

Police-union leader accused of abusing power

by **Michael Ferraresi** - Jan. 8, 2010 12:00 AM
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Phoenix internal-affairs detectives are looking into a complaint that police-union leader Mark Spencer abused his authority when he arrested a Mexican day laborer outside a [Home Depot](#) in July.

Spencer is accused of failing to take a proper police report in violation of his department's immigration-enforcement policy, which officials billed as a way of giving officers more discretion in reporting [undocumented immigrants](#) to federal authorities.

Spencer, who is the president of the Phoenix Law Enforcement Association, and union leaders appealed the internal investigation as part of an unfair labor-practice charge, citing intimidation by police management. Their hearing continues today. Activist Salvador Reza accused Spencer, who was on a ride-along with two patrol officers, of deliberately targeting [undocumented workers](#) at the Home Depot one block from Pruitt's Furniture on Thomas Road - an area where migrant workers often congregate.

"Without booking him into jail, without arresting him for trespassing, (Spencer) basically drove him to ICE to be deported," said Reza, who runs Macehualli Day Labor Center in Phoenix. "In my opinion, he probably did it to test the waters to see how far he could push his anti-[immigration policies](#)."

Reza said he filed his complaint after the day laborer, who was deported through the Nogales port of entry along the Arizona-[Sonora](#) border, phoned friends in Phoenix about his disappearance on July 14.

Officials bill the updated Phoenix police policy, known as Operations Order 1.4, as an effective means of providing patrol officers more leeway in reporting undocumented immigrants to federal authorities in connection with crimes. Advocates believe it prevents officers from arbitrarily targeting Hispanic workers based solely on their immigration status.

Reza said Spencer circumvented the operations order as a political tactic. Spencer could face discipline ranging from a verbal reprimand to suspension if found guilty of misconduct.

Spencer and a police-department spokesman said Wednesday they could not comment on the ongoing internal inquiry.

The internal investigation continues as the Phoenix Professional Standards Bureau considers the allegations against the leader of the primary labor union for more than 2,200 rank-and-file officers.

As PLEA president, Spencer has been one of the Valley's most vocal critics of Phoenix police immigration-enforcement measures. He and other union-board members have criticized Mayor Phil Gordon and police as being soft on illegal [immigration](#).

Friday's hearing by the Phoenix Employee Relations Board is a continuation of PLEA's appeal that the internal investigation "was held solely because of his union activities," according to PERB administrator Paula Alberts.