

The Power of Arizona
Public Safety Officers

AZCOPS
Arizona Conference of Police and Sheriffs



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AZCOPS SPEAKS

February 2012



The Arizona Indian Country Gang Summit, which was co-sponsored by AZCOPS, was held Nov. 1-3 in Laughlin, NV.

AZCOPS leader organizes training on Indian gangs

Seeing a need to educate law enforcement officers from smaller agencies on Indian gangs, City of Maricopa Police Association President Elliot Sneezy helped organize the Indian Country Gang Summit.

"When we first organized the gang summit in 2004, gang training was only being offered in major cities like Phoenix and Tucson," said Sneezy. "We wanted to provide training more specific to Indian gangs which at the time had been affecting all the reservations in Arizona. Additionally, officers were not being trained in identifying gangs in Indian Country. We also wanted the training to be affordable to smaller agencies and to non-law enforcement personnel. As gang officers, we could not do our jobs without the assistance of non-sworn personnel."

Sneezy has some 18 years experience dealing with gangs, and a background that includes tours of duty with the U.S. Marines in Operation Desert Shield and Desert Storm. A San Carlos Apache, Sneezy started his law enforcement career with the San Carlos Tribal Po-

lice Department and helped create the Apache Police Gang Unit. He later transferred to the Prescott Police Department and worked as a patrol officer, bicycle officer, youth and gang officer, and was a negotiator for Prescott Police SWAT.

From 2004-2007, Sneezy was the chairman of the Tri-City Gang Prevention Task Force in Yavapai County. During this time, he created the Rural Area Gang Seminar (RAGS). He was also one of the founding members of the Arizona Gang Investigators Association, which was established in 2006. In 2007, he transferred to the City of Maricopa Police Department where he helped create the Pinal County Gang Intelligence meetings.

Working with Sneezy to create the Indian Country Gang Summit in 2004 was Charlie Ruiz, who at the time was working for Arizona Department of Public Safety assigned to GIITEM as a detective. The summit, which was

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Community service changing the way public views police associations

Realizing the benefits of community involvement, more AZCOPS-affiliated organizations like the Police Officers of Scottsdale Association are stepping up to volunteer and make a difference.

In Scottsdale, AZCOPS members have set the standard for community activism through the establishment of a non-profit organization created for the sole purpose of making their community better.

"When I took over as President of POSA one of the things that I wanted to do as an organization, was to get more involved in community service," said James Hill. "I wanted the community to see POSA as a group that was not all about just fighting for money, because sometimes that's how associations are portrayed by the media."

Hill said the group gained public attention when it introduced Scottsdale to

the "Shop with a Cop" program.

"After that, we started offering free child fingerprinting to the community from POSA members who volunteered their time," he said. "These programs became so hugely successful with the community, the City, the Police Department and our members that we soon began looking to see what else our community needed."

Hill said the group quickly realized that the needs were great and in order to grow the programs and develop new ones, POSA needed a full-time person dedicated to advancing POSA's good name and works.

He said POSA decided to create a 501(c)3 charitable organization to expand its ability to work with corporate donors in the community.

"When it came to find a person that
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Chris Henningsen (center), mascot for the Police Officers of Scottsdale Association, with AZCOPS Chief of Staff Tim Clark (left) and AZCOPS Treasurer Ed Neidkowski. Henningsen was helping to raise money for the POSA's Shop with a Cop event before Christmas.

From the President ...

Member activism will help AZCOPS meet growing challenges in 2012

Welcome to 2012! I hope that everyone had a Merry Christmas, happy holidays and a safe and Happy New Year. It's hard to believe that another year has come and gone.

I would like to take this opportunity to thank all those who work so hard for this organization and sacrifice so much of their time to help make AZCOPS one of the finest, and well-recognized public safety labor groups in the country. To the AZCOPS Executive Board and the members of both the Finance and Legislative Committees – thank you for all your time and commitment to this organization. To the Board of Directors (leaders of each affiliate) – a huge thank you goes out to those of you who participate in our B of D meetings in Phoenix and Tucson, it is greatly appreciated! And of course to the AZCOPS staff – you keep AZCOPS running like a fine-tuned machine day in and day out, and this does not go unnoticed.

2011 definitely had its challenges; however, with the commitment of those I mentioned and the unwavering support from many people and groups outside of AZCOPS, we have been able to meet those challenges head-on and come out successful on the other side. We are looking forward to 2012, and we will continue to keep our eyes on the future and achieve the goals we have set forth.

National Affiliation

With that said, part of AZCOPS continued growth would be to maintain our involvement at the national level. Since our separation from the last national organization, our Board of Directors made it clear that AZCOPS should belong to a national law enforcement labor group, so our voices would be heard when it

came to federal issues. After careful review and research, AZCOPS selected the National Association of Police Organizations (NAPO) back in July of 2011. NAPO is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement officers through legislative and legal advocacy, political action and education. Founded in 1978, NAPO represents more than 2,000 police units and associations, 241,000 sworn law enforcement officers, 11,000 retired officers and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement. NAPO also provides membership benefits through partnerships with organizations like Ford, Hertz, Apple products, and others. For more information on NAPO, please visit their website at www.napo.org.

As you read this article, NAPO, working with the association leaders across the country, is in the process of developing a strategy to stop this relentless attack on public safety retirement plans.

In October 2011, I had the privilege of attending a national meeting to brain-storm ideas and work to develop a unified plan. As you might think, this was no easy task. After two days, many ideas were presented, but not one was decided on among the many leaders present. There are future meetings scheduled to narrow down the options and come up with a strong, viable message. I'll keep you posted.

In the meantime, our AZCOPS Director of Government Relations, Lu Ebratt and the Legislative Committee are working diligently to protect your interests during the legislative session (see Lu's article). If you have any

questions for Lu, or would like to participate within the Committee, please contact him for more information. If you haven't already signed up for the AZCOPS email "Bulletins" you can do so on our website at www.azcops.org.

AZCOPS Convention & Training

Also in October 2011, we had our annual AZCOPS Convention in Laughlin, Nevada, at the Aquarius Casino Resort, featuring internationally known police psychologist Alexis Artwhol, Ph.D as our headline speaker. Dr. Artwhol presented detailed analysis of the dynamics of police combat and other extreme stress incidents; to include perceptions, memory, decision making, and other complex relationships involving offenders, officers, and law enforcement agencies. She also lectured on officer involved shootings and other deadly force encounters. Dr. Artwhol provided an extremely gripping presentation and we were very excited to have her attend our convention.

Continuing with our convention, I would like to thank Tucson PD Detective Mike Gurr for his grievance/discipline training; AZCOPS Director of Government Relations Lu Ebratt for his legislative updates presentation; and AZCOPS General Counsel Mike Storie for his legal training and updates.

I would also congratulate the Convention's 2011 award recipients: the El Mirage Police Employees Association received the "Political Action Award"; both the Salt River Police Officers Association and the Arizona Probation Officers Association received the "Organizing Award"; the "Achievement Award" went to the Pinal County Deputies Association; Capitol Police Officers Association President Ed



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Neidkowski received the "Recognition Award"; the "Perseverance Award" went to Lorraine Bethka of the Pinal County Deputies Association; and the "Appreciation Award" was received by both AZCOPS staff members Anamarie Daniels and Tim Clark. We applaud these individuals and affiliate groups for their commitment and diligence to the members of AZCOPS!

And last but not least was the Convention raffle! The winner of the Glock 27 was Olga Longoria of the Arizona Probation Officers Association and the winner of the Bushmaster AR15 was Colin King of the Tucson POA. Congratulations!

If you were unable to make this past convention, we hope to see you at the next one.

Sponsorships

As we go through this year, AZCOPS will continue sponsoring those groups who we believe give the most in return to the law enforcement community, so we are reminding all our affiliates to be involved as well and help the cause. Our main sponsorships are with the National Law Enforcement Officers Memorial Fund, the National & Arizona Chapter of the Concerns of Police Survivors, and the Arizona Police & Fire Games (being held in Tucson).

We know that the NLEOMF has started construction on the first ever law
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AZCOPS SPEAKS

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enforcement museum in Washington, D.C., but there is still a long way to go to achieve the remaining \$40 million for completion. Again, if you would like to assist either go to www.nleomf.com or contact Mr. John Shanks at 202.253.4516.

Back in August, AZCOPS was the underwriting sponsor for the National/Arizona C.O.P.S. annual golf tournament in Missouri. We are proud to announce that the tourney brought in over \$69,000! The proceeds of the tourney went to the "Surviving Spouses" Retreat in September. C.O.P.S. had over 100 spouses attend the retreat. If you are interested in supporting this wonderful organization you can do so at www.nationalcops.org or call Ms. Carolyn Davinroy at 573.346.4911. You may also contact Ms. Laura Fisher from our Arizona Chapter at 602.803.7595 for local information.

And the Games are back! Get ready to have fun and compete in the 2011 Arizona Police & Fire Games in Tucson, April 11-14. There will be more events and Games staff are anticipating more competitors than last year, so the time is now to sign-up! For registration forms go to www.azpolicegames.com or contact Sgt. Dave Fernandez (Tucson POA member) at 520.861.9527. You can also go to Facebook and "like" their page. Looking forward to being at the Games!

In Closing

It appears that I ruffled some feathers during last year's pension battles with some lawmakers and the state FOP leadership. For those of you who know me, you're probably thinking "what else is new" or "that's what you're supposed to do." Either way, there will be no apologies in the near or distant future. I said what I said (and wrote in the last AZCOPS newsletter that can

be read on-line at www.azcops.org) and I meant it - period. Nothing that I said or wrote was untrue, because had it been they would have confronted me and they have not. I will say it again, the leadership of the state FOP should have NEVER turned their back on their law enforcement brethren to join forces with a non-law enforcement entity - there's no excuse for that. If you still have members in your departments who belong to the FOP, you need to inform them of this betrayal so they can see who the real FOP is.

During the most difficult economic times in Arizona's history, with departments slashing budgets and staff, and our retirement pensions under attack, ALL of law enforcement should have set politics aside and solidified our forces to make a unified stand. But, that didn't happen.

Our retirement pensions and our futures are still going to be a point of contention with many in the legislature as we move into the next fiscal years. AZCOPS and our law enforcement allies throughout the state are gearing up for the next fight. The question will then be - will the FOP stand with us or against us? Only time will tell.

2012, like 2011 will be a challenge to say the least. I encourage all AZCOPS affiliate leaders to get more involved in this year's political process and attend our AZCOPS Board of Directors meetings so that you can disseminate actual and factual information to your local members. Communication is paramount. As always, please send me an email at president@azcops.org or call the office at 520.622.2215 if you have any questions or concerns.

With that said, I wish you all the very best in 2012! It's my hope that all of your goals, big or small, come to fruition. Take care of each other, stay safe out there, and may God bless you all.

SUMMIT *Continued from Page 1*

first held at the Apache Gold Casino in 2004, attracted 100 participants and every year the event has grown as most officers seek training to deal with a growing gang problem in the state.

Subsequent events have been held on the following reservations: San Carlos Apache Tribe, White Mountain Apache Tribe, Ak-Chin Indian Community, Yavapai-Prescott Indian Tribe, Ft. McDowell Yavapai Nation, Tohono O'odham Nation and Ft. Mojave Indian Tribe.

Seeing the value in educating its members, AZCOPS became a major event sponsor this year.

In addition to Sneezy and Ruiz, other organizers include Michelle Vasey of



Arizona DPS GIITEM, Jeryle Reina (retired), Salt River Police Department, Kathy Fink of Arizona DPS GIITEM, Paul Etnire of Arizona DPS GIITEM and Manny Valenzuela, also of Arizona DPS GIITEM.



CONVENTION 2011

AZCOPS President Larry Lopez presented the Achievement Award to the Pinal County Deputies Association for their historic MOU.

LEGAL BRIEFS

Compiled by Mike Storie AZCOPS General Counsel

On Nov. 5, officers from the Tucson Police Department responded to a welfare check at a house on the east side of Tucson. The suspect inside the house became belligerent and barricaded himself inside. The suspect had a firearm, and was throwing rocks at the officers, threatening to kill them all. Officers had taken up positions outside the house, in relation to the suspect's last known position in a bedroom inside the house.

A TPD officer was taking cover behind a patrol car across from the home's backyard. Upon hearing a noise, his attention was drawn to the gate, where he saw the suspect aiming his weapon directly at him. The officer fired on the suspect before the suspect was able to fire his weapon. First aid was given to the suspect immediately, who survived.

AZCOPS attorneys handled the investigation and met with the officer. The investigation was completed that weekend and cleared administratively and criminally.

On Nov. 6, Tucson Police Department officers responded to a suspicious vehicle call on the southeast side of Tucson. When the plates were run, the results indicated a stolen vehicle. Officers then saw a man fleeing on foot through the desert away from the car, into a residential area. Officers followed in their vehicles.

A TPD Sergeant saw the suspect, and drove over to the suspect's location. As the Sergeant got out of his vehicle, the

suspect made aggressive moves, then began walking rapidly away from the Sergeant, ignoring his repeated commands.

The TPD Sergeant followed the suspect, who then began running away, and then back towards his marked patrol car. The suspect reached the patrol car a split second before the Sergeant, but he was able to prevent the suspect from closing the car door. The Sergeant and the suspect struggled over control of the vehicle, and the Sergeant was dragged along outside of the vehicle, while still trying to wrest control away from the suspect.

Once the Sergeant saw that they were headed for a brick wall, he knew that if they continued on this course, his body would be crushed between the still-open door and the body of the patrol car. The Sergeant fired his weapon at the suspect, while still managing to hold on to the steering wheel of the car. After the shot was fired, the suspect sharply veered his course away from the rapidly-approaching brick wall, at which point the Sergeant was able to free himself from the vehicle without getting caught underneath the wheels. The suspect then drove away.

Once the suspect cleared heavily populated metro areas, officers stopped the vehicle with spike strips, and successfully apprehended the suspect.

AZCOPS attorneys responded to this critical incident. Subsequent investigations concluded department policies were followed. The Sergeant sustained only minor injuries.

From the Capitol ...

Assault on officer rights expected to continue in 2012 legislative session

In the late hours of the 2011 session, legislation to change the merit rule system for state employees was advanced to Gov. Brewer's desk and was ultimately vetoed.

The intent of the bill was as follows:

In all counties except Maricopa, all new hires would have been at-will employees; any employee covered by merit system protection would have been uncovered if the employee voluntarily accepted a change in assignment, regardless of whether the change was a promotion, demotion or lateral transfer; and any employee who received and accepted a salary increase would have been uncovered on the start date of the increase.

Previously, employees covered by the merit system could only be removed for cause. Additionally, in a county of fewer than 2 million (all except Maricopa), the board of supervisors would have been authorized to remove administrative positions from merit system protection if requested by an elected county officer.

In the Governor's veto of the bill she outlined four areas of concern:

- Failure to address the special employment challenges faced by full authority law enforcement officers.
- An overly broad salary increase trigger for uncovering an employee.
- The lack of planning time.
- The exclusion of Arizona's largest county from the bill.

As a group, AZCOPS understands the double-edged sword mentality in legislation such as this, which purportedly would exclude law enforcement per-

sonnel. We understand that public employees are currently being subjected to changes long established as the fundamental backbone of labor. We also understand that public safety groups are unique in their function yet the continued assault on all labor seemingly inches forward towards our brethren.

Last year alone, three bills were advanced intending to weaken the ability of AZCOPS affiliates to control payroll deductions to maintain membership. A move such as this would clearly and intentionally crush a union, police or otherwise. Fortunately, there was support of public safety and the 2011 initiatives were defeated by clear-thinking legislators.

However, as we move towards a new year it appears that personnel reform is a priority for the Governor. In a November 30th speech, Gov. Brewer announced her own intentions to push for major state personnel reform. In part, Brewer's plan includes removing merit protection from all new hires and supervisors and tightening rules for placing employees on administrative leave. Law enforcement officers whose positions are certified by AZPOST are exempted.

What's occurring here in Arizona is similar to the anti-union sentiment moving across the country. The move to repeal collective bargaining and the merit rule protections found therein have been the subject of labor demonstrations in Wisconsin, Ohio and New Jersey to name just a few states undergoing this political tumult.

Although public safety has been kept

out of the discussion in this state, it was recently revealed that the "Goldwater Institute" in Arizona is joining the attack on labor by filing suit, claiming that it is an unconstitutional "gift" from the city to pay officials from the Phoenix Law Enforcement Association to do union work. (This practice of "release time" is common in MOU language among AZCOPS affiliates.)

The Goldwater Institute claims that the city allowing Phoenix officers release time to work for PLEA is "authorizing an illegal subsidy to a private company," which it says violates the Arizona Constitution's gift clause.

This is worrisome and many consider it a first step in undoing the advances made by law enforcement in Arizona. We must remain vigilant and continue working together on labor issues as they impact all of us and decide when and if a pronouncement of labor solidarity is the right step in Arizona. As always AZCOPS will be representing the interests of its members at the Capitol but would simultaneously ask for member awareness and action as the session progresses. Be prepared to respond to "Legislative Bulletins" by contacting all involved legislators and especially the senator or representative in your district. Although our number one priorities are our Pension and Merit Rules, we will continue to advance meaningful legislation. To that end, AZCOPS has a legislative committee that has been strategizing for the session.

Included on this year's agenda are the following bills:

* Evading Arrest: a person who inten-



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Director, Government Relations

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tionally flees from a police officer attempting to lawfully arrest or detain him commits the crime of evading arrest.

* **Compensatory Time:** If a county board of supervisors requires a person engaged in law enforcement activities, the required use of compensatory time does not cause forfeiture of unused/earned vacation time.

* **Probation Officers; witness representation;** Probation Officers involved as witnesses have the right to representation during the course of an investigation.

* **Assaults on Public Safety Officers; Disease Testing:** Will provide for court ordered disease testing when a person is not charged with biting, scratching, etc.

* **Aggravated Assault; technical definition:** Allows choking alone as the definition for assault. Currently it is only applicable in the commission of Domestic Violence.

If you are interested in participating or have potential legislative ideas, feel free to contact any of the AZCOPS Legislative Committee members.

Legislative Update: Feb. 10, 2012

The Legislative Session is in full swing, having begun on Jan. 9. AZCOPS bills have been given a number and have either been assigned to a committee or have recently been heard in Committee. We are also monitoring a number of bills brought forth by fellow police associations as well as those pension bills that directly affect our membership. We also have late entries from Juvenile Probation and a AZ-POST certified investigator bill brought by Pinal Deputies that are currently being discussed by a bill sponsor. The following bills are of importance to our members:

AZCOPS Legislation

SB1303

Evading arrest: A person who inten-

tionally flees an officer trying to arrest or detain. Unanimously passed Senate Judiciary and awaits rules on 2/6

HB2130

Disease Testing ;Public Safety Employees: The list of situations where a public safety employee may petition the court for an order to authorize disease testing is expanded if there is probable cause to believe a person transferred blood or bodily fluid onto the employee. Unanimously passed House Military Affairs and Public Safety. Awaits House Rules on 2/6.

HB2215

Probation Officers; Witness Representation: Probation Officers are now entitled to representation when an of-

ficer is the witness in an investigation. Unanimously passed House Military and Public Safety and awaits Third Read on 2/6 before advancing to the Senate for hearing.

HB2216

Aggravated Assault; Strangulation: Strangulation is classified as aggravated assault. Previously, the victim and defendant were required to have a relationship that could classify the offense as domestic violence for strangulation to be classified as aggravated assault. This bill was held by the sponsor at the request of AZCOPS.

AZCOPS Supported Legislation

HB 2723

Law Enforcement Officer; Discipline;

Info: Appeals in disciplinary action by Law Enforcement or Probation Officer establishes time frames and type of information shared between parties. Failure to comply may result in dismissal of the discipline with prejudice. Scheduled for House Military and Public Safety on 2/8

HB2643

Police Officer; Duty Related Injury: Employers are required to provide full time law enforcement officers a supplemental benefits plan for officers injured while on duty to the extent the officer cannot return to work. The plan must be designed so that with the addition of other benefits, the officer will receive the identical pay and benefits being

See **LEGISLATION**, Page 8

Governor, legislative committee back ADJC for 10-year funding

**By Joe Glen, Spokesman
Maricopa/Pima Juvenile Corrections
Associations**

In a stunning reversal thanks to AZCOPS, Gov. Brewer has backed a proposal to support the continuation of ADJC for 10 years. The Governor's Office, along with a committee of legislators, recently supported the outstanding work of Juvenile Corrections employees, who have maintained a high success rate with offenders despite massive cuts in facilities and staff, due to state budget cuts.

Less than two years ago, AZCOPS supported our ADJC employees in the fight to keep ADJC funded. Gov. Brewer had proposed that ADJC be disbanded and offenders sent back to the counties. As you may recall, this triggered a statewide campaign to support Maricopa and Pima Juvenile Corrections Associations members in the fight for their jobs.

Thousands of "WARNING" door hangers, hundreds of "CARJACKING" radio spots, media events, interviews, a website, and news editorials statewide exploded to support public safety and the vital role ADJC plays to impact serious juvenile crime and make our communities safe.

Since that successful political campaign, our members have persevered without complaint, as they next suffered crushing economic adversity. Imagine arriving to work each day for years, wondering if you would lose your job through no fault of your own. This fear was realized for Eagle Point employees a few years ago, when that facility was closed down. Our Catalina Mountain members met with that same fate in the fall, as CMS was closed. Tucson employees had to make the tough choices: transfer to Phoenix and make the long commute, move, retire if

possible, or find work elsewhere.

New ADJC Director Charles Flanagan held numerous job fairs at CMS, transferred employees to DOC jobs, and transferred those willing to work at the Phoenix facilities. Flanagan has also worked with Maricopa/Pima Juvenile Corrections Association leaders to address issues arising from the CMS closure.

As ADJC has eliminated positions, closed facilities and combined jobs, our remaining members continue to produce outstanding results -- maintaining a 66 percent success rate, a 77 percent GED graduation rate, all while reducing incarceration time from 7.6 months to 7.1 months.

On Oct. 20, 2011, the Committee of Reference Hearing at the Arizona Senate before the Senate Public Safety and Human Services Committee, with the House of Representatives Military Af-

fairs and Public Safety Committee as the combined Committee of Reference (COR), voted unanimously to extend ADJC in this first of many legislative reviews of this "sunset" extension proposal. The following are members of the combined COR: Sen. Linda Grey, Chair; Sen. Nancy Barto, Member; Sen. Rich Crandall, Member; Sen. Leah Landrum Taylor, Member; Sen. Linda Lopez, Member; Rep. Terri Proud, Co-Chair; Rep. Jeff Dial, Member; Rep. Ruben Gallego, Member; Rep. Albert Hale, Member; Rep. David Burnell Smith, Member.

Special thanks to Gov. Brewer for supporting ADJC and to these committee legislators for their support of the members of ADJC and the men and women of law enforcement across the State of Arizona.



Tucson-area attorneys volunteered their time last fall to help AZCOPS members create wills.

Attorneys donate time to help AZCOPS families

AZCOPS members and their families participated last fall in the Wills for Heroes program in Tucson.

The Wills for Heroes Foundation, which started in April 2007, is a charitable non-profit organization based in Tucson dedicated to providing support and services to America's first responders and to assisting bar associations across the country with implementing new Wills for Heroes programs.

Now in more than 20 states, Wills for Heroes programs nationwide have helped more than 25,000 first responders.

The estate planning service was provided to AZCOPS families at no cost by 10 Tucson-area attorneys, including organizer Jeffrey Jacobson.

The Wills for Heroes Foundation was forged from the partnership of Anthony Hayes and Jeffrey Jacobson. Hayes created the Wills for Heroes program in November 2001 in response to the events of 9-11-01. The Wills for Heroes program expanded to Arizona in August 2004 where Jacobson implemented it locally.

For information about the program, please visit www.az.willsforheroes.org.

Retirement System Update

**By JOHN STAIR
AZCOPS Vice President**

On Jan. 31, AZCOPS leaders received a briefing from Public Safety Personnel Retirement System (PSPRS) Director Jim Hacking. Your AZCOPS leadership is committed to keeping members aware of important retirement issues. Here is what we learned.

As a result of the Legislature's changes to the various PSPRS retirement plans during the last legislative session, four lawsuits have been filed against the PSPRS.

* Lawsuit 1 – Filed by retired judges. This challenges the constitutionality of the legislative changes to the Cost of Living Adjustment (COLA) structure within the Elected Official's Retirement Plan (EORP). The basic argument made here is the COLA formula is a contractual agreement and cannot be modified without the agreement of all affected participants in the program.

* Lawsuit 2 – Filed by active judges. This challenges the constitutionality of the increase in member contribution rates made by the Legislature last year. In addition, it challenges the COLA formula like lawsuit 1 does, and on the same grounds.

* Lawsuit 3 – Filed by two retired police officers. This challenges the constitutionality of the COLA formula. These retired officers did not agree to have the COLA formula modified. They argue the COLA formula is a contract right they entered into when they retired, and that contract was modified without their consent.

* Lawsuit 4 – Filed by active PSPRS members. This challenges the member contribution rate and the modification

of the COLA formula.

As you can see, the two main issues in these lawsuits are member contribution rates and COLA's. The premise behind the lawsuits is that member contribution rates cannot be increased without a corresponding tangible benefit, and COLA's cannot be changed without agreement from those effected by the change.

What does this mean to you? If any of these lawsuits prevail, the Legislature will have to address the areas the court finds faulty. That means member contribution rates and COLA's could revert back to levels prior to the legislative change. PSPRS is aware this may happen, and has been using accounting measures to insure all monies paid at the new rate are accounted for and known, in the event they need to be refunded.

The overall health of the PSPRS is still of concern. The combined systems are currently actuarially funded at 63.8%. The stated goal is to be 80% funded. Much of this under funding has been due to the significant investment losses in the equities and housing markets. To view the latest financial information click here.

There is also a committee looking at the feasibility of converting the public retirement plans to a defined contribution retirement system instead of the current defined benefits system we currently enjoy. The committee's report is due in December 2012.

Finally, there are a number of bills targeting the retirement systems. Those bills are HB2087, HB2408, HB2409, SB1116, and SB1211. View the bills at www.azleg.gov.

Join Our Email List at www.azcops.org

Meeting members' needs is AZCOPS' top priority

By **TIM CLARK**
Chief of Staff

AZCOPS goes the distance to win every fight. Whether the battle is in a chief's office, a court of law, city hall or the State Capitol, every fight gets our complete attention and the support of more than 5,000 members statewide. At AZCOPS, meeting your needs and protecting your rights is our only interest.



Never has it been more important for law enforcement officers to play an active role in their local AZCOPS organization. As political battles rage on the local and state levels, and the economy continues to struggle, officers' rights are continuously challenged.

Our commitment to protect your rights, your benefits and your families never wavers. Our collective resolve to protect your interests grows stronger, but with each passing year, we face increasing political challenges.

That's when it becomes increasingly important for our organization to grow in numbers. In numbers, we find our collective strength. Whether it be in the halls of the State Capitol or the sidewalks in front of city halls across Arizona, the political influence of your

association must remain strong. As we end another year, it's important to reflect on AZCOPS' victories. In this month's newsletter, you will find a number of legal and political victories as examples of the kind of work we do every day to protect Arizona law enforcement families.

It's that kind of unwavering commitment that brought the Scottsdale Police Sergeants & Lieutenants Association and the Cocopah Tribal Police Officers Association to AZCOPS. Like so many other groups, these officers knew they could count on the support of AZCOPS.

Our collective strength as an organization comes from a growing membership that is united in resolve and focused on our mission of protecting officer rights and improving pay, benefits and working conditions for Arizona law enforcement.

Local associations reach out to us because they see what we're doing and know from our actions that we don't stand idly by and watch our membership from afar. We are partners at every step, and play an active role at every opportunity. We look for ways to help make our local affiliates more successful. At every turn, you can count on us to have your back and know that we are working to protect your future.

Contact Tim Clark by email:
tclark@azcops.org

Scottsdale police sergeants, lieutenants form new association

Seeing a need to serve the sergeants and lieutenants of the Scottsdale Police Department, a new AZCOPS-affiliated group was formed in 2011.

"Lieutenant are not allowed, by by-laws, to be in our POSA organization (AZCOPS)," said Aaron Minor, president of the new organization. "So the first need was to develop an organization with AZCOPS that allowed the lieutenant rank.

"During the formation of the group we also saw an opportunity to further meet the needs for development for sergeants and lieutenants in areas such as leadership, mentorship and community outreach," he said.

The Scottsdale Police Sergeants and

Lieutenants Association will work closely with the Police Officers of Scottsdale Association on some community outreach projects, Minor said.

Some of those include Shop with a Cop prior to Christmas and the beginning of school, Book 'em (a reading program where officers read to children), KidCare ID Program and other community outreach programs.

"Our goal is to provide a professional network of shared-resources to further our collective goals in the areas of leadership, education and community outreach," Minor said. "We are also looking for new and innovative ways to work with the children in our community."



Tucson Police Det. Mike Gurr was one of the guest speakers for the AZCOPS Convention. The training he provided on grievance and officer discipline was invaluable to members.

El Mirage voters say yes to bonds for police station

You may remember that back in November 2010, AZCOPS and the El Mirage Police Employee Association worked together to change the political environment on the city council.

Not only did we change the environment, we changed the entire mayor and council. The new Council, led by Mayor Lana Mook, are supporters of public safety and have made it clear their

support is unwavering. As a result, they proposed that a new state of the art police station be built and voters agreed.

The Mayor and El Mirage City Council decided that they should promote this endeavour through a bond election. On Nov. 8, 2011, the community responded positively.

The measure passed by a close vote and construction is set to begin in 2012.

OUTREACH Continued from Page 1

could run all our programs, create new ones and start a 501(c)3 from the ground up, the choice was easy for our Board," Hill said.

The Board hired Cynthia Hill as its first Executive Director of POSA Outreach. Mrs. Hill had already been volunteering many hours every week to help with existing programs and had taken over the planning of the "Shop with a Cop" event.

"Coupled with her background in education, event planning and community service she was an obvious choice," he said.

"From that moment our POSA Outreach has grown by leaps and bounds," he said. "POSA's name is known

throughout the Valley and across the state because of all the good works and community projects we're able to accomplish because of POSA Outreach.

"I hear all the time from current members how proud they are to be a member of an association that does so many good things," Hill said. "And I hear from new members that one of the big things that attracted them to POSA was because POSA took such a big role in helping the community and helping law enforcement families."

Hill said that POSA and POSA Outreach continue to grow and develop thanks to the community service of the members.

AZCOPS LEGAL PLAN

No Limit on Legal Expenses!

AZCOPS Legal Protection Plan covers the following:

- * Member-involved shooting
- * In-custody death or life-threatening injury
- * Accident, while in the performance of duty, resulting in life-threatening injury or death to others
- * Involuntary termination from employment
- * Demotion and other disciplinary actions
- * Criminal charges or indictments arising from member's official performance of duty
- * Suspensions to the extent that the employing agency's policy provides for a formal administrative hearing
- * Civil actions arising from member's performance of duty if representation is not provided by employer

**Watch for Legislative Updates
on www.azcops.org**

AZCOPS Member Associations

ADOT Peace Officers Association | All Peoria Police Officers Association | Apache County Deputies Association | Apache County Probation Officers Association | Arizona Capitol Police Officers Association | Arizona Probation Officers Association | Avondale Police Officers Association | Benson Police Officers Association | Bisbee Police Officers Association | Bullhead City Police Officers Association | Camp Verde Public Safety Association | Casa Grande Police Officers Association | Casa Grande Police Supervisors Association | Chandler Lieutenants & Sergeants Association | Chandler Unified Police Department Association | Chino Valley Police Officers Association | City of Maricopa Police Officers Association | Clarkdale Police Officers Association | Cochise County Law Enforcement Association | Cochise County Probation Association | Coconino County Probation Association | Coconino Sheriffs Association | Cocopah Tribal Police Officers Association | Coolidge Police Officers Association | Cottonwood Public Safety Association | Douglas Police Officers Association | Eloy Police Officers Association | El Mirage Police Employees Association | Flagstaff Police Officers Association | Florence Police Officers Association | Gila County Deputy Sheriffs Association | Gila County Probation Association | Graham County Deputy Sheriffs Association | Greenlee County Law Enforcement Association | Holbrook Police Officers Association | Kingman Police Officers Association | La Paz County Deputies Association | La Paz County Probation Officers Association | Lake Havasu Police Officers Association | Marana Police Commanders Association | Marana Police Officers Association | Maricopa Community College Police Officers Association | Maricopa County Deputies Association | Maricopa Juvenile corrections Association | Mohave County Deputies Association | Mohave County Probation Officers Association | Navajo County Deputies Association | Navajo County Probation Officers Association | Nogales Police Officers Association | Oro Valley Lieutenants Association | Oro Valley Police Officers Association | Page Police Officers Association | Paradise Valley Police Officers Association | Parker Police Officers Association | Pascua Yaqui Police Association | Payson Police Officers Association | Pima County Association of Corrections Professionals | Pima County Attorney Criminal Investigators | Pima County Deputy Sheriffs Association | Pima County Probation Officers Association | Pima County Sheriff's Commanders Association | Pima Juvenile Corrections Association | Pinal County Deputies Association | Pinal County Probation Officers Association | Pinetop-Lakeside Police Officers Association | Police Officers of Scottsdale Association | Prescott Police Department Association | Prescott Valley Commanders & Lieutenants | Prescott Valley Police Officers Association | Quartzsite Police Officers Association | Safford Police Officers Association | Sahuarita Police Officers Association | Salt River Law Enforcement Association | San Luis Police Officers Association | Santa Cruz County Deputies Association | Scottsdale Police Sergeants & Lieutenants Association | Sedona Law Enforcement Association | Show Low Police Officers Association | Sierra Vista Police Officers Association | Somerton Police Officers Association | South Tucson Police Officers Association | St. Johns Police Officers Association | Tucson Airport Police Officers Association | Tucson Police Commanders Association | Tucson Police Officers Association | United Highway Patrol Officers Association | University of Arizona Police Officers Association | White Mt. Apache Game & Fish Rangers | Winslow Police Officers Association | Yavapai County Probation Association | Yuma County Probation Association | Yuma Deputies Association | Yuma Police Officers Association

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LEGISLATION *Continued from Page 4*

paid at the time of the injury. Self repeals October 2014. Referred to House employment and Regulatory affairs on 1/25

SB1185
School Resource Officer; Duty Obstruction: The Dept. of Education cannot distribute monies for the school safety program to any school district that has obstructed or hindered the performance of a school resource officer. Held in Senate Education on 1/30

SB1186
Law enforcement Officers; Omnibus: Various changes relating to law enforcement including denying recovery in an action, disease testing, prohibition denying peace officers being licensed private investigators does not apply to reserve peace officers or fire origin and cause investigators. An employer can order a physical exam with 10 days notice and only for specified good cause. Amended and Passed from Senate Public Safety and Human services 2/2.

SB1211
Interest on the employee's DROP account is added to the list of payments that members of PSPRS are entitled to receive on the simultaneous termination of DROP participation and employment. Senate Rules 2/6

SB1212
Officers may bring action if suspended more than 40 hours, demoted or terminated on reversal if there was no just cause. A court may allow for damages for lost wages to include suspensions of more than 40 hours and demotion where not previously provided. Do Pass Senate Public Safety and Human

Services 2/1.

AZCOPS Opposed Legislation
SB1197
Law Enforcement; Overtime Compensation: Overtime compensation for law enforcement officers will be calculated on 80 hours rather than 40; unless agreed to in a labor agreement. Senate Veterans and Military affairs, Do Pass 1/31.

HB2365
Worker's Comp: Evidence based Treatment: Treatment guidelines are narrowed in scope. House Banking and Insurance 2/6.

HB2367
Workers Comp; Health Care Organizations: Limits care to providers under contract with the workers comp health care organization. House Banking and Insurance 2/6

HB2368
Worker's Comp; Omnibus: Various changes to Workers comp, including modifying the calculation of benefits by increasing the minimum wages an individual must earn in a calendar year to qualify for unemployment insurance. House Banking and Insurance 2/6.

SB1484
Pay Check Deductions; Employee Authorization: Requires annual authorization and eliminates the use of such for political purposes. Senate Rules 2/6.

SB1485
Unions; Public Employees; prohibitions: State Agencies and political subdivisions cannot recognize any union as a bargaining agent either via meet and

confer or collective bargaining. Renders any such action as illegal and of no effect. Senate Rules 2/6.

SB1486
Public Employees; Activities; Unions; Compensation: Prohibits employment bargains with Unions. Prohibits release

time. Senate Rules 2/6.
SB1487
Govt Employees ; Union Dues; Withholding: Employer entities are prohibited from withholding or diverting an employees wages to pay for Union dues. Senate Rules 2/6.



2012 ARIZONA POLICE AND FIRE GAMES

"Is That All You Got!!!"
APRIL 11-14, 2012
TUCSON, AZ

Host Hotel: Viscount Suites
4855 E. Broadway
Tucson, AZ

\$89 per night with 2 breakfasts per room included!

Who is eligible? ALL LAW ENFORCEMENT/FIRE/MILITARY - SWORN AND CIVILIAN - ACTIVE DUTY/RETIRED/RESERVE AND SPOUSES/PARENTS/OFFSPRING/SIBLINGS OF ELIGIBLE COMPETITORS.

Proceeds to benefit: Kids Animals Life and Dreams (KALD), Public Safety Charitable Foundation and Tucson Troop Support.

Events:		
Basketball	Golf	Shooting
Bass Fishing	Horseshoes	-PPC
Bowling	Karate	-Combat
Boxing	Poker	-3 Gun
Cycling	Powerlifting	Soccer
-Road	Rifle	Softball
-Time Trial	-Sniper	-Mens
CrossFit	-Small Bore	-Co-ed
Flag Football	-Hi Power	Triathlon

Entry fee is \$55 per person for each event except for Golf and Bowling.

To register or for more info, please visit:
azpolicegames.com
Register on-line before March 28th, 2012 to receive a free T-shirt!

This year's raffle includes:
STAG ARMS MODEL 1 AR15
RUGER SR22 AUTO RIFLE
RUGER SR22 PISTOL

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