

Phoenix City Council Approves Legal Fees for Jack Harris

City's public safety manager is the defendant in a lawsuit by the police union

Wednesday, September 15, 2010

The Phoenix City Council voted on Wednesday to pay up to \$49,000 toward the legal costs of Public Safety Manager Jack Harris in a lawsuit against him by the Phoenix Law Enforcement Association.

Harris retired as police chief several years ago and began drawing a pension. Several weeks later, he was asked by city leaders if he would be willing to be re-hired in a new position as Public Safety Manager, overseeing the police department, Homeland Security responsibilities, and other functions. The union is challenging the City Council decision to rehire Harris in the Public Safety Manager job in early 2007.

The lawsuit accuses Harris of "double dipping" – drawing a pension as well as a salary for essentially the same job.

At the time the new job was created for Harris, the city sought legal opinions from three sources, who all reached the same conclusion: that the job of Public Safety Manager was substantially different from the job of Police Chief, and that allowing Harris to draw a pension from one job and a salary for the other didn't represent a conflict. The council then offered the new job to Harris.

Most of the citizens who addressed the council criticized the double dipping, but didn't address whether the city should contribute to Harris' legal fees. One citizen said the city can't afford the legal fees when there's such a "fiscal crisis" in city government.

Council members mostly supported paying Harris' legal fees, saying it was a city decision to re-hire him, and so the city is responsible for the police union's decision to file a lawsuit.

The police union says the city has no business paying Harris' legal fees since the suit names neither the City of Phoenix nor Harris in his official capacity as a city employee. The lawsuit is against the Phoenix Police Pension Board (which is not a city agency) and Harris as a private citizen.
