



PHOENIX LAW ENFORCEMENT ASSOCIATION

RECAP

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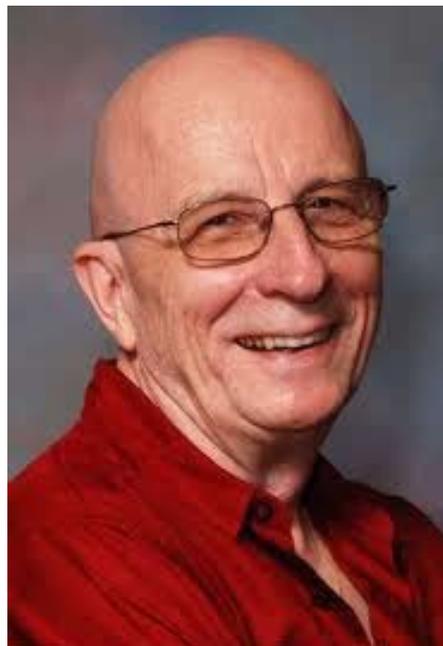
WHAT A PROFESSOR LEARNED WHEN HE BECAME A “COP”

by Dr. George L.
Kirkham

Persons such as myself, members of the academic community, have traditionally been quick to find fault with the police. From isolated incidents reported in the various news media, we have fashioned ourselves a stereotyped image of the police officer. We see the brutal cop, the racist cop, the grafting cop, the discourteous cop. What we do not see, however, is the image of the thousands of dedicated men and women struggling against almost impossible odds to preserve our society and everything in it which we cherish. For some years, first as a student and later as a professor of criminology, I found myself troubled by the fact that most of us who write books and articles on the police have never been policemen ourselves. I decided to take up this challenge: I would become a policeman myself.

As I write this, I have completed over 100 hours of duty as a patrolman. Although still a rookie officer, so much has happened in the short space of six months that I will never again be the same man or the same scientist who stood in front of the station on that first day. I had always personally been of the opinion that police officers greatly exaggerate the amount of verbal disrespect and physical abuse to which they are subjected in the line of duty. As a college professor, I had grown accustomed to being treated with uniform respect and deference by those I encountered. I somehow naively assumed that this same quality of respect would carry over into my new role as a policeman. I quickly found that my badge and uniform, rather than serving to shield me from such things as disrespect and violence, only acted as a magnet which drew me toward many individuals who hated what I represented.

Several hours into my first evening on the streets, my partner and I were dispatched to a bar in the downtown area to handle a disturbance complaint. Inside, we encountered a large and boisterous drunk who was arguing with the bartender and loudly refusing to leave. As someone with considerable experience as a correctional counselor and mental-health worker, I hastened to take charge of the situation. “Excuse me, sir,” I smiled pleasantly at the drunk, “but I wonder if I could ask you to step outside and talk with me for a minute?” The man stared at me through bloodshot eyes in disbelief for a second, raising one hand to scratch the stubble of several days’ growth of beard. Then suddenly, without warning, it happened: He swung at me, luckily missing my face and striking me on the right shoulder. I couldn’t believe it. What on earth had I done to provoke such a reaction? Before I could recover from my startled condition, he swung again — this time tearing my whistle chain from a shoulder epaulet. After a brief



struggle, we had the still shouting, cursing man locked in the back of our cruiser. I stood there, breathing heavily with my hair in my eyes as I surveyed the damage to my new uniform and looked in bewilderment at my partner, who only smiled and clapped me affectionately on the back.

“Something is very wrong,” I remember thinking to myself in the front seat as headed for the jail. I had used the same kind of gentle, rapport-building approach with countless offenders in prison and probation settings. It had always worked so well there. What was so different about being a policeman? In the days and weeks which followed, I was to learn the answer to this question the hard way. As a university professor, I had always sought to convey to students the idea that it is a mistake to exercise authority, to make decisions for other people or rely upon orders and commands to accomplish something. As a police officer myself, I was forced time and again to do just that. For the first time in my life, I encountered individuals who interpreted kindness as weakness, as an invitation to disrespect or violence. I encountered men, women and children who, in fear, desperation or excitement, looked to

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the person behind my blue uniform and shield for guidance, control and direction. As someone who had always condemned the exercise of authority, the acceptance of myself as an unavoidable symbol of authority came as a bitter lesson. I found that there was a world of difference between encountering individuals, as I had, in mental health or correctional settings and facing them as the patrolman must: when they are violent, hysterical, desperate. When I put the uniform of a police officer on, I lost the luxury of sitting in an air-conditioned office with my pipe and books, calmly discussing with a rapist or armed robber the past problems which had led him into trouble with the law. Such offenders had seemed so innocent, so harmless in the sterile setting of prison. The often-terrible crimes which they had committed had long since passed, reduced like their victims to so many words on a page. Now, as a police officer, I began to encounter the offender for the first time as a very real menace to my personal safety and the security of our society. The felon was no longer a harmless figure sitting in blue denims across my prison desk, a “victim” of society to be treated with compassion and leniency. He became an armed robber fleeing from the scene of a crime, a crazed maniac threatening his family with a gun, someone who might become my killer crouched behind the wheel of a car on a dark street. Like crime itself, fear quickly ceased to be an impersonal and abstract thing. It became something which I regularly experienced. It was a tightness in my stomach as I approached a warehouse where something had tripped a silent alarm. I could taste it as a dryness in my mouth as we raced with blue lights and siren toward the site of a “Signal Zero” (armed and dangerous call). For the first time in my life, I came to know — as every policeman knows — the true meaning of fear.

I recall particularly a dramatic lesson in the meaning of fear which took place shortly after I joined the force. My partner and I were on routine patrol one Saturday evening in a deteriorated area of cheap bars and pool halls when we observed a young male double-parked in the middle of the street. I pulled alongside and asked him in a civil manner to either park or drive on, whereupon he began loudly cursing us and shouting that we couldn't make him go anywhere. An angry crowd began to gather as we got out of our patrol car and approached the man, who was by this time shouting that we were harassing him and calling to bystanders for assistance. As a criminology professor, some months earlier I would have urged that the police officer who was now myself to simply leave the car double-parked and move on rather than risk an incident.

As a policeman, however, I had come to realize that an officer can never back down from his responsibility to enforce the law. Whatever the risk to himself, every police officer understands that his ability to back up the lawful authority which he represents is the only thing which stands between civilization and the jungle of lawlessness. The man continued to curse us and adamantly refused to move his car. As we placed him under arrest and attempted to move him to our cruiser, an unidentified male and female rushed from the crowd which was steadily enlarging and sought to free him. In the ensuing struggle, a hysterical female unsnapped and tried to grab my service revolver, and the now angry mob began to converge on us.

Suddenly, I was no longer an “ivory-tower” scholar watching typical police “overreaction” to a street incident — but I was part of it and fighting to remain alive and uninjured. I remember the



the sickening sensation of cold terror which filled my insides as I struggled to reach our car radio. I simultaneously put out a distress call and pressed the hidden electric release button on our shotgun rack as my partner sought to maintain his grip on the prisoner and hold the crowd at bay with his revolver. How harshly I would have judged the officer who now grabbed the shotgun only a few months before. I rounded the rear of our cruiser with the weapon and shouted at the mob to move back. The memory flashed through my mind that I had always argued that policemen should not be allowed to carry shotguns because of their “offensive” character and the potential damage to community relations as a result of their display. How readily as a criminology professor I would have condemned the officer who was now myself, trembling with fear and anxiety and menacing an “unarmed” assembly with an “offensive” weapon. But circumstances had dramatically changed my perspective, for now it was my life and safety that were in danger, my wife and child who might be mourning. Not “a policeman” or Patrolman Smith — but me, George Kirkham!

I felt accordingly bitter when I saw the individual who had provoked this near riot back on the streets the next night, laughing as though our charge of “resisting arrest with violence” was a big joke. Like my partner, I found myself feeling angry and frustrated shortly afterward when this same individual was allowed to plead guilty to a reduced charge of “breach of peace”. As someone who had always been greatly concerned about the rights of offenders, I now began to consider for the first time the rights of police officers. As a police officer, I felt that my efforts to protect society and maintain my personal safety were menaced by many of the very court decisions and lenient parole-board actions I had always been eager to defend. An educated man, I could not answer the questions of my fellow officers as to why those who kill and maim policemen, men who are involved in no less honorable activity than holding our society together, should so often be subjected to minor penalties. I grew weary of carefully following difficult legal restrictions while thugs and hoodlums consistently twisted the law to their own advantage.

I remember standing in the street one evening and reading a heroin pusher his rights, only to have him convulse with laughter halfway through and finish reciting them word for word, from memory. He had been given his “rights” under the law, but what

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about the rights of those who were the victims of people like himself? For the first time, questions such as those began to bother me. As a corrections worker and someone raised in a comfortable middle-class home, I had always been insulated from the kind of human misery and tragedy which become part of the policeman's everyday life. Now, the often-terrible sights, sounds and smells of my job began to haunt me hours after I had taken the blue uniform and badge off. In my new role as a police officer, I found that the victims of crime ceased to be impersonal statistics. As a corrections worker and criminology professor, I had never given much thought to those who are victimized by criminals in our society. Now the sight of so many lives ruthlessly damaged and destroyed by the perpetrators of crime left me preoccupied with the question of society's responsibility to protect the men, women and children who are victimized daily.

The same kinds of daily stresses which affected my fellow officers soon began to take their toll on me. I became sick and tired of being reviled and attacked by criminals who could usually find the most sympathetic audience in judges and jurors eager to understand their side of things and provide them with “another chance”. I grew tired of living under the ax of news media and community pressure groups, eager to seize upon the slightest mistake made by myself or a fellow police officer. As a criminology professor, I had always enjoyed the luxury of having great amounts of time in which to make difficult decisions. As a police officer, however, I found myself forced to make the most-critical choices in a time frame of seconds rather than days: to shoot or not to shoot, to arrest or not to arrest, to give chase or let go — always with nagging uncertainty that others, those with great amounts of time in which to analyze and think, stood ready to judge and condemn me for whatever action I might take or fail to take.

I found myself progressively awed by the complexity of tasks faced by men whose work I once thought was fairly simple and straightforward. Indeed, I would like to take the average clinical psychologist or psychiatrist and invite him to function for just a day in the world of the policeman, to confront people whose problems are both serious and in need of immediate solution. I would invite him to walk, as I have, into a smoke-filled pool room where five or six angry men are swinging cues at one another. I would like the prison counselor and parole officer to see their client, Jones — not calm and composed in an office setting, but as the street cop sees him: beating his small child with a heavy belt buckle or kicking his pregnant wife.

I wish that they, and every judge and juror in our country, could see the ravages of crime as the cop on the beat must: innocent people cut, shot, beaten, raped, robbed and murdered. It would, I feel certain, give them a different perspective on crime and criminals, just as it has me. For all the human misery and suffering which police officers must witness in their work, I found myself amazed at the incredible humanity and compassion which seems to characterize most of them. My own stereotypes of the brutal, sadistic cop were time and again shattered by the sight of humanitarian kindness on the part of the thin blue line.

As a police officer, I found myself repeatedly surprised at the ability of my fellow patrolmen to withstand the often enormous daily pressures of their work. Long hours, frustration, danger and anxiety — all seemed to be taken in stride as just part of the reality of being a cop. I went eventually through the humbling discovery that I, like the men in blue with who I worked, was simply a human.

As a police officer, I found myself repeatedly surprised at the ability of my fellow patrolmen to withstand the often enormous daily pressures of their work. Long hours, frustration, danger and anxiety — all seemed to be taken in stride as just part of the reality of being a cop. I went eventually through the humbling discovery that I, like the men in blue with who I worked, was simply a human being with definite limits to the amount of stress I could endure in a given period of time.

I recall in particular one evening when this point was dramatized to me. It had been a long, hard shift — one which ended with a high-speed chase of a stolen car in which we narrowly escaped serious injury when another vehicle pulled in front of our patrol car.

As we checked off duty, I was vaguely aware of feeling tired and tense. My partner and I were headed for a restaurant and a bite of breakfast when we both heard the unmistakable sound of breaking glass coming from a church and spotted two long-haired teenage boys running from the area. We confronted them, and I asked one for identification, displaying my own police identification. He sneered at me, cursed and turned to walk away.

The next thing I knew I had grabbed the youth by his shirt and spun him around, shouting, “I'm talking to you, punk!” I felt my partner's arm on my shoulder and heard his reassuring voice behind me, “Take it easy, Doc!” I released my grip on the adolescent and stood silently for several seconds, unable to accept the incapable reality that I had “lost my cool”.

My mind flashed back to a lecture during which I had told my students, “Any man who is not able to maintain absolute control of his emotions at all times has no business being a police officer.” As a police officer myself, I found that society demands too much of its policemen: not only are they expected to enforce the law but to be curb side psychiatrists, marriage counselors, social workers and even ministers and doctors.

I have often asked myself the questions: “Why does a man become a cop? What makes him stay with it?” The only answer to this question I have been able to arrive at is one based on my own limited experience as a policeman. Night after night, I came home and took off the badge and blue uniform with a sense of satisfaction and contribution to society that I have never known in any other job.

For too long now, we in America's colleges and universities have conveyed to young men and women the subtle message that there is somehow something wrong with “being a cop.” It's time for that to stop.

Editor's note: This article was first published in the April 22, 1974 issue of US News & World Report. Dr. George Kirkham was an assistant professor in Florida State University's school of criminology and wanted to study law enforcement first hand. He took a leave of absence, attended, and graduated from a police academy. After graduation, he worked temporarily as a patrolman for the City-County of Jacksonville Florida. Currently, Dr. Kirkham is a Professor Emeritus at the College of Criminal Justice, Florida State University at Tallahassee and also has a criminal justice consultation business. He has authored several books, numerous law enforcement related professional papers and articles, and has produced similar films and videos. This article was reprinted with his permission and even though forty years have elapsed and the law enforcement profession has evolved considerably, one thing remains constant: Don't criticize someone until you have walked in their shoes-if you have the courage to.



PHOENIX LAW ENFORCEMENT ASSOCIATION

The Professional Association of Phoenix Police Officers Since 1975

A Timely, Open Letter to Chief Garcia From the PLEA Board

Welcome to Phoenix and to the men and women of the Phoenix police department. As Joe Clure said in his May, 2012 Recap article, "Let's get to work." Both PLEA and you are here with a common purpose: to make the Phoenix Police Department the best and to protect and serve the citizens of Phoenix. We, both of us, are committed to that. That purpose, we think you'll agree, is best achieved if we can work together, cooperatively, to that end. PLEA is committed to pursuing such a relationship.

However, we do have concerns. You espouse the philosophies of Attila the Hun. You, in your short time here, have implemented, or targeted for future change, policies that have for years provided sound and popular choices for your officers. We respect your management prerogatives; however, there are limits to the exercise of those prerogatives that we ask you to respect. That is why we have filed an Unfair Labor Practice charge and an MOU grievance in response to your change to the uniform policy. You see, we can respectfully disagree and use our processes for dispute resolution. That's what we do to protect the rights of our members.

But, we are still concerned. For you. We are witnessing you walk perilously close to the precipice of failure, inciting poor morale with some of your comments, with these unilateral changes, and with the notion that Attila the Hun has something positive to offer the operation of our department. Instead of fanning the flames of conflict already smoldering, we offer our hand.

We want you to succeed. As you succeed, so too will the department and our relationship will also be a success - to our mutual benefit. So, please give consideration to our experience, our ideas born from the lessons we have learned. Listen to our opinions forged from our perspectives as rank and file officers, and respect our right to participate in the tough discussions that you face. We are convinced that if you can't make these changes, our relationship will flounder and you'll more likely persist in making decisions that hurt morale.

We can help and are willing to help. But, be mindful. We are also fully committed to meeting our responsibilities to protect the rights of our members to an end that best serves the citizens of our city. The only question remaining: Do you want our help, or not? We're here. It is really up to you.

NOTES FROM THE TREASURER

(Uniforms, COPS grants, budget/dues)

UNIFORMS

I love Phoenix Police Officers. I love representing Phoenix Police Officers. I love protecting and defending the MOU! The MOU protects both us and management. It lays out responsibilities and obligations to both sides. Specifically, the MOU dictates the wages, hours, and working conditions for Phoenix Police Officers, and clearly, the uniform that you wear is a working condition. Regardless of what side of the uniform issue you may fall on, I would hope that EVERY member would support PLEA in defending the MOU.

When Chief Garcia unilaterally decides to disregard the MOU and make decisions that impact your working conditions, you should be concerned, regardless of whether the decision specifically impacts you or not. I know that I am. It's like the kid putting his hand in the cookie jar. You let him do it once and he thinks he can keep going back to the cookie jar until there are no more cookies. My guess is if the Chief decided to cut your pay by \$10.00 an hour so we could hire more officers, every single member would have a problem with it. You would expect PLEA to fight, file lawsuits, PERB charges, and grievances to ensure your pay would not be cut. This is no different; the MOU must be defended or what is the point of having one at all? I will not let Chief Garcia put his hand in YOUR cookie jar and when he does it will be smacked!

COPS GRANTS

(You might have seen a recent news article in reference to SAFER grants for the Fire Department)

Last Spring, I authored a memo to Acting Chief Yahner and City Management begging them to apply for COPS grants, so that we could start hiring (since we haven't hired since 2008). After multiple meetings, phone calls, City Council presentations, and good ole fashioned begging, the City didn't apply for a single COPS grant. COPS grants pay 100% of the salary and benefits for the first three years of a new Officer. Since Chief Yahner and the City choose not to apply for COPS grants last year, the City was ineligible to apply this year.

One requirement to apply for FY 2012 grants was that you had to apply for FY 2011 grants. So once again, due to a lack of leadership at the top we are still not hiring Police Officers. At the same time, in the last couple of years the Fire Department has applied for and received about 100 SAFER grants. These grants cover the salary and benefits of a new firefighter for the first two years of employment. In this year's City budget, the City set aside \$2,000,000 to cover the first wave of firefighters coming off of the grants. Again, zero for Police Officers and \$2,000,000 in salary and benefits to the Fire Department. Fire gets 100 new firefighters and we get less Officers. The reason for the Fire SAFER grants is to maintain four person staffing on all engines. We have entire patrol squads with four or less officers on them and they are

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maintaining four people on a truck. Give me a break! Note that I'm not picking on the Fire Department. They are valuable public safety partners with a Chief who obviously knows how to work the political system to get more firefighters. Hopefully, a solution will be found ASAP as we are now over 700 positions short of our maximum authorized strength from a couple years ago. I am praying that Chief Garcia will realize that we can be political allies if he wishes to speed up the projected date for hiring Police Officers.

BUDGET / DUES

As I complete my first year as YOUR Treasurer, I am happy to report the PLEA is still on solid financial footing. We have been able to maintain this despite the fact that we haven't hired in almost four years and have fewer officers than we used to. I have made numerous changes over the past year, including sending vendor contracts out to bid, restructuring various programs, and keeping a watchful eye over every penny of YOUR money. Around the office I have been given the nickname of "Frugal Will." It is a nickname I wear with honor and pride as I am, and will always be a fiscally conservative steward of YOUR money.

For the better part of the last decade, PLEA dues have been 1% of top officer step. This is in line with other full service certified Police Associations throughout the country. The average dues around the country are 1 – 2% of top step. In fact, locally the firefighters pay much higher dues and they do not have the need for constant legal services like Police Officers do. This is where a big chunk of the dues goes. Two years ago the PLEA Board reduced dues by 3.2% (the full amount of the concession) even though base wages were only reduced by 1% (the rest being furlough hours and deferred comp). This has caused dues to be below 1% of top step for the last 2 years. The PLEA Board in the recently adopted budget voted to increase dues by 1.6% or the amount of the concession the members received back effective in September. This still leaves dues below the historical average of 1% of top step. The net increase per member is 94 cents a month. If anyone one has any questions about this please feel free to contact me.

LAW OFFICES OF MICHAEL NAPIER, P.C.

MICHAEL NAPIER has been representing Phoenix officers for over 36 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.

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 Schechterle.

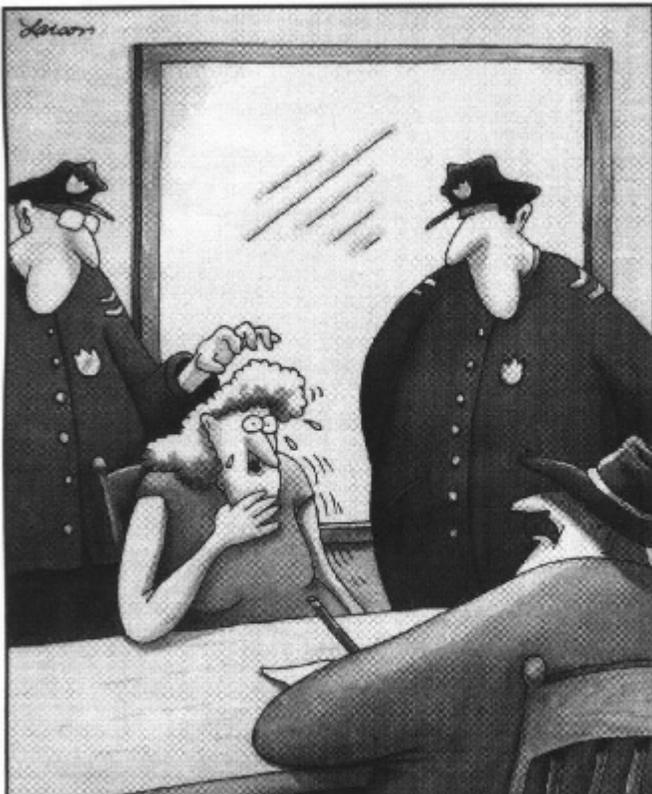
KATHRYN BAILLIE was born and reared in Phoenix, Arizona, completing her undergraduate degree at Arizona State University. She served as a J.A. for the Third Circuit Court and then worked as a Public Defender in the Commonwealth of Kentucky before joining the Law Office of Michael Napier, P.C. She has worked with Michael Napier on personal injury and wrongful death cases, dram shop liability, negligence, administrative, disciplinary, and other employment matters.

JAMES P. ABDO was born in Omaha, Nebraska. He earned his undergraduate degree from the University of Rochester in 1984 and his Juris Doctorate from the College of Law at Arizona State University in 1991. Mr. Abdo served as an Assistant Attorney General for Arizona before entering private practice as a partner at two major Phoenix law firms, where his practice focused on commercial litigation of all types. He has extensive experience both representing government bodies appearing before numerous state, county and city agencies in numerous licensing, procurement and labor/employment matters. His practice also includes the formation, counseling and representation of business entities, the drafting of a wide variety of real estate and other contract documents in addition to litigating disputes arising out of contracts.

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, and
- Referrals** to attorneys or specialists for matters not handled by the firm.

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"Try to relax, ma'am. . . You say it was dark, you were alone in the house, when suddenly you felt a hand reaching from behind and . . . Johnson! Knock it off!"



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Fallen Heroes

Phoenix Police Officers



Phoenix Police Officer
John Davis
August 6, 1982



Phoenix Police Officer
Eric White
August 28, 2004



Phoenix Police Officer
Jason Wolfe
August 28, 2004

*Membership meetings are the last
Tuesday of each month at
7:30, 12:30, and 5:30.*

*Board meeting is held the
3rd Tuesday
each month and members can
attend at 8:30 am.*

BENEFITS TO MEMBERS

Aflac Rep, Debby Tornberg,
is available to meet
with members at a place and time
convenient to them.

She can be reached at 602.214.4686.

Nationwide Retirement Solutions Representative

Jared Williams will be at the PLEA Office on the
4th Thursday of every month from
9:00 AM until 3:00 PM
to assist members with their accounts. Jared can also be
reached at 602-266-2733, extension 1168.

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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.

If You Are Being Investigated

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.

The Board Of Trustees

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