



Two Words

By Mark Spencer
PLEA President

“Yo dude” is heard and a clearly distracted surfer comes to mine. “Got milk?” brings a picture of a milk-stained lip. A minimum of two words can communicate a maximum amount of information. “Don’t move” is a police command that carries serious consequences if ignored. “Nice job” says volumes to a discouraged worker or a struggling student. “Flip-flop” is a word pair that carries significant meaning in any election cycle.

Two other words have just entered the police labor arena in Arizona: **“JUST CAUSE.”** For police officers under administrative investigation with their jobs and/or reputations on the line, the two words **“just cause”** make a huge difference. The difference can mean having a job in law enforcement or working at a Home Depot. The difference can mean being a useful witness for the state or being subjected to impeachment created by the Brady list. The difference can be the ability to take care of one’s family or carrying the heavy burden hooked to suspensions, transfers, and demotions. To put it simply, state law now requires police managers to treat police officers in Arizona fairly – disciplined according to **“just cause.”**

Our contract gives us the protection of **“just cause”** that most police personnel in Arizona operate without. The M.O.U. is clear: “The Chief of Police and City Manager reserve the right to discipline or discharge employees for just cause, pursuant to the Civil Service laws.” It took PLEA over a decade to get the enormous implications carried by these two words in state statute (38-1103). These two words now begin to provide the same rights and protections to law enforcement officers throughout the state that citizens and Phoenix Police Officers have enjoyed without question. Now state law is just as clear as our contract: “A law enforcement officer shall not be subject to disciplinary action except for **“just cause.”**”

Two words loaded with meaning. In the past, police managers could discipline “just because” they could. Not anymore. What does **“just cause”** mean? The new statute defines **“just cause”**:

- **One, the employer informed the officer of the possible disciplinary action.** Translation – police management can’t make up rules on the spot or impose impromptu standards on men and women who risk their lives on a daily basis in protecting their communities. Work rule expectations must be forewarned or the officer must have reasonably known that their conduct was such that it could result in discipline.
- **Two, the disciplinary action is reasonably related to the standards of conduct for a professional law enforcement officer.** Translation – police managers can’t use their personal, subjective, moral opinions as the basis of discipline for law enforcement personnel.
- **Three, the discipline is supported by a preponderance of evidence.** Translation – finally police officers can rely upon a defined level of evidence necessary to sustain work rule violations and the idea of “erring on the side of caution,” a standard of finding unheard of in criminal and civil courts, can no longer end or damage an officer’s career.
- **And four, the discipline is not excessive and reasonably related to the seriousness of the offense and the officer’s service record.** Translation – police managers can no longer accuse an officer of jaywalking and then punish them for reckless driving.

In the past, PLEA’s strategy in obtaining a just cause statute was to employ end-runs around important conservative or liberal legislators and elected officials. Little effort was made to work with sheriff departments or in building partnerships around common areas of agreement. When it came to MCSO, the philosophy was “strap a bomb on the back of a deputy union president, send them into Arpaio’s office, and then get angry after the explosion when MCSO didn’t support our efforts.” The end result – NOTHING. Doing this year after year and expecting a different result was a classic example of insanity. This had to stop. The needs of the many in law enforcement statewide were more important than fueling personal and political agendas of a few.

Three years ago, PLEA members chose to utilize a new strategy - positive partnerships. As a result of this, **“just cause”** passed with support of both sides of the aisle (*only one “NO” vote – Representative Ash (R)*). The reputation of sheriffs not being willing to work with PLEA and police labor was shattered. Maricopa County Sheriff Joe Arpaio and Pinal County Sheriff Paul Babeu lead the charge from the law enforcement management side of the house. State Senator Russell Pearce partnered with PLEA on the bill and facilitated SB1029. On Friday April 16, 2009 Governor Brewer signed SB1029 (*Discipline of Law Enforcement Officers*) into law.

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Recognition for the hard work behind this bill is clearly warranted. For PLEA, Dr. Levi Bolton sat down with the MCSO team of Chief Deputy Dave Hendershott, Clarice McCormick (*legal counsel*), and Ray Churay (*legislative liaison*) to produce the written product. Dr. Bolton then worked with a cadre of attorneys and lobbyists from the Association of Chiefs of Police (ACOP), Phoenix PD, and other towns and cities to craft language that worked for all parties. PLEA attorney Mike Napier provided counsel, input, and oversight. Dr. Bolton, APA Director Brian Livingston, and PLEA's lobbying team of Williams and Associates then explained and worked with legislators to move the bill forward. Our citizen partners Jerry and Donna Niell (NAILEM) and Ann Malone (Require the Prior) provided legislative testimony in support of PLEA's product.

In looking at the time, effort, and talent of all those involved, two more words come to mind that can't begin to express my gratefulness and the gratitude of PLEA members and law enforcement personnel across the state of Arizona – THANK YOU!

The following article is a note from PLEA's Attorneys. Due to the electronic age that we live in, combined with the explosion of social networking sites that exist on the internet, PLEA is beginning to see increased instances of officers under investigation for information contained on and transmitted via these sites as well as through cellular phones.

ALERT REGARDING INTERNET USE

If you have a public account such as Facebook, Myspace, YouTube, Twitter, Google Buzz, etc., please use discretion in your online interactions and make your page PRIVATE. If you have a case pending, please DO NOT send any e-mails regarding the subject matter of the case to anyone except your attorneys. Please DO NOT enter pharmaceutical and manufacturer websites, participate in blogs, chat-rooms or message boards, nor conduct any pharmaceutical medication or pharmaceutical device internet research until your claim is resolved. Most importantly, do not allow anyone to become a "friend" on an account unless you are absolutely sure you know that person. We have seen an increase in surveillance of these accounts and sites by the pharmaceutical companies, investigators, and defense attorneys for inappropriate purposes. The information they obtain about you from your internet site may expose you to discipline. In the context of lawsuits, defense attorneys have successfully used such information to convince judges and juries that plaintiffs have been dishonest. Please always use EXTREME DISCRETION with what you post, including photographs, in any format on your computer or on the Internet. Also be aware that the defendants may be entitled to request all information contained within your home computers and laptop hard drives regarding the issues we discussed above.

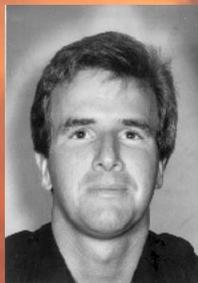
In order to allow us the best opportunity to represent you successfully, we respectfully ask that you adhere to this advice and use extreme discretion and caution when using the above internet sites.

Fallen Heroes

Phoenix Police Officers



Bob Polmanteer
May 4, 1984



Ken Collings
May 27, 1988



Marty Kieffer
May 21, 1997



David Uribe
May 10, 2005



Don Schultz
May 12, 2004

WE'RE GOING PAPERLESS!

By Jerry Gannon
PLEA Trustee

Years ago we all heard this phrase and it was music to our ears. Soon we will be a paperless society. Computers are here, now it's all data input and you can read it on the monitor. While this may be true, why does every computer have the ability to add a printer?

Where am I going with this you ask? Good, you're curious. I have seen an unusual trend in the last few years where officers and detectives alike have been trying to do their part to "go paperless." The trend I have seen usually winds up at PSB where I find myself representing yet another officer trying to do their part by taking less paper. Each time I am there, sometimes up to 6 hours, I wonder how long it takes to complete a DR versus how long it takes to explain why no DR was completed. I put this in print so everyone out there trying to cut back on the paper load will stop and think each time a call situation that might require a DR comes up.

OPERATIONS ORDER 8.4 (2) a.3

Officers will complete a DR whenever circumstances indicate the necessity.

When in doubt, write it out (complete a DR)

So next time you're wondering, "Can I explain away that attempt child molesting on an FI card?" it's probably just better to take the DR. If not, be prepared for the following:

1. PSB will eventually invite you over for coffee and a chat.
2. Under good conditions, the subsequent investigation could take a couple of months to be completed.
3. Your off duty work privileges could be suspended (remember it's a privilege not a right).
4. In an extreme case you could find yourself assigned to home.
5. If you elect to have an Investigative Review Process (IRP), you and your Rep will have the joy of spending hours

together poring over your investigation making numerous notes, and then meeting with the PSB Commander, your Commander, and the PSB investigator to hash out requested changes.

6. Depending on the severity of the allegation, chances are good you will get a trip to the Disciplinary Review Board (DRB) whose job it is to assign discipline for the offense committed.

7. Any suspension you receive will remain in your personnel file for five years before it is eligible to be purged.

Remember, suspensions can adversely impact your abilities to effectively compete in the transfer process to go to other details.

We've all been on BS calls that we know aren't going to go anywhere but per policy require a DR. The temptation can be great to just blow it off as a #2 or #7. This is fine and good if you are into rolling the dice. Gambling is OK when you are standing around a Vegas craps table but when you start doing it with job decisions it will only be a matter of time before you come up short. There are many situations where a quick and dirty one paragraph DR can often save untold hours of stress and misery. When in doubt adopt the NIKE motto, "Just Do It!"

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.

PLEA *Feature of the Month*

Employee Appreciation Event

70-90% off Gift Cards

Available on May 21st

At the Plea office

8:00am - 4:30pm

Please contact Kendyl Rogers with any questions

KendylEllis@gmail.com (678)640-6849

SB 1070

The following testimony was given by PLEA (Mark Spencer) at hearings considering

PLEA members have directly experienced the blunt end of illegal immigration. Notice that I said “illegal” immigration. The context of my presentation will focus on illegal presence in the United States.

On Friday May 27, 1988 Phoenix Police Officer Ken Collings was murdered by an illegal alien carrying out a bank robbery. Rudolfo Romero, one of the killers, remained at large for 12 years in Mexico.

On Sunday December 21, 1997 Phoenix Police Officer Brian Wilbur was seriously injured when he was struck by a car driven by an intoxicated illegal alien.

On Friday March 26, 1999 Phoenix Police Officer Mark Atkinson was murdered in an ambush by illegal aliens.

On Monday March 26, 2001 Phoenix Police Officer Jason Schecterle was severely burned when an illegal alien driving a taxi cab collided into the rear of his police car.

On Saturday April 12, 2003 Phoenix Police Officer Robert Sitek was shot and seriously injured by an illegal alien involved in an armed car-jacking. The illegal alien was a multiple crosser.

On Tuesday September 18, 2007 Phoenix Police Officer Nick Erfle was murdered by an illegal alien during contact reference a civil traffic infraction.

On Sunday October 16, 2007 Phoenix Police Officer Brett Glidewell was shot in the chest by an armed illegal alien who had been stopped for a civil traffic violation. Jose Abel Cabrera-Somosa, who was prosecuted by the County Attorney’s office and sentenced to 36 years on March 27, 2009, claimed to the court that his conviction was based upon mistaken identity, that his 6 year presence in the country wasn’t a crime, that he had been stopped by police 4 times prior to the shooting of Glidewell, and that the entire case against him was motivated out of racism.

On Saturday October 25, 2008 Phoenix Police Officer Shane Figueroa was killed by an illegal alien who was driving a vehicle while intoxicated. This illegal alien was a multiple crosser with outstanding arrest warrants. Shane’s death was described by PSM Harris as a “tragic accident involving an undocumented worker.” In reality, Shane was needlessly killed by a multiple crosser with outstanding warrants who, according to investigators, urinated on the side of the road while Shane’s life ebbed away on the street. Police officers on the front line are committed to the rule of law and are quite black and white when it comes to the rules of engagement. Police officers don’t call a drug dealer an “unlicensed pharmacist.” They don’t call a bank robber an “aggressive borrower with bad credit.” A softened tone for those committing the crime of illegal immigration (8 U.S.C 1325 (a)) can be highly offensive to those sworn to uphold the law.

When I held the position of grievance chair, my main focus was on discipline and grievance issues. On March 1, 2007 I assisted a PLEA member as his PLEA rep. The following allegation of misconduct generated an internal investigation and the officer’s notice of investigation read as follows: “On February 25, 2007, at approximately 0800 hours, you conducted a traffic stop resulting in the detention of a Hispanic male. You subsequently turned that male over to ICE resulting in the individual’s deportation. If sustained, it would be a violation of Operations order 1.4.3.”

The Phoenix Police Department routinely, as a matter of common sense policing tactics, engages in proactive strategies when

addressing various crimes, two examples being the prostitution and DUI. It’s clearly understood that serious crimes orbit around these misdemeanors and a proactive approach heads numerous problems off at the pass. Starting around March 2004, when it came to illegal immigration, the Phoenix Police Department abandoned this proactive strategy.

The Phoenix Police Department routinely, as a matter of common sense, allows its personnel to work with federal partners. When on the street, I had the opportunity to work with the Secret Service with a counterfeiting operation, Postal Inspectors for mail theft, ATF agents for weapons violations, and DEA agents for narcotic related issues. Our robbery detectives, as a course of “bank robbery business,” have contact with the FBI. When it came to illegal immigration, starting around March 2004, the Phoenix Police Department restricted and isolated its partnership with ICE.

This abandonment was clearly seen in Operations Order 1.4. Simply translated, Operations Order 1.4 mandated that an illegal alien commit another crime or serious felony before an officer could contact ICE. When it came to illegal immigration, another crime, another victim, another cost, and more damage were required prior to a phone call to ICE.

It was this type of atmosphere that prompted PLEA to ask those who do police work what they thought about the immigration policy. On September 5, 2007 PLEA’s biennial survey of the membership was tallied. A unique facet of this survey, which had been conducted by PLEA for years and years, was to ask the members their opinion of Ops Order 1.4 – immigration policy. Our members had expressed serious concerns and frustration with this policy and weren’t shy about sharing their perspective and opinion. 8 out of 10 of our members believed that the policy was detrimental to the quality of life in the City of Phoenix.

Three important issues: 1.) Our members clearly saw a connection between illegal immigration and calls for service: a connection between illegal immigration and numerous other crimes. The immigration policy did not cultivate deterrence. 2.) PLEA does NOT believe that skin color dictates conduct. Ethnicity is not indicative of criminality. Crime is a choice. 3.) The federal government is failing miserably at protecting the borders. Border Patrol needs all the support and assistance it can get.

Department homicide reports clearly showed that the Hispanic/Latino community was bearing an unfair burden in the City of Phoenix as victims of homicides. In 2006 and 2007, Hispanics were at least 3 times more likely to be homicide victims than any other race. In 2006 and 2007, out of 10 homicide victims, 6 were Hispanic. Detectives relayed to us that half of those six victims were killed by illegal aliens. It should be noted that in 2008 statistics roughly showed a drop in this number – Hispanics were at least 2 times more likely to be murdered in Phoenix than any other race. These numbers were alarming to PLEA and the silence about this problem was deafening. Our members once again saw a connection between illegal immigration and the major danger faced by a minority Latino community in Phoenix.

The danger to our cops and our community coupled with the frustration of our members motivated PLEA to make an aggressive and concerted effort to get Ops Order 1.4 changed. PLEA’s goal was to allow officers a phone call to ICE if they had reasonable suspicion that a person was in the country illegally.

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 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.

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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(602) 248-9107 • www.napierlawfirm.com**

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 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.

Senate Bill 1070 – Safe Neighborhoods.

We continued to maintain the sanctity of victims and the value of witnesses – they were not the focus. Our goal was to change the policy NOT to engage in “routine immigration enforcement.”

Even though an improvement over the old policy, the new policy fell short of the common sense Paradise Valley directive. The intent of the new policy was explained to PLEA by Assistant Chief Mike McCort and Commander Glenn Gardner. An officer could contact ICE if the person contacted was connected with a crime, there was reasonable suspicion they were in the country illegally, and a supervisor approved ICE to take disposition. Officers were required to write a report to show if ICE was being responsive. The new policy did not move the focus onto victim's and witnesses.

On October 15, 2008 Chief Harris stated in an ENS (Employee Notification System) that a 24% decrease in violent crime and a 26% decrease in auto thefts can be partly attributed to “a new immigration policy that allows our officers to use their discretion when dealing with criminal aliens” and “unprecedented cooperation between our investigative units and our state, federal, and local partners (Maricopa County Attorney's Office).” If this is what the new policy did, one could wonder beyond what I've presented how much crime was generated as a result of the old “blind eye” policy. PLEA believes that along with proactive and discretionary immigration policies, proactive immigration legislation as well as proactive immigration enforcement and prosecution are fueling the deterrence factor in the state.

Postscript

On March 31, 2010 (Cesar Chavez Day), Omar Ricardo Pacheco was speeding when two Phoenix Police motors attempted to stop him. Pacheco fled from the vehicle (and was never apprehended) and officers were unable to locate him. Inside of the stolen car, they found a large book with numerous names and social security numbers. One of the SSNs was used to purchase the car that the vehicle dealer had reported stolen (DR 2010-00583992).

On April 22, 2010 at approx. 9:00am at 6313 W. Earl, a Phoenix Police Motor was on duty and recognized Pacheco driving another vehicle. The Phoenix Police Officer turned around and attempted to stop the car. As the officer was approaching the car, Pacheco put the car into reverse and attempted to run the officer over. The officer was able to dive out of the way. Pacheco was subsequently apprehended. He was booked for aggravated assault on a police officer (2010-00472388) and a felony warrant (4 felony charges were the basis of the warrant). Pacheco was identified by ICE as an illegal alien.

Post Post Script

On April 23, 2010 Governor Jan Brewer signed SB1070 into law.

Nationwide Retirement Solutions Briggs/Scott Memorial Golf Tournament

By Joe Clure
PLEA Treasurer

Saturday April 25th turned out to be a great day for golf and an even greater day for TAPS (Tuition Assistance for Police Survivors) as scores of attendees gathered for the 20th Annual Nationwide Retirement Solutions Briggs/Scott Memorial Golf Tournament held at the Lookout Mountain Golf Club at Tapatio Cliffs.

T.A.P.S., a 501.c.3 charitable organization, reimburses eligible dependents for college tuition, books, and materials. Eligible dependents are dependents of Phoenix Police Officers that die in other than the line of duty. Only beneficiaries achieving grades of a "C" or better receive reimbursement from TAPS. This year we had the pleasure of having several TAPS recipients in attendance, which served as a living memorial and a reminder of why TAPS is so important. Since 1997, eligible survivors have received over \$260,000 in tuition, books, and materials paid by TAPS. Benefits are available to ALL survivors of Phoenix Police Officers regardless of rank. Survivors of officers, sergeants, lieutenants, and commanders have all been beneficiaries of TAPS assistance. Twenty-six eligible dependents have received reimbursement benefits with some recipients earning bachelors degrees in nursing, journalism, business, and political science, while other graduates have continued on to pharmaceutical and law school.

Nationwide Retirement Solutions helped make this one of the most successful tournaments in our history by raising approximately \$18,000.00. This is the third consecutive year Nationwide Retirement Solutions has stepped up to be the corporate name sponsor of the tournament! Nationwide is on T.A.P.S. side! We look forward to our continuing partnership with Nationwide. Our thanks go out to all golfers and financial supporters who continue to make the TAPS charity event a success and for going the extra mile during this year's outing:

- Nationwide Retirement Solutions third year as tournament name sponsor
- The Point Tapatio Resort who provided the tournament venue and a great lunch
- The Lookout Mountain Golf Club at Tapatio Cliffs for their beautiful course and excellent event staff
- Scott Sayban Tournament Director
- Thank-Q Rentals for their yearly support of anything we need
- PLEA for their management of the TAPS charity
- Signs by Tomorrow for our great on-course advertising

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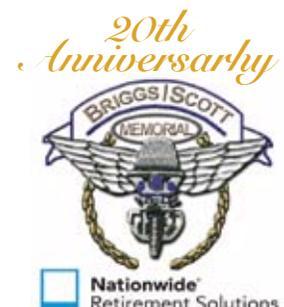


This year's PLEA team consisted of City manager David Cavazos, Asst. Police Chief Kevin Robinson, PLEA Chief Negotiator Will Buividas, Phoenix City Councilman Sal DiCiccio.

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A heartfelt thank you to our 2010 raffle contributors.

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The New CCW Law and its Impact on Law Enforcement

By Ken Crane
PLEA Secretary

On Friday April 16, 2010, Governor Jan Brewer signed SB 1108 into law which drastically alters the current provisions of the misconduct involving weapons statutes.

The revised law, when it goes into effect, will allow US citizens 21 years and older to carry a firearm in the state of Arizona in a concealed manner on their person or in their vehicles without a CCW permit. There is also a provision in the law that requires a citizen to answer truthfully if during the course of a law enforcement contact, a police officer asks the citizen if they have a weapon on their person or in their vehicle. Failure to truthfully disclose the presence of a weapon is a misdemeanor offense.

The new law will make things much simpler from an enforcement perspective. Some in law enforcement will oppose the new law on the premise that relaxing the statute on CCW will make police work more dangerous. I would submit that by and large not a whole lot is going to change when the law goes into effect. Arizona has always been an "open carry" state allowing law abiding citizens to carry firearms openly on their person or in their vehicles with no special training or permits required.

One of the arguments made by the NRA in support of SB 1108 was that a person who carries a weapon legally in an open status is automatically subject to criminal prosecution if the weapon is inadvertently covered. A person would be required to take an 8 hour training class, pass a firearms qualification course, pass a written test, submit fingerprints and pass a background check in order to put on a coat or shirt that might cover up their firearm that had been lawfully carried in an open status moments earlier. Current stats indicate that the DPS Concealed Weapons Permit Unit has issued well over 155,000 CCW permits.

Constitutionalists and Civil Libertarians alike will always argue for less restrictive laws and less intrusive government. Regardless of your viewpoint, SB 1108 works toward accomplishing this goal. Being a member of law enforcement for over 20 years, and as one who has taught CCW classes, I clearly understand both sides of the issue. On the one hand I love freedom, am in favor of smaller government and support the freedoms guaranteed us by the Constitution. On the other hand I also see the value in training and education for citizens that want to carry concealed for personal defense. The question then becomes one of whether or not the government should impose tougher restrictions on the American people than those enumerated in the Constitution.

Even with the passage of SB 1108 there will be some unique situations that still require a CCW permit for concealed carry such as entering a bar or restaurant where alcoholic beverages are sold for consumption on the premises, or for those who want the reciprocity that an AZ CCW permit offers for concealed carry in other states. Still, it's hard to convince someone to pay their hard earned money and give up a day on a weekend to take an educational class that is no longer required in order to carry concealed. The irony is that once a person takes the class they are usually glad they did.

There will be those who will argue that the state will now be inundated with lunatics carrying concealed guns. I have to wave a caution flag on this argument. The bad guys have always carried concealed weapons with little to no concern for any gun laws that may be on the books. One viewpoint is that CCW laws penalize law abiding citizens requiring payment of fees, jumping through hoops, and payment of another processing fee to the state in order to receive a piece of plastic that will now let you do what the bad guys have always done. Although training and education are

always of great value, many feel it's time to cut the bureaucratic red tape to level the playing field for law abiding citizens. Some will also argue that easing the restrictions will allow low income law abiding citizens, who can't afford to take a CCW class, the means to protect and defend themselves.

My experience in instructing CCW has shown me that the average person that takes the class typically comes from a middle class to wealthy socioeconomic strata of society (I didn't have too many transients or gang bangers trying to sign up). They are male and female from all ethnic backgrounds. They typically tend to be your average hardworking, taxpaying Joe (or Jane as the case may be). They are housewives, doctors, lawyers, airline pilots, engineers, pastors, construction workers, students and military folks that can range in age from 20-80. They are law abiding people that have a deep love for their country, the Constitution, and the founding principles that made America one of the greatest countries on the face of the earth. They love and support those who serve in the military and law enforcement and most importantly they are people who would do whatever it takes to help a cop in trouble.

It can be easy for a lot of us in law enforcement to fall into the trap of looking down our noses at the citizens we serve as being less capable than we are. While this may be true in some instances, there are a couple of points to ponder before passing judgment on the changes in the law. 1. Remember that when the chips are down and you are on your back fighting for your life against a bad guy with no regard for the law or authority, it just might be an armed citizen that comes to your rescue. 2. In police work we are always told stories about bad guys that carry guns, practice regularly and pose significant threats to officers. While this is very true, our training often negates the fact that lots of law abiding citizens like to shoot and also practice regularly. Just go out to any shooting range especially when a competitive shooting event is being held. You will see a lot of phenomenally good shooters and the vast majority of them will be civilians. You will come away telling yourself that these are the kind of folks you want on your side when the s*#t hits the fan.

As a final note, on March 26, 1999, Phoenix Police Officer Marc Atkinson was tragically murdered by three illegal aliens who led him into an ambush. Rory Vertigan, an off-duty armed security guard, came upon the scene moments later and engaged the suspects with his personally owned handgun. On September 2, 2004, Phoenix Police Officer Matt Morgan stopped a vehicle at 7th avenue and Buckeye Rd. for a traffic violation. The violator came out of his vehicle firing, striking Matt in the shoulder, his vest, and in the lower right leg. A total of 13 rounds were exchanged in the gunfight. Matt suffered a broken collar bone in the attack and two broken bones in his right leg. Although Matt was able to return fire striking his assailant several times, his pistol malfunctioned and he was unable to clear it due to his injuries. A medical technician by the name of CJ Garcia observed the fight from a 2nd story office window and ran to Matt's aid. CJ recovered the suspect's firearm and then picked up Matt's gun, cleared the malfunction, and handed it back to him.

These are but two examples from our own back yard that illustrate how citizens have come to the aid of law enforcement during times of extreme crisis. Changing the law to ease the restrictions on law abiding citizens who wish to protect themselves and their families might not necessarily be a bad thing.



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Phoenix, Arizona
PERMIT NO. 787



Representation Committee



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- Tim Baiardi • Kent Barnes • Ken Barton
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- Frank Smith • Kevin Smith • Jason Smith • Stu Sterling
- Rusty Stuart • Tom Tardy • Mike Walsh • James Ward

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.

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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
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 Solimeno Membership Services

The RECAP Staff

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