



**PIMA COUNTY  
MERIT SYSTEM COMMISSION  
LAW ENFORCEMENT MERIT SYSTEM COUNCIL  
MINUTES OF OCTOBER 14, 2019**

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The Pima County Merit System Commission/Law Enforcement Merit System Council met at the Human Resources Conference Room at 150 W. Congress Street, Tucson, Arizona, on Monday, October 14, 2019, at 9:00 a.m.

Commission Members Present: John Fink, Chairman; Mike Hellon, and David Freund

All persons in attendance were asked to state their names for the record:

Barry Corey	Counsel for the Commission/Council
Dan Jurkowitz	Deputy County Attorney for the Respondent
Lenora Anderson	Paralegal, Pima County Attorney's Office
Aurora Hernandez	Recording Secretary, Human Resources
Mike Storie	Attorney for the Appellant
Lt. Joseph Cameron	Appellant
Captain Harold Janes	PCSD-Department Representative
Captain Jeffrey Palmer	PCSD
Captain Eric Johnson	PCSD
Chief Karl Woolridge	PCSD
Chief John Stuckey	PCSD

The Open Meeting of the Pima County Merit System Commission/Law Enforcement Council was called to order by John Fink, Chairman, at 9:00 a.m. Roll call taken, the selected Commissioners were present.

The Pledge was led by Mike Storie, Attorney for the Appellant.

**Item C. Appeal Hearing Discussion and Action: Joseph Cameron v Pima County Sheriff's Department, 3-Day Suspension without Pay**

Mr. Fink, Chair, read the opening statement into the record and asked if either party wished to invoke the Rule of Privilege, which was explained by Mr. Corey. The Rule of Privilege was invoked by Mr. Storie, Attorney for the Appellant.

Mr. Corey swore in the witnesses:

- Lt. Joseph Cameron, Appellant, PCSD
- Captain Jeffrey Palmer, PCSD
- Chief Karl Woolridge, PCSD
- Chief John Stuckey, PCSD
- Captain Eric Johnson, PCSD
- Captain Harold Janes, PCSD, Department Representative

The witnesses were sworn in, instructed to speak to each other about the case and left the room until called. Capt. Janes, Department Representative, and Lt. Cameron, Appellant, remained in the room.

Mr. Hellon had previously presided over an Appeal involving Lt. Cameron. He had no issues hearing this appeal as that was in the past and no issues now. Mr. Corey perceived no conflicts or reason to excuse Mr. Hellon.

Mr. Corey made a statement for the record regarding the concerns of Pima County Administration and his possible influence on the Commission decisions. He stated that it is not his role to make decisions only to make recommendations or suggestions to the Commission.

**ACTION:** Mr. Fink stated the November 14, 2019, date is on and vacated the November 15, 2019, date. Mr. Fink requested Chief Woolridge be brought into the room to inquire about his availability for January.

(9:30 a.m. At this time the Commission went off the record while waiting for Chief Woolridge.)

**ACTION:** 9:32 a.m. Back in session all previous Commission Members present returning. Chief Woolridge clarified his availability and excused.

The Commission would not be able to reverse the Special Observation Period (SOP) that was cited in the Appeal form as part of the remedy requested since it is not within the purview of the Commission. It could be considered as part of the case but it could not be rescinded.

The Motion in Limine from Mr. Jurkowitz was discussed and he asked for an Evidentiary Ruling because he needed to know how to proceed. The Commission was unable to rule since nothing has been presented at this time.

**ACTION:** 9:51 am, at this time the Commission took a short recess before starting with the first witness.

**ACTION:** 9:59 am, return from break (all previous members present returning).

Mr. Jurkowitz waived his opening statement and Mr. Storie made his opening statement.

**RESPONDENT'S EXHIBITS 1 – 23** were admitted without objection and listed below.

**EXHIBIT #1** Pima County Merit System Appeal Form dated 5/9/19;

**EXHIBIT #2** Pima County Sheriff's Department Rules and Regulations 2.V – Additional Expectations and Responsibilities of Commissioned Management, Including Lieutenants, Captains, and Bureau Chiefs;

**EXHIBIT #3** Pima County Sheriff's Department Rules and Regulations 4.I. - Standards of Conduct;

- EXHIBIT #4** Pima County Merit System Rule 12.1.C – Disciplinary and Other Personnel Actions;
- EXHIBIT #5** Pima County Personnel Policy 8-119 – Rules of Conduct;
- EXHIBIT #6** Notice of Suspension dated 5/3/19, Bates Nos. 004-007;
- EXHIBIT #7** Pre-Action Meeting Memo dated 4/29/19, Bates Nos. 010-011;
- EXHIBIT #8** Notice of Intent to Suspend without Pay dated 4/24/19, Bates Nos. 012-015;
- EXHIBIT #9** Captain Janes Memo dated 4/3/19, Bates No. 2019;
- EXHIBIT #10** Chief Stuckey Memo dated 1/28/19, Bates Nos. 1949-1950;
- EXHIBIT #11** Sheriff Napier Memo dated 2/5/19, Bates No. 1951;
- EXHIBIT #12** Captain Janes Memo dated 1/23/19, Bates No. 1952;
- EXHIBIT #13** Captain Stewart Memo dated 1/22/19, Bates No. 1953;
- EXHIBIT #14** Captain Stephens Memo dated 1/22/19, Bates No. 1954;
- EXHIBIT #15** Chief Woolridge Memo dated 12/31/18, Bates Nos. 1955-1965;
- EXHIBIT #16** Transcript of Appellant’s Pre-Action Meeting on 4/29/19, Bates Nos. 2109-2124;
- EXHIBIT #17** Transcript of C.O. Daniel Conrad’s Disciplinary Meeting on 1/22/19, Bates Nos. 2125-2131;
- EXHIBIT #18** Transcript of C.O. Conrad’s Pre-Action Meeting on 10/08/18, Bates Nos. 2132-2133;
- EXHIBIT #19** Letter of Reprimand dated 9/19/17, Bates Nos. 020-023;
- EXHIBIT #20** Pima County Sheriff’s Department Discipline Application Chart, Bates No. 2022;
- EXHIBIT #21** Audio Recording of Appellants Pre-Action Meeting 4/29/19;
- EXHIBIT #22** Audio Recording of C.O. Conrad’s Disciplinary Meeting 1/22/19;
- EXHIBIT #23** Audio Recording of C.O. Conrad’s Pre-Action Meeting 10/08/18;
- ACTION:** Mr. Jurkowitz finished his questioning.
- ACTION:** Mr. Storie began his cross examination of Capt. Janes.

Capt. Janes answered Mr. Storie and the Commissioners questions. He acknowledged seeing a 3-inch binder in Chief Woolridge office with documents pertaining to Lt. Cameron. He confirmed Supervisors who don't follow the Commanders orders are disciplined. This was his first experience of discipline actions coming from higher levels down. Usually it is lower levels sending action up the chain of command.

**ACTION: EXHIBIT A** – January 15, 2019, Mr. Storie letter to Andrew Flagg (with attachments) and Response. Admitted with this stipulation: "County employee and does not state member of the department." The Commissioners can give whatever weight they desire.

Capt. Janes explained layoff tactics and answered questions from the Commissioners and attorneys.

**ACTION:** The Commission took a lunch break with instructions to return at 1:00 p.m.

**ACTION:** Commission reconvened at 1:00 p.m. All commission members previously present returned.

Mr. Jurkowitz informed the Commissioners Chief Bryon Gwaltney was present and ready to be sworn in. Mr. Corey informed him of the invocation of the Rule and asked him to wait outside. Mr. Jurkowitz next witness was Chief Stuckey.

**RESPONDENT'S WITNESS #2:** Bureau Chief John Stuckey was called to testify by Mr. Jurkowitz. Chief Stuckey answered questions presented by the attorneys and the Commissioners.

**EXHIBIT 17,** Mr. Jurkowitz read the actions of Lt. Cameron when he was in the hearing with CO Conrad. Mr. Jurkowitz asked if Chief Stuckey interpreted the interaction as an order. Chief Stuckey interpret the interaction as an order.

**EXHIBIT 16,** Chief Stuckey confirmed it appeared to be an accurate reflection of the meeting. Mr. Jurkowitz asked if the disciplinary package given to Lt. Cameron include the LOR incident.

**EXHIBIT 19,** Chief Stuckey confirmed the LOR was progressive discipline. Mr. Jurkowitz asked Chief Stuckey if he was specifically targeting Lt. Cameron for discipline. Capt. Stuckey replied no, they were reacting to the behavior. Lt. Cameron stated in his Pre-Action meeting "I think I am being bullied, targeted and picked on." Mr. Jurkowitz asked Capt. Stuckey if that was his viewpoint. Capt. Stuckey denied that being his perspective.

**ACTION:** Mr. Jurkowitz had no further questions.

**ACTION:** Mr. Storie begins his cross examination.

Discussed the interpretation of phrases versus orders, the authority of a Corrections Captain giving orders a Deputy Sheriff and if Chief Woolridge was involved in the disciplinary action. The answer was no. Mr. Storie did not have additional questions.

**ACTION:** Mr. Jurkowitz begins his rebuttal.

Chief Stuckey stated there are Correctional Officer Commanders in charge of Correctional Officers and Deputies of Judicial Security. If a Deputy refused to follow a command or order from a Corrections Officer Commander, that Deputy would be disciplined for insubordination.

**ACTION:** Witness was excused, subject to recall and reminded of the Invocation of the Rule by Mr. Corey.

**RESPONDENT'S WITNESS #3:** Chief Deputy Byron Gwaltney was called to testify by Mr. Jurkowitz. Chief Gwaltney answered questions presented by the attorneys and the Commissioners. Key topics were the length of suspension. The recording incident at the correction facility, was an order issued to Lt. Cameron? Display of the LOR and the re-appearance of the document. Is Lt. Cameron being targeted for disciplinary actions.

**ACTION:** Mr. Jurkowitz had no further questions.

**ACTION:** Mr. Storie begins his cross examination.

Chief Gwaltney could not recall who filed the complaint against Lt. Cameron for the LOR being displayed again. He heard Chief Woolridge had a binder, not a book relating to Lt. Cameron. Chief Gwaltney confirmed some of the discipline actions noted were not documented in Lt. Cameron file.

Chief Gwaltney confirmed he is returning the next day to continue Mr. Storie's cross examination.

**ACTION:** Mr. Fink motion to adjourn. Mr. Freund second. Meeting adjourned at 3:15 p.m.

Minutes approved by  /s/ Mike Hellon  on September 21, 2020