

# ***The Voice of Arizona Law Enforcement***

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## **Governor Grants Historic Meet and Confer Rights to DOC**

On January 17, 2008 Governor Janet Napolitano took a bold step and signed Executive Order 2008-11, which grants meet and confer rights to employees in the Department of Corrections. This Executive Order covers more than 9,000 DOC employees and permits negotiations over hours, working conditions, disciplinary policies, employee morale issues, and DOC budget strategy and requests.

The order permits one organization to be recognized on the basis of having a majority of



*Sitting at the head of the table is Tixoc Munoz, President AZCPOA*

employees on payroll deductions; and that organization has the exclusive right to meet and confer. Since AZCOPS/CWA and its key affiliate AZCPOA have a majority of DOC employees on payroll deduction, they will be automatically recognized as the meet and confer representative.

“This is a historic moment in DOC,” AZCPOA President Tixoc Munoz said. “We will have a voice in how our work is carried out and be able to work closely with DOC management of important issues

of concern to employees. If it wasn’t for the Governor and Director Dora Shriro, this order would have never been put into effect.”

AZCOPS President Larry Lopez praised Munoz for his significant efforts in making meet and confer a reality in DOC. “Tixoc was a driving force in the year-long process to gain these important rights,” Lopez said. “DOC employees will now have a significant say over workplace issues and how job problems are resolved.”

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# Executive Board Changes

www.azcops.org

## *Jim Parks retires from AZCOPS*

I would like to take this opportunity to express my thanks to all of you that have sacrificed your time with your families and loved ones to ensure the success of your organization. It takes special people to stand up for what they believe and implement their ideas to make their agencies and communities a better place in which to work and live.

As you are now all aware of, I made the decision not to run for reelection and therefore will be stepping down as your president January 1, 2008. Over the past five years as the president, I have made many friends and have watched this organization grow leaps and bounds. It seems not so long ago that AZCOPS was just an idea and now we have become the fastest growing labor organization in the country and that is something that we all can be proud of. Without your commitment and unselfish dedication we would be just another union struggling to get by. I will miss being a part of the continual growth of AZCOPS.

I want to let everyone know that AZCOPS will be lead by a very experienced and capable union leader, Larry Lopez and by the very same Executive

Board that I had the honor and privilege of serving with over the past six years. Those individuals are, Vice President John Stair, Secretary Tracy Hubbartt, Treasurer Joe Cameron, Vice President to Corrections Tixoc Munoz.

I also want to thank two very important people whom without their help and dedication to this organization my job would have been more difficult and our member's problems would not have been handled as efficiently. Those two individuals are Anamarie Daniels and Tim Clark. I cannot thank you enough for making my job easier and more enjoyable.

There is one other person that I would like to acknowledge. John Burpo the Director of the National Coalition of Public Safety Officers. John has been a part of this organization since day one. Through his leadership and mentoring several organizations obtained Meet and Confer. He was also the lead negotiator for many of us as we went through the negotiation process for the very first time. There is so much more that could be said about John Burpo and his dedication to his profession



*AZCOPS retired President, Jim Parks*

but there is only so much space in our newsletter. I just want to say thank you for everything that you have done and sacrificed for this organization and our affiliates.

Again, thank you to ALL of you. Keep up the good fight and like my stepfather once told me, "If you make a mistake, take responsibility for it. But if you've done nothing wrong, fight until there is no fight left in you". Be safe and remember to take care of one another.

*Jim Parks,  
Esteemed Retired  
AZCOPS President*

# President's Message

www.azcops.org

## Message From President Larry A. Lopez

Greetings to all members of the Arizona Conference of Police and Sheriff's, Local 7077. My name is Larry Lopez and I am a police officer with the Tucson Police Department and President of the Tucson Police Officer's Association. Last October I was voted in as your new AZCOPS President and officially took the position on January 1<sup>st</sup>. Allow me to tell you a little about myself.

I have been a police officer in Tucson for over 21 years and have been involved with the TPOA since 1995. As a TPOA representative, I was involved in the process to help decertify the local FOP in 1996. I continued in the Association as a grievance representative until 2001. I was then appointed the TPOA's Grievance Chairman position where I assisted members with personnel/discipline/termination/civil service hearing issues. I also worked with TPD's commanders in shaping and implementing the department's DUI/drug policy, the Citizen Mediation Program, the Early Intervention Program and the Critical Incident/Officer Involved Shooting Response Protocol. During my time as the Grievance Chairman I provided instruction on discipline/grievance issues in Arizona,



AZCOPS President, Larry A. Lopez

Utah, Nevada and Ohio to AZCOPS/NCPSO members.

In 2005, I was elected as the TPOA President where I currently represent 900 active members. And last but not least, I have been a member of the AZCOPS Finance Committee for the last five years.

My first order of business as the newly elected president is to give credit where credit is due. My predecessor, Jim Parks, unselfishly gave six years to AZCOPS where he was instrumental in building an organization that will be financially secure for years to come. Under Jim's tenure he led AZCOPS to become the fastest growing law enforcement labor organization in the nation and the largest in Arizona. Thank you Jim. Your dedication and love for AZ-

COPS is deeply appreciated.

I am extremely excited about my new position and I am looking forward to working together with AZCOPS Staff, the Executive Board, the Board of Directors, our attorneys, and you – the member.

Again, thank you for this opportunity. Stay safe and take care of each other out there.

Larry A. Lopez,  
AZCOPS President

### **Name Change or Address Change?**

Please remember to contact the AZCOPS office to notify us of a name or address change.

AZCOPS contact information:  
Phone: (520) 622-2215  
E-mail: azcops7077@aol.com  
Fax: (520) 622-2216

Remember to check out [www.azcops.org](http://www.azcops.org) for the latest news, information & legislative updates.



# AZCOPS General Counsel News

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Many of you may not be aware of the fact that the Maricopa County Community College Police are AZPOST certified and are AZCOPS members. Late last year AZCOPS was instrumental in moving legislation to allow our MCC members to carry firearms at work. That's right, after the Columbine and Virginia Tech disasters the Community College still did not want to arm its officers. It is now a done deal. The officers are finalizing their firearms training and the first armed officers began patrolling late last year!

In a related note, one of our MCC member officers was dismissed after a particularly egregious investigation. Our member had nearly 30 years on the force and had never been subject to discipline. She had, however, run afoul of administration by assisting fellow employees with EEOC complaints.

Our member's supervisor heard rumors that our member had been "grocery shopping" while on duty. The reality was that the member brought milk and snacks to work and left these in the office refrigerator. Instead of asking our member about the rumor (as MCC policy required), the supervisor decided to "surveil" our member. He hid in his office and



*AZCOPS General Counsel, Martin Bihn*

photographed and took movies of our member as she did her job. He did catch her coming to work late and taking a "too long" lunch.

The supervisor then brought our member in for an I/A interview, - except he failed to disclose to her that it was an I/A interview. The supervisor violated A.R.S. § 38-1101 by denying our member a representative, failing to tell her what the allegations were, and failed to advise her of Garrity.

In the appeal hearing the supervisor, a retired 24 year homicide detective from Detroit, actually testified under oath that he did not know what Garrity was!!! If he is to be believed, then MCC has a supervisor in need of some serious re-training. In any event, the hearing board recommended, and the Governing Board agreed to reduce the dismissal to a suspension and to give our member back pay.

In corrections, AZCOPS legal got unjust discipline reversed in a case involving an ADC investigator working out of the Central Office. The member had worked as a CO for years and had worked himself into an investigations position. In investigations he received no formal training, but had a lot of on the job coaching from his supervisor and from other senior investigators with police investigative backgrounds.

Our member was taught that it was perfectly appropriate to lie to a suspect in order to get a confession. In fact, our member was even taught to bring a blank video tape into an interview, to point to it, and to tell the suspect, "you might as well tell the truth, we have it all on tape..."

Our member then used the technique in an investigation. The suspect had denied misconduct throughout the interview until confronted with the videotape. After obtaining the confession, the member went back to his office and told his supervisor how well the technique worked.

The whole case got reviewed by ADC's Inspector General and she did not like what she saw. She reversed the discipline of the admitted wrong-

# Know Your Legal Rights

doer and, instead, found that our member had engaged in misconduct because he: (1) lied to the suspect, and (2) had asked some questions more than one time, and (3) told the suspect to come clean because if he lied he could be fired. She believed that these techniques might be appropriate in interviewing a criminal suspect but were forbidden in ADC administrative investigations. She then demoted our member who was then transferred straight out investigations.

AZCOPS took this case to the Personnel Board. The undisputed evidence was that our member had acted completely in accordance with his training. Nevertheless Judy Frigo testified that it is a hard and fast rule with in ADC (although no written policy existed and other investigators had, for years, mislead suspects) that investigators are not allowed to lie to employees and cannot ask them questions more than once. She also testified under oath that any heavy handed tactic such as yelling, harassing and intimidating are forbidden in ADC.

The hearing officer found it to be arbitrary and capricious to demote someone for following his training. He reasoned that if ADC wanted to forbid certain conduct then it should create

policies to that effect. The Personnel Board reversed the demotion and ordered our member to be reinstated to an investigative position with backpay.

We, at AZCOPS legal, also obtained a transcript of the I.G.'s sworn testimony and distributed to our AZCPOA leadership. The next time an investigator violates the I.G.'s "New Rules" the association is prepared to complain directly to the I.G., will point the I.G.'s own testimony and get that discipline reversed!

*Martin Bihn,  
AZCOPS General Counsel*

*AZCPOA Meet & Confer, continued*

NCPSO/CWA Director John Burpo commented on the ground-breaking importance of the Executive Order. "Governor Napolitano has taken an extraordinary step," Burpo said, "and her decision to grant these rights could have great precedent setting significance for other State of Arizona Departments."

Munoz indicated that a request for recognition from Director Shriro has been made and that once recognition has been granted and surveys returned from members about their job concerns, meet and confer negotiations will begin. "We want to get started as soon as possible," Munoz said, "so that our members can see the value of meet and confer."



## **2008 Legislative Capitol Lunch**

On Thursday January 24<sup>th</sup>, AZCOPS and the Arizona Probation Officers Association held their annual legislative luncheon. Pending legislation was discussed, and Senators and Representatives alike agreed to give these meaningful bills an opportunity in their respective houses.

# AZCOPS 2007 Annual Convention

## AZCOPS 2007 Annual Convention and 10th Anniversary a Huge Success!!

On October 20<sup>th</sup>, for the fourth consecutive year AZCOPS held its 6<sup>th</sup> annual convention at the River Palms in Laughlin, NV.

Over 150 members, family and friends attended this year's convention. This was a special occasion as this was the 10<sup>th</sup> anniversary of AZCOPS. We had a fantastic line up with guest speaker Annie Hill, the Vice President of CWA District 7, Ashley Geisen the National Law Enforcement Relations Manager for the National Law Enforcement Officers Memorial Fund, Washington, DC, Political and Media Consultant Jim Spearing of JMS Associates and our very own attorneys, Martin Bihn and Mike Storie. Additionally, Larry Lopez of TPOA, Rich Griner, Jeff Pelke and Jon LaBerge of CLASA spoke of their fight at the negotiation table this year.

Over the years it has been a tradition at our conventions to recognize those of you that have gone above and beyond in the pursuit of bettering this organization as well as your own. I just wish we could hand out awards to all of you as you are the backbone of this organization and the reason for our con-



*Annie Hill, CWA District 7 Vice President, Larry A. Lopez, AZCOPS President & Brenda Roberts, CWA Representative*

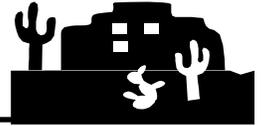
tinued success. This year's recipients were Chris Currie for Organizing, AZCPOA received the Recruitment Award, Tixoc Munoz for Outstanding achievement, Luis Ebratt for his lobbying achievements at the Capitol, Chandlers Lieutenants and Sergeants Association was recognized for having a successful Meet and Confer Campaign and Agreement and my favorite award, the Perseverance Award was presented to Norm Brice of the Peoria Police Officers Association in dealing with a very difficult Administration. Congratulations to all.

Recognition was also given

to those individuals that have worked extremely hard behind the scenes keeping AZCOPS running smoothly. They are Tim Clark, Anamarie Daniels, John Stair, Tracy Hubbartt, Joe Cameron, Rick Hornback and Larry Lopez. I also want to thank the vendors for their participation. Our vendors this year were AFLAC, Showline and DynCorp International. Diamondback Police Supply was unable to attend this year but provided us with a very nice grand prize.

The Associations that were responsible for the give-a-ways this year should be recognized. Pima County Probation, Day Planners, Pima County Dep-

# & 10 year Anniversary



uty's, Coffee cups, Tucson Police Officers Assoc., Ink Pens, Arizona Probation, Coins, Arizona Correction Officers, Travel mugs and Yavapai County Lieutenants Association, Ink pens.

All the participants at this year's convention should be thanked for making it a great success and from the feedback that I have received, a great time was had by all. Next year will even be bigger and better!



*Chandler Lieutenants & Supervisors Association being awarded the "Meet & Confer" award for their courageous negotiations with the city by Jim Parks AZCOPS Retired President*



*Lu Ebratt, AZCOPS Director of Government Relations & Chris Currie, AZCOPS Organizer*



*AZCPOA Board, Mike Duran, Vice President, Tixoc Munoz, President & Maria Martin, Staff Recruiter*



*Candy & Joe Escorza, La Paz County Deputies*



*Jim Parks, AZCOPS retired President presenting Norman Brice the "Perseverance" Award*



*AZCOPS Attendees learning valuable Meet & Confer Negotiations information.*



*Don Goldstrum, Cochise County Probation & Ed Skinner, retired AZCOPS Speaks Editor*



Legislation began in earnest with the first meeting of the AZCOPS Legislative Committee on September 22, 2007. Members of this voluntary committee include Preston Glodo (YCLA), Rick Radinsky (TPOA), Don Stokes (LCPOA), Ed Neidkowski (ACPOA), Glenn Conlon, Jim Christy (AZCPOA), Eva Berg and John Stair (AZPOA). This group has not only proposed the legislative agenda for '08, but has also focused on the AZCOPS vision of a state-wide presence/dominance in Police Labor .

The recent opening of a Phoenix AZCOPS office and the hiring of a fulltime Director of Government Relations speaks positively to these goals. Meetings with key Legislators has been ongoing throughout 2007 and a successful campaign is anticipated despite the State budget shortfall predictions of over 1 Billion dollars. Sponsors have been secured for initiatives including an off-duty disability for CORP members (in both houses); SB121; HB2117; Meet and Confer for Corrections Officers; HB2463, a uniform firearms standard to include community corrections and investigators; HB2464, and significant procedural changes to 38-1101 for all public safety; SB1060.



*AZCOPS Director of Government Relations,  
Luis Ebratt*

Other legislation that may affect our membership is being monitored and lobbied as needed. These initiatives include, but are not limited to: SB1318; tuition reimbursement for DOC employees, SB1339; polygraph exclusions for law enforcement and probation officers, and SB1142; private prisons/ regulations, and SB1057; law enforcement officer/ probationary employees . Members can follow the progress of these bills through the Arizona State Legislative web site or via periodic e-mails throughout the '08 session. At this writing, House Bills 2117 and 2464 have passed the initial committee meetings and await rules and floor action. HB2463 has been stalled (probably due to the Governors recent M&C executive order) and SB1060 has also been scuttled as a result of apparent anti-labor sentiment. SB1217 has not been scheduled by the Financial

Institutions, Insurance and Retirement Committee Chair and consequently Union efforts are now focused on similar legislation in the House with 2117.

Last, the aforementioned AZCOPS Legislative committee believes in a unified voice. AZCOPS groups must avoid "splinter politics" to lend credibility to our overall agenda. To that end, AZCOPS, in part, has scheduled Legislative luncheons for the Probation group on January 24<sup>th</sup> and the Corrections group on February 19<sup>th</sup>. Any and all input is welcomed from the membership. We need to hear from you either personally or through the committee members. Following this legislative session the AZCOPS Legislative Committee will reconvene and move on this years elections, specifically at the State level. We will identify our supporters and detractors and act accordingly. Elections are our opportunity to show our political strength. AZCOPS has become the organization that it is through our collective and unified efforts.

*Luis Ebratt,  
AZCOPS Director  
of Government Relations,*



# Organizing



*AZCOPS Chief of Staff, Tim Clark*

Membership in AZCOPS continues to grow at an incredible pace. As we go to print AZCOPS membership is over 8,500 and growing. We are the largest public safety union in the State of Arizona. AZCOPS has been concentrating on building our membership from within our existing associations. We ask our members to compare their membership roster to the employee roster and go sign up those who are not members. AZCOPS is committed to helping any association that wants to conduct an organizing drive, just contact Tim Clark 520-622-2215.

It is clear that the Arizona Correctional Peace Officers Association (AZCPOA) has become the union of choice for Arizona Correctional Officers throughout the state. In the last year AZCPOA under the leadership of Tixoc Munoz has gained another 1,000 new members and continues to grow. AZCOPS Staff Organizer

Chris Currie has been working fulltime with AZCPOA helping recruit new members. It takes a major membership effort at all the correctional facilities to maintain the level of organizing intensity that has occurred throughout the state. Scores of members have freely volunteered their time for organizing duties to make AZCPOA a success.

The Arizona Probation Officers Association (AZPOA) under the leadership of Luis Ebratt and with the help of their members in the last year has signed up more than 200 hundred new members into their association. The more members asking their co-workers to join, the more members the union will have.

Maricopa Police Officers Association under the leadership of James Hudspeth has been the latest association to affiliate with AZCOPS. Maricopa Police Department was founded in October of 2006 and they are still growing and signing up new members. James said that after careful research they found that “AZCOPS has the most com-

prehensive legal plan and the extensive resources of AZCOPS, as well as support from the National Coalition of Public Safety Officers and the Communication Workers of America.”

The net result of our organizing program should be clear to the law enforcement community in Arizona. Officers everywhere want AZCOPS to represent their interests. That makes it clear that AZCOPS is the major political player in the state, something of which every member of our union can be proud. Remember, in unity there is strength, and in strength there is respect from your employer.

*Tim Clark,  
AZCOPS Chief of Staff*



*AZCOPS Organizer, Chris Currie*

**WE ARE NOT THE BEST BECAUSE  
WE ARE THE BIGGEST  
WE ARE THE BIGGEST BECAUSE  
WE ARE THE BEST.**



## Marana POA Goes to the Mat With City Over Conduct of Assistant Chief

Since October 2007, the Marana POA has been in a pitched battle with the Police Department administration over coercive management practices and declining employee morale. Most of the problems seemed to stem from Assistant Chief Barbara Harris and her actions toward Marana POA leaders specifically and employees generally.

Rather than lash out at the Marana police administration without any solid information about what was going on in the Department, AZCOPS conducted an independent job satisfaction survey that gauged officers and civilian employees' perceptions about their job. This survey was conducted by a Texas consulting firm Media and Political Strategies Inc and revealed serious problems in top police management, in particular with the conduct of Assistant Chief Harris.

The job satisfaction survey involved a set of choices that Marana officers and civilian employees made concerning their views about the police department, their job, and the management staff. The responses were graded on a Likert scale, analyzed, and a summary report was provided

by the consulting company to AZCOPS. Officers were also afforded the opportunity to write additional narrative comments.

The survey revealed that more than 70% of employees in the Police Department had no confidence in the Department's leadership. The narrative comments made by employees were particularly condemning of Assistant Chief Harris, including that she lacked the credentials to lead and that she was a dictator.

AZCOPS President Larry Lopez led a press conference on January 8, 2008 to discuss the results of the survey. More than 40 Marana POA members attended the press conference, in particular to show their support for MPAO President Bill Derfus. Derfus had been singled out by the ad-

ministration, apparently for his union activity.

Lopez stated at the press conference that the AZCOPS survey was being delivered to the Town Manager and the Town Council. "I call upon the Manager and Council," Lopez said, "to take immediate action to stop the coercive management practices in the Police Department, and to find managers who are competent and qualified to lead, even if it means replacing top police management. AZCOPS represents more than 8,500 law enforcement officers from Page to Nogales and La Paz County to Greenlee County," Lopez said, "and this is absolutely the worst run Police Department I have ever seen."

As this newsletter goes to press, the battle in Marana continues.



*AZCOPS and MPOA Press Conference  
January 08, 2008*



# AZCOPS Associations

[www.azcops.org](http://www.azcops.org)

## EXECUTIVE BOARD:

*President:* Larry A. Lopez

*Vice President:* John Stair

*Vice President to Corrections:* Tixoc Munoz

*Treasurer:* Joe Cameron

*Secretary:* Tracy Hubbart

*General Counsel:* Martin Bihn

## AFFILIATED ASSOCIATIONS:

ADOT Peace Officers Association

Apache County Deputies Association

Apache County Probation Officers Association

Apache Junction Police Officers Association

Arizona Capitol Police Officers Association

Arizona Correctional Peace Officers Association

Arizona Probation Officers Association

Attorney General Special Agents Association

Avondale Police Officers Association

AZ ROC Investigators & Inspectors Association

Benson Police Officers Association

Bisbee Police Officers Association

Buckeye 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 and Sergeants Association

Chandler Unified Police Department Association

Chino Valley Police Officers Association

Cochise County Law Enforcement Association

Cochise County Probation Association

Coconino County Probation Association

Coconino County Sheriffs Association

Coolidge Police Officers Association

Cottonwood Public Safety Association

Douglas Police Officers Association

El Mirage Police Employees Association

Eloy Police Officers Association

Florence Police Officers Association

Gila County Deputy Sheriffs Association

Gila County Probation Association

Graham County Deputy Sheriffs Association

Greenlee County Deputy Sheriffs 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 Officers Association

Maricopa 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

Nogales Police Officers Association

Oro Valley Police Officers Association

Page Police Officers Association

Parker Police Officers Association

Pascua Yaqui Police Association

Payson Police Officers Association

Peoria Police Officers Association

Pima County Association of Corrections Professionals

Pima County Attorney Criminal Investigators Association

Pima County Deputy Sheriffs Association

Pima County Probation Officers 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 Police Officers Association

Quartzsite Police Officers Association

Sahuarita Police Officers Association

San Luis Police Officers Association

Santa Cruz County Deputies Association

Sedona Law Enforcement Association

Show Low Police Officers Association

Sierra Vista Police Officers Association

Somerton Police Officers Association

South Tucson Police Officers Association

Tucson Airport Police Officers Association

Tucson Police Commanders Association

Tucson Police Officers Association

United Highway Patrol Officers Association

White Mountain Apache Game and Fish Rangers Association

Winslow Police Officers Association

Yavapai County Deputies Association

Yavapai County Lieutenants Association

Yavapai County Probation Association

Yuma Deputies Association

Yuma County Probation Association

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★  
★ **We are proud to welcome the following** ★  
★ **Associations who joined the AZCOPS family in** ★  
★ **2007** ★  
★  
★ Attorney General Special Agents Association ★  
★ Arizona Registrar of Contractors Association ★  
★ Casa Grande Police Supervisors Association ★  
★ Eloy Police Officers Association ★  
★ Maricopa Police Officers Association ★  
★  
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**Motorcycle Raffle \$10**

2008 SAXON SCEPTRE



Contact Joe Romero (520) 808-4929 or  
jromero@tpoa.org

All proceeds benefiting Arizona Law Enforcement Torch Run  
for Special Olympics & TPOA Charitable Foundation  
Only 6000 tickets will be sold  
Need not be present to win. Drawing will be held Oct 12, 2008  
Winner is responsible for all taxes, license, preparation, freight and  
registration fees-MSRP-\$26,565