

## Police-union chief sees job as a watchdog

Mark Spencer's adult Sunday-school students flipped through their Bibles, oblivious of the handgun tucked into his boot.

At a whiteboard, the volunteer evangelical pastor used a red pen to underscore his message from the Book of James as hymns wafted in from a sanctuary down the hall. The lesson: Faith without action is useless.

"Talk. Is. Cheap," Spencer said. "Action is what impacts peoples' lives."

The career Phoenix police officer packs his pistol each Sunday because he doesn't want to be caught off-guard, even at church. He wants to be ready when action is needed. During the week, Spencer's actions revolve around the Phoenix Law Enforcement Association, the union representing 2,571 of the city's roughly 3,400 sworn police officers.

His first two years as union president have earned him a reputation as a harsh critic of police management and a relentless advocate for Phoenix patrol officers. Spencer, 46, is running unopposed on Tuesday for another two-year term. He claims to be equally tough on officers accused of wrongdoing. "We tell them when they join: 'We aren't here to get you off, we're here to get you what's fair,'" Spencer said. "The members clearly understand that upfront, and it shows when we help with personnel issues. There are some people who are not fit to be Phoenix police officers."

Spencer's 2007 election ended a decade of harmony between the administration and the union. He favors formal complaints, mediated negotiations and public announcements rather than informal meetings or handshake agreements.

He has been particularly harsh toward Phoenix Public Safety Manager Jack Harris, the former police chief who retired in 2006 and was rehired to a similar position in charge of the department. Their relationship remains strained even after a federal mediator sat down with them in December in an attempt to improve communication.

Pastor Patrick Sullivan of Scottsdale Bible Church has known Spencer for nearly 20 years. He watched Spencer juggle his career as a patrol officer with a commitment to attending seminary school to become a pastor in a church known for strict interpretation of Scripture. "He's one of those guys who can stand up in front of a group," Sullivan said. "People know who he is, and he's not afraid to let people know he's a Christian."

Spencer insists that, in his day job, he speaks as a cop, not a pastor, although his moral compass "comes from the power of Jesus Christ."

The 11-member union board might craft its message as a team, but Spencer is the messenger. "When things go wrong, I'm responsible," he said. "When things go right, the team did a good job."



By the book

Spencer grew up in Indiana and came west to earn a finance degree at Northern Arizona University. He met his wife, Shannon, in Thailand on a college missionary trip with Campus Crusade for Christ International.

After college, Spencer had a tough time finding a job. In 1988, at the urging of his brother-in-law, he joined the Police Department and graduated at the top of his academy class.

Danny Boyd is the current union vice president - and is married to Spencer's older sister. The two worked together as uniformed officers, walking beats in central Phoenix housing projects. They also came up through the union ranks together. Spencer served as a union representative for years before taking on the position of grievance chair. In that role, he was involved in each case where officers needed the union's legal advice in shootings, traffic accidents or disciplinary reviews. Boyd said his brother-in-law didn't want to run for union president, "but, at the time, he was very popular with members because he fought for members."

Spencer and the current union board members unseated five incumbents based on a promise to serve members and citizens directly. Spencer campaigned as a reformist who would hold police management accountable.

As union president, Spencer applies an accountant's attention to detail. The union's Web site features updates on lobbying efforts, police chiefs' e-mails and complaints to city leaders. Officers receive text-message alerts to each new blog item.

During Spencer's two years as PLEA president:

- The union filed eight unfair-labor-practice claims with the Phoenix Employee Relations Board, twice the number filed from 2004 to 2007. They allege Harris and other police leaders intimidated or threatened to interfere with their ability to represent members. Most of the complaints were withdrawn.
- During his two years as PLEA president, Spencer criticized the department's policy on the handling of undocumented immigrants, which made it difficult for officers to turn them over to federal immigration authorities. The policy was changed in 2008, giving officers more discretion in when to call federal authorities. Police officials modified the policy in response to public pressure, though Harris said the changes were made with no input from Spencer.
- The union wrote several letters to the city's Equal Opportunity Office, the federal Equal Employment Opportunity Commission and the Civil Rights Division of the Arizona Attorney General's Office with allegations of racial discrimination on the part of police supervisors

Unlike his predecessors, Spencer refuses to meet with management without board members present.

Former PLEA President Jake Jacobsen and then-Chief Harris used to lecture at police conferences about their negotiating success based on "interest-based relations." But some union representatives were frustrated by the private meetings.

Terry Sills, a former PLEA president who now works at the Phoenix police traffic bureau, said Spencer's combative stance with management makes it difficult for younger officers to separate rhetoric from fact.

It troubles me, and it troubles a lot of the rank-and-file officers who've been around awhile," Sills said. "It's too much public turmoil to do an effective job as police officers."

Jacobsen, whom Spencer defeated two years ago, said veteran officers perceive Spencer's style as counterproductive or overtly political.

"There were probably some younger officers who believed anything they were told, who drank the Kool-Aid," said Jacobsen, who now works as a SWAT team supervisor. " (Spencer) had a lot of people thinking he could hold management accountable, bring them to their knees."

A dozen union members interviewed by The Republic said Spencer's aggressive style doesn't affect them or their ability to do their jobs. Each officer declined to be identified, citing department policy that usually requires interviews be approved in advance, but shared views about the union. A rookie Sunnyslope patrolman, a 30-year-old Squaw Peak Precinct officer, a female officer working off-duty at a supermarket - all said they felt their \$60.33 monthly membership dues are well-spent.

"(PLEA is) like medical insurance," said a 29-year-old Central City Precinct officer in his first year on the force. "It's there if you need it."

The PLEA board is most proud of a 7.1 percent salary hike negotiated early in 2008, which will start showing up in officers' paychecks at the end of this month.

#### Aggressive stance

Spencer typically goes to work in a pair of jeans, a tucked-in collared shirt and boots. He drives an older Jeep, the floor littered with trash. He uses phrases like "Jiminy Christmas" and "Oh, for Pete's sake" to express his frustration with police management.

Any casual tone disappears when he deals with Harris.

As the chief spokesman for more than 90 percent of the city's beat officers and detectives, Spencer has met directly with Harris only four or five times in two years. At their last meeting in May, Harris asked Spencer to sign an agreement that he would stop taking their disputes to the media.

Spencer refused and said the proposal "smacks of domination or interference" with his attempt to provide full disclosure for union members.

Some of the tension between Spencer and Harris stems from Harris' new position as public-safety manager. Spencer doesn't like the fact that Harris retired, drew his pension, and continued a similar job at a higher pay rate - a move ruled legal by city staff and state pension authorities. Spencer contends the city is operating without a police chief, though as public-safety manager, Harris functions as chief of police.

Harris attributed some of Spencer's tactics to his affinity for the hard-line immigration stances of Maricopa County Sheriff Joe Arpaio and Sen. Russell Pearce, R-Mesa.

"I don't even know, in reality, if it's personal with me," Harris said. "He's aligned PLEA with the Sheriff's Office, with some people that are very anti-immigration. He is obviously way over to the right on the immigration issue."

Harris plans to remain public-safety manager for two or three more years. Assuming Spencer is reelected on July 28, Spencer would remain union president for most of that time. Under pension rules, he'll retire in February 2012. So, the two men could finish their careers together. "Unlike Jack Harris, I have to retire," said Spencer, adding that he prays for Harris to make the right decisions.

Each of PLEA's 11 board positions is up for election. Like Spencer, all are running unopposed. The new union board takes office in September.

A few months later, members will fill out a survey as the board collects input on how to approach 2010 contract negotiations. So far, few members have been disappointed enough in the current leadership to drop their membership. "Silence is affirmation in our business," said Joe Clure, a union board member.