AN OFFICER AND A GENTLEMAN

By Michelle Montac

As I write this, Brian Miller #2177, is working his last day as a Phoenix police officer. Unlike Richard Gere in the 1982 movie, Brian truly was “An Officer and a Gentleman.” For those of you who know Brian, I don’t have to tell you what kind of guy he is. For those of you who do not, the opportunity to meet with Brian, I can say is, you really missed out.

Brian began his law enforcement career with the Chicago Police Department in 1961. He worked there for ten years and then began his career with the Phoenix Police Department in 1971 at the Tower Plaza station. He worked Tower Plaza from 1971 to 1975; from 1975 to 1990 he worked OCB (Intelligence) and Inspections (internal-affair); from 1990 to 2002 he worked Sky Harbor President Pat’s PRENIP and the bike squad; from 2002 to 2004 he worked the Crime Prevention Unit; and from 2004 to 2006, Brian worked full-time in the PLEA office. Brian served on the Board of Directors, as well as the CISM team.

I’ve known Brian for many years but only had the pleasure of working with him when he joined us in the PLEA office and before that as a PLEA rep. Brian is the epitome of what you want in an officer and a friend. His integrity is above question, his friendship is sincere and loyal, his work ethic is above reproach, and his personal philosophies and ethics are beyond compare. Whenever needed something done or a project completed, Brian was one of my go-to guys. I always knew that whatever he took on would be completed, on-time, and very thoroughly. Brian always has a smile on his face, (especially last night as his DROP date got closer) and is always willing to help. Upper management in the Department always remarked on how they enjoyed working with Brian on various issues. Not because Brian was a pushover, far from it, but because Brian always kept an open mind and was willing to listen and compromise if needed.

Brian is also one of those guys who you know is going to enjoy their retirement. Brian and his wife, Elisa, and the rest of his wonderful family are planning to enjoy traveling when he retires. He also plans to volunteer with PLEA and CISM.

Office John Buckner will take over Brian’s spot on the Board and Officer Bobby Palma will take over Brian’s full-time release spot in the PLEA office.

Brian will be sorely missed by all those he worked with, especially those of us at the PLEA office. Brian, I will really miss you, good luck and God bless. Most of all, thank you for your companionship, friendship, and your wisdom. You truly are a gentleman and deserve to have a wonderful retirement after the door you’ve paid. You’ve truly made a difference.
Good morning Chaplain... got a minute?

by Lorber Rebman - Reuters

Chaplains have been the spiritual companions of soldiers and even at that duties began as early as 1707 when the first constant group of armed forces chaplains were formed to provide needed spiritual assistance to the soldiers of the line. As you may have noticed, I said spiritual and not religious. Although chaplains are people of a faith community, their principal role is to provide moral guidance and support in times of crisis and need. The men and women who serve our communities are members of a faith community, their principal role being to provide spiritual guidance and support in times of crisis and need... they are police officers. Regardless of their religious background or by which name they call their God or if they don’t recognize one at all, each needs the stead the support of those in their care. Many are aware that most chaplains have extensive professional counseling backgrounds. I have included the idea of Police Chaplains on many occasions and I would not have realized how significant the impact a chaplain can make upon a scene of critical action until Chaplains John Bouda and Larry Biscardi of the Enforcement Ministry suspended to New York and stood in front of the World Trade Center. Our chaplains tended to the needs of first responders, rescuers, and emergency workers who were victims of what was usually the first time in their lives when the way forward seemed unclear.

NEW MEMBERS

Welcome

Mark your day planner and attend the membership meetings on the last Tuesday of every month at 7:30, 12:30, and 5:30.
Travel Policy

By Karen Lewsader, PLEA Representative

The recently revised Travel Policy in the City Administrative Regulations could actually hurt the Phoenix Police Department in more ways than one.

It is difficult to travel that many of our Fleet vehicles are not available. We are not using our Blue Card allowance. But is it really saving the City money? Are we actually willing to sacrifice the training of our officers over an issue that really has nothing to do with us?

It has actually taken three months for my Blue Card reimbursement to come to me for this year’s training. To add insult to injury, I forfeited half of the seminar fees out of my own pocket for which I was not reimbursed (the training was $995.00).

In my position as a G.R.A.T. officer, I travel frequently, as do many of my squad. When we travel we go as trainers. We train other agencies around the country and even outside of the United States. When we train, the Phoenix Police Department is compensated upwards of $2000.00 per week and true costs, such as per diem, are grant funded. Nevertheless, we are still bound by the City travel policy.

Because this travel policy is so restrictive regarding per diem, I have chosen to train on my own time, as an independent contractor. This means the department doesn’t get a dime.

I have a medical condition that precludes me from traveling on the City travel policy when per diem is dictated. For example, if a continental breakfast of coffee and Danish is provided, I am not given an allowance for breakfast. Because I cannot have sugar, I must pay for these meals out of my pocket without reimbursement. These expenses are incurred because the department requires me to travel in my position. Here’s another scenario. If is imperative for me to eat live or six times per day however, I am reimbursed for only three times, despite the dollar amount.

These preclude may or may not be legal but as for me, I will continue to travel as an independent contractor for the training I do.

The Untruthfulness Paradox

"You Lie. You Die." by Dale Norris

Problem is Driven by Legal Issues

Much of this problem is fueled by prosecutors who do not want police witnesses who may be impeached on the stand. While this is understandable, it should not be the driving factor for personnel policies. Cases may be more difficult if an officer has a previous dishonestly allegation, but prosecuting agencies might attract better lawyers if they paid $200,000.00 per year. Of course, that’s not a fiscal reality, but soon, attracting qualified and desirable people who are likely to take unreasonable demands on their conduct may not be. A fiscal reality either.

Solution: Not POST, nor any police agency or association has seriously studied a solution to this paradox. A real dialog among agencies and their officers must take place. Agencies must take responsibility and make every effort to establish an environment for honesty during investigations. If we learned anything from the Los Angeles Rampart investigation, it is that officers mirror the conduct of their supervisors. If untruthfulness is a problem in an agency, look up the chain of command.

Just as important, peer officers cannot participate in or tolerate cover-ups or untruthfulness. Officers must know they can report problems without fear of reprisal or worry that the officer reported will not get a "fair shake."

Without dialog involving all sides, the problem will not be solved. Guaranteed.

No Confidence…Continues

Joe R. Clare

You may recall the article in the prior Recap advising that PLEA had submitted a complaint to the Management Audit Committee (MAC – a.k.a. Integrity Hotline Committee) regarding the concerns with the testimony of new Asst. Police Chief Louis at a recent hearing. I regret to inform you that the committee has communicated that they are not going to investigate the matter as they feel it is a "Labor/Management" issue. That response was not only disappointing but totally unacceptable as PLEA still believes that the complaint has considerable merit. At this time, PLEA has forwarded the complaint information to AZPOST (see mission and vision statement at www.azpost.state.az.us) and the Maricopa County Attorney’s Office Brady Law Enforcement Integrity Committee for their review.

Law Offices of Michael Napier, P.C.

MICHAEL NAPIER has been representing Phoenix officers for over 30 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 officers in obtaining compensation for their injuries and losses.

JANETT FEITZ has been an attorney for over 21 years. Most recently, Ms. Feitz has been administrative hearing officer in disciplinary and other employment matters before boards and commissions.

ANTHONY COURY has focused his practice primarily on personal injury and wrongful death lawsuits in which he has served as plaintiff’s counsel. He has experience in cases dealing with product liability, negligence, governmental claims and drunk shop liability, to name a few.

In addition to the full service 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 off-duty death.
- Consultations to members on any matter, and referrals to attorneys or specialists for matters not handled by our firm.

225 E. Arivaca Billmore Circle • Suite 130
Phoenix, AZ 85018
(602) 489-8107 • www.napierlawfirm.com

Thank You

To: John and the PLEA Board

On behalf of those that participated in the 2004 Police Unity Tour we would like to thank you for your generous support in our efforts to raise funds for the National Law Enforcement Museum. This year we raised $1.3 million with officers from 21 States.

Thank you,

Matt Morgan, CMA
Travis "R"pil
Collette Riedy

A Thank You to Buddy Stubbs

Joe R. Clare

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Buddy Stubbs recently celebrated 40 years of service to the Harley Davidson faithful in and around Phoenix. A large portion of the proceeds from the celebration were donated to our T.A.P.S. charity. In addition Buddy made donations to the Police Explorers, The Phoenix Police Honor Guard, The Phoenix Police Museum, and the Phoenix Police Reserve program.

Congratulations Buddy Stubbs on your tremendous success over the years and our heartfelt thanks for your generous support of our officers.

40th Anniversary of Buddy Stubbs Harley Davidson
A few things from the PLEA office

By R.C. Jake Jaccobsen, PLEA President

On May 4th, I was enroute to a meeting held at the recently re-opened Parker Building in Salt Lake City. The area was under surveillance by security personnel. As I was about to enter the "David D. Carter" lobby, I was stopped by a woman who appeared to be a security guard. She asked me to show my ID. As I did, she handed me a badge with the name "David D. Carter" on it. I was able to enter the lobby uneventfully.

PLEA Board Meeting. This is a new 501(c)(3) corporation that PLEA has established. It will encompass the "gift" portion of our current Health and Wellness program. It will also address the "New Era" program from our annual conference, which is the Kids' Strand Park Christmas program and the free dinner program associated with it. Other programs that PLEA supports will be utilized as well, such as the "New Era" program and the "Kids' Strand Park" Christmas program. We are also looking into a scholarship program that will be available to their applicants. This program will be known as the "New Era" program.

NASPO: The next meeting of the PLEA Board will be held in Salt Lake City. The agenda items for this meeting include the following:

1. The annual National Association of Police Organizations (NASPO) convention. NASPO holds its annual convention in Salt Lake City.
2. A discussion of the current PLEA program and the activities associated with it. The agenda also includes the discussion of the "New Era" program and its activities associated with it.
3. The annual National Association of Police Organizations (NASPO) convention. NASPO holds its annual convention in Salt Lake City.

Currently NASPO is working to ensure passage of the LEAPS/LPSOF Act to allow for LEAPS/LPSOF funding to be used to fund the "New Era" program. The act will also allow for public safety officers to use up to $5,000 of their retirement funds to pay for qualified benefits insurance premiums without taking those distributions. This, along with the LEAPS/LPSOF benefit, will help to reduce the cost associated with the "New Era" program.

Our members continue to try and find ways to improve the federal programs that fund the hiring of more police officers. We have been aware of the need to have more law enforcement officers on the streets to address the pressing issues of drug addiction and other crimes.

PLEA Board: Our annual meeting was very well attended when I first started this office. There had been many years when PLEA did not hold the annual meeting. What we found was that many wanted to see their leader. As a result, we decided to make it a full-time job to bring in the national standard of 1% of the state's population. We will be glad to see the 15% figure. The bad news is — the national average is now about 1.33% of total population. There are no current plans to go above the 15% figure.

COPS/LPSOF Act: At the Capitol this year, PLEA/ABA was instrumental in creating a new COPS/LPSOF Act. The act provides for the COPS/LPSOF program. The bill passed. For each state, there was a federal COPS/LPSOF program. The bill requires that each state have a federal COPS/LPSOF program. The bill now requires that each state have a federal COPS/LPSOF program.

Stay Safe

"DON'T BE RAMBOOZLED IT'S TIME FOR A REVIEW"

by Barry Boyd

Levi Rabinson came into the office the other day and sat down in the same chair. He is a police office and was assigned to a case involving a major fraud investigation. The officer had been involved in a case of fraud several months ago. A police officer was involved and after an investigation, the officer was found guilty of a...."