

June 7, 2006

MAC Committee /IHC  
200 W. Washington St, 12<sup>th</sup> Fl.  
Phoenix, AZ, 85003

Dear IHC:

Police Chief Jack Harris has consistently taken the position that, as far as the Police Department is concerned, citizens are the first priority. In 2004 at a Labor/Management retreat in Sedona he stated to both command officers and the PLEA board the priorities: citizens first, department second, personnel third. Another priority is clearly documented in the Operations Orders: "To ensure the integrity of the Police Department, all alleged or suspected personnel misconduct observed or suspected by supervisors, department employees, or citizens will be thoroughly investigated."

On March 30, 2003 PLEA President Jake Jacobsen met with Chief Harris and then Deputy city Manager Juan Martin. The Association's concern over the Department's failure to investigate management misconduct was brought forward. Assurances were made to rectify this practice.

Since that time, the Association has brought numerous examples of disparate treatment in regards to the failure of the Department to investigate supervisors for misconduct. On March 3, 2006 PLEA President Jake Jacobsen and PLEA Grievance Chair Mark Spencer provided Chief Harris with examples of this failure through written documentation. His response was alarming. "I'm not going to allow PLEA and citizens to say when and how investigations are done." He also stated, "Based upon what you've shown here, the issue of disparate treatment is over." The Association was shocked that his response to the aforementioned investigation policy as found in the Operations Orders was: "That's not true." Since these statements, his beliefs regarding disparate treatment have continued to be implemented. Sadly, his disregard of citizens and employees in the investigatory process contradicts his priorities.

Based upon Chief Harris' statements and the failure to address the Association's concerns, the Phoenix Law Enforcement Association has no confidence in the Police Department's ability to consistently hold managers accountable for misconduct through administrative investigations.

One of the examples of management misconduct presented to and in the possession of the Chief is the sworn testimony of Commander Bill Louis from a recent PERB hearing in

October 2005. The hearing officer's report clearly expressed concerns about his testimony. The Department has refused to investigate this matter. The Association adamantly opposes the promotion of Commander Bill Louis to Assistant Police Chief until this issue has been thoroughly, completely, and objectively investigated **by the City of Phoenix Management Audit Control (MAC) Committee (IHC) *not*** the Phoenix Police Department. Until then, both citizens and employees (*including Commander Louis*) are ill-served.

PLEA opposes Chief Harris' course of action as to disparate treatment. In order to reestablish confidence of unit members in the Phoenix Police Department, in order to provide the citizens of Phoenix a law enforcement management team absent of any indication of corruption, and in compliance with the City of Phoenix Ethics Handbook, PLEA is forwarding the Louis matter as representative of the supervisory misconduct concerns to the MAC Committee/IHC.

Sincerely,

R.C. "JAKE" JACOBSEN  
PLEA President

JOE CLURE  
PLEA Treasurer  
On behalf of the PLEA Board