



RECAP

The Official News-Magazine of the Phoenix Law Enforcement Association

The President's Message: The Fatal Five Days

By Jake Jacobsen, PLEA President



There is no more chilling sound to a police officer than the Hi-Lo wail over the radio indicating an officer's emergency call for help. Unfortunately, Phoenix police officers heard this sound far too often from Saturday, August 28th through Thursday, September 2nd. During this fatal five-day period we lost two brother officers and had three wounded. At no time in our department's history have we experienced such a tragic week. Officers Jason Wolfe and Eric White lost their lives that Saturday night and Officer Chris Parese was seriously wounded.

The situation has been replayed hundreds of times in the minds of those who were there. It's been replayed at least that many times by those that wish they could have been because we all want to help when we hear an officer is down. No need to re-live that night here. No need to try and describe the scene or the chaos of the early moments. We share our grief, but we will survive knowing the support we need comes from each other.

Our loss has been dissected by outside "experts" who feel the need to comment on tactics. We should all take their comments, and those of the "journalists" who solicit them, with the appropriate grains of salt. Experts grieve, egos criticize.

The PLEA office has received so many condolences and offers of prayer from other police associations around the country. We are grateful to our NAPO member associations who took the time to call and offer all they have to help us through this tough time.

We know our City Council and City Management is supportive. We measure it through the relationships we have forged over the years. On that Saturday night it was clear that we as officers were not alone in this tragedy with our feelings of loss. Mayor Phil Gordon was at the hospital along with Councilman Dave Siebert. They were there to offer support and condolences. The Mayor asked me a dozen times that night if there was anything he could do. But just by being there he was doing it. I took calls that night from other Council members all asking the same thing, "What can I do?" I know you won't find that kind of concern and support in most parts of the country.

We know our community supports us. We know because the public shows up when we face budget cuts or push important bond issues. This support was evident as so many citizens lined the procession route holding signs saying, "We love our police officers" and "God Bless All Our Officers." There were children holding flags and waving to the police cars as we drove slowly by and veterans standing silently

with hands over their hearts. We saw people standing solemnly outside their stopped cars as the procession went by. Our grief is shared by those we protect. I'm sure many of you have been stopped by citizens who have told you they are sorry for our loss.

Wednesday night N.A.I.L.E.M. organized a Candlelight Vigil in front of the Main Station. As citizens from all parts of the Valley came to pay their respects, our SAU was handling a barricade in west Phoenix. While attempting to deliver a "throw phone" the suspect fired on officers striking Scott Johnson in his heavy vest. Fortunately no injury occurred, but once again another officer had been shot by a violent felon.

As many of us prepared to go to the visitation for Jason Wolfe on Thursday, the Hi-Lo wail was heard again as Officer Matt Morgan was shot during a traffic stop near 7th Avenue and Buckeye. No sooner had Matt put his car in park when the bad guy bailed out and rapidly approached while firing on him. Matt was shot three times. Once in the left shoulder breaking the collarbone, once in the vest covering the left side of his chest, and once in the lower right leg breaking both bones. He returned fire striking his assailant several times.

No one has answers for the string of attacks. No one can

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Police Limit

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“This moment in the life of our country will be remembered. Generations will know if we kept our faith and kept our word. Generations will know if we seized this moment, and used it to build a future of safety and peace. The freedom of many, and the future security of our Nation, now depend on us.”
President George W. Bush

From Around the Nation

- There hasn't been a new oil refinery built in the United States since 1976.
- U.S. household wealth swelled to a new record in the second quarter of 2004 according to the Federal Reserve.

It Can Happen To Anyone

Steven Palomino

When Class 202 was dismissed in 1986, I began my career as a Phoenix police officer. The last thing on my twenty-year-old mind was injury. Sergeant Vredenberg taught a quick post-graduation class on officer safety and staying out of harm's way (both internal and external) and then sent us to our precincts.

I received my precinct assignment and started training. I did not pay much more attention to injury or what happens when an officer gets injured. Later, a friend of my father's, an insurance agent, asked me if I would be interested in disability insurance. I thought it was a valid concern so I asked my Sergeant about it and he told me that disability insurance was not necessary if I was ever injured and had to retire, I would receive my retirement benefits. I never thought about injury again.



I did what I had to do and began exploring my options for a new career.

One July night I was working patrol and the dispatcher advised that Sky Harbor Precinct was in pursuit of a stolen vehicle. The pursuit passed right by my location and I joined the chase. The suspect lost control of the vehicle, collided with a building at Central and Thomas, and bailed out of the car. I gave chase on foot and just as I caught the suspect, we both fell off a large planter box. The fall tore my anterior cruciate tendon. The suspect went to jail and I went to the hospital.

The damage to my knee was so severe that reconstructive surgery was required. The surgery was not successful and a second reconstructive surgery was required. After the second surgery, three surgeons came to visit me in my hospital room and told me that I would never be able to run again; that my knee would never bend past 45 degrees and that the pain would never go away. My life-long career was over, what was I going to do? I was married and had two small children, how

would I support them?

I did what I had to do and began exploring my options for a new career. I had just completed my undergraduate degree in Accounting. When I started looking for employment opportunities in accounting, the best choices for my family and me were in San Francisco, California. We packed up, said goodbye to our home and family and I started my new life as an accountant.

I ended up with a great firm, earned my Masters degree in Finance and became a CPA. I have been fortunate. Nevertheless, when I retired, the City of Phoenix Retirement Board began enforcing a new law that had passed one year before I was injured and that I was never informed about. The law stated that a retired officer could only earn \$24,000 per year and that their pension would be reduced dollar for dollar after \$24,000. This meant if I made \$50,000 per year, I lost my entire pension.

After all the pain and suffering I had endured (including a third reconstructive surgery), the pain and suffering my family endured, and the false sense of security in medical retirement benefits, I ended up with nothing except my injuries—no pension and no due process for any type of appeal.

I have spoken with PLEA and others within the organization about this travesty. PLEA and the Arizona Police Association began the long and tedious process of getting the law changed so that medically retired officers would not be penalized for moving on with their lives. PLEA and APA wrote the legislation, found sponsors for the bill, lobbied legislators, got it passed, and signed into law in February of 2004.

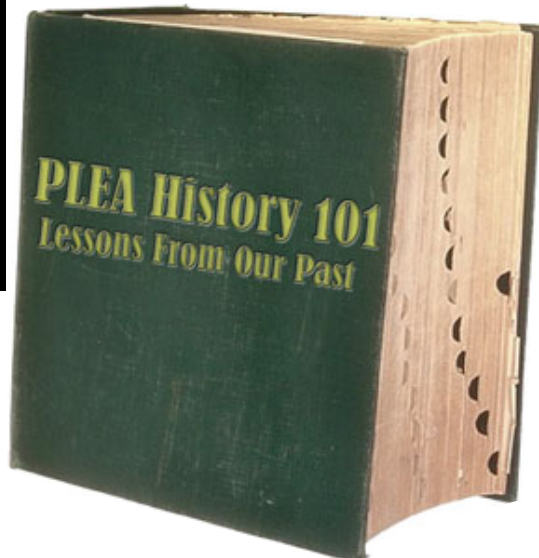
So why this story? To remind you all to stay involved and support PLEA and the APA. In the end, all you and I have are each other. Making a 907 doesn't just happen on the streets. ●

PLEA History 101: Lessons From Our Past

President's Note: To kick off our PLEA History Corner we will start with this article from the March 1976 RECAP, the first RECAP ever printed.

The city had a grievance procedure in place but no one had ever filed a grievance before PLEA did on behalf of member Chris Pollack. This is his article.

The PLEA History Corner is an opportunity to share the early struggles of our founders with all our members.



Chief Wetzel Attends Final Grievance Meet

For the first time in the history of the Phoenix Police a grievance initiated within the department was appealed to City Manager John Wentz requiring a hearing in Don Galloway's office.

I was involved in a police car accident on November 7, 1975, when the equipment I was driving in a code 3 pursuit stalled. Although my immediate supervisor recommended no discipline and my lieutenant at one point told me he agreed with that assessment, I subsequently received a written reprimand. The file on this accident is now over 60 pages.

The reprimand covered three allegations. First, it alleged that I operated faulty equipment without notifying my supervisor as required by the General Orders. The equipment was faulty in that the engine ran roughly and hesitated on acceleration from a full stop.

The second allegation was that I violated the General Orders by violating the vehicle code (Title 28 A.R.S.). The reprimand did not enumerate any specific code and ignored the fact that I was driving with red lights and siren.

The third allegation was that I was "defensive and uncooperative" when my supervisor was told to reinvestigate the accident a full week after it occurred. On this count I admit guilt, feeling that I was being railroaded.

Since there is no appeal procedure on a written reprimand I filed a formal grievance. This was not easy to do since there were no grievance forms available at Tower Plaza Station and City Personnel at first refused to give me any saying that I should obtain them at my work station.

The appeal procedure, which was apparently designed to wear down the grievant's resolve,

Unfortunately none of us was prepared for what City Personnel passed off as a "hearing." Chief Wetzel, Chief Strong, Captain Stidman, and Lieutenant Fields, none of whom had any first-hand knowledge of the accident, all appeared to testify that I was wrong.

dragged on into February as I made my way through the chain of command. At Chief Wetzel's direction I met with him and Chief Strong. This meeting ended with Chief Strong calling me "hardheaded" and, of course, my subsequent appeal to the city manager.

Approximately 10 days before my February 17th hearing I asked President Gordon Lange if P.L.E.A. would assist me in the final stages of my appeal. Within the week, we had met with PLEA attorney Mike Napier twice to plan the presentation of my case.

Unfortunately none of us was prepared for what City Personnel passed off as a "hearing." Chief Wetzel, Chief Strong, Captain Stidman, and Lieutenant Fields, none of whom had any first-hand knowledge of the accident, all appeared to testify that I was wrong. Their conclusions were based on opinions of other persons whom they did not bother to have present.

I lost the appeal when on March 3, 1976, City Manager Wentz ruled in favor of the City. This was no surprise and my reaction was much the same as had I lost a game of solitaire. Reshuffle, redeal, keep playing.

To me the most significant point in the charade came when all the parties to the dispute were gathered outside Galloway's office. Chief Wetzel surveyed the presence of no fewer than eight police officers gathered for the hearing and commented, "Look at this waste of manpower."

I couldn't agree more Chief. Your assessment was absolutely correct. Only it was three months late. ●



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Rights Are Never Wrong

Levi Bolton

The liberties and protections guaranteed by the United States Constitution, that you are sworn to enforce and put your lives at risk each day to protect, also apply to you. You do not have a sworn duty to abdicate your protections nor are you a second class of citizen in this country with "watered down" rights afforded by the law. Your decision to invoke your rights and to seek legal or administrative representation should be respected and there should be no negative inference made in association with your decision to do so.



Never take your rights for granted and it only takes a minute to confer with PLEA or a PLEA Attorney before making a decision to grant an interview. You do not have the right to refuse an administrative interview. Once ordered — do so, or you may face discipline up to and including termination for disobeying that order. In a criminal interview you have a constitutional right to remain silent and you should always confer with an attorney before granting an interview. Your conferring with legal counsel should never translate to the idea that you will never grant an interview. It simply means that you may have your attorney present while that interview is in process. The fact that you are described as a witness may not always insure that this will be your status at the conclusion of your interview.

Understand that this is not a condemnation of the stellar work done by officers and detectives tasked with conducting criminal investigations of officer involved incidents. Their work is difficult and important. Cops that commit crimes should be investigated and prosecuted. This message does not advocate uncooperativeness; nor does it call for an adversarial relationship between PLEA members and those charged with investigating them. Instead it is a reminder that you have rights. Those rights are a precious gift and should not be taken lightly or for granted.

PLEA will always take your calls for representation day or

night. Reps and legal counsel are waiting and willing to be at your side should the need arise. Keep up the good work and be safe. ●

A Note to PLEA

*Jake,
Just wanted to say thank you for your support and the support from the PLEA staff. It's SO good to know that I have a group behind me that will take care of me if I need it.
Thanks again,
Matt Morgan, 7364*

- Stuart Babcock
- Steve Dolack
- Nathan Faust
- Richard Furman
- James Heater
- Patrick Larrison
- Joshua McElroy
- Matthew McEntire
- Justin McQueen
- Eric Miller
- Nicholas Neidenbach
- Ty Packer
- Alison Ribar
- Jan Rollon
- Scott Russell
- Jason Smith
- Steven Tatge
- Nicholas Zarro

NEW MEMBERS

Police Department Awarded \$3.75 Million Grant

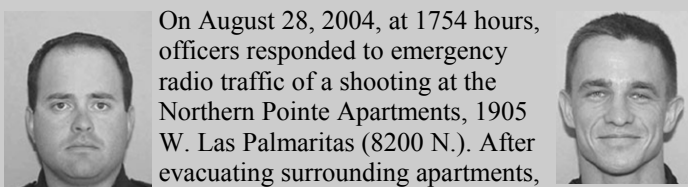
The Phoenix Police Department has been awarded a \$3.75 million grant by the U. S. Department of Justice's Community Oriented Policing Services (COPS) Universal Hiring Program. The program helps law enforcement agencies pay for the salaries and benefits of new officers. The City Council must first approve receipt of the grant before the money can be accepted. It is expected that this will be presented to the Council in September.

"Under the COPS grants, we have an opportunity to hire additional officers to enhance and build upon our community policing efforts," said Commander Kim Humphrey of the Public Affairs Bureau. "We actually like to call our community policing philosophy "Phoenix Policing." This reflects our unique style of working with our community partners, residents, and businesses to make Phoenix the safest major city in the nation. With 50 officers added to our force, it will help us keep up with the constant demands for service particularly in the area of Homeland Defense. In these times, we value our community based efforts and want Phoenix Policing to be the type of policing we can all be proud of."

This is the 3rd COPS grant the Department has received. In April 1995, the Phoenix Police Department received a COPS Universal Hiring Program grant in the amount of \$48,900,000 to hire 651 officers; 471 of those positions were filled. In July 2000, a second grant of \$22,500,000 was received to hire 300 officers; 119 of those positions have been filled. The grant will expire on May 31, 2006. ●



Eric White 7275 & Jason Wolfe 7215



On August 28, 2004, at 1754 hours, officers responded to emergency radio traffic of a shooting at the Northern Pointe Apartments, 1905 W. Las Palmaritas (8200 N.). After evacuating surrounding apartments, officers attempted to make contact with the suspect. When they were unable to get a response, they kicked in the apartment door. Officer Jason Wolfe #7215 and Officer Eric White #7275, immediately sustained fatal gunshot wounds.

Wolfe & White Memorial Tee Shirt



All the proceeds from the sale of this shirt are being donated to the families of Eric White and Jason Wolfe.

www.skinnyfat.com

The President's Message: The Fatal Five Days

(Continued from page 1)

predict when violence will be directed at us. We must rely on our training and each other during critical situations.

In the months to come, many people will review these situations. Some, outside our ranks, may criticize. It's easy to point out perceived flaws from the comfort of an office. But those who know, those who care, will only look to learn and improve. For those who have faced lethal confrontations and survived, life has a sweetness the protected will never know. For those we have lost to violence, let us never forget the lives laid down that we may sleep safely. ●

May We Never Forget

Kevin W Forsythe 3289



On September 7th, 1984, Officer Forsythe was killed in a traffic accident while working off-duty. He was directing traffic when he was stuck by a semi-truck and killed. Officer Forsythe was a seven year veteran of the Phoenix Police Department and active in the police officers union. He was thirty-five years old at the time of his death. Officer Forsythe was survived by his wife, son and stepson.

Leonard L Kolodziej 2387



On September 4th, 1991, Officer Kolodziej was shot and killed as he arrived on a 9-1-1 emergency call. He was struck several times by a barrage of bullets by a sniper barricaded in a Phoenix home. A construction worker was wounded and a cyclist was killed by the sniper. Officer Kolodziej was forty-three years old at the time of his death and was a nineteen year veteran. He was survived by his wife and three children.

Beryl Wayne Scott 5580



On September 10, 2002, Officer Beryl Wayne" Scott was killed in a motor vehicle collision while en route to assist in an unrelated DUI/fatality investigation. Officer Scott was south bound on North 7th Street at Thunderbird when another driver pulled out in front of him. Officer Scott's motorcycle struck the drivers-side door of the vehicle and he was killed instantly. The other driver survived the accident. Officer Scott joined the Phoenix Police Department on November 19, 1991. He is survived by his wife, who was six months pregnant at the time of the accident. At the time of his death, Officer Scott was assigned as a motor officer and served as a liaison to the Governor's Office of Highway Safety (GOHS). Prior to joining the Phoenix Police Department, Officer Scott served as an officer for the El Mirage Police Department."

Help The Kids at Kid Street!

Joe Clure

I know it's only October, but I think it is a good time to start thinking about Christmas. Donna Neill, President of Neighborhood Activist Interlinked Empowerment Movement, N.A.I.L.E.M., has asked for our assistance in helping some of her children. She has long been a friend and supporter of law enforcement and was instrumental in the devolvement of her pet project, in memory and honor of fallen Phoenix Police officer Marc Atkinson, Kid Street Park at 23rd Avenue and Hazelwood. Marc was slain by drug dealers in 1999. Not long after, the city completed Kid Street Park and the Marc Atkinson Recreation Center (M.A.R.C.) Every year Donna has provided a variety of events for the kids in the area, not the least of which is a Christmas party where the goal is to give every child a small present. Last year approximately 3000 kids attended and over 1500 gifts were distributed before running out. This year the goal is to have more gifts than kids so that no kid is left out.



PLEA thinks this is a wonderful opportunity to make a child's day a little better and also help carry on the legacy of Marc Atkinson. Therefore, we are asking that all officers get behind our friend Donna and help her meet her goal. If every officer contributed just one gift, we could collect over 2300! The gifts are for ages 5 to 14 years, kids younger than 5 get a stuffed animal. It does not have to be anything expensive, just something that will brighten a child's day. I know we can meet this challenge and make a difference! Please drop off your gift at the PLEA office 1102 W. Adams St. Thank you, and Happy Holidays! ●

*You can learn more about N.A.I.L.E.M. on their web site:
www.nailem.org*

Letter from Councilman Mattox

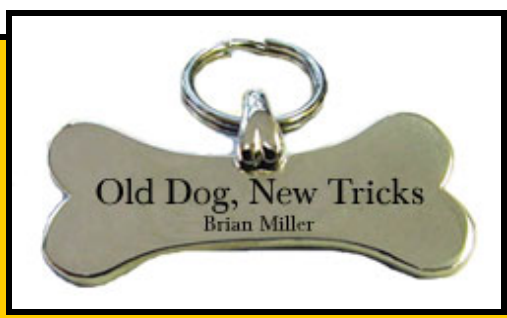
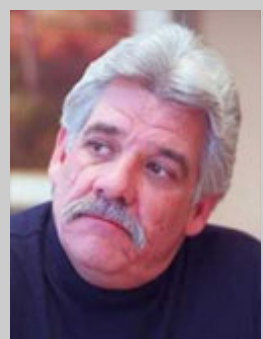
Dear Jake:

The worst part of my job is the loss or injury of our public safety employees. In the five years of my being on the Council, if not my 25 years of living in Phoenix, this week has been the worst. It is with great sorrow that I send condolences to the brave men and women of PLEA and the Phoenix Police Department. The deaths of Officer Eric White and Officer Jason Wolfe, and the injuries of Officer Chris Parese and Officer Cedric Tillman and most recently the wounding of Officer Matt Morgan are devastating. For Eric and Jason, they cannot be thanked – only respected for their courage. For Matt, we are sorry for the severity of his wounds, but happy his vest saved his life. We pray for his recovery. For Chris and Cedric, we are thankful their injuries were not more serious. All five are appreciated for their sacrifice and service to our city.

Please convey to all members of PLEA our deep respect and appreciation for their heroic efforts on behalf of our residents daily.

Our prayers go to the family, friends and co-workers of these men.

Sincerely,
Claude Mattox
Councilman
District 5



Some of you know me, but the majority of you probably don't. So, let me introduce myself. I am Brian Miller and have been a member of the Phoenix Police Department for over 32 years (Old Dog). I am serving my second term as a PLEA board member. My previous assignments have been Tower Plaza Precinct (now Squaw Peak), Organized Crime Bureau and Central City Precinct, where I was last assigned to one of the NET



Squads.

During this year's contract negotiations, PLEA was successful in obtaining one more full time position in the office. This position was offered to me and I accepted. My duties will be to assist PLEA's executive board with meetings, member needs, training, representation, grievances, and labor/management issues.

I am looking forward to my new position and being able to work closer with PLEA's executive staff. Also, I especially look forward to serving you, our members, in anyway I can. Please don't hesitate to call. ●

The Allowance: Your Child's Introduction to Money Management

By Thomas S. Jonovich
(Financial Consultant)
Second Vice President - Investments
Smith Barney

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Phoenix, Arizona 85016

602-954-5706

There is a lot of information out there about giving your children an allowance. While there are differences of opinion on how much you should give and whether you should base it on good grades or doing chores, most authorities agree giving an allowance is a great way to teach your children how to manage money responsibly.

So Why Give an Allowance?

If you are a parent, you will probably agree that children spend a tremendous amount of money. Not only do they have more money to spend than previous generations, they develop spending patterns at an earlier age. What your children learn about money comes from the ideas, attitudes and spending habits they learn from you, their peers and in the media.

An allowance teaches your children money management skills because it allows them to manage their own money based on their own needs, wants and goals. Your children learn from their own mistakes at a time in their lives when the consequences are less serious. For instance, if they spend money they have earmarked for a weekend movie with friends, the greatest consequence they will face is that they may not be able to go to the movie. By contrast, if they squander funds earmarked for tuition or rent, they could end up out of school or moving back home (scary thought).

If you are considering an allowance for your children, here are a few things that could help make the process go smoothly:

- As soon as your children start asking about money and how things are bought and sold, they are ready to receive an allowance. Don't be surprised if your three-year-old shows an interest. Buy a piggy bank and use this opportunity to teach your younger children about saving at the same time.
- After discussing an amount—your 15-year-old should, of course, receive a larger allowance than

your seven-year-old—and payment schedule with your family, put it in writing to avoid any confusion.

- Be clear on the terms of the allowance, if any. If all parties have agreed to tie the allowance to household chores, describe the chores in detail as well as any consequences of not performing those tasks.
- By all means, help your children set up a spending and savings plan and suggest how the funds could be used more effectively. But, once you give your children an allowance, allow them to control how it will be spent.
- And, pay on time (show them you can manage your money, too).

Children who learn good money management skills while they are young stand a better chance of becoming adults who can make sound financial decisions, avoid excessive debt and manage income and expenses to reach their financial goals. So give them an allowance.

Tom Jonovich is a Financial Consultant with Smith Barney located in Phoenix Arizona and may be reached at 602-954-5706.

Smith Barney is a division of Citigroup Global Market Inc. Member SIPC. •

The "An\$wer Man" DROP Brain Teaser

Question:

A Police Officer who is currently in DROP, is granted or placed on approved General Leave Status without pay. Will their DROP account continue to accrue at the stated rate of interest during their unpaid leave?

Answer:

Yes, the employee will continue to accrue interest as long as the employee is on leave approved by their department.

Authority Source:

The Public Safety Personnel Retirement System –
March 29, 2004.

Phoenix Law Enforcement Association

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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.

Record: All interviews once you have been given an NOI.

Copy: All memos of paperwork 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.

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