THE YEAR IN REVIEW

By John Jacobsen

For several years my December RECAP article has been about the happenings of the past year. It’s an opportunity to reflect on the good and the bad, the victories and tragedies. In an era of cutbacks, let me touch on some of the more noteworthy issues, accomplishments, headaches, and other things you may not be aware of.

Last January we began one of the most aggressive legislative agendas that PLEA and the Arizona Police Association (APA) have ever pursued.

We managed to pass several important pieces of legislation: from issues dealing with the use of police tools (equipment) and dealing with firearm use charges, to adding positions to the Peace Officers Memorial Board, to recovering attorney’s fees after a successful merit system or civil service hearing. As important as these bills are, we also had success in preventing a number of bills that would have hurt us.

PLEA was in Washington D.C. to lobby our Arizona congressional representatives for the support of our national legislative interests. The most noteworthy success was the passage of HR 4, the Pension Protection Act of 2005. This bill contains provisions to lower the minimum age required for withdrawal of funds from some retirement accounts without tax penalties.

We began-contract negotiations in January. Over the following months your PLEA negotiation team was intensive in pushing for a fair and reasonable increase. In the end we were successful in signing a two-year package that will see a minimum 8% increase (6% in year 1 and an additional 5% in year 2) to 1% possible in the second year based on tax revenue increases (1% increase based on merit step 9 increase). Those who are still on merit step 9 will see more than an 18% increase in wages over the life of the contract when you compare the raises with the merit steps. In addition, there are some significant improvements to other, non-monetary steps. The process was long, tedious and not always smooth, but in late April we went to the table. The City Manager stepped in to finish the process and for this we are very grateful.

We took an Tulsa Labor Practice (PLP) charge all the way through the PLR’s process and were successful when the hearing officer handed down a “Caused and Dealt” order for the department to stop interfering with the Union’s business and elected officials.

As we approach the end of another year we are working on future liabilities to the City as it relates to health care benefits.

We endorsed slightly more “D”s than “R”s in the Senate and lost the races in the House. We were also very successful in the three statewide races we took action in. Those were the Governor, Secretary of State, and Attorney General.

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Little things do matter

By Lorri Nolen Jr. – Chairman of the Board

Within the last several weeks your Board of Trustees participated in one of its routine Labor/Management meetings with members of the Department’s Executive staff and while attempting to resolve several of the issues that you have told us were important to you, the topic of workplace phones came up. It had been reported that many workplace phones were in a state of disrepair and that the phones had often complained that their lives would be easier if these phones had a hands-free option, were endowed with a headset, or at least worn in wrist-hand order.

The board did not act upon that discussion before a swift and immediate response to your requests were acted upon by management. Already at many workplaces officers are finding new phones and those phones have a hands-free option. Apparently, little things do matter.

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THE YEAR IN REVIEW

The National elections were never far from the minds of many in the LEO community. The election held in November was a turning point in the LEO community. In the Congressional District 5 races we saw a strong push by both candidates. However, the results of the election were not as expected. The campaign was intense, and the candidates were not afraid to discuss the issues.

The politics, the contracts, the legislation, city finances, employment, future bond issues, proposed station design, property revisions, and many other issues – that’s our job.

As we approach the end of another year we are working on new financial issues for the city as it relates to law enforcement.

THE BOOK IS FINALLY HERE

Sandra Belcher and Lisa Judge have worked hard and published a book on how to protect your personal information. Their book is now available at the PLEA office.

Sandra and Lisa are also providing services where they will initiate the protection process for you. For additional information and pricing, contact Sandra and Lisa through their Personal Information Protection LLC.

Marco Armendariz
David Brady
Brian Collier
Toby Crossen
Mark DeKlear
Michael Fruizer
Steven Jewell
Brian Lanning
David Manuelski
Dennis Neitzel
Anthony Patterson
Nicolette Patterson
Daniel Pena
Francisco Pimentel
James Pimentel
Adam Ramirez

NEW MEMBERS

WELCOME

Employee Services Management (ESM): Through PLEA’s membership with ESM, we receive discounts with a variety of businesses. A list of the discounts and a guide is available at the PLEA office.

“False Arrest” coverage for officers; working off-duty is more than you think it is.

PLA has, through a payroll deduction program, a policy of insurance coverage for members who have signed up for the off-duty protection providing commercial general liability insurance. You must be an example an officer who has signed up for the off-duty general liability protection was working off-duty at a church directing traffic out of the parking lot onto a large street. The officer directed a vehicle into the oncoming traffic causing an accident. He was covered for the damage he caused as a result of the accident by the “off-duty” insurance program.

The coverage afforded is for general liability and will pay those sums that the covered member becomes legally obligated to pay, subject to policy exclusions, for bodily injury and property damage.

As you can see, the scope of this cover goes beyond just “False Arrest”. If you are working off-duty to security, you need to sign up for this valuable protection. PLEA’s legal and financial advisors highly recommend this protection.

Contact Leigh Ann at the PLEA office to sign up for this insurance protection program to cover your off-duty general liability exposures.

Mark Hesser
Executive Director & Assoc.
PLEA Insurance Advisor
The Birth of a PLEA Rep
By Mark Zeigren

Where do PLEA Reps come from? How are they born? Is there some genetic fault making these people seek out pain, frustration, and head banging bouts of litigation for the sake of fairness of a beleaguered member? I was recently contemplating these very questions as I faced a career decision that would impact my post-employment plans. As I asked myself those questions I reflected on my own experiences with PLEA Reps and the Department and I realized they are not born, they are created.

Years ago I was confronted with a now famous (in some circles) predicament which came to be known as the Pariat Caper. I will save you details but it was during this incident that Mark Spencer and Levi Bolan entered my life. They rode in like proverbial knights on white horses to battle the nefarious rules of the department to which I belonged.

I did not realize how influential those two leaders and mentors would become but I was certainly glad to have them on my side. I had gone through my career relativity unscathed. I naively believed it would never happen to me. When did I didn’t even call a PLEA Rep because I knew I had done nothing wrong, I walked into an interview alone confident of my innocence and after being blindsided by a manager intent on destroying me, I realized my mistake. This was the first time I was aware PLEA Reps, the rick started! I had been wronged, unjustly so.

A few more years passed before I realized that I was gravitating toward what some call the dark side. What surprised me was where the impetus was coming from. The next time I received the communications was come forth and converse with the leaders of the kingdom I was prepared. I called my Representative and prepared to do battle alongside that knight protector, Kevin Lewis. Once again I had been accused of wrongdoing, once again I knew I had been wrongly accused. I knew I would not settle for any outcome short of vindication. Kevin and I waded through the paperwork, devised a course of action and stayed the course until we were granted the right to press our cause before the King himself. We prevailed that day but I knew more days would come.

I now realized my calling at twice over the years I had been called to task for doing nothing more than what I knew was right. I escaped the unrighteous penalties upon my integrity only to have that very integrity called into question in the form of the notorious Brady Lucas. Levi Bolan came to my rescue and prevailed on my behalf. Throughout these trials I developed a distaste for the way I was treated. I know, as you probably know being a cop, that I am here in this chosen profession to fight for justice. I have a strong sense of fair play that has been affronted more than once by the so-called leaders. I was starting to realize that PLEA Representa-
tives are forged on the crucible of management. They are created by managers ruling firmly with heavy handcuffed skins to the Sheriff of Nottingham. They are born of circumstances that have given rise to soldiers for justice throughout time without borders.

When I reflect I realize how lucky I have been, that people like Levi, Mark and Karen are willing to carry a torch on my behalf. I realize how important it is to have a watch dog on your side of the fence. I don’t know about you, but when I hear trouble coming my way the first names that spring to mind are Mark, Levi, Danny Boyd and their entire UK. I know that whatever the concerns they will fight for me to the end. I am reassured by that thought, although it seems unsettling to some. Some people are scared of people like these. Some people should be. Not all of course, because just like a well trained guard dog, you should be able to sit and play with him or introduce him to friends knowing that he will be as friendly as you want as long as no one attempts to hurt his family.

I joined the dark side some time ago, I became a PLEA Repre-
sentative. I suppose I have always been one, but after having so many help me I knew it was right that I help others. I hope eventu-
ally to be known as one to call when the chips are down and when the nigh seems darker. I have had great mentors, men and women that have come to my aid, men and women that have acted as my knight protectors, my watch dogs and my friends. But the best training, the strongest influence on me to join that dark side has come from the strategist place, management. Thank you manage-
ment for helping me in my struggle, thank you for lending me to my calling, friends and comrades, thank you for making me what some few and many appreciate, a PLEA rep.

I realized they are not born, they are created.

Relationships or Rules?
By Mark Spencer

Imagine that you’re on the wrong end of an abusive relationship.
You’ve the one receiving the blow. You’re the recipient of
stinging verbal beatings. You’re the one’s who’s publicly
abused and belittled. You’re the one standing on one
shattered leg needing help to help itself or to find
where the hope of protection found in the relationship or the rules?
Is it wise to take another chance in relying on the long-time abuser or is relief found in the enforcement of the law. At this juncture, does one choose the relationship or the rules for help?

In a recent meeting, PLEA discussed with management a failure by the Department to follow the Department’s own DBR protocol. We also talked about a refusal of some commanders to strive for “consensus” (their term as found in the OPR Orders) in the DBR process. A chief communica-
ted the importance of the relationship between management and labor. The relationship was offered as a solution to these problems.

I asked him a critical question after the meeting. What prevents you from beating your wife, the relationship or the rules?

He answered, “Hopefully my relationship with her.”

I then asked him if the relationship “went south” and squirmed, would it be OK to beat her? His response was “No” Why – because of the rules.

Perhaps this is why PLEA members, at this point, should look to policies not personalities in avoiding problems – rules are more reliable.

Add your Association and two officers and the total number of
lawsuits pending against the Department is four. So far this year, PLEA is assisting over 230 officers with grievances, contract violations, and/or investigations. If management can’t commit to rules, why are we unwilling to prioritize relationships come and go, but rules make fairness more than a hopeful, star-gazing with. When a relationship disappears, that’s left is business. Without a relationship, it’s a case of: Police officers need to prioritize relationships and rules everyday. The rules get noticed booked and observed obvious victims. Just do the right thing regardless of personal failures. In the same way, decisions on the 4th floor should not be based on a “good old boy” wish. With this kind of track record (4 & 238), look to the rules for relief.

When PLEA filed an unfair labor practice against the Depart-
ment, the hearing officer made an interesting comment. He said, “The Department had a certain argument about it during the whole process. It was nearly totally insensitive, if not clueless, to the dilemma is, and was creating for PLEA’s members...It is not enough to simply say ‘this is how we always do it’ – always does not allow for the balancing required by the law. Something more sophisticated is called for. The Department projected that it could do nearly anything it wanted, just ask about anything that came to mind or satisfy its curiosity about nearly anything...that because of the rule...”

In order to avoid this kind of abuse of power, some of us might have flashback of similar descriptions of ex-spouses in divorce proceedings. If so, which stopped further bruising in a relationship or the rules? When the Department has a reputation like this, choose the rule.
Two Extraordinary Men Named Lou

By Brian Horne 5/1222

On May 4, 1953, New York Yankee team captain, Lou Gehrig, took the field, and it was expected. But his name was not on the roster. Bucky Dentinger was stationed at first. The game seemed inconsequential, "Ladies and gentlemen, Lou Gehrig's consecutive streak of 2,130 games played has ended.

Doors at the Yankee Stadium opened, Gehrig arrived with a very rare form of degenerative disease; amyotrophic lateral sclerosis (ALS), which is more common Lou Gehrig. There was no chance he would ever play baseball again.

On July 4, 1939, with over 62,000 fans in attendance, Gehrig took the field as Yankee Tradition. He fought back tears of overwhelming emotion and began to speak his immortal words of THANK YOU. "For the last two years you have been reading about the bad ball I got. Yet today I consider myself the luckiest man on the face of this earth. So I close by saying to you I may have had a tough break, but I have an awful lot to live for."

I have heard many words, have always wondered how a man who had been diagnosed with a crippling, terminal, horrible disease could find the love and wisdom to continue to work. How would someone set down in the prime of his life and at the top of his career outside himself?

Gehrig was later quoted as saying, "The fans have got it wrong. They should realize how much of a disease is ALS."

I would never compare myself to the "Iron Horse" but rather to the many others who have the disease. I am not the only one affected.

On Friday, October 13th, Lou and his family gathered together as members of the New York Yankees retired his number in a special ceremony at Yankee Stadium. The ceremony was attended by a crowd of over 50,000 fans.

The brotherhood that is the Yankees is a remarkable one. To see the entire team together was an experience I will never forget.

I was able to meet many of the players and their families, and it was a privilege to see them together again.

Lou Gehrig passed away on March 2, 1941, but his legacy lives on through his work and his dedication to ALS research.

Thank you for your time and understanding during this difficult time of our lives. Though I never thought of a conversation that would go on for this long, I am glad we have been able to speak.

Thank you again for your time. I hope you enjoy this article.

Please remember all of the families and their loved ones who are going through tough times. You have given them the support and encouragement you would want.

P.S. I am not and do not want to be a hero or a role model. I am just trying to do my best to help others.

Home Town Heroes

By Karen Leventhal

It was such an honor to attend the ABC 15 Purple Heart ceremony today. There was a good showing of military veterans not only from Phoenix but also from several surrounding areas throughout the valley. Our Purple Heart Honor Guard was quite impressive and they passed the colors after walking through a line of American Flag held by several civilians.

In the line, standing in attendance were some firemen and police officers from various agencies. There was a fly-by from Lake Air Force Base.

"Each Purple Heart recipient was given a basket filled with donations".

There were several prominent speakers who expressed their thanks on behalf of the families, including Governor Ducey, Senator Jon Kyl, Congressman JD Hayworth, Senator McCain (R) of Maricopa County, and CSG Adjutant General David L. Faust. The Master of Ceremonies was Mr. Jonathan Callejo of Channel 15 with introductions by Mr. James Todd, Chief VP of ABC 15.

There were many speakers and an occasional standing ovation. My heart was filled with pride in my country as I listened to each message.

Each Purple Heart recipient was given a basket filled with donations. These donations were from our own volunteers from Denny's Family Day of Hope, Phoenix Veteran's Coalition, and the Arizona State Fair, our auction proceeds.

There are three of these men who were honored at the ceremony. Joseph White (DVA), Richard Talbot (DVA), and Thomas Dietz (DVA), are always on the minds of our fellow police officers. Today I was especially proud. It is truly an honor to work for an organization with men and women such as these.