

The Police Officers Journal



VOLUME 24, NUMBER 2 - SPRING 2014

POLICE WEEK

I NEVER DREAMED IT WOULD BE ME
MY NAME FOR ALL OF ETERNITY
RECORDED HERE AT THIS HALLOWED PLACE
ALAS, MY NAME, NO MORE MY FACE
"IN THE LINE OF DUTY", I HEAR THEM SAY
MY FAMILY NOW THE PRICE TO PAY
MY FOLDED FLAG STAINED WITH TEARS
WE ONLY HAD THOSE FEW SHORT YEARS
THE BADGE NO LONGER ON MY CHEST
I SLEEP NOW IN ETERNAL REST
MY OATH I PASS TO THOSE BEHIND
AND PRAY THEY HEED THIS THOUGHT IN MIND
I WISHED I HAD SAID IT WOULD BE HE
WHO WOULD I HEARD HEART AND BENT KNEE
I WISH FOR ALL HERE AND PAST
I WISH YOU LET MY NAME BE LAST

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Law Enforcement Education Program (LEEP®)

Send Address Changes to:

667 E. Big Beaver Road, Suite 205,
Troy, MI 48083.
(248) 524-3200 • FAX: (248) 524-2752
www.leepusa.com

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POLC membership: www.polc.org

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PUBLICATIONS

Fred LaMaire

Legislature reviews fixes to PA 54, PPT reform issues

— By Richard Weiler, Director



From 2011 through 2013 the Michigan Legislature — which as we all know is controlled by one party — passed a fury of bills that became law. They all took aim at public sector employees and the unions whom represent them.

The Legislature will be reviewing a “fix” to one of these previously passed bills. Public Act 54 of 2011 prohibited step increases after a contract has expired and before a new one takes effect. Increased costs for health care, prescriptions, dental, and vision insurances were also required to be paid by employees until a successor agreement was put in place.

House Speaker Pro Tem John Walsh introduced legislation, which would exempt Act 312-eligible employees from the restrictions of PA 54. This is due to the fact that PA 54 conflicts with the language in Public Act 312 of 1969, which most legislators did not realize when they passed the law. This piece of legislation (HB 5097) now has Speaker of the House Jase Bolger’s support, as well as the Senate Majority Leader Randy Richardville and Gov. Rick Snyder. Hopefully this legislation will pass as fast and vigilant as they passed legislation in 2011-2013.

Michigan’s Personal Property Tax (PPT) also has a “fix” which the Senate Finance Committee has passed and sent on to the full Senate. The package of bills has bipartisan support and will guarantee full replacement of local funding for public safety. Once the Senate votes on the package — and they are expected to support the bills — the House will take up the issue. The PPT reform ballot issue is expected to go before voters in August.

In the Governor’s budget, Revenue Sharing/EVIP has increased funding for local government. All of these items are good news and long overdue, hopefully they will be passed sooner, than later.

Another piece of legislation, which isn’t what any of us would want to hear about, is HB 4804. This bill was introduced by Rep. Pete Lund (R-Shelby Township) and testimony was taken with no vote. This bill specifies that if a city or county adopts a resolution, ordinance, or charter provision that prohibits the offering of a Defined Benefit plan to some or all its employees, then the subject of a Defined Benefit plan is prohibited from collective bargaining. The Governor’s office has indicated they are not interested in this piece of legislation. Forgive me, but this does have a familiar ring to it, as Gov. Snyder has previously stated he wasn’t interested in passing various pieces of legislation that he ended up penning his name to when all was said and done.

One other issue is on the horizon. Sen. John Pappageorge (R-Troy) has publicly announced that he would like to eliminate EVIP all together and place the money back into revenue sharing. We’ll see how far this goes! ♥

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National Police Week 2014

May 5 – Michigan

Monday, May 5: 21st Annual Michigan Peace Officers’ Candlelight Memorial Service – 7 p.m. east steps of Lansing State Capitol, 100 North Capitol Avenue.

May 6-16 — Washington D.C.

Tuesday, May 6: 20th Annual Blue Mass – Noon at St. Patrick Catholic Church, 619 Tenth Street, NW (10th & G Streets). (202) 347-2713.

Saturday, May 10: Annual National Police Week 5k – 9 a.m. assembly at FBI Washington Field Office, 601 4th Street, NW. www.nationalpoliceweek5k.com

Sunday, May 11: 19th Annual Law Ride & Wreath Laying Ceremony – Line up begins at 6 a.m. with procession at 9:45 a.m. from RFK Stadium, 19th and East Capitol St. Program starts at 11 a.m. National Law Enforcement Officers Memorial. www.lawride.com or email Sylvester Barnes at jdpbk1@yahoo.com

Monday, May 12: 21th Annual NAPO TOP COPS Awards Ceremony – 6:30 p.m. Washington Marriott Marquis, 901 Massachusetts Ave., NW. (advanced registration required – \$125 for adults). Contact Elizabeth Loranger at (703) 549-0775 or email info@napo.org

- Police Unity Tour Arrival Ceremony – 2 p.m. National Law Enforcement Officers Memorial. Email Jimmy Waldron at info@policeunitytour.com

- TREXPO Law Enforcement Expo – 9 a.m. - noon and 1:30-4:30 p.m. free expo at Walter E. Washington Convention Center. Register at www.govsecinfo.com

Tuesday, May 13: 26th Annual Candlelight Vigil – 8 p.m. National Law Enforcement Officers Memorial. Take Metro Red Line to Judiciary Square. (202) 737-3400.

- TREXPO Law Enforcement Expo Conference – 8:30 a.m. - 4 p.m. at Walter E. Washington Convention Center. Cost is \$99 for two days, \$59 for one day. Register at www.govsecinfo.com

- National Association of Police Organizations (NAPO) Legal Rights & Legislative Seminar at Washington Marriott Marquis Hotel, 901 Massachusetts Ave. NW. Advanced registration. Contact Elizabeth Loranger at eloranger@napo.org or (703) 549-0775.

Wednesday, May 14: 12th Annual Steve Young Honor Guard Competition – 8:30 a.m. Grant Statue on west side of U.S. Capitol. Email Ken Roske at policeweekhg@aol.com

- 30th Anniversary Celebration Concerns of Police Survivors – 6-11 p.m. Hilton Alexandria Mark Center in Alexandria, VA. Dinner tickets \$75 per person. www.nationalcops.org

In 1962, President John F. Kennedy proclaimed May 15th as National Peace Officers Memorial Day and the calendar week in which May 15th falls, National Police Week.

- National Police Survivors’ Conference – 9 a.m. - 4:30 p.m. Hilton Alexandria Mark Center in Alexandria, VA. Advanced registration required. Email cops@nationalcops.org or call (573) 346-4911.

- 20th Annual Emerald Society & Pipeband March and Service – 4:30 p.m. assembly at New Jersey Avenue and F Street, NW. Begin March to National Law Enforcement Officers Memorial at 6 p.m. Contact Dennis Long at (732) 754-7051.

- 4th Annual Pipe Band Demonstration – 8:30 a.m. Grant Statue – west side of U.S. Capitol. Email Ken Roske at policeweekhg@aol.com

- Philly to D.C. Memorial Run – Arrival at noon at National Law Enforcement Officers Memorial. Run to honor fallen officers from Pennsylvania, New Jersey, Delaware and Maryland. Contact Jim Harity at (610) 633-2685.

- TREXPO Law Enforcement Expo Conference – 9 a.m. - 4 p.m. at Walter E. Washington Convention Center. Cost is \$99 for two days, \$59 for one day. Register at www.govsecinfo.com

- Officer World Expo – NLEOMF Building. Free officer safety, survival and technology training. www.officerworldexpo.com

- Shomrim Society Wreathlaying – 9 a.m. National Law Enforcement Officers Memorial. Contact Chief Jay Gruber (202) 500-8647.

Thursday, May 15: FOP/FOPA Wreathlaying Ceremony – 2:30 p.m. National Law Enforcement Officers Memorial immediately following ceremony at U.S. Capitol.

- 33rd Annual National Peace Officers’ Memorial Day Services – 11 a.m. West Front, U.S. Capitol. www.policeweek.org or contact Linda Hennie at 1shennie@aol.com

- LAPD Memorial Roll Call – 7:30 a.m. National Law Enforcement Officers Memorial.

Friday, May 16: National Police Survivors’ Conference – 9:00 a.m. - 4:30 p.m. Hilton Alexandria Mark Center. Advanced registration required. Email cops@nationalcops.org or call (573) 346-4911.

- National Police Challenge 50K Relay – 8 a.m. - noon U.S. Secret Service Training Center, Laurel, MD. Contact Dierdre Henry, Race Director at npc50@verizon.net or visit www.secretservice.gov/npc50/

- NCIS/USMC Wreathlaying Ceremony – 11 a.m. National Law Enforcement Officers Memorial. Email Cheryl Seesman at Cheryl.l.seesman@navy.mil ♥

POLC units remember fallen comrades

— By Jennifer Foley, POJ Editor

Several POLC units come together every year to memorialize their fallen comrades killed in the line of duty during Police Week at “The Protector’s” Police Memorial in Muskegon.

This year’s Police Memorial ceremony is scheduled for 5:30 p.m. May 14 at 990 Terrace on the front lawn of the Hall Of Justice at “The Protector’s” Memorial. “At the memorial, we’ll honor the fallen brothers. Every department that lost a brother brings a flower and places it at the base of “The Protector’s” and remembers that fallen officer,” said City of Muskegon Officer Emilio Trejo, POLC member and co-vice president of FOP Lodge #99.

The annual ceremony is different each

year and usually includes guest speakers, honor guard, playing of taps and bag pipes, a choir performance, relatives of the fallen officers, and vehicles on display from each department. The memorial itself, built in 2000, cost nearly \$80,000. “We undertook the huge loan to make this memorial. We’ve been in the process of paying this off,” Trejo said.

Lodge members, which include officers from several POLC units, received a 20-year no-interest loan and continue to conduct fundraisers to help pay it off. These POLC-represented units include: Fruitport Township PD, Grand Haven PD, Muskegon Township PD, Muskegon City PD, North Muskegon PD, Norton Shores PD, Mon-

tague PD, Ottawa County Sheriff’s Department and Roosevelt Park PD. “All of us came together to have the memorial built,” said POLC Executive Committee Member Rick Bleich. “We have quite a few POLC units in Muskegon County.”

When his father, Richard, passed away over a decade ago, Bleich’s family requested people send donations for “The Protector’s” Memorial in lieu of flowers. “My dad was a Muskegon Police Officer,” Bleich said, adding his father retired from Grand Haven PD.

The memorial is named for Charles DeWitt Hammond, a Muskegon City Police Detective killed in 1925 while bringing in a suspect for passing a counterfeit bill. The

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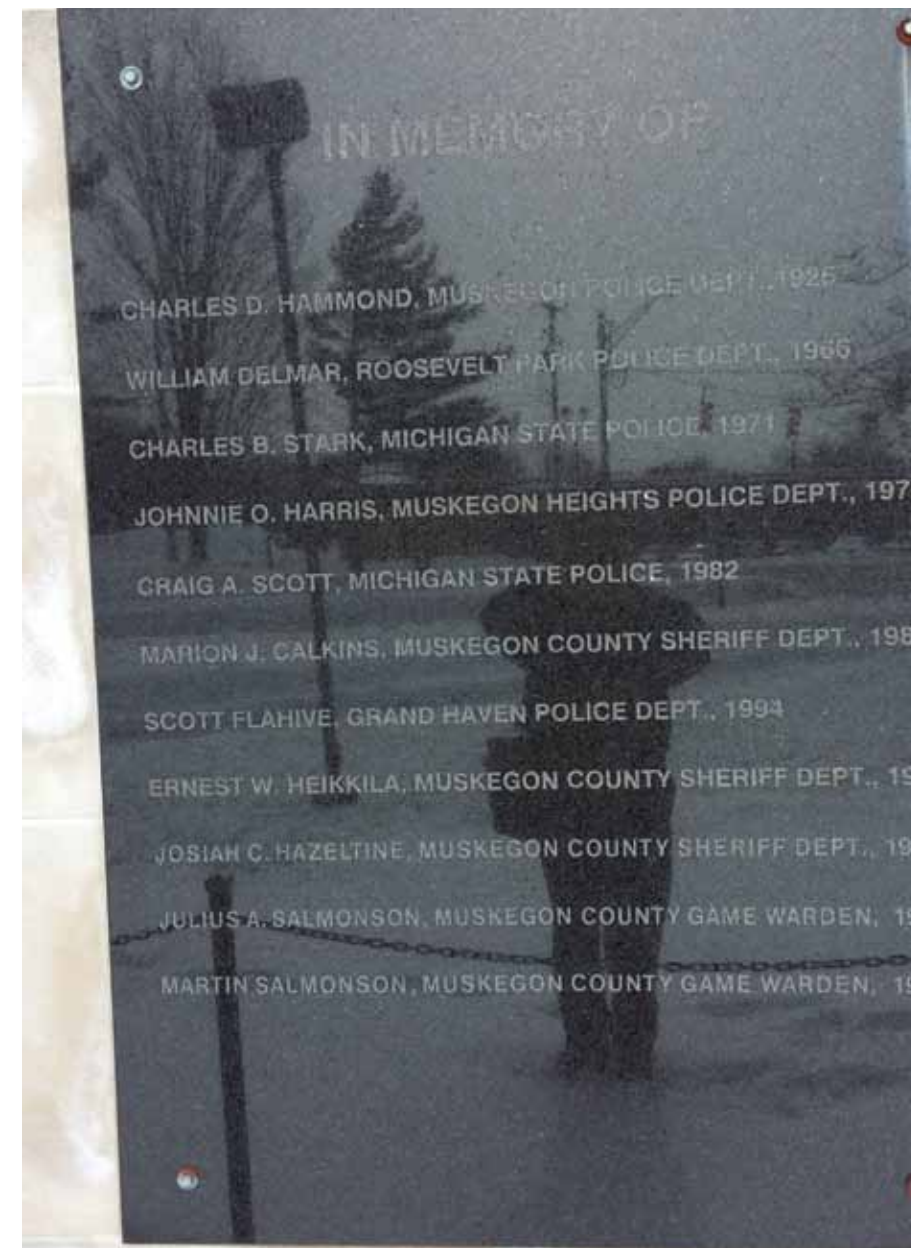
suspect shot Hammond while trying to escape and Hammond was able to shoot and kill the suspect before succumbing to his injuries. Hammond’s assailant, George “Dutch” Anderson, was an escaped prisoner who had taken part in many sensational crimes including the famous Leonard Street Mail Robbery in New York City which involved millions of dollars.

“The Protector’s” Police Memorial features a statue of Hammond wearing badges of the police units represented. On either side of Hammond is a statue of a boy and a girl holding his hands. A large marble wall behind the statues includes the names of the fallen on one side and a tribute to them on the opposite wall.

In 2012, the names of two DNR officers and a Muskegon County Sheriff were added to the memorial. Their deaths occurred over 100 years ago. “Somebody out of the area located an article that talked about these DNR officers that were deputized on the scene,” Trejo said. “They attempted to get some guys that were fishing illegally.” All three officers drowned under suspicious circumstances.

Organizers are trying to have the monument moved from Terrace Street to the new Muskegon County Building entrance off Pine Street. “It’s a beautiful monument no doubt. Relocating it is yet another step we’ve got to endure, but as of now we’re okay,” Trejo said. ❤️

Officers wishing to donate to “The Protector’s” Memorial fund can make checks payable to FOP #99 Police Memorial Fund, P.O. Box 573, Muskegon, MI 49443. For more information on the Police Memorial ceremony visit www.Fop99.co or contact Trejo at Emilio.trejo@shorelinecity.com



“THE PROTECTOR’S” POLICE MEMORIAL FALLEN OFFICERS

NAME	DEPARTMENT	EOW
Josiah C. Hazeltine	Muskegon County Sheriff’s	11/15/1908
Martin Salmonson	DNR	11/15/1908
Julius A. Salmonson	DNR	11/15/1908
Charles DeWitt Hammond	Muskegon City PD	10/31/25
William F. Delmar	Roosevelt Park PD	10/1/66
Charles B. Stark	Michigan State Police	12/31/71
Johnnie O. Harris	Muskegon Heights PD	6/25/75
Craig A. Scott	Michigan State Police	2/9/82
Marion J. Calkins	Muskegon County Sheriff’s	4/6/82
Scott A. Flahive	Grand Haven Public Safety	12/13/94
Ernest W. Heikkila	Muskegon County Sheriff’s	2/15/95

Several POLC units fundraise for “The Protector’s” Police Memorial in Muskegon and participate in the annual Police Memorial ceremony.

MEMORIAL BREAKFAST AND BLOOD DRIVE

Lodge members are sponsoring a community blood drive and a free breakfast for officers in conjunction with Police Week activities.

Blood Drive: 10 a.m. – 8 p.m. May 13 at the downtown Red Cross donation center, 313 W. Webster, Muskegon, Mich. 49440. Call Brian Harris, Muskegon County Sheriff’s Department Detective, at (231) 724-7109 or go to redcross.org and sign up for an appointment.

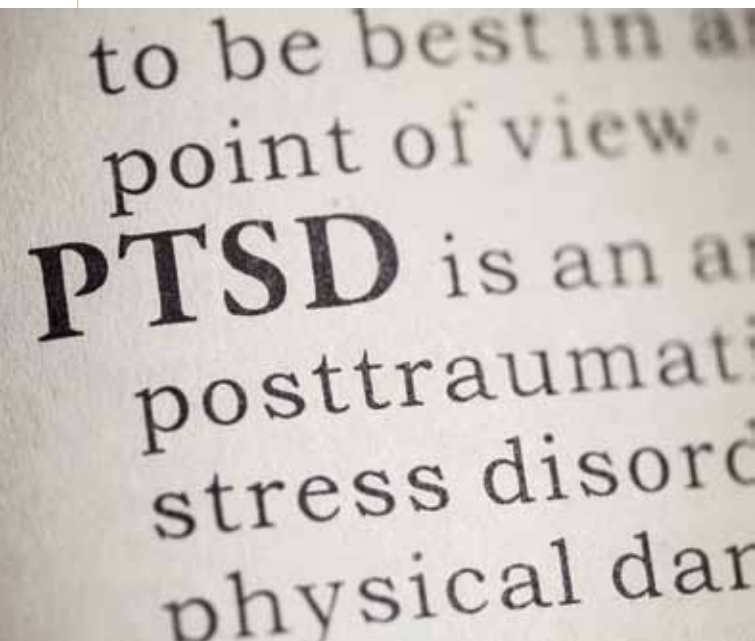
Memorial Breakfast: Free for police officers or Lodge members 6-10 a.m. May 9 at the Polish Union Hall. Last year, over 140 meals were provided.



Law enforcement suicides outnumber officers killed by felons

— Excerpted from *The Philadelphia Inquirer* and www.badgeoflife.com

More than 100 law enforcement officers nationwide commit suicide each year.



Post-traumatic stress disorder (PTSD) is the label often connected with soldiers who have been to war. But law enforcement officers must regain order in a variety of dangerous situations, some horrific, throughout their careers. An officer's response to these events can lead to hopelessness, despair, flashbacks, nightmares, insomnia, hypervigilance, anxiety and even suicide.

More than 100 law enforcement officers nationwide commit suicide each year. Thousands more are estimated to struggle in silence, fearful that seeking treatment could jeopardize their jobs. "Externally cops are tough critters," said Ron Clark, a retired Con-

OFFICER SUICIDE STATISTICS

Of the 126 law enforcement suicides surveyed in 2012:

- 92% were male.
- 41 was the average age.
- 15.4 was the average number of years on the job.
- 91.5% were killed by gunshots.
- 83% had reported personal problems.

Source: "National Police Suicide Estimates: Web Surveillance Study III," published in the *International Journal of Emergency Mental Health and Human Resilience*, 2013.

Wounded officers can apply for \$10,000 in scholarship funds

— Excerpted from *NAPO's Washington Report*

New York-based BrickHouse Security is offering their first annual \$10,000 scholarship program for police officers wounded in the line of duty.

The funds are awarded for college education for the wounded officer or his/her children's college education. Because of the rising cost of tuition and other associated costs, higher education is difficult to manage under normal circumstances and BrickHouse would like to help those who need it most. Scholarship applications will be accepted twice annually. ♥

Visit <http://www.brickhousesecurity.com/category/scholarship-submission.do>, call (800) 654-7966, or contact Amy Doherty at National Association of Police Organizations (NAPO) at adoherty@napo.org for more information.



More officers take their own lives than are killed by felons, according to Badge of Life's website, and one in 8.5 officers suffers from symptoms of PTSD.

necticut State Police Sergeant who runs the nonprofit support group Badge of Life. "They take pictures with their minds, and they go to some of the most god-awful scenes you could think of."

Clark said many officers suffer from PTSD and have higher rates of alcoholism and divorce. After years of witnessing traumatic events and taking care of others, "a lot of the resilience, the strength they could be using for their personal lives, they're using just to keep themselves tougher on the job," said Tony Salvatore of Montgomery County Emergency Services in Pennsylvania, an advocate for suicide-prevention resources who trains officers around the region.

More officers take their own lives than are killed by felons, according to Badge of Life's website, and one in 8.5 officers suffers from symptoms of PTSD.

One of the best suicide prevention methods is peer counseling, experts say. However, officers are worried about the stigma associated with mental illness and the possibility of losing their jobs, Salvatore said. Arizona, Colorado, Oregon, and Washington require peer counseling to remain confidential. Massachusetts and New Jersey are considering similar legislation. The New Jersey State Policemen's Benevolent Association set up a hotline and coordinates treatment outside the law enforcement command structure. "It's working tremendously," said Salvatore. "They come back to the job healthier and better equipped to do their job."

When an officer dies in the line of duty, "the organization pulls together, you feel the solidarity and support," said Abington Township, Pennsylvania Police Chief Bill Kelly. But with suicide, "everyone feels guilty or points fingers at other people."

Badge of Life provides resources to prevent and respond to law enforcement suicides. One of the key things individual officers can do to protect their mental health is to schedule an annual mental health check with a therapist. Officers should think of this checkup much like an annual physical for their mental health, according to Badge of Life's website. ♥

Visit www.badgeoflife.com for more information on programs and services.



SUICIDE RESOURCES

Officers struggling with PTSD are encouraged to call 1-800-273-TALK for confidential assistance.

Badge of Life provides law enforcement officers with resources to prevent suicides and provide support when they occur. Recommendations for suicide prevention/response include:

- Increased training at the academy and squad levels.
- Confidential annual mental health checks with a therapist.
- Ongoing Emotional Self-Care Training Program (ESC).
- Ongoing suicide prevention/intervention program.
- Critical incident stress debriefing program for officers who have been impacted by sudden trauma that is visibly identifiable within the first 24 hours.
- System to assist surviving families of suicides.
- A policy whereby police suicides are reported to the public/media without evasion, shame or cover-up.
- Determination of cause of law enforcement suicides through a full investigation.

Facebook becomes first private company in U.S. to pay for beat cop

— Excerpted from NBCBayarea.com

Should a private company be permitted to pay for a community police officer? Menlo Park City Council thinks so. In a historic move, Facebook will become the first private company in the country to pay the salary of full-time beat cop.

"It's safe to say this is unprecedented," said Jim Bueermann, president of the Police Foundation, the nation's oldest police research nonprofit in Washington, D.C. "But this may be the model of the future."

Bueermann said there are several examples of companies paying for K-9 dogs, and paying for a human officer is just a larger extension of that. "I'm not sure what's motivating Facebook," he said. "But Mark Zuckerberg has been part of this philanthropic movement. I applaud them for

their social consciousness."

The Menlo Park City Council unanimously approved Facebook's offer to pay \$200,000 a year for three years to hire a "community safety police officer." Facebook's headquarters is in Menlo Park, an affluent Silicon Valley city of about 30,000 considered one of the most educated cities in California. Other communities pay for police to work security, such as at concerts or sporting events, but most of those officers are off duty and earn the extra money by moonlighting.

While several experts think this is "good corporate citizenship," critics are uncomfortable with a privately paid "Facebook Cop."

"I find this particularly concerning," said Alessandro De Giorgi, a justice studies

"It's safe to say this is unprecedented."

professor at San Jose State University. Giorgi worries about the ramifications of a private company paying for a historically publicly paid police officer. He said private company money should fund education, not police officers whose job it is to arrest people — especially students — and put them in jail or juvenile hall.

"I don't think there is anything ethically wrong with it," said Terry Francke, general counsel for Californians Aware, a nonprofit group that aims to keep governments accountable. "But I don't think it's good government. The notion is that everyone pays for government services. This

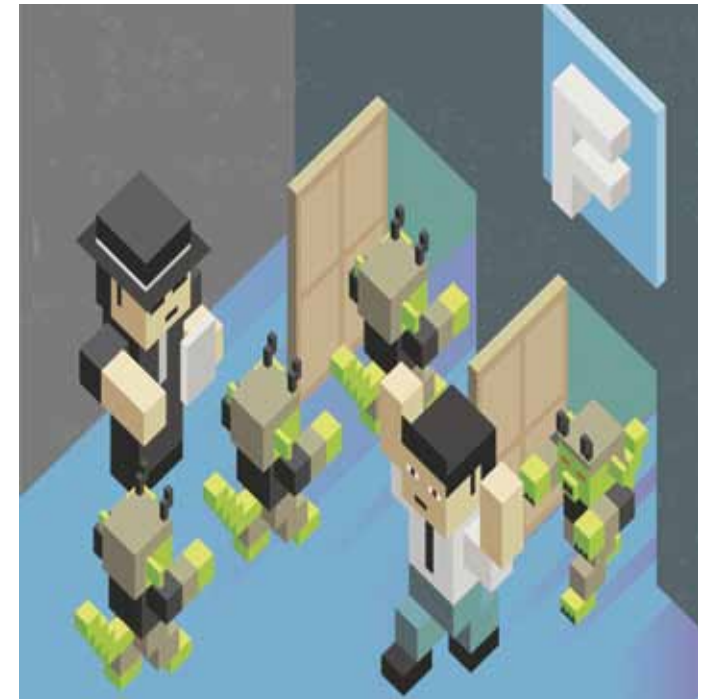
comes awfully close to naming rights. So, what will things be called now, 'Google City Hall?'"

Plan supporters say this is a creative way to pay for a public good when tax dollars are waning. "This is a generous gift," Menlo Park Mayor Ray Mueller told NBC Bay Area before the meeting. "And it's a way to keep the community safe." The contract states the officer will spend most of his or her time near the schools, not patrolling Facebook's campus.

The officer will be paid an annual salary of \$108,000 plus perks and help school campuses and large businesses plan security measures. The officer would also gather intelligence on gangs, taggers and drugs and run fire and earthquake drills for schools and surrounding businesses, according to the recommendation written by Menlo Park Police Commander Dave Bertini. The position will be funded three years before re-evaluating. "They'd be a regular beat cop with a special assignment," Bertini said.

The officer would work out of a new substation in Belle

Continued on page 13



Public sector employers cut part-time shifts to avoid paying for health care

— Excerpted from The New York Times

Police dispatchers, prison guards, substitute teachers, bus drivers, athletic coaches, school custodians, cafeteria workers and professors are among the part-time employees who have had their work hours reduced so their employers could avoid having to provide them with health insurance under the Affordable Care Act.

President Barack Obama has delayed enforcement of the health care law's employer mandate, which would subject larger employers to tax penalties if they do not offer insurance coverage to employees who work at least 30 hours a week, on average. But many public employers have already adopted policies, laws or regulations to make sure workers stay under that threshold.

The Obama administration recently announced it would ease coverage requirements for larger employers and says "there is absolutely no evidence" of any job loss related to the Affordable Care Act. But public employers in cities, counties, public schools and community colleges around the country have said they are keeping restrictions on work hours because their obligation to provide health insurance, starting in 2015, would be based on hours worked by employees this year.

In Medina, Ohio, Mayor Dennis Hanwell said the city had lowered the limit for part-time employees to 29 hours a week, from 35 and wages were reduced accordingly. "Our choice was to cut the

hours or give them health care, and we could not afford the latter," said Hanwell, a Republican. The city's 120 part-time employees include police dispatchers, park inspectors, office clerks and sanitation workers.

Hanwell added that new rules issued by the Internal Revenue Service did not address the city's fundamental concerns about the cost of providing health insurance.

The limit for part-time employees in Lawrence County, Pennsylvania, was reduced from 32 to 28 hours a week. Dan Vogler, the Republican chairman of the County Board of Commissioners, said the cuts affected prison guards and emergency service personnel at the county's 911 call center.

In Virginia, part-time state employees are generally not allowed to work more than 29 hours a week on average over a 12-month period. Thousands had been working more than that, according to the state personnel agency, but Virginia officials said they could not extend health benefits to them because it costs the state an average of over \$11,000 a year per employee.

Since Obama signed the health law in March 2010, the private sector has added more than eight million jobs. But in the public sector, the picture is different. Government employment at the federal, state and local levels is lower today than in March 2010, by a total of 698,000 jobs, the Labor Department says. And in a

recent survey, the National Association of State Budget Officers found that "states plan to reduce the number of full-time employees again" this year.

For months, Obama administration officials have played down reports that employers were limiting workers' hours. But the Congressional Budget Office issued a report saying the Affordable Care Act could lead to a reduction in the number of hours worked, relative to what would otherwise occur.

CUTS AT SCHOOLS

Mark D. Benigni, the superintendent of schools in Meriden, Conn., and a board member of the American Association of School Administrators, said the new health care law was having "unintended consequences for school systems across the nation."

In Connecticut, significant numbers of part-time school employees work more than 30 hours a week and do not receive health benefits. "Are we supposed to lay off full-time teachers so that we can provide insurance coverage to part-time employees?" Benigni asked. "If I had to cut five reading teachers to pay for benefits for substitute teachers, I'm not sure that would be best for our students."

Community colleges rely on part-time faculty members, who teach about 45 percent of all courses, according to the American

Association of Community Colleges. The American Federation of Teachers lists on its website three dozen public colleges and universities in 15 states that it says have restricted the work assignments of adjunct or part-time faculty members to avoid the cost of providing health insurance. The association praised the new rules, saying they would allow many community colleges to avoid the expense of providing health benefits to part-time faculty members.

"The Affordable Care Act, rather than making health care affordable for adjunct faculty members, is making it more unaffordable," said William J. Lipkin, an adjunct professor of American history and political science at Union County College in Cranford, N.J. "Colleges are not giving us access to health care, and our hours are being cut, which means our income is being cut. We are losing on both ends."

Republican critics of the health care law could use the cuts to public sector employment to support their claims it is creating a drain on the economy. Republicans in Congress like Rep. Tim Griffin (R-Arkansas), Mike Kelly of Pennsylvania and Todd Young of Indiana said they knew of public employers in their states that had restricted the hours of part-time employees. Authors of the health care law wanted more people to have insurance, Griffin said, but he asked: "What did they get? No insurance and less pay. Genius! That's a genius federal program right there." ♥



NAPPO warns public about Smartphone breathalyzers

National Association of Police Organizations (NAPPO) advances the interests of America's law enforcement officers through legislative advocacy, political action, and education. Here are some recent NAPPO initiatives and stances on issues:

• **Smartphone Breathalyzers:** NAPPO's Executive Director, Bill Johnson, gave an interview with a Wall Street Journal senior producer on Smartphone breathalyzers. During the interview, Johnson cautioned: "I think these devices would be dangerously misleading to a drinking driver because staying below a numeric limit doesn't exempt you from being charged with a DUI." Johnson added that driving with a blood alcohol level above the limit is only one of the ways to get charged and convicted of a DUI, as an individual can be charged if an officer observes such behaviors as slurred speech, bloodshot eyes, or erratic driving. The WSJ piece, which includes Johnson's comments, can be found at the following link: <http://live.wsj.com/video/can-you-trust-smartphone-breathalyzers/DDFF1500-B543-43B3-91E5-C3280B6C8268.html>. For more information on the interview, please contact Bill Johnson at: bjohnson@napo.org.

• **TSA Decides Not to Arm Agents:** The Transportation Security Administration (TSA) will focus on ways to improve communication with local law enforcement in the wake of a Nov. 1 shooting at Los Angeles International Airport. TSA union officials had called for the creation of a class of armed TSA officers with law enforcement training and the authority to make arrests. However, TSA Administrator John Pistole said the agency has officially rejected the idea, and that introducing more guns is not the solution. This is a victory for NAPPO, which stated carrying weapons



should be left to trained, dedicated airport police and state and local law enforcement officers. This is consistent with the findings of many law enforcement experts, who point out that arming TSA agents would be expensive, time-consuming, and a distraction from their primary purpose of screening passengers for dangerous items. NAPPO argued arming the agents would blur the delineation between TSA personnel and airport police, breaking the chain of command, delaying responses, and jeopardizing public safety. Pistole praised the swift reaction of LAXPD officers to the shooting, noting that they came within two minutes of the radio call and subdued the shooter within two and a half minutes. NAPPO brought this issue to the attention of Congress in November 2013, stressing that sworn and trained police officers, accountable to their own local public jurisdictions, should continue to be utilized for all law enforcement tasks.

• **Omnibus Spending Bill:** In January, Congress gave final approval to a \$1.1 trillion spending bill that eases sharp budget cuts known as the sequester and guarantees there will not be another government shutdown until at least October 1. The Senate approved the measure 72 to 26 and the

House overwhelmingly passed the bill. The 2014 Omnibus Spending Bill provides \$27.7 billion for the Department of Justice to fight crime and terrorism, protect communities and families, and provide critical grant funding for law enforcement initiatives to state, local, and tribal government. The bill gives strong support for state, local, and tribal partners who fight violent crime, combat violence against women and children, and support victims of crime. The bill provides \$2.3 billion to help state and local law enforcement with the tools they need to fight violent crime, gangs, and terrorism. The Community Oriented Policing Services (COPS) Program is funded at \$214 million compared to \$212 million in Fiscal Year 2013. Funding for key operational grant programs includes: \$376 million for Byrne Justice Assistance Grants; \$417 million for Violence Against Women Act programs; \$255 million for juvenile justice and mentoring grants; and \$120 million for research and evaluation initiatives on the best prevention and intervention strategies. This funding will provide women with support to leave violent abusers; put away rapists, child abusers, and sex predators; break up child pornography and prostitution rings; build the capacity of crime laboratories to process DNA evidence and thousands of untested rape kits for use as evidence in trials; break the school to prison pipeline; and help root out and prosecute the most violent gang members. The bill includes \$8.2 million for the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA), which is a top priority for NAPPO. Funding for criminal history records and the National Instant Criminal Background Check System is also up from \$18 million in FY 2013 to \$59 million in FY 2014. For more information, please contact Melissa Nee at: mnee@napo.org. ♥

POLC members garner support to participate in Police Unity Tour

—By Jennifer Foley, POJ Editor

Wayne State University Police Officers Chris Powell and Tory Tederington asked fellow POLC members to support them as they ride 320 miles in memory of fallen officers as part of the Police Unity Tour. The annual memorial bicycle ride from New Jersey to Washington D.C. kicks off National Police Week.

The men are among three-dozen Michigan officers participating in the tour, which draws about 2,000 officers annually. The two are riding in remembrance of Michigan State Police Trooper Paul Butterfield, Detroit Police Officers Rodney Jones and Patrick Hill, MIT Police Officer Sean Collier and University of Southern California Department of Public Safety Officer Keith Lawrence. All of the men died in 2013.

Powell and another co-worker traveled to Boston to attend Officer Collier's memorial service last April. Powell also attended the funerals of Trooper Butterfield and Officers Hill and Jones. Collier and Lawrence were the only two college police officers killed in 2013. "As college officers, we wanted to make sure we recognized them along with fallen Michigan officers," Powell said. "We checked with the tour and were surprised when we didn't see anybody else riding in their honor."

The ride begins May 9 in Florham Park, New Jersey and ends May 12 at the National Law Enforcement Officers Memorial in Washington D.C. Each rider is responsible for raising \$1,750, increasing awareness about line of duty deaths and promoting officer safety initiatives. The funds are donated directly to the National Law Enforcement Officers Memorial Fund to help offset the expense of engraving the names of fallen officers on the wall.

Riders have until late April to submit



Wayne State University Police Officers (from left) Collin Rose, Chris Powell and Tory Tederington raised money to ride in the Police Unity Tour.

their contributions. As first year riders, Powell and Tederington each had to show a commitment with \$500 in contributions within the first 30 days. "We were accepted around Thanksgiving and we opted to pay the initial \$500 out of our own pockets to guarantee we'd make it," Powell said.

The officers were preparing to ride with their department's canine officer Collin Rose, who raised \$1,500 before he had to drop out in February due to scheduling conflicts. "We spent the winter training on spin bikes due to the snowy weather," Powell said. "They want you to be prepared for 25 miles of intense riding with 15 minute breaks."

This is the fourth year Powell has attended National Police Week in Washington D.C. Powell, who is a steward and secretary-treasurer of his local POLC board, attends annually as a tribute to his friend Jim Bonneau. Bonneau, a Jackson Police Officer, died March 9, 2010 from a gunshot wound during a struggle with a man wanted for domestic violence. "Jim was a great man and I work to honor his memory and the sacrifice he made," Powell said. "I work to educate fellow officers about fallen officers and participate in safety initiatives aimed at reducing line of duty deaths."

Powell admired the camaraderie he saw among riders. "It's a different level of commitment, getting on a bike and riding that far," Powell said. "I was kind of jealous of that – 2,000 guys all riding for the same cause for different folks."

"It's important to remember our fallen and ensure that their legacy is not forgotten," Tederington said. "Having attended my first Police Week in 2013, participating in the Police Unity Tour seemed like the next logical step."

They hope to use the momentum from the tour participation to organize a formal Honor Guard at their department. Funding for training, dress uniforms and manpower commitments are an issue they hope to overcome. "We'd like to get a formal unit that gets called up in the event of a line of duty death rather than a group of guys who take the day off to attend," Powell said. "Ideally, we see an Honor Guard that also presents colors at graduations, home football games and neighborhood events." ♥

For more details, visit the Police Unity Tour website at www.PoliceUnityTour.com, contact Powell by email at eb5148@wayne.edu, or call (313) 577-6061.

Eaton County Sheriff's Lieutenant recognized as NLEOMF Officer of the Month for helping create memorial team

— Excerpted from National Law Enforcement Officers Memorial Fund (NLEOMF)

Eaton County Sheriff's Lt. Timothy Jungel was recognized as the February 2014 Officer of the Month by the National Law Enforcement Officers Memorial Fund (NLEOMF) for helping create a team of officers who respond immediately to line-of-duty deaths throughout the state of Michigan.

When an officer dies on the job, Lt. Jungel recognized those devastated by the death often require assistance to deal with the tragedy. Jungel was instrumental in creating the Michigan Sheriff's & Municipal Memorial Assistance Response Team (S.M.M.A.R.T.). Since 2003, this team has responded immediately to help families and departments by alleviating the stress of planning a funeral.

"In addition to being an excellent leader and law enforcement Command Officer, Lt. Jungel has demonstrated exceptional devotion to honoring those who have given their lives in the line of duty in Michigan and across the nation, and providing support services to their families and agencies," said Eaton County Sheriff Thomas Reich. "Lt. Jungel first answered the call to service in law enforcement, and personifies the belief that there is no higher calling than honoring those who make the ultimate sacrifice for all of us."



"In addition to being an excellent leader and law enforcement Command Officer, Lt. Jungel has demonstrated exceptional devotion to honoring those who have given their lives in the line of duty ..."

The team is available 24-hours-a-day and remains on-site until the final call. There is no cost for S.M.M.A.R.T. services. Through their assistance, the grieving can take time to begin healing and deal with other emergencies.

As Honor Guard/Color Guard Coordinator for his agency, Jungel is responsible for the "casket watch," the visitation, funeral and graveside services. He coordinates the pallbearers, the bagpiper, and the bugler. Lt. Jungel has attended every funeral the S.M.M.A.R.T. team has assisted with.

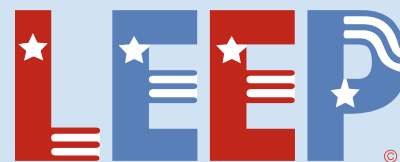
He travels to conferences nationwide to present information about the S.M.M.A.R.T. program to other agencies and assists them with developing their own programs. He administers an Honor Guard and Color Guard training school attended by law enforcement officers and firefighters from Michigan and neighboring states. Lt. Jungel has served with Eaton County Sheriff's Office for 19 years and also serves as a firearms instructor and member of the Special Response Team.

"His willingness to volunteer his own time to assist law enforcement agencies and the families of fallen officers in Michigan shows true selflessness and compassion for the profession," said Craig W. Floyd, NLEOMF Chairman & CEO.

The Memorial Fund's Officer of the Month Award program recognizes federal, state and local officers who distinguish themselves through exemplary law enforcement service and devotion to duty. Lt. Jungel, along with the other Officer of the Month Award winners for 2014, will be honored at a special awards luncheon in Washington D.C. in May 2015, during National Police Week. Their stories of heroism and service will be featured in the Memorial Fund's annual calendar. ♥

For more information about NLEOMF's Officer of the Month Award, visit www.LawMemorial.org/OTM

Photo Courtesy of National Law Enforcement Officers Memorial Fund



KIDS FINGERPRINTING AT SCHOOL

Kids Fingerprinting Program Administrator Tom Jenkins (pictured at right) takes a child's digital fingerprint at Washington Elementary School in Wyandotte while assistant Sylvia Jenkins (photo at left) takes a child's digital fingerprint at Parklane Elementary School in Grosse Ile. Parents of the children were offered the free child identification CD-Rom complete with their child's digital photograph, fingerprints and physical description. The CDs can be used in conjunction with the Amber Alert system should a child become missing.

Facebook pays for beat cop

Continued from page 9

Haven, about a quarter of a mile from Facebook headquarters, but a socioeconomic world away from the relatively poor section of town. According to the city council agenda, Facebook employees John Tenanes and Carla Gray came to the police department in October 2013, to offer to pay for an officer after hearing the city needed help. A Facebook representative wasn't available for comment.

Bertini said Facebook would have nothing to do with hiring or disciplining the officer. "They are bending over backwards to be

good neighbors," he said. "There is no quid pro quo here."

Former mayor of Santa Clara Judy Nadler, the senior fellow in government ethics at the Markkula Center for Applied Ethics, said any city engaging in such a partnership must assure the public that "no priority is given to Facebook. The potential for the conflict of interest, if Facebook asks for an expansion or a waiver of a parking ticket" is certainly there. Nadler said as long as there are transparent assurances that Facebook won't get any special treatment; she supports these types of "commendable public, private partnerships. Especially when the school districts can't afford the officer themselves." ♥

WELCOME ABOARD



The Police Officers Labor Council welcomes the following new units

Unit
Marshall Command Officers

Former Affiliation
COAM/POAM

Contract Settlements

— As reported by the POLC Legal Staff

Fruitport Township Police Unit

- **New four-year agreement** expires March 31, 2018.
- **Wages:**
 - 2% effective for each classification step April 1, 2014.
 - 2% effective for each classification step April 1, 2015.
 - 2.25% effective for each classification step April 1, 2016.
 - 2.25% effective for each classification step April 1, 2017.
- Effective April 1, 2014, the Sergeant wage shall be 5% more than the hourly wage paid to the top step patrolman.
- **Manning & Safety:** Added language to disciplinary section of: "The Employer shall follow progressive disciplinary principles when administering discipline. Progress discipline does not apply in matters warranting discharge."
- **Fringe Benefits:** Change compensatory time off usage from unlimited to 48 hours per year. Employees may still accumulate unlimited amount for pay-off purposes. Off-duty Employees shall be paid a two-hour minimum and receive time and a half in compensatory time off for attending mandatory departmental meetings. President's Day was added as a paid holiday. Holiday pay changed from 2-1/2-times to 2-times normal rate of pay for scheduled hours worked. Changed shift bidding from once a year to twice a year. Employees with plainclothes assignments shall receive \$300 per year clothing allowance.
- **Layoffs:** Part-time Employees shall be laid off prior to the layoff of any full-time Employees unless the Employer can demonstrate extreme financial hardship for the Township. In that case, the Employer may layoff full-time Employees prior to part-time Employees, down to the level of six full-time Employees. Then, the laid-off full-timers will have the opportunity to work the hours available for part-timers before the regular part-timers get hours.
- **Membership:** If an Employee leaves the bargaining unit to take a promotion for longer than 6 months and they return to the bargaining unit, they return with no seniority. Lieutenant and Public Safety Officer are excluded from recognition as bargaining unit members.
- **Health Care:** No changes, but parties agree to re-open the agreement to discuss health care prior to the Employer's health care

renewal date. Active Employees can opt-out of health care if they produce documentation proving they are covered by alternative coverage at each annual enrollment period. Employees must maintain alternative coverage while receiving cash in lieu of coverage payments. Employees can take the opt-out payment in direct deposit instead of putting it into retirement annuity. Increase from \$600 to \$800 per year reimbursement for dental and vision for active Employees. Reimbursement was just for dental in prior contract.

- **Bargaining Team:** Bryan Rypstra, Dan Butler and Tim Thompson aided by POLC Labor Rep. Ed Hillyer.

Meceola Central Dispatch

- **New three-year agreement** expires Dec. 31, 2016.
- **Wages:**
 - 1% effective Jan. 1, 2014 plus 1% signing bonus.
 - *Wage re-opener in 2015.
- **Fringe Benefits:** Increase shift differential to 25 cents for afternoon shift and 35 cents for night shift. One additional day of vacation for Employees with 15 or more years of service.
- **Health Care:** Employer adopts Hard Cap insurance plan with 0% premium share for Employees. Long-term disability insurance plan discontinued.
 - *Insurance re-opener in 2015.
- **Bargaining Team:** Theresa Vanatta and Tracey Smith aided by POLC Labor Rep. Mike Woronko.

Midland County Sheriff's Command

- **New two-year agreement** expires Dec. 31, 2015.
- **Wages:**
 - 2% effective Feb. 18, 2014.
 - 1% effective Jan. 1, 2015.
- **Health Care:** Active Employees contribute additional 1% per year in 2014 and 2015 to Retiree Health Care Plan.
- **Bargaining Team:** Tracy Thomas, Rich Harnois and Mike Goodall aided by POLC Labor Rep. Mike Woronko.

Muskegon City Non-Supervisory Unit

- **New three-year agreement** expires Dec. 31, 2016.
- **Wages:**
 - 0% effective Jan. 1, 2014.
 - 0% effective Jan. 1, 2015.
 - 0% effective Jan. 1, 2016.



- Employees covered under this agreement shall receive their choice of the following:
- \$500 cash bonus with applicable taxes withheld or;
 - \$1,000 deposited into their MERS HCSP.
- If Employer decides to eliminate the 12-hour shift schedule between the ratification of this agreement and Dec. 31, 2014, Employees shall receive the following:
- 2% wage increase effective at date of elimination in 2014.
 - 1% wage increase effective Jan. 1, 2015.
 - 1% wage increase effective Jan. 1, 2016.
- If Employer decides to eliminate the 12-hour shift schedule between Jan. 1, 2015 and Dec. 31, 2015, Employees shall receive the following:
- 1% wage increase effective at date of elimination in 2015.
 - 1% wage increase effective Jan. 1, 2016.
- If Employer decides to eliminate the 12-hour shift schedule between Jan. 1, 2016 and Dec. 31, 2016, Employees shall receive the following:
- 1% wage increase effective at date of elimination in 2016.
- **Fringe Benefits:** Change from 80-hour pay period/8.5-hour patrol shift to an 84-hour pay period/12-hour patrol shift schedule. All bargaining unit members shall go to an 84-hour pay period when patrol changes to 12-hour shifts. Part-time police officer usage will be limited to no more than 29 hours per week per Employee. Several other limitations apply to part-time officers, who shall not be union members and are not entitled to union membership benefits.
 - **Manning & Safety:** When a holiday falls on an Employee's vacation day, they shall not count the day as a vacation day and the Employee shall receive the day off with no holiday premium pay.
 - **Retirement:** Employer shall increase their contribution into DC retirement plan from 10% to 10.5% of compensation. Employees shall increase their contribution into DB retirement plan from 6% to 6.5% of compensation.
 - **Bargaining Team:** Adam Dent, Bryan Prindle, Pete Boterenbrood and Kyle Hall aided by POLC Labor Rep. Ed Hillyer. ♥

Arbitration

— As reported by the POLC Legal Staff

NEW BUFFALO OFFICER AWARDED SHIFT BID

A City of New Buffalo Patrol Officer was awarded the right to bid on future shifts based on his seniority following a POLC grievance. The Union filed the grievance after the Officer was denied the right to bid on his shift in March 2013 based on seniority and was told to sign up for midnight shift.

The Employer told the Officer that the K-9 handler must be automatically assigned to afternoon shift even though he had less seniority. The City claimed the K-9 position, which was posted in Aug. 2012, was a "specialty" position and therefore trumped the seniority requirement. The Employer alleged that over the past 10 years there was a past practice whereby the Employer may assign certain "specialty units" to particular shifts regardless of seniority. The Employer said this practice was never challenged by the Union before.

The Union claimed the Employer violated the collective bargaining agreement by preventing the Officer from exercising his seniority to work the afternoon shift. The POLC added it never agreed the K-9 Unit was a special assignment. In fact, the POLC Labor Representative said he and the Chief reached a verbal agreement in 2007 that the K-9 Officer would have to bid for shifts like other patrol officers.

A former K-9 Officer testified he had to perform some school duties, such as drug searches. However, he said, these searches were done at 8 a.m., just after school begins, and he was paid overtime since it was outside of his regular working hours on afternoon shift.

The Arbitrator found for most of the existence of the K-9 Unit, the K-9 Officer has worked the afternoon shift, however for the most part, the seniority of the K-9 Officer was consistent with his afternoon shift pick. The Arbitrator ruled the Employer failed to prove a past practice existed because the Union never agreed to allow the Employer to assign the K-9 Officer permanently to the afternoon shift. "The Union proved that it never agreed to treat-

"The Union proved that it never agreed to treating the Canine Handler as a shift specific assignment," the Arbitrator said.

ing the Canine Handler as a shift specific assignment," the Arbitrator said. "... the City failed to sufficiently demonstrate that a past practice existed that, regardless of seniority, the Canine Handler was assigned to afternoons. Thus the general contract language of honoring bargaining unit members' seniority in shift selection must prevail."

The Arbitrator ruled for all future shift picks the Department is precluded from entering the K-9 Officer's name into a particular shift slot before the bargaining unit officers fill in their shift choices by seniority. No retroactive remedy is ordered, but the Department is directed to prospectively comply with this award.

SUSPENSION REVERSED FOR FLINT SERGEANT

A Flint Police Sergeant and Arson Investigator had his suspension reversed after the POLC filed a grievance on his behalf.

The Sergeant and four firefighters were originally given 29-day suspensions after responding to a fire and failing to notice a body inside the house. Later, the City offered the Sergeant a five-day suspension instead, which he promptly rejected.

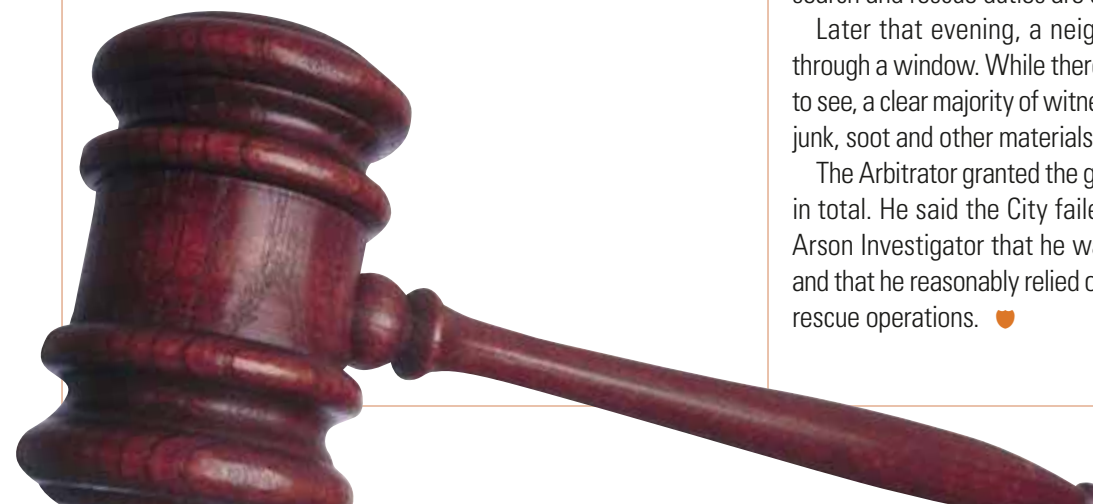
The Sergeant's job as Arson Investigator involves him taking pictures of the fire scene as part of his fire investigation. Generally, the Arson Investigator enters buildings after the fire department conducts primary and secondary searches for bodies. The fire department then notifies the Arson Investigator if a body is found.

In this case, a primary search was conducted in a room where a woman's body was eventually found, but firefighters failed to locate the body. The Arson Investigator then entered the house and took extensive pictures of the residence while trying to determine the origin of the fire. He took pictures in the room where the body was eventually found, but did not notice the body.

The Arson Investigator said this was his only job duty, while search and rescue duties are allocated to the fire department.

Later that evening, a neighbor saw the body while looking through a window. While there was testimony the body was easy to see, a clear majority of witnesses testified piles of garbage bags, junk, soot and other materials, heavily obscured it.

The Arbitrator granted the grievance and reversed the discipline in total. He said the City failed to properly communicate to the Arson Investigator that he was responsible for finding the body and that he reasonably relied on firefighters performing search and rescue operations. ♥



**Law Enforcement
Education Program (LEEP®)**
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Troy, MI 48083

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Gilda's Run gains momentum with \$5,000 LEEP donation

Every year Gilda's Run gains a little more momentum. This year the Law Enforcement Education Program (LEEP) is kicking off the fundraiser with a \$5,000 donation.

Sponsored by the Police Officer's Labor Council (POLC) and LEEP, Gilda's Run supports Gilda's Club Grand Rapids, a non-profit providing free emotional and social support to men, women and children with cancer and their families and friends.

Organizers of the motorcycle ride and poker run exceeded their goal of raising \$20,000 last year. This year the goal is \$22,000.

"As a Police Officers labor organization and community education program, we often feel that there are ways to give more to our community," wrote POLC Labor Rep. Will Keizer in his letter to event sponsors. "We found that all of us have been touched at some point in our lives by the devastation that cancer causes."

Gilda's Club is a vital networking source that teaches individuals how to live with cancer, no matter the outcome. "They've shown that social and emotional support is as important as medical treatment," Keizer wrote.

Over 100 riders/drivers are expected at the July 12 event with an additional 50 people at the Pig Roast. Bikers and cagers are welcome for \$30 per person or \$55 per couple, which includes a barbeque pig roast at 5 p.m. Dinner only is \$10. Registration is 9-10 a.m. with a continental breakfast followed by the Poker Run — a scenic drive through Ottawa and Kent counties. The event begins and ends at Kosciuszko Hall, 935 Park SW in Grand Rapids.

Sponsors can have their business or organization name printed on "14th Anniversary Gilda's Run" shirts for a donation of \$250, either monetary or in donated items. Donations are tax deductible with 100 percent going to Gilda's Club.



TO PARTICIPATE

Pre-register and receive a free "14th Anniversary Gilda's Run" long- or short-sleeve shirt by sending checks made payable to: "Gilda's Club Grand Rapids" and remit before June 20 to: Will Keizer, 1293 Oakwood Dr., Jenison, MI 49428. Please include shirt type and size(s).

The deadline to become a sponsor is June 20. Forward a file copy of your logo for the shirt printing and direct any questions to: Will Keizer at klink132@comcast.net or (616) 648-3551.

Gilda's Club is a non-profit 501 (c) (3) corporation.