

The Voice of Arizona Law Enforcement

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Summer/Fall 2005

Fourth Annual Convention Set For Oct. 21-22 At River Palms Hotel/Casino, Laughlin

For the second consecutive year, the River Palms Hotel and Casino in Laughlin, Nevada, will host the Annual AZCOPS Membership Convention. It begins on the evening of Friday, Oct. 21 with a Hospitality Room, Room No. 2518, and continues at 0730 on Saturday, Oct. 22 with registration for the business sessions, which are scheduled from 0830 to 1630 hours.

"I encourage every association to participate in this important annual AZCOPS convention. It not only offers the best opportunity during the year for our association leaders to upgrade their skills needed to aggressively represent our members, but encourages network-

Jim Parks said.

The Fourth Annual Convention will feature five seminars:

- 0830-1000, Arizona Differed Retirement Option Program (DROP) with instructors Tom Vetrano, Ron Snodgrass and Stan Hoover.
- 1015-1100, How a Bill Becomes Law with instructor Lu Ebratt.
- 1115-1200, How to Set Up a PAC Fund with instructor William Ryberg.
- 1330-1430, Legal Updates with instructor Martin Bihn.

without a reservation.

During an afternoon break from 1430 to 1500 hours delegates will have the opportunity to visit the several vendor displays that will be set up throughout Saturday's sessions.

The cost of the hotel rooms are \$35 per night for Friday and Saturday nights. For members wanting to arrive on Thursday or stay Sunday night, the cost is \$20 per night; however, you must confirm your reservation by Oct. 1, 2005, in order to get this rate.

To reserve your hotel room, telephone the River Palms at 1-800-835-7903, then refer to group code AZCOPS2. Please make your reservations early, then contact the Tucson office by telephone (1-520-622-2215) or by e-mail at azcops7077@aol.com to confirm your reservation attendance and luncheon reservations. ■

- 1530-1630, How to Survive the Investigation with instructors Martin Bihn and Mike Storie.

At the conclusion of the morning sessions, an Awards Luncheon will be hosted by AZ COPS. Members are encouraged to bring their spouses. Luncheon reservations should be made by contacting the union's Tucson office at 520-622-2215 so the number of meals can be accurately determined. No one will be admitted to the lunch



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River Palms Hotel and Casino in Laughlin, Nevada, will host the Fourth Annual AZCOPS Convention Oct. 21-22.

<i>On the Inside</i>	
President's Column.....	Page 2
Norm Brice Returns to Duty, More Critical Incidents.....	Page 3
Disabled Officer Wins Historic Pension Ruling.....	Pages 4&5
Marana POA Wins Big Pay Raise.....	Page 7

President's Message *by Jim Parks*

“Watching Out For One Other” is More Than Just A Slogan in Today's Law Enforcement Environment

The year 2005 has been a very somber one for the law enforcement family and their loved ones. Every day, whether employed as a Corrections Officer, Probation Officer, Sheriff's Deputy or a Police Officer, we are laying our lives on the line to ensure that the public and our communities are safe from the criminals that roam the streets.

Since January, there have been officers severely injured, and even murdered, while protecting and aiding the public. At no time do we ask for, or expect, any special treatment or favors. We ask only that we are supported by those we serve, and by those who employ us.

Unfortunately, that is not always the case. Several officers are injured daily throughout Arizona as they attempt to apprehend dangerous felons and misdemeanor violators. This also includes our officers who work behind the prison walls and others who ensure that those on probation or parole are, indeed, following the terms of their release.

Most of the injuries occur due to the officers second-guessing themselves. Instead of using that force which is necessary to effect the arrest or detain a subject, they worry whether or not the Agency for which they work will support them and what is the public's perception of us.

This is the last thing that needs to be on the mind of any officer. Here-in lies the problem: We have individuals who promote and work their way up the ranks, which is what everyone should aspire to do. However, they must not forget what it was/is like to work the streets and how to effectively perform police work.

Unfortunately, that is exactly what is



AZCOPS President Jim Parks

happening in today's law enforcement environment.

There was a day not too long ago when a crook was called a crook. Now we are forced by "political correctness" to refer to these people as our "customers" or "clients."

There was also a time when we guarded our borders, but now there is no support from our City, County, State, or Federal Governments when it comes to protecting these vital frontiers of our sovereignty.

What is really sad is turning on the six o'clock news and seeing exactly what is happening today. Everyone continues to make excuses. Our politicians are not concerned about the safety of their officers, but whether the stand they take will have a negative effect at the polls. This is absolutely absurd and should not be tolerated.

AZCOPS' position has been, and always will be, to support those who are willing to support us because, right now, all we have is the support and camaraderie of one another.

We must continue to perform our duties as professionals and according to the standards expected by the public we serve.

However, when it's time to put your hands on a suspect the only thing that should be on your mind is going home to your loved ones at the end of your shift, no matter what that takes.

One has to remember that we are officers who uphold the laws of this State. We are deputies and police officers who arrest people. We are corrections officers who are charged with controlling prisoners in a confined environment. And, we are probation officers who are responsible to our court system for supervising convicted felons. Those we encounter are criminals, not "customers," and certainly not "clients." They do not deserve "customer service." That should be reserved for the victim(s) they create.

One day I can only hope that the pendulum will once again swing in our favor. Until that time comes, remember to take care of one another out there, and be safe. ■

Get Union News, As It Occurs, in Your E-Mail

If you have e-mail you can keep up with AZCOPS news as it happens by signing up to receive the latest updates and announcements from your union. It's easy. Just go to the www.azcops.org home page and give us your e-mail address. We don't share that information with anyone.

Know Your Legal Rights



After 4 Years, Officer Norm Brice Returns to Duty

As promised, we continue to bring you updates on Peoria Officer and PPOA Vice President Norm Brice.

Nearly four years ago, Brice, a SWAT sniper, shot and killed a hostage taker and was then demoted to a non-sworn position of police aide.

Although the demotion was reversed by the courts, Peoria Police Chief David Leonardo refused to reinstate Brice, using Brice's AZPOST status as an excuse. After significant legal wrangling, threatening letters, innumerable telephone calls, and with the invaluable assistance AZPOST, the chief was finally forced to fully reinstate Brice.

The next day, Officer Brice came to work in uniform wearing his gun for the first time in four years. Almost immediately, his picture, in his duty uniform, mysteriously appeared on bulletin boards throughout the Peoria PD.

The last few months have been particularly perilous for our members. We have had critical incidents throughout the state and lost Deputy Timothy Graham, a member of the Pima County Deputy Sheriffs Association. His tragic loss occurred as we go to press. Expect a detailed article in the next issue.

In Santa Cruz County, deputies tried to pull over a vehicle when it veered off the road into some brush. As deputies approached the truck the suspect slammed it into gear and tried to back over the deputies. Fearing for their lives, the deputies opened fire on the vehicle. The suspect stopped the truck, exited and surrendered. A secret compartment was later discovered in the truck bed.

Nogales POA members had several incidents where suspected drug traffickers, fleeing from law enforcement,



Martin Bihn

sped through the city streets toward the Port of Entry. On at least two occasions these pursuits resulted in critical incidents as officers either returned fire or were forced to fire upon vehicles threatening their lives. Fortunately, no officers were injured in the shootings.

Near Yuma, in San Luis, our members faced virtually the same threat. They got a call that the Border Patrol was chasing a suspect toward San Luis and its Port of Entry. As officers were setting up a road block, the suspect barreled into town. The suspect sped directly at the officers, who opened fire in self defense. The suspect vehicle narrowly missed the officers, crossed through the Port of Entry, and disappeared into Mexico.

The Arizona Probation Officers Association (Maricopa) also had a near tragic incident. A probation officer called for the warrants squad to arrest a probationer who had violated his probation. When the warrants officers arrived, the probationer drew a concealed pistol, shot both officers and fled from the satellite probation office. Fortunately, the warrants officers survived their wounds and are on their way to recovery. The probationer hijacked a car and later shot himself to death.

In Casa Grande a crazed man brandishing a shotgun decided to attack police officers during the middle of the night. The suspect opened fire on a Casa Grande motor officer, then moved through town shooting at any officer he saw. The shootout lasted several hours, left a massive trail of shell casings and covered at least two miles. In his final stand the suspect took on about 10 officers. The officers fired as the suspect leveled his shotgun. The suspect died at the scene.

In Tucson, a suspect stole an earth mover, a massive piece of construction equipment, and drove through the city streets at 30 to 40 miles per hour. The suspect refused to stop and then drove off the road, followed by a number of police vehicles.

The suspect stopped after reaching the end of a ravine. Then, the suspect reversed the earth mover, threatening the lives of the officers who had stopped immediately behind it. The suspect continued to refuse commands to stop and officers were forced to shoot the suspect. The suspect was permanently paralysed.

In another Tucson case, an officer, in the first hour of his very first day on the job, saved the life of his Field Training Officer. The officer stopped a vehicle and, while he was contacting the driver, the FTO moved to the rear passenger side door. The probationary officer saw a passenger in the back seat open the door, jump from the vehicle and point a gun at the FTO's head. Without hesitating, the officer drew his weapon, shot the suspect and ended the threat to his FTO's life. Although a probationary officer, he had joined AZCOPS for the legal protection. The officer (as all of the other officers in this article) had AZCOPS representation and was cleared in the incident. ■



AZCOPS News From

Disabled Tucson Officer's Ruling Wins

Motorcycle Patrol Officer Greg Perrin, disabled since Mar. 31, 2004, in an on-the-job accident that nearly took his life, has won an historic ruling by the Tucson Public Safety Personnel Retirement System Board.

On Aug. 3, 2005, Perrin, 40, was awarded the city's first "catastrophic disability" pension, made possible by a new state statute covering law enforcement officers and firefighters. Unlike an "accidental disability pension", which is awarded when an officer is only disabled from police work, the more serious disability requires that the officer be deemed "totally and permanently disabled." It also pays a significantly higher monthly pension.

But the award did not come easily or without more than Perrin's share of pain and suffering, as well as a determined effort by Phoenix attorney Tom Stillwell, who handles disability legal matters for AZCOPS.

At the time of the accident, Perrin was a 17-year veteran of the Tucson Police Department, which he joined fresh out of the U.S. Marine Corps. After acad-



Motorcycle Patrol Off. Greg Perrin

emy training, he became a patrol officer on the city's east side. He subsequently became a general instructor, training new officers and instructing in firearms and physical training. He was on the department's SWAT team for 10 years, serving as an Armored Personnel Carrier driver, entry technician, assistant explosive breacher, and trainer in physical fitness and in the use of handguns and machineguns. While assigned as a Motorcycle Patrol Officer, Perrin also served as a Tactical Flight Officer in the department's Air Support Unit. He had applied to become a pilot, had completed his flight training, and was accepted as a pilot and awaiting that assignment at the time he was disabled.

During the past 17 months, Perrin has undergone 10 surgeries and almost as many hospital admissions and emergency room visits. Still suffering from numerous physical problems, he visits doctors and therapists on a regular basis and takes a variety of prescription drugs that create serious side effects that are as debilitating as his injuries.

"On good days — and there are few — I can walk with a cane. On average days I can use a walker, and on bad days I need a wheelchair," Perrin said.

Just as difficult for the injured officer and his family has been the legal fight under the state's workmen's compensation system.

Perrin applied for a disability pension when, a year after his accident, the Tucson Police Department notified him that his employment was being terminated, a TPD policy, regardless of the circumstances.

By then, the State Legislature had enacted the "catastrophic disability" law and Perrin applied for a pension under that law. He provided opinions from his doctors, who stated that Perrin was totally and permanently disabled and would remain that way indefinitely.

But, when Perrin's initial application was discussed by the Personnel Board at a hearing in May, 2005, it's members did not believe that Perrin qualified for the catastrophic category because none of the doctors were willing to state that he would never work again. During a break in the meeting, various Board members explained their views to Perrin, who had no legal counsel with him at the time. The officer was per-
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suaded to amend his application from a



AZCOPS EXECUTIVE BOARD welcomes Greg Perrin at its Aug. 20 meeting. Shown above are (L. to R.): President Jim Parks, TPOA President Larry Lopez, Perrin, Vice President John Stair, Treasurer Joe Harvey, and Secretary Tracy Hubbartt.

The accident that disabled Perrin was first thought to be an officer fatality. Perrin's wife, Teresa, was rushed from her grievance counselor job at Davis-Monthan Air Force Base. It occurred when two vehicles on South Park Avenue collided, pushing one head-on into Perrin's motorcycle. He remained in a drug-induced coma for more than a week as trauma surgeons fought to save his mangled leg.



Pension For “Catastrophic Disability”

catastrophic to an accidental pension, which was then approved.

The next day, Perrin contacted Stillwell. The officer had been referred to Stillwell a few years earlier by AZCOPS President Jim Parks after Perrin sustained a back injury while conducting off-duty physical training at home while assigned to the SWAT team. In that case, Stillwell was able to show that Perrin was eligible for workmen’s compensation because the off-duty training was required by the department.

“Greg called me the day after the May Board meeting and explained how he believed that he was not eligible for the pension he had originally planned, and that the lower pension would probably mean he would have to sell his house,” Stillwell said. The attorney said he contacted AZCOPS and “obtained their immediate support for his (Stillwell’s) efforts to remedy the situation.

Stillwell then contacted the Board’s attorney and some of its members, then



CONGRATULATIONS are offered by AZCOPS President Jim Parks (left) to Greg Perrin on the “catastrophic disability” pension he was awarded.

initiated the process of asking the Board to rehear Perrin’s “catastrophic disability” pension application. He also asked the Board to allow time for a presentation of legal arguments and testimony.

At the Board’s Aug. 3 meeting, Stillwell provided legal precedent showing that Perrin falls under the definition of “permanent disability,” even though he and his doctors hope that someday his situation will change.

Stillwell also led Perrin through a description of his current medical problems and difficulties with everyday living with which the officer and his wife continue to deal.

Upon approving the amended pension application the Board members expressed their hopes that Perrin will not have to fight this battle again, but that decision does not rest with them alone. Under Arizona law, the Fund Manager of the State Public Safety Personnel Retirement System has the right to file suit in Superior Court against the Board’s decision, if he believes it to be incorrect.

“I am confident that Greg’s position will prevail in the end because he is right, but I hope that the folks in Phoenix do not choose to make him jump through any more hoops to get what he deserves,” Stillwell stated.

“There is no doubt that our legislature intended this statute to apply to an applicant like Greg Perrin,” Stillwell later explained.



Officer Greg Perrin (center) is shown at last year’s Annual AZCOPS Convention with his wife, Teresa, and his attorney, Tom Stillwell.

“The Board realized that Greg should not have been persuaded to change his application in May, and they set it right today,” Stillwell said after the August hearing.

The victory was actually the second bittersweet victory for Perrin in as many weeks. On July 26, 2005, Perrin was awarded both the Scarlet Shield and the Medal of Service at a ceremony held at the Tucson Convention Center.

Throughout the past year and a half Perrin says he has been able to cope with his disability because of the unwavering support he has received from what he calls his three families.

“My wife, Teresa, has pulled all the weight within my immediate family. She is my mainstay, my soul mate. She and my two children have been wonderful,” Perrin said.

“AZCOPS is my second family. I can’t describe my gratitude to the Tucson Police Officers Association, my fellow officers, and to AZCOPS. They have come to my rescue on several occasions. And my third family is the 100 Club; it’s become a huge part of my life. The donations from these very, very good people helped me keep my home,” the officer said. ■



Our Associations at work for you

Mohave County Deputies Survive Critical Incident

A major critical incident in Northwestern Mohave County on May 26, 2005, ended just outside Kingman when Mohave County Deputies and other law enforcement officers were forced to shoot an armed robbery suspect who fled Nevada, with a hostage, in a stolen vehicle.

A high-speed, 120-mile chase began in Mohave County when the suspect crossed Hoover Dam and blew through a roadblock. Several rounds were fired at dam security officers by the suspect while breaking through the roadblock. As he entered Arizona, Mohave County Deputies and DPS officers were called to take up the chase. Officers of both agencies chased the suspect at high speed toward Kingman. The suspect stopped his vehicle and officers initiated a felony stop. In the immediate confusion, the suspect was able to steal a DPS patrol vehicle and flee with his hostage.

Our members arrived on the scene just moments before the suspect made off with the DPS vehicle. Recognizing that this dangerous felon had essentially armed himself with an even more danger-

ous weapon — a DPS Crown Victoria — our members opened fire. Although they struck the vehicle numerous times, they didn't disable it.

The suspect resumed his high-speed flight toward Kingman as our members and DPS officers gave chase. He drove through part of Kingman during the chase, then headed out of town again.

At a gas station on the outskirts of Kingman the suspect dumped the DPS vehicle, kept the DPS shotgun, and carjacked another vehicle. The suspect and hostage then continued toward the intersection with Interstate 40, where our members and DPS were waiting with stop-sticks. The suspect ran over the stop-sticks and the vehicle was significantly disabled.

Nevertheless, the suspect tried to force another vehicle off the road, presumably in order to carjack it. At this point, officers closed in on the suspect and, in an exchange of gunfire, killed him.

MCDA President Stephen Padilla im-

mediately notified AZCOPS legal to protect our members' rights. "DPS was aware that I had called AZCOPS legal and our members were allowed to leave the scene and go home. Arrangements were made for later interviews," Padilla said.

"It was apparent that they (DPS) were well aware of AZCOPS' position that members make no statements following an officer-involved shooting without a union attorney on the scene," he added.

In the aftermath of the shooting, criminal and administrative investigations have confirmed that our members' actions were fully justified under both state law and MCSO policies.

Padilla said that it has also been determined that the suspect started his reign of terror with a carjacking in Phoenix, where he shot the owner in the head and took a hostage. He then drove to Las Vegas, but apparently decided to return to Arizona. Padilla also said that there is some suspicion that the suspect's hostage, a woman, may have been an accomplice. ■



AZCPOA/AZCOPS, LAW ENFORCEMENT MET IN EAGER on Aug. 5. Among the participants were (L. to R.): AZCOPS Pres. Jim Parks, Staff Rep. Chuck Foy, AZCPOA Winslow/Apache Chapter Pres. Tim Rainey, AZCOPS Staff Tim Clark and Martin Bihn, and AZCOPS Secretary Tracy Hubbartt.

AZCOPS Speaks is the official publication of the Arizona Conference of Police and Sheriffs, Local 7077, which determines its entire content, and is published quarterly. Comments or correspondence should be addressed to: AZCOPS Local 7077, 606 South Plumer Avenue, Tucson, AZ 85719. Stories submitted for publication become the property of AZCOPS Local 7077, and may be edited for clarity or content. Stories and/or photos may be submitted for publication to the above address. Photos submitted will be kept by AZCOPS Local 7077 unless their return is requested in writing at the time of submission. All material contained herein is copyrighted and prior written permission from AZCOPS Local 7077 is required to reprint any portion of this publication. ■



Marana POA Gets 100% Members, Pay Raise

Obtaining 100 percent membership paid big benefits for the Marana Police Officers Association this summer as they were able to win a much-needed pay raise. The former agricultural area, which in recent years became a growing business and residential community, now pays its officers on par with the Tucson Police Department, one of the highest paid in the state.

“All but three of our members received a substantial wage increase, and those three are now under review for reclassification,” said Sgt. Bill Derfus, MPOA President. The increase averages 10 percent with some officers getting as much as 15 percent, he added.

As late as the end of May, MPOA had about 50 percent membership, Derfus said. “We just decided to do something about that and launched two campaigns: one a concentrated membership recruiting drive and the other a determined effort to get city officials to face serious wage problems within its police department,” he said.

“We informally developed and proposed our own pay plan to the city as a way to fairly compensate our members as well as remedy the city’s problems in recruiting new officers, particularly experienced officers,” Bill Derfus said.

“We pointed out that the city had built a plush city office building at the same time its police officers were among the lowest paid in the area. We had 12 officer vacancies, over 15 percent on our sworn force, with little hope of filling those slots with new recruits, let alone experienced officers,” Derfus said.

Also, MPOA had senior officers who would never reach the top wage level because of the way the pay for performance wage system was set up, Derfus said. Additionally, there was no

provision for lateral transfers of officers in other departments who wanted to join the Marana PD. All transferees, regardless of experience, had to accept an entry level wage, he added.

As the MPOA pressed its plan for a pay increase with Police Chief Richard Vidaurri and Town Manager Mike Reuwsaat, word spread throughout the department and officers and support staff, who had been reluctant to join the association, began to sign up. And, as its membership grew substantially so did its influence with the city, which became easier with which to deal, Derfus said.

“There is no question in my mind that achieving 100 percent membership had a significant impact on our ability to get this pay raise,” Derfus said. As soon as the last member was signed up, he sent an e-mail announcing its 100 percent membership to both the chief and town manager, he said.

Noting that the MPOA does not have a Meet and Confer agreement with the city, Derfus said the association had to ensure that its preparations for city meetings, including statistics, were extensive and complete.

“I talked with both (AZCOPS Staff) Martin Bihn and Tim Clark. They were tremendous. We got a lot of behind-the-scenes support. They were there every time we needed them,” Derfus said.

“We were so well prepared we caught everyone off guard,” Derfus said. But, while both the chief and town manager were cordial and prepared to meet with the association, some of the city’s staff were less than enthusiastic about dealing with our union in working out a pay agreement, he said.

At one point, Derfus said an offhand

threat about the possibility of his firing was made to him by a city staffer. However, the MPOA president, a 20-plus year law enforcement veteran who also serves as the Public Information Officer for Marana PD, said he was quickly able to diffuse the situation with informal meetings with city officials. “We both thought this would be better handled in-house than in the news media,” said Derfus, who as PIO has extensive media contacts.

The mutual trust and respect developed in these meetings has resulted in gains involving more than just a pay raise.

The former pay for performance wage system has been replaced with an eight-step system. As long as an officer receives a competent performance evaluation, that officer will receive a step increase each year. Officers with three or more years experience who join the department will be brought in at Step 3. Also, officers are able to keep their take-home vehicles, a benefit the city tried to eliminate.

The MPOA will next work on an incentive program for extra pay for officers serving as field training officers and in other specialties. And, a push for a Meet and Confer agreement will be made, Derfus said.

None of this would be possible without the strong support received from its membership, AZCOPS, a large contingent of the police volunteers, and Chief Vidaurri and Town Manager Reuwsaat, Derfus said.

Others involved in the meetings with the city include Det. Terry Evans, Vice President; Sgt. Tim Brunenkant, Secretary; Sgt. Steve Johnson, Treasurer; Sgt. Roberto Jiminez, Sergeant at Arms; and Rey Ibarra, past Secretary, who was involved in the initial phase of the negotiations. ■

Arizona Conference of Police and Sheriffs, Local 7077

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