



PHOENIX LAW ENFORCEMENT ASSOCIATION

The Professional Association of Phoenix Police Officers Since 1975

FOR IMMEDIATE RELEASE

Date: December 15, 2014
To: All Valley Media
Subject: Recent Phoenix Police Officer Involved Shooting

The recent officer involved shooting that occurred on December 2, 2014 involving Phoenix Officer Mark Rine and criminal suspect Romain Brisbon that occurred at an apartment complex near 25th Avenue and Greenway Road, was an unfortunate incident that did not have to end the way it did.

The Phoenix Law Enforcement Association believes it is important for the media and public to view this case from a perspective of examining the facts rather than emotion devoid of fact. It is important for the media and public to understand a few things about this incident:

First, it is truly unfortunate when anyone, be it citizen or officer, is injured or killed as a result of a police contact. Contrary to what many may believe, our officers do not relish the thought of conflict with the citizens we serve.

Officer Rine is an exemplary, decorated employee with seven years of police service. The incident on December 2nd was the first shooting incident he has been involved in.

Officer Rine did not start his shift on December 2nd, with the intent of shooting someone, let alone with the intent of targeting someone because of their race. Officer Rine initiated contact with Romain Brisbon after he [Brisbon] and the vehicle he was in had been previously identified to him by two different citizens in the span of approximately 10-15 minutes as possibly being involved in the sale of drugs. The first citizen even provided a license plate number which matched the description of the vehicle Brisbon was in.

It was only after the second citizen pointed out Brisbon's vehicle and identified Brisbon as a person selling drugs from the vehicle that Officer Rine attempted to surveil Brisbon and his vehicle until backup officers could arrive to render assistance. Prior to arrival of backup, Mr. Brisbon exited the vehicle and began walking towards nearby apartments. Officer Rine had a decision to make and elected to make contact with Mr. Brisbon before he could get inside an apartment.

Mr. Brisbon failed to follow instructions given him by a uniformed sworn peace officer and acted in a threatening manner by reaching for an object concealed in his waistband. In the ensuing altercation, officer Rine, while attempting to physically detain Mr. Brisbon believed him to be in possession of a concealed handgun. Mr. Brisbon's continued refusal to submit to lawful authority, obey verbal commands, and let go of the object in his waistband while fighting with Officer Rine ultimately culminated in him being shot.

The media has already published details of the backgrounds of Officer Rine and Romain Brisbon. Suffice it to say that Mr. Brisbon is no stranger to police contact, and the legal and prison systems. Mr. Brisbon had the choice to live that evening. Mr. Brisbon knew he was engaged in illegal activity and likely knew he would stand a good chance of returning to prison if arrested. It was Mr. Brisbon who elected to disobey repeated commands, run from the police, fight with police, resist any efforts to detain him and engage in further behavior leading the officer to believe he was armed. Had Romain Brisbon simply submitted to lawful authority there would have been no arguments, no physical altercation and most importantly, the situation would not have escalated to the point where lethal force would have been needed to control the situation.

Some in the media and in the community have expressed concerns that Mr. Brisbon was ultimately found to be unarmed after the shooting. There are certain fallacies that need to be exposed here.

- Any time a police officer is involved in a close-quarter physical fight with a suspect there is always a weapon available - the officer's. Suspects who engage in fights with officers are often successful in gaining control of the officer's gun. This scenario is a very real concern for everyone in law enforcement and justifiably so, as every year in America, police officers are killed by suspects who gain control of their side arms. This is why the rule of thumb, on the wear of body armor, is that it be able to stop the caliber of the handgun carried by the officer.
- Police officers are trained to always keep in the back of their minds that persons they come in contact with are possibly armed. This is not to say officers pull guns on everyone they come in contact with, but that they are extra vigilant and look for tell-tale cues and indicators that could spell danger. These cues can include things such as, conspicuous ignoring, failure to follow verbal commands, sudden or furtive movements, intentionally turning away, putting hands in pockets or the front or rear waistband, belligerent attitude and profane language and squaring off in a fighting stance many of which are often a prelude to a fight.
- **"They shot an unarmed person!"** There are numerous accounts from across the nation where police officers have justifiably shot unarmed subjects and not been prosecuted or faced internal discipline from their departments. Police use of force is judged based on Supreme Court case law, relevant state statutes governing the justification for use of deadly force, and police department policies. Most states to include Arizona have statutes that allow police officers to use lethal force as long as they can reasonably articulate fear of imminent serious physical injury or death to themselves or another. The law does not require an officer to see a handgun or a muzzle flash before shooting. The law looks at whether or not a reasonable officer on scene would have believed the suspect to be armed and would have perceived a lethal threat given the totality of the circumstances.
- **"Why didn't the officer use a Taser?"** Tasers while effective in many instances are not a cure all. They are a less-lethal force option and are applied only in certain scenarios. Phoenix officers are generally trained not to deploy a Taser unless lethal backup is available. Officers involved in lethal force encounters, particularly in a one on one setting, are not trained to respond with lesser force options such as a Taser, pepper spray, baton, or fist strikes.
- **Police are only 50% of the equation.** The vast majority of police contacts are concluded peacefully and without harm because citizens comply and yield to lawful authority. They follow directions, keep their hands in plain view, don't engage in argumentative or abusive language,

and don't attempt to make furtive moves or elude officers. The place to butt heads and engage in disagreement is not in the street but in the legal arena of a courtroom.

As a final note, the Phoenix Law Enforcement Association is always open to improving how we do business and how we interact with all segments of the community we serve. It is our belief that we should always strive to have open dialogue and communication.

However, issues confronting the community at large cannot be constructively addressed when self-anointed "civil rights leaders" such as the Reverend Jared Maupin are out in public trying their best to turn Phoenix into another Ferguson. At a recent protest filmed by ABC News 15, Maupin was heard making the following statements:

- "Just remember that a lot of these officers are ni - - er killers."
- "The PPD tried to make Romain look like a ni - - er criminal."
- "The officers themselves were ni - - er killers."
- In another statement Maupin states: "and if all of us showed up on 24th Street and Camelback and pointed out every two bit cracker in an Escalade and said they were drug dealers..." Referring to white people with the racist label of "two bit crackers."

The Phoenix Law Enforcement Association has tried in the past to have constructive dialog with Reverend Maupin. We can no longer have a relationship with a person that spews unfounded, hate-filled, racist statements such as the ones enumerated above. Our members pay a heavy price to serve the community and baseless allegations such as these only serve to further inflame and aggravate an already tense situation.

As far as the Phoenix Law Enforcement Association is concerned, our first obligation is the care of the members of our organization. We protect those who protect the citizens and we will not tolerate individuals or groups who attack our Officers in the furtherance of their own selfish agendas.