further analysis of costs of approximately thirty two cents per mile show it has been the least expensive vehicle in the fleet to operate, despite costing more on the front end to purchase it.

The integration of light emitting diode (LED) technology into the current emergency lighting packages installed on our marked Patrol fleet has resulted in vehicles which have a much higher visibility than we ever had with halogen rotators and auxiliary corner strobe lighting. When you consider the amount of onboard electronics marked vehicles have, particularly the police radio and MDC, LEDs have a lower drain on the vehicle's charging system, leading to longer battery life. LEDs are fabricated of solid state-components, so there are no moving parts to break, no colored lenses that fade in the sun, and theoretically, they can be recycled by mounting them on new production vehicles as older ones are miled out. Also, as LED technology has improved, they have the capability of being programmed with a variety of flash patterns to maximize an already proven increase in visibility.

The Department has been able to save money by transitioning from a six inch thick binder of double sided printed pages commonly known as "Operations Orders" to a purely electronic Portable Document Format, PDF, which can be easily and readily accessed through any Department workstation, or vehicle MDC. Prior to going paperless, it was a huge cost to the Department and the City because every time a minor change was made to an Ops Order, it meant modifying the original Microsoft Word document, then printing out thousands of copies so that every employee would have the updated information for their Ops Binder. Considering that policies change on a regular basis due to a variety of factors, including revisions in State Statutes, City Codes, case law from court decisions, and technology innovations, maintaining a paper based system can get very expensive.

Continuing with the trend of electronic versus printed documents, the Department elected not to purchase hard copies of the Arizona Revised Statutes, as they were available online through the State Legislature's website. Most motors and many Patrol officers were doing their Arizona Crash reports directly through TRACS instead of printing out hard copies and submitting them through the downtown paperwork bin.

As shown by the examples I've mentioned above, when properly researched and implemented, certain practices can not only streamline operations, but improve safety, and reduce overall costs to the City. Quite often, when a group of people within an organization start seeing examples of how to save money, it gets their collective thinking gears turning, often resulting in a host of "outside the box" ideas of how to make things more efficient and save money.

***Some supervisors were demanding that their subordinates not only NOT put in for overtime, but to flex it out, which is a direct violation of the MOU.***

Here at the PLEA office, we regularly get phone calls on how far some managers are willing to go to help the city save money. A trend that has continually popped up on the radar is to cut overtime, to the point that some supervisors were demanding that their subordinates not only NOT put in for overtime, but to flex it out, which is a direct violation of the MOU.

When it comes to minimizing overtime, three recent events come to mind. One was a certain lieutenant dictating how many officers were required to do a certain complex investigation and mandating that some of the officers involved go 10-8 and get back to answering calls, even though they may have had evidence to impound or a supplement to complete. The second was out of the same camp where officers were told they couldn't initiate OV traffic stops, especially those involving potentially impaired drivers after a certain time in the shift, as radio traffic was a priority. This is despite statistical proof and studies showing a large number of fatal crashes involving impaired drivers during those specific days of the week and time periods. To add to the trifecta, the same officers were told that if the practice of OV work didn't stop, they would be forced to work like our Fire Department; they would be dispatched out of the station. That is a novel concept, considering the potential savings in overtime if they stopped an impaired driver close to the end of their shift, not to mention the savings regarding fuel consumption, and wear and tear on vehicles. However, when you consider what the ultimate costs to the community are, especially if that impaired driver were to be involved in a collision with another vehicle, they far outweigh a couple of hours of overtime.

# Instant Replay

by Ken Crane  
PLEA Vice President

The December 2011 issue of the Force Science Research Center Newsletter contained a topic addressing public myths about police shootings. In it, Dr. Bill Lewinski addressed the myth that some, not only in public, but law enforcement circles as well, still subscribe to; that a video of a particular event tells the whole story. Dr. Lewinski raises the point of how many cameras and referees are necessary to keep track of a pro football game. This got me thinking and prompted me to write [Instant Replay](#).

Americans are known for their love of sporting events. Sports such as football, baseball, and basketball are considered as American as mom, apple pie, and the flag. Even those of us who don't consider ourselves die hard sports fans can find some type of sport that we like to watch.

The exponential growth of technology over the last couple of decades has brought us to the point where we can watch our favorite games in Hi-Def from the comfort of our own living rooms. Some would even argue that the living room experience is better than the stadium experience. No crowds, no traffic, no expensive tickets to buy, and a lot less hassle overall. Part of the living room appeal other than watching on a 55" high definition TV is the ability of technology to give us views of the event we would never have sitting inside a stadium. Slow motion shots, instant replay, and views from multiple angles all contribute to the unique television viewing experience.

It is difficult, even from the best stadium seats, to view particular sports plays and be able to determine things such as in or out of bounds, false starts, technical fouls, pass interference, and whether or not a player was in legal possession of the ball during a given play. Most major sporting events will have several sports officials on the field of play who truly epitomize what a trained observer is supposed to be. Many of these officials are professionals that have been doing what they do for years and are extremely good at their jobs. Professionalism and experience aside, even these guys get it wrong sometimes. Once videotape and TV cameras came on the sports scene, officials were eventually given the added benefit of instant replay. Football games that are televised regionally are usually covered by about 10 TV cameras. A Sunday or Monday night game might have upwards of 20 cameras covering the event and an event such as the Super bowl will often have up to 30 cameras.

Under optimal weather and lighting, controlled conditions, specific rules, multiple trained officials on the field, and up to 30 cameras in use, bad calls, although rare, can still happen. Instant replay allows for the proverbial second bite at the apple. Officials can view multiple camera angles and view the play in slow motion while conferring with each other.

Contrast this with what often happens in law enforcement situations. Police and government officials, in their zeal to bring



closure to an investigation will often, in a rush to judgment, misinterpret video evidence which when combined with their pre-conceived notions of what happened, often lead to erroneous conclusions. Like it or not, we live in the world of You-tube, Facebook, and Twitter where photos and videos can go viral. Officers who are filmed during the application of force often find themselves being tried in the court of public opinion within hours of the event by an overzealous media that is only too happy to replay

the video repeatedly for days or weeks. This usually serves to do nothing more than inflame the public and intensify political pressure. Often times this creates a sort of domino effect. Police administrators, under intense pressure to "do something", often rush to judgment, and make public statements based on video clips and preliminary news reports before an investigation has been started and all the facts are known. To engage in this behavior should be criminal, yet it happens all the time.

We live and operate in a three dimensional world but video only gives us two dimensions. This means that issues such as depth of field, angles, distance and lighting become crucial when evaluating video tape evidence in law enforcement situations. Unlike an NFL Super bowl game, video footage in police use of force situations is not always optimal. The norm, more often than not, seems to be poor lighting, and low resolution resulting in grainy images. Video, in most cases, is usually captured from one angle such as a hovering helicopter, a fixed security camera on a building, a police dash cam, or a person holding a cell phone. That's a far cry from the 10-30 high resolution cameras found at a well-lighted NFL event. Evidentiary video in law enforcement, more often than not, only gives one piece of the story, and must be carefully evaluated to keep things in context and perspective. It seems in many instances, investigators will succumb to the allure of video evidence, treating it like the Rosetta Stone, while discounting other important pieces of evidence, or properly analyzing the video itself.

Is this to say we should disregard video as an evidentiary tool in law enforcement? Absolutely not. Video evidence can be invaluable in assisting with bringing about resolution in criminal and internal cases. In many situations, video can provide valuable feedback by showing things such as: what officer(s) were on scene (at least within the cameras field of view), whether force was applied (or seemed to be applied), and, in some cases, the type of force. Video can also help in constructing time-lines as well as showing the actual duration of events. The point is that video evidence has to be kept in proper perspective and we have to be cautious about giving it more weight or credibility than it deserves based on the individual circumstances.

Problems arise when investigators are not properly educated on the limitations of video, or simply choose to ignore the limita-

tions because it might get in the way of the investigative conclusion they hope to sustain. The trickle-down effect of internal and political pressures to come to a rapid or predetermined conclusion often land squarely on the backs of line level investigators. This is especially true if the investigation is controversial, high profile, or has received widespread media attention. When this occurs it's a deadly combination that can result in a rush to judgment resulting in biased and tainted investigations that fail to accurately, thoroughly, and objectively examine all the evidence. The real downside is that the lives and careers of officers are often unnecessarily destroyed.

March of 2000 became somewhat of a watershed event on the Phoenix PD with regard to videotape in internal investigations. PSB sent investigators out to a night club that employed off duty Phoenix officers to investigate allegations of misconduct regarding the officers working there. Investigators parked nearby, where they had a clear view of the club and began videotaping from their vehicle. The configuration was such that there was a small staircase leading up to the door of the club with a small landing. An off duty officer was hanging out up on the landing and the other one was at ground level at the bottom of the stairs. A bouncer, ejecting an unruly patron from the interior of the club, burst out of the front door giving the offending party the bums rush out of the establishment. The officer on the stairs, at that moment in time, had his back to the door of the club and was caught by surprise. As the patron came past his shoulder, he raised one arm which didn't touch the subject and extended his other arm in what was a failed attempt to catch and or slow the momentum. The force initially used on the subject by the bouncer propelled him down the stairs where he landed in a heap. The video, when viewed at normal speed, gave the appearance that the officer assisted in throwing the club patron down the stairs.

This was an event that unfolded in the blink of an eye, and from the perspective of the investigators, was one of those "oh s#\*t" moments. Not only did they see it with their own eyes, they had the video tape to prove it, and we've all heard the saying; "video doesn't lie." In the internal and criminal investigation that ensued, PLEA implored internal investigators to have the video forensically analyzed. The answer was a resounding "NO." Investigators were convinced it wasn't necessary. After all, two investigators witnessed the conduct first-hand and they had probably viewed the tape dozens of times, convincing themselves even further that their eyes weren't deceiving them. PSB investigators also accused the second officer of lying when he told them he didn't see what happened. It appeared from the video that the second officer was looking up the stairs when the patron was ejected (forensic analysis and expert testimony later showed that while he was looking in the general direction of the event, he was actually zeroed in on another patron drinking a beer outside the club).

The involved officer was adamant that he didn't throw the bar patron down the stairs and the second officer was just as adamant in proclaiming that he didn't see what happened. PSB wasn't having any of it. After asking the question, they then sprung the video tape. This was PSB at its best, playing the "Gotcha" game. Officers thrust into this type of situation will often unnecessarily second guess themselves. Perceptions of an event can vary greatly from your recollections related to being in the eye of the storm as opposed to being shown a "God's eye view" at a later date. This is when almost anyone can be convinced to change their story when

viewing the video of an incident after the fact. This is also where many inexperienced, untrained, and/or overzealous investigators can easily jump to the erroneous conclusion that the officer lied the first time around.

PLEA obtained a copy of the tape and paid to have it forensically analyzed. Investigators were initially only willing to offer up a snippet of the original video. PLEA argued for and ultimately was able to obtain the complete video, which provided a complete picture and gave better overall perspective and context to the events. The video was able to be slowed to the point where the film could be seen frame by frame. What emerged once the film was slowed was a completely different picture. It could be clearly seen that the officer at the top of the stairs, rather than throwing the subject down the stairs, put his hands up in a defensive manner consistent with deflecting the momentum of the subject. It was something that could not be seen without slowing the tape.

One of the reps involved told me that the segment of the tape involving the patron being ejected from the club, when viewed at normal speed, took about 1.2 seconds. To get an idea of the time frame, a ball point pen dropped from a height of 9 feet will take about 1.2 seconds to hit the floor. One of the investigators involved made a comment to the effect that they had to view the video about 30 times to get a grasp of exactly what they were seeing in order to get it right. By comparison, the involved officer had 1.2 seconds two weeks prior to "get it right."

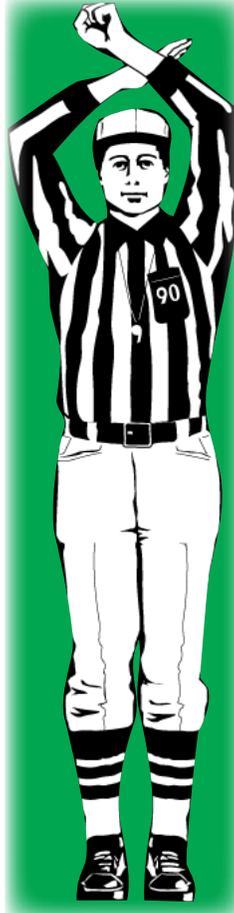
Since the department was so sure of what they had, both officers were terminated. Although charged with misdemeanors, the case went nowhere and charges were ultimately dismissed. PLEA represented both officers in the civil service appeal process and Dr. Bill Lewinski was brought in as an expert witness to assist in the criminal and subsequent civil service appeal. This was long before most people had ever heard of a place called the Force Science Institute, or understood the science behind the biomechanics of police use of force encounters.

Dr. Lewinski's expertise, testimony, and video analysis were instrumental in clearing both officers of any criminal charges. His testimony also helped exonerate them at the civil service board. One was re-instated and the other wasn't so fortunate due to other issues unrelated to the excessive force allegation.

There was one upside to this event; PLEA was able to convince the department that, in future internal investigations, all evidence would be shown to the involved officer up front prior to conducting the interview. The premise being that we should set our officers up for success rather than failure. Playing the "gotcha game" as was the norm (and still is in many agencies) is draconian and unacceptable. We felt it was fair, and the department agreed, that being honest with an officer under investigation by telling them what was known prior to conducting their interview would drastically diminish the temptation to be untruthful during the interview.

We accept as normal practice that we will let officers review departmental reports prior to testifying in court to "refresh their memory." We do this because we aren't expected to have perfect memory or total recall of events that happened weeks, months or even years ago. We also do this because prosecutors want to set officers up for success so they can testify in a truthful and accurate manner which allows us to avoid little problems like perjury. Knowing this, isn't it just as prudent to allow officers to review transcripts, DR's, audio, and video recordings prior to giving an

*Continued on page 6.*



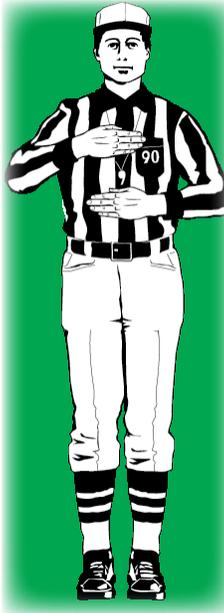
# Instant Replay

Continued from page 5.

official statement in an internal investigation? Well, it is, unless you're in the business of the gotcha game.

The technology associated with law enforcement is a multi-billion dollar industry. Likewise, millions of dollars are spent on technology in pro-sports. It's a multi-billion dollar industry where millions can be at stake in one game alone. No expense is spared to make sure officials are given the best technology money can buy to minimize the risk of a bad call. If a bad call is made, it could potentially cost a team the game, a play-off berth, or a championship.

In use of force situations, officers who work the street are like NFL players in the middle of a major play. The situation is fluid, dynamic, and rapidly changing. The players (officers) are operating "in the moment" under pressure with extremely limited perspective (some might even call it tunnel vision). Police investigators, like NFL officials, are expected to "make the call." The problem; investigators are never on scene when the play goes down. Lighting is rarely optimal. They don't get to view the play as it unfolds in real time where they can immediately confer with one another. They don't enjoy the advantage of viewing the situation from multiple angles in Hi-Def aided by the miracle of instant replay technology, and there isn't an



official (investigator) up in the announcer's booth or press box that can tell other investigators what they saw. Because of this, bad calls are often made by investigators who are often ill equipped and undertrained to properly evaluate use of force dynamics.

Unfortunately, even today on the Phoenix PD, video tape evidence in internal investigations is sometimes still misused, under analyzed, and often given more weight than might be warranted.

A bad call in the NFL might cost a team owner a lost game and some money, but bad calls, knee jerk reactions, and hasty decisions driven by political and media pressure related to controversial police use of force incidents can result in a different kind of cost.

The ending usually isn't pretty no matter how you slice it. The results can come in a variety of flavors to include: financial loss, career loss, civil lawsuits, revocation of credentials, criminal prosecution, prison time, mental breakdown, physical illness, and even the loss of family. Any sports franchise owner, if asked, would tell you "it's not just a game, it's a business, and it's about making money." One thing's for sure; a referee or a

quarterback usually doesn't go to prison, get prosecuted, or risk losing their family over a bad call, or an error in judgment. You, on the other hand, very well could.

January 23, 2012

Phoenix Law Enforcement Association  
Ken Crane - Vice President/Vice Grievance Chair  
1102 West Adams Street  
Phoenix, Arizona 85007

Mr. Crane,

Mutual aid and protection is what I expected when I signed up for PLEA membership in February of 2009. I have not regretted making that decision and I'm definitely a PLEA "for life". Back east, I used to live on the Chicago's South Side in a blue collar, yet politically very affluent, neighborhood. The mayor's house was just down the block from where I lived. I would estimate that about three quarters of my neighbors worked for one of the City's Departments including Police and Fire. As far as I could tell they all belonged to a labor union. Early on I realized that labor unions could and usually did get things done.

Fast-forward to February 2009 and the post-academy for class 447. Then President Mark Spencer gave us a speech about benefits of being a PLEA member. I was in, without hesitation, and it will prove one of the smartest decisions I have made.

On December 31<sup>st</sup>, 2011 at approximately 0116 Hours I had my first Officer Involved Shooting. PLEA was there to support me through the entire ordeal. Tim Baiardi was the first rep on scene. A short while later I met with you and Trustee Toby Sexton. What a relief, you guys were there for me and kept saying: "Anything you need...let us know". I felt a lot better. Between you, Toby and Mr. Robert Kavanagh, whom Tim promptly summoned to represent me, I knew I was in good hands.

I just wanted to thank all of you who sacrificed sleep and came out in the middle of the night to my aid. We are all very much aware of what you do for the rank and file officers, but your presence became somewhat more prominent and personalized for me on this night.

Thank you again,

A handwritten signature in black ink, appearing to read "M. Tomek".

M.Tomek #9511  
PLEA member since 02/09

## BENEFITS TO MEMBERS

Aflac Rep, Debby Tornberg,  
is available to meet  
with members at a place and time  
convenient to them.

*She can be reached at 602.214.4686.*

### Hester, Heitel & Associates Exclusive

offers all forms of insurance to

PLEA Members,

including Homeowners, Auto,

Motorcycle, Life, Health and Business.

*Please call Mark or Pat at 602.230.7726*

*Membership meetings are the last*

*Tuesday of each month at*

*7:30, 12:30, and 5:30.*

*Board meeting is held the 3rd Tuesday  
each month and members can attend at*

*8:30 am.*

# Fallen Heroes

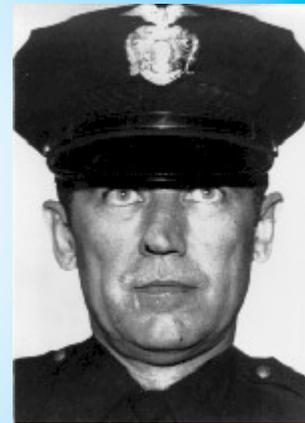
## Phoenix Police Officers



Phoenix Police Officer  
Haze Burch  
February 5, 1925



Phoenix Police Officer  
Walter Stewart  
February 19, 1952



Phoenix Police Guard  
John MacInnis  
February 23, 1976

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

**MICHAEL NAPIER** has been representing Phoenix officers for over 36 years. Mr. Napier is one of the most experienced labor and personal injury attorneys in Arizona. Mr. Napier has represented hundreds 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.

**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.

**JAMES P. ABDO** was born in Omaha, Nebraska. He earned his undergraduate degree from the University of Rochester in 1984 and his Juris Doctorate from the College of Law at Arizona State University in 1991. Mr. Abdo served as an Assistant Attorney General for Arizona before entering private practice as a partner at two major Phoenix law firms, where his practice focused on commercial litigation of all types. He has extensive experience both representing government bodies appearing before numerous state, county and city agencies in numerous licensing, procurement and labor/employment matters. His practice also includes the formation, counseling and representation of business entities, the drafting of a wide variety of real estate and other contract documents in addition to litigating disputes arising out of contracts.

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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(602) 248-9107 • [www.napierlawfirm.com](http://www.napierlawfirm.com)



**PHOENIX LAW ENFORCEMENT ASSOCIATION**

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# Representation Committee



**Chairperson**

Dave Kothe

**Vice Chairpersons**

Jerry Gannon & Ken Crane

**Representatives**

- Ken Barton • Yvette Bro • Brent Bundy
- Ryan Clark • Bob Furneaux • Greg Gibbs
- Bret Glidewell • Scott Gomez • Eric Gunnels • Bryan Hanania
- Barry Jacobs • Bertie James • Risto Keranen • Darrell Kriplean
- Michael London • Travis Morrison • Greg Myracle
- Anthony Navas • Steven Perrotta • Scott Sayban
- Scott Sefranka • Rick Simonick • Kevin Smith
- Rusty Stuart • Jeff Tobey • Brian Walsh
- Mike Walsh • Rob Warren • Tim Wheeler
- Valerie Whitchurch • Terry Yahweh

***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

- Bill Galus ..... Chairman of the Board
- Joe Clure ..... President
- Ken Crane ..... Vice President
- Will Buividas.....Treasurer/Chief Negotiator
- Frank Marino ..... Secretary
- Jerry Gannon .....Trustee/Representation
- Dave Kothe.....Trustee/Representation
- Tom Tardy.....Trustee/Representation
- Frank Smith.....Trustee/Representation
- Toby Sexton.....Trustee/Representation
- Tim Baiardi.....Trustee/Representation

## PLEA Legal Resources

- Michael Napier ..... Legal Counsel
  - Anthony Coury ..... Legal Counsel
  - Kathryn Baillie ..... Legal Counsel
  - James Abdo ..... Legal Counsel
- (602) 248-9107  
www.napierlawfirm.com

## Legislative Liaisons

- Levi Bolton .....Lobbyist
- Williams & Associates .....Lobbyist

## The PLEA Office Staff

- Arlene Venturini ..... Office Manager
- Leigh Ann Bennett ..... Accounts Manager
- JoAnn Gothard ..... Membership Services
- Debbie Webster .....Membership Services
- Melissa Sayban .....Membership Services

## The RECAP Staff

- Frank Marino ..... Editor
- Bill Steele ..... Publisher