TO ARREST AND BOOK, 
or what to do for the next three hours?

By Mark Enegren, 
Trustee/Representation

One of our duties as police officers is to arrest and book violators of law. In fact, this responsibility falls squarely upon the shoulders of “Sworn Personnel” Phoenix Police Operations Order 3.13.3.A specifically requires “Officers will detect and arrest violators of the law”. This is not ambivalent. It is not stated to insinuate that any of us has a problem doing just that. However, the current booking process has become onerous at best and a harrowing test of any officer’s patience at worst.

Everyday our members take this test. Some of us have found assignments that do not require booking. There is probably not a day that passes without these members giving thanks they are spared. For those that do not have this luxury the booking process is a personal test of courage.

PLEA, with the special effort of Chairman of the Board Levi Bolton, has taken steps to rectify this process and alleviate some of the problems presented to our members. Levi’s efforts have resulted in several improvements to the current system. Levi, in partnership with the Maricopa County Sheriffs Office, was able to identify a critical technology bottleneck and was instrumental in having MCSO provide transport wagons for a short duration.

These efforts have not proven to be enough and the PLEA board continues to explore ways of alleviating this issue for our members. The board recently met with MCSO’s number two and three men, Dave Hendershot and Brian Sands. During this meeting, Dave explained the budgetary restrictions under which his office must work. These budget concerns have resulted in cutbacks and subsequently a slower booking process. The idea of a numbering system was presented at this meeting, which has now reportedly been implemented to the benefit of our members.

These efforts are clearly not enough and have not eliminated waiting times at the jail. As part of your Association’s concerted effort to improve working conditions, Mark Spencer presented, once again, to Public Safety Manager Jack Harris the suggestion to improve the jail situation by means of a civilian transport and booking detail. Harris stated to Spencer, “You want me to spend $1.5M to fix Arpaio’s jail.” Spencer’s response: “I want you to spend $1.5M and invest in a civilian jail/wagon detail to stand in between Arpaio’s jail and patrol.” Other agencies utilize this format to insure that officers are available for more pressing matters such as those 700,000 calls for service that we have recently heard so much about. Consideration and implementation of this common sense strategy could prevent officers from becoming jailers for 3 to 4 hours with each arrest. In a recent arrest roundup, Central City Precinct tested a similar concept. By having civilian R & I Bureau personnel take over computer input duties, arresting officers’ tasks were reduced to just filling out two sheets of paper and then going back out on the street.

The County Sheriff is mandated to run the jail. The vast majority of his customers are Phoenix Police Officers. It may be his jail but it is our problem - a problem that will not solve itself.

As it stands now, your board will continue to explore solutions to this seemingly endless problem. It is not an effort that simply helps our members. If we can find solutions to this problem, our streets will have more officers, officers will have more backups, calls for service will be answered more promptly, and citizens will be safer.

Remember what the Operations Orders say regarding arrests. Operations Order 4.10.2.1. (2) states, “Prior to booking any adult prisoner into jail, officers will verbally review the circumstances of the arrest with a sworn supervisor” regarding non-warrant arrests. Rely on supervisors to determine if the criminals you have under arrest for breaking the law are to be booked or released. Allow supervisors the chance to explain to taxpayers why law-breakers are set free. For those officers left on the streets while your co-workers are wading through the booking process, please do not disregard your need for a backup. Operations Order 8.3.5.A. (1) states, “A back-up unit may be requested whenever necessary.” The Department’s problem with the booking process ought not to burden you serving citizens in a safe manner. Do not allow the Department’s dilemma to promote danger for cops and communities.
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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 or paperwork related to the investigation.

TRUTHFULLY:
Answer all questions 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. For your convenience, a PLEA board member and representative are available 24/7.

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Editor’s note: This letter was written by Yolanda Conchos, daughter of Ignacio Conchos, after the recent memorial sign dedication ceremony. PLEA thanks every one of those people that contributed to making this happen.

I received a beautiful CD with the picture arrangement to lovely music put together by, Connie Tyler, from the Memorial Dedication for I.G. Conchos and J. R. Davis on November 28. Thank you all, for your hard work on behalf of their memory and sacrifice. The signs are beautiful and have been designed with great thought and hard work. I feel these signs will benefit and educate many people. Thank you Detective Olsen. This is a kind of presence that touches my heart and has warmed my family’s spirits. The book with the Line of Duty website is also a special touch by, Lieutenant Nikolin from the Police Museum. He has always been so kind to dedicate his time to sharing our police history in Phoenix. All of your support is overwhelmingly and unexplainably special to us. Our loss was long ago, but is so very near to our thoughts and hearts in our daily lives and they still live through all of us, especially with fond memories... What our police department has shown, is that we have inherited our Father’s friends, as family, which is bigger than ever and full of love. I wish I could thank all who were present that day. What an awesome group. We wish and thank you all from the bottom of our hearts, for remembering all Beloved Officers and Firefighters and especially the ones who remain here to carry on, to protect and serve. We want you to know, you are in our thoughts and prayers this holiday season and always. Feliz Navidad!

Sincerely,

Cha-Cha
Yolanda Conchos Fernandez A4344
Statistical Research Aide
Michael Napier has been representing Phoenix officers for over 32 years. Mr. Napier is one of the most experienced labor and personal injury attorneys in Arizona. Mr. Napier has represented hundreds of officers before administrative bodies throughout Arizona, and has assisted critically injured officers and the survivors of the officers in obtaining compensation for their injuries and losses.

Janet Feltz was admitted to practice in Arizona in 1985. Prior to joining the firm in 2005, she served as an administrative hearing officer for twenty years in disciplinary and other employment matters on behalf of merit boards and commissions throughout the State. She also served as an administrative law judge for the Arizona Department of Economic Security from 2001 - 2005.

Anthony Coury has focused his 9 years of practice primarily on personal injury and wrongful death lawsuits in which he has served as plaintiffs' counsel. He has experience in cases dealing with dram shop liability, negligence, governmental claims and products liability including service as counsel on the litigation team for Phoenix Police Officer Jason Schechterliter.

John Commerford was a partner in two firms which practiced in personal injury litigation before joining the firm. His experience is in cases dealing with product liability, nursing homes, dram shop liability, medical malpractice and governmental claims, to name a few. He has also practiced in developer rights and employment.

In addition to the full services provided to PLEA members to protect their careers, the Law Offices of Michael Napier P.C. provide the following:

- **Personal injury recovery** (on or off duty);
- experienced representation at a reduced fee;
- **Reduced fees** for matters not covered by the PLEA legal plan;
- **Free probate** of officer's estate for line-of-duty death;
- **Free consultations** to members on any matter;
- **Referrals** to attorneys or specialists for matters not handled by the firm.

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**Correction Notice**

The October 2007 Recap article Patrol Vehicle Update read: "The Honda beat the Harley in overall handling and braking, but not in overheating, and warranty coverage," it should read "After testing and evaluation over the past year, the Honda beat the Harley overall in handling, braking, not overheating, and warranty coverage."

The December 2007 Recap article Lay of the Land stated that Eric Edwards would be leaving the Legal Unit. This is incorrect; the good news for PLEA members is that Eric Edwards is not leaving the Legal Unit.

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**Benefit of the Month**

Free Notary service for members and family.

Membership meetings in February will be on the 26th, at 7:30, 12:00, and 5:30. The next Board Meeting is on February 19, 2008 and members can attend at 8:30 am.

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**Alert Recall**

is a website dedicated to helping make schools safer. It is available for use by public and private schools in Arizona. The website, www.alertrecall.com, enables students to anonymously report via email or text messaging any type of negative or suspicious activities occurring on their campuses.

Alert Recall, is a non-profit organization funded by grants and private donations, co-founded by Phoenix Police Officer and PLEA member Cecil Jackson. It has been successfully operating in Arizona since March 2005. There is no cost for districts to participate. The website averages nearly 50,000 emails and text messages every month. Alert Recall is also credited with solving and preventing many crimes across the country. For more information contact Cecil Jackson or see the link on the PLEA web site.
does the City plan to provide vehicles for Officers who will have to service these areas? Maybe we can borrow from a military concept. On the other hand, we could look at new ways to utilize the resources we currently have. The time to look at assigning vehicles has come.

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Editors Note: This article was sent through the web as an anonymous email with an unknown author. Thanks to Volunteer Charleen Holt for sharing.

When the Lord was creating cops, he was into his sixth day of overtime when an angel appeared and said, “You’re doing a lot of fiddling around on this one.”

And the Lord said, “Have you read the spec on this order? A peace officer has to be able to run five miles through alleys in the dark, scale walls, enter homes the health inspector wouldn’t touch, and not wrinkle his uniform.”

“He has to be able to sit in an undercover car all day on a stakeout, cover a homicide scene that night, canvass the neighborhood for witnesses, and testify in court the next day.”

“He has to be in top physical condition at all times, running on black coffee and half-eaten meals.

And he has to have six pairs of hands.”

The angel shook her head slowly and said, “Six pairs of hands...now way.”

“Is that the hands that are causing me problems,” said the Lord, “it’s the three pairs of eyes an officer has to have.”

“That’s on the standard model?” asked the angel.

The Lord nodded. One pair that sees through a bulge in a pocket before he asks, “May I see what’s in there, sir?” (When he already knows and wishes he’d taken that accounting job.) Another pair here in the side of his head for his partners’ safety. And another pair of eyes here in front that can look reassuringly at a bleeding victim and say, “You’ll be all right ma’am, when he knows it isn’t so.”

“Lord,” said the angel, touching his sleeve, “rest and work on this tomorrow.”

“I can’t,” said the Lord, “I already have a model that can talk a 250 pound drunk into a patrol car without incident and feed a family of five on a civil service paycheck.”

The angel circled the model of the peace officer very slowly, “Can it think?” she asked.

“You bet,” said the Lord. “It can tell you the elements of a hundred crimes; recite Miranda warnings in its sleep; detain, investigate, search, and arrest a gang member on the street in less time than it takes five learned judges to debate the legality of the stop ... and still it keeps its sense of humor. This officer also has phenomenal personal control. He can deal with crime scenes painted in hell, coax a confession from a child abuser, comfort a murder victim’s family, and then read in the daily paper how law enforcement isn’t sensitive to the rights of criminal suspects.”

Finally, the angel bent over and ran her finger across the cheek of the peace officer. “There’s a leak,” she pronounced. “I told you that you were trying to put too much into this model.”

“That’s not a leak,” said the lord, “it’s a tear.”

“What’s the tear for?” asked the angel.

“It’s for bottled-up emotions, for fallen comrades, for commitment to that funny piece of cloth called the American flag, for justice.”

“You’re a genius,” said the angel.

The Lord looked somber. “I didn’t put it there,” he said.

Author Unknown
Assigned Vehicles, A Concept Lo

By Franklin R. Marino
Representative Central City Precinct

Over the last two years, there have been times when the Phoenix Police Department reached critical mass in terms of not having enough operable marked vehicles in the fleet to conduct daily operations. In addition to vehicles damaged in collisions, numerous vehicles, all Ford Crown Victoria Police Interceptors, were out of service due to fuel bladder problems.

As mentioned in a previous article, Planning and Research is conducting a study to determine the actual number of marked vehicles needed, based on a set ratio of officers to vehicles necessary to conduct business. Compounding our current shortage are patrol positions created over the years such as Community Action Officers, School Resource Officers, and the return of Neighborhood Enforcement Teams to uniform. These details were never factored into the original formula when determining how many marked vehicles each precinct realistically needs. Ideally, there should be spare vehicles in the fleet for times when vehicles are down for preventive maintenance or out of service. Other Bureaus, including Homeland Defense and Tactical Support need marked vehicles for the Downtown Operations Unit, Canine, and Rapid Deployment Unit, but fall under different ratios, and their vehicles are normally assigned to officers using them.

Once we determine the number of vehicles needed, we should be able to implement an assigned vehicle program for precincts benefiting the department and the city in several ways. Keep in mind, this is not a “take home” vehicle program, but one in which every patrol officer has a specific vehicle in their precinct assigned for daily duties. This concept has been tried in various precincts with varied degrees of success. If we have enough vehicles to allocate for each precinct, we can utilize a system that worked in Central City Precinct several years ago. Sister squads shared vehicles and extra vehicles were kept in a pool for use on double squad days or for when vehicles were out of service. As a perk, senior squads had the vehicles on their regular workdays with junior squads getting them on other days, or on a double squad day when the assigned sister squad officer was off. Officers left their equipment in the vehicles unless there was a need to have the vehicle available for use by another officer the following day. The junior squad utilized pool cars on double squad days and having two-person cars alleviated the draw on pool vehicles when vehicles were out of service for maintenance.

Assigned vehicles could solve several issues with a properly implemented program:

Appearance
In most cases, if vehicles were assigned to Officers, there would be pride and ownership attached to the vehicle. Let’s face it; for patrol, a vehicle is our office and working environment for our shift. Most officers prefer to ride in a clean vehicle, free of trash, with windows you can actually see through and a trunk where you can stow your equipment. Policy requires vehicles to be free of trash but in reality that does not always happen. Officers with assigned vehicles are more likely to maintain them.

Durability
Officers operating the same vehicle know when their vehicle is due for preventive maintenance and schedule it ahead of time to get it in for service rather than going past the deadline. Being familiar with the vehicle, officers would note other problems out of the ordinary or they would bring it in for service at the first opportunity. Ensuring a vehicle is properly maintained translates to a better performing, longer-lasting vehicle.

Fewer problems with impounded property
A while back, Property Management released a list of items found in patrol cars that made it to the property room. How many times has someone come across items from driver licenses to jewelry, knives, drugs, or drug paraphernalia while checking the back of a patrol car? Granted, we have all spaced, especially at the end of a long shift after being held over. But how many times have we contacted the officers who used the vehicle before us that had no idea the items were in there because they didn’t check under the front seats or on the floor of the trunk? Supervisors say that if we cannot find out to whom the property belongs, then impound it. This creates additional work for officers and Property Management.

More efficient use of time and less downtime for officers
Assigned vehicles could eliminate many of the problems associated with pool vehicles. An officer could go to their vehicle, sign on to CAD, and be 10-8 to answer calls within a few minutes of briefing. All they would need to do is a quick inspection of the exterior for damage, a check of fluid levels, and top off the fuel tank. The only time this would change would be when the officer has to load their equipment at beginning of their work week or when their vehicle was returned after having been serviced or repaired.

While the program had many benefits, it was not without faults and here are a few that were noted:
- Officers holding and hoarding keys preventing use by others
- An officer utilizing a “Club” anti theft device preventing use by others
- Officers allowing seized license plates and other property to accumulate in their trunks instead of properly impounding the items
- Officers waiting for pool cars on double squad days
- Officers personalizing their vehicles with decals and accessories
- Minor damage often not accounted for on the damage log
- Officers refusing to drive pool cars on double squad days or when their vehicle was out of service
- Junior officers complaining about having to drive an older vehicle

As Phoenix continues to grow, we gain more areas requiring services. As has been the practice, we are continually asked to do more with less, including the number of first responders and marked vehicles. Eventually we are going to reach a point where we will have either additional precinct substations or separate precincts to cover the larger areas of our three largest Precincts: 400, 600, and 800. How
Support Your Police

By Steve Huddleston
Representative Cactus Park

We work a thankless, commonly misunderstood job. Yes, we make mistakes, yet we are very understaffed and overworked. When officers make mistakes, our department frequently tries to punish them severely even to the point of firing them.

Police Officers are becoming more and more afraid of performing their jobs in fear of reprimand, lawsuits, and knowing the department will not support them if they make a mistake. Officers should be held responsible, but let us keep it fair.

We arrest criminals and release them before the ink on our reports is dry. Judges and the Criminal Justice System are infrequently held accountable for releasing the same criminals repeatedly, yet the criminal who recently shot an officer was arrested and released for aggravated assault with the promise to appear. Well, he did not and now a police officer is dead!

The media has a huge role in how stories are portrayed when they are reported but the media does not always tell the truth. It does report what sells and what they think gets our attention.

Criminals do not care about themselves; do you really think they care about police officers? The City will come together once again and mourn the loss of another fallen police officer and the family left behind, but if the past has shown us anything, there will be nothing done allowing officers to do their jobs better.

People are quick to yell “police brutality” and call in complaints just because they did not get the answer they wanted (not the correct answer, just what they did not want to hear). We need to be harder on criminals. Officers need to put respect back into the streets again.

Police officers wear many different hats. We solve problems, enforce laws, hold criminals accountable, and lay down our lives for our community; all we ask in return is for you our fellow citizen to “Support Your Police Officers!”

Welcome New Members

- Brian Baker
- Carmina Banda
- Kelly Barnes
- Brad Bishop
- Glenn Branhman
- Matthew Curry
- Christopher Devers
- Aaron Fajardo
- Jillian Fieury
- Justin Futrell
- Joe Hernandez
- Christopher Hird
- Jason Klingensmith
- Kenneth Lam
- Michael Mancino
- Perry Mastrangelo
- Kimberly Neis
- Allen Nosal
- James Nottingham
- Dustin Perkins
- Randy Poage
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- Chris Young
- Julio Cardenas
- Joe Nichols
- Santino Sceizo
- Salvador Chavez

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Established in 1953, Hester, Heitel & Associates, Inc. has assisted business and industry in protecting themselves against risk, performing the traditional insurance broker functions of planning, placing and servicing insurance coverage for its clients. Today, Hester, Heitel & Associates, Inc. remains a locally owned, dedicated to professional service, independent insurance agency.

We service in excess of 4,500 clients.
RUTH-LESS-NESS

Is a lack of mercy a quality we want in police personnel? Is yelling an acceptable method of communication for sworn employees? Ruthlessness is the mark of a “hot head” not an enlightened leader. When one’s head is in a place that is a consistent 98.7 degrees, simple, straightforward solutions for real patrol problems can be easily missed. Some assistant chiefs might be willing to allow style to drive police policy. But perhaps the cold head of a shivering patrol officer should take priority.

Assistant Chief Tracy Montgomery, who heads up the uniform committee, was unaware of McCort’s email. She communicated to PLEA that she’s willing to take another look at this uniform accessory. Hopefully her cool-headed concern may bring about resolution. It’s cold out there. Allowing patrol the use of the knit watch cap in the winter is not only reasonable and right, but full of ruth.

Ruth is more than a name, it’s a noun. The dictionary defines it as a feeling of sympathy and sorrow for the misfortunes of others, kindness, compassion, pity or mercy. One who lacks this quality is considered “ruthless” without pity or compassion.

With this in mind, imagine the early part of cold winter mornings in Phoenix. A 1st shift officer hits the street. Later the same bitter day, a 2nd shift first responder and 3rd shift personnel work without the light and warmth of the sun. It doesn’t take much to picture an environment that might warrant a uniform accessory - one that would keep a front-line worker’s head and ears warm. A ball cap that was too big might work if its size allowed it to hang over one’s ears - but that might look somewhat silly. Perhaps the solution is a knit watch cap.

With the same wintry day as the contest, continue with me on this visual trip. In your mind consider the indoor temperature of an assistant chief’s office on the 4th floor of 620 W. Washington. The soft chair, the carpet, and the thermostat are helpful in recognizing that the comfort challenges encountered in this environment are somewhat different. The streets in the precincts, and those who work them, seem millions of miles away. Just a quick turn of the temperature dial and presto, a solution is immediately rendered for the manager. Hats, gloves, and coat are not needed here.

Let’s move from the images in our minds to the issue in a recent email. On Monday, December 3, at 4:21 pm an email designating Assistant Chief Mike McCort as the sender went out to three south zone patrol commanders: “I heard today in executive staff that we have a considerable number of officers wearing the knit watch cap at night. I would remind you to remind your folks of what head gear is authorized and this is not. I hope I don’t see an officer wearing one. I won’t yell at the officer, I will yell at the commander. I will also expect the commander to make an entry into the lieutenant’s notes for failing to do their job, and likewise with the sergeant. Oh, there will be no mercy to the supervisor who is standing next to an officer wearing one of these hats. This is like the booney hat issue, we need our supervisors to do their jobs.”

When one is far removed from the reality of police work, ruthless responses are sure to follow. Comfort in our own lives can bring about callousness toward the struggles in the lives of others. I wonder if compassion would make a comeback if assistant chiefs were required to work outside on West VanBuren, South Central, or Sunnyslope during the winter at 4:30 in the morning.