

# The Police Officers Journal



VOLUME 22, NUMBER 4 • FALL 2012



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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](http://www.leepusa.com)

L.E.E.P. Programs: (800) 451-1220  
**POLC membership: [www.polc.org](http://www.polc.org)**

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Detroit PD (Retired)

**PUBLICATIONS**

Fred LaMaire

Postmaster: Please send returns and all other communications to the Law Enforcement Education Program Business Office: 667 E. Big Beaver Road, Suite 205, Troy, MI 48083.

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Jennifer Foley

## Act 312, health care, ballot items top annual agenda

— By Richard Weiler, Director

Once again the Annual POLC/GELC Meeting & Labor Seminar was a success. The conference began Aug. 24 with a labor seminar and concluded Aug. 25 with LEEP and Labor Council business. Guest speakers covered various topics with mediator and former Labor Council Representative Tom Kreis leading off.

Kreis discussed the outcome of Act 312 awards. Wage increases in 2008 averaged 2.76 percent and have declined since then. Through March 2012, the average award is less than half of a percent. Employers continue to win economic concessions, but are less successful with non-economic issues. Kreis said Act 312 amendments have shortened the time frame and employee groups pay more, sharing half of the arbitrators' fees with the employer. In the past, the fees were split in thirds between the state, employee groups and the employer.

Health care was discussed by Dan Gorczyca of US Health & Life, which insures COPS Trust. The U.S. Supreme Court upheld the Patient Protection and Affordable Care Act (aka Obama Care). Some 2013 changes are: \$2,500 annual limit on flexible spending account contributions, which increase annually by the cost of living adjustment, and increasing Medicaid payments to 100 percent of the Medicare payment rates for 2013 and 2014. In 2014, numerous changes occur. Preexisting condition exclusions are prohibited. All U.S. citizens and legal residents must have health coverage from one of the following plans — Bronze, Silver, Gold, or Platinum (most public safety officers have a Gold plan). Those without coverage pay a tax penalty, which increases in subsequent years. Medicaid will be expanded to all individuals under age 65 (children, pregnant women, parents, and adults without dependent children). To finance coverage for the newly eligible, states will receive 100 percent federal funding for 2014 through 2016, 95 percent in 2017, 94 percent in 2018, 93 percent in 2019, and 90 percent for 2020 and subsequent years.

Since ballot issue language wasn't finalized at the time, Jim Curran of Karoub Associates, and lobbyist for MAPO, and State Representative Richard LeBlanc, (D-Westland) said our position should be to oppose the Emergency Financial Manager

*Continued on page 9*

Photo courtesy of Mosaic Media

The 2012 POLC/GELC Meeting & Labor Seminar was well-attended.



## Police officers deaths drop to 52-year low in first half of 2012

— Excerpted from National Law Enforcement Officers Memorial Fund

The first half of 2012 was a lot safer for law enforcement officers than the same time period last year — and for that matter the past 52 years.

Fifty-three officers died in the line of duty during the first six months of this year, according to preliminary figures from the National Law Enforcement Officers Memorial Fund (NLEOMF) in conjunction with Concerns of Police Survivors (C.O.P.S.). That's a 44 percent decline from 94 officers killed during the same time period last year. In fact, officer deaths were down in all categories, except officer ambushes, which are still the leading cause of fatal shootings.

Of the 53 officers killed during the first six months of this year:

- Twenty-one were killed in traffic-related incidents, a 36 percent decline. This includes 17 who died in automo-

bile crashes, three struck by automobiles while outside of their vehicles, and one killed in a motorcycle crash.

- Nineteen were shot to death, a 50 percent decrease from the same time last year.
- Thirteen died from other causes, a 38 percent decline. This includes seven officers who died due to physical-related illnesses, three who were stabbed, and three who died in falls.

"After two years of rising numbers of peace officer fatalities, the law enforcement community has joined together to make officer safety the utmost priority," said Memorial Fund Chairman & CEO Craig W. Floyd. "It is good to see those efforts paying off and the number of peace officer fatalities decreasing thus far in 2012."

Florida, Georgia, Oklahoma and Texas were the deadliest states in the nation thus

far this year with three fatalities each. Eight states including Michigan (Alabama, Arizona, Missouri, Nevada, New York, North Carolina and Utah), each lost two officers during the same period.

Nineteen of the 53 who died were municipal officers, 19 were county officers, ten were state officers, three were territorial officers and two were federal officers. Eight of the officers who died were women.

"Both NLEOMF and Concerns of Police Survivors have worked extremely hard to get the word out about how important officer safety is and it is apparent that our efforts are paying off," said Madeline Neumann, National President of C.O.P.S. ♥

*A copy of the full report, "Law Enforcement Officer Deaths: Mid-Year 2012 Report," is available at [www.LawMemorial.org/Research Bulletin](http://www.LawMemorial.org/ResearchBulletin).*

## Crown Victorias under investigation for reported loss of steering control

— Excerpted from The Albany Times Union

Police officers driving Ford Crown Victoria cruisers be warned — loss of steering control in 2005-2008 models has been reported.

Government safety regulators are investigating three complaints of steering column separations, which left drivers unable to control their vehicles. Several more complaints have been made since the investigation began with some 195,000 cars possibly affected.

No crashes or injuries were reported, according to the National Highway Traffic Safety Administration website.

Investigators will determine if the cars have a safety defect and whether a recall is necessary. Ford spokeswoman Susan Krusel said the company is cooperating with the investigation, which only affects the police version of the Crown Victoria.

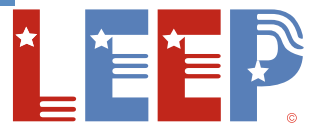
The Crown Victoria was the U.S. police car of choice for 15 years before Ford Motor Co. stopped making it in late 2011. The company controlled 70 percent of the police car market and averaged sales of 50,000 per year.



Photo courtesy of Ford Motor Company

Two of the complaints involved police cars and one a government vehicle, according to NHTSA. The steering column separations happened at low speeds and one complaint said steering effort increased just before the separation. There were 10 additional complaints after inspections found steering columns that were about to separate.

*Continued on page 7*



# LEEP supports law enforcement dreams of 12 students nationwide

— By Jennifer Foley, POJ Editor

**T**welve top students interested in public safety careers received \$1,000 college scholarships to encourage their pursuit of law enforcement/public safety careers by the professional public safety officers of the Law Enforcement Education Program (LEEP).

In its eighth year, LEEP has awarded some \$80,000 in Dream scholarships to students showing a demonstrated interest in public service/law enforcement careers. The non-profit public safety group's scholarship program is made possible by a growing list of national supporters. Students from six states were honored in the 2012 LEEP Dream Scholarship program including:

## MICHIGAN

**Tyler Harrell**, of Coldwater, MI. An Olivet Nazarene University student, he was Vice President of Criminal Justice Skills USA and a Michigan State Police Explorer Lieutenant. He took criminal justice courses at Coldwater High School, was member of Interact Club, Varsity Golf Team and Varsity Tennis Team Captain. He attended Michigan State Police Trooper Program and Training Academy. He plans to use his \$1,000 LEEP grant to pursue a career in law enforcement.



**Trevor Katona**, of Rochester, MI. An Oakland Community College (OCC) student, he is the nephew of Benton Township Police Chief Vincent Fetke. A graduate of Oakland Christian School, he has volunteered with Pontiac Rescue Mission and other food banks, community and playground cleanups, and roofed houses for the poor. He plans to use his \$1,000 LEEP grant to complete a specialized

*POLC Executive Committee Director Richard Weiler (center) congratulates 2012 Dream Scholarship winners Trevor Katona (left) and Kenneth Nawrocki.*

*Photo courtesy of Mosaic Media*



Criminal Justice bachelor's degree program with three years at OCC and one year at Ferris State University.

**Nathan Leigeb**, of Kingsley, MI. The Kingsley High School graduate, who battled Hodgkin Disease, achieved the top 25 percent nationally on the ACT. The Public Safety/Protective Services student interned with Grand Traverse Metro Fire Explorers and Grand Traverse County Jail. He received awards for Northwest Conference Academic All-Conference, Michigan High School Baseball Coaches Association Academic All-District, and President's Award for Outstanding Academic Achievement. He plans to use his \$1,000 LEEP grant at Lake Superior State University to pursue a law enforcement career.



**Keegan McPhail**, of Bellaire, MI, is a graduate of Bellaire High School. A Public Safety/Protective Services Class Commanding Officer, he worked with Michigan State Police road patrol, Department of Natural Resources Law Enforcement Division, and Antrim County Corrections. He

graduated Michigan State Police Law Enforcement Career Academy, was Football Team Captain, All-Conference Award winner and two-time All-Star. A Salvation Army bell ringer, he performs mission work. He plans to use his \$1,000 LEEP grant to study Criminal Justice at Lake Superior State University.



**Kenneth Nawrocki**, of Grand Rapids, MI, attends Grand Rapids Community College. He was a police intern at Grand Rapids Police Department. At West Catholic High School, he was on cross-country and Captain of the Varsity Golf team. He tutored students and volunteers annually with Knights of Columbus Tootsie Roll Drive, benefiting the mentally impaired. He plans to use his \$1,000 LEEP grant at Grand Valley State University to follow in his father and grandfather's footsteps as a law enforcement officer.

**Dylan Tantalo**, of Owosso, MI, is a graduate of Corunna High School. He was Class President 2009-2012, Student Council Representative, Leadership Executive Council Founder, and Treasurer of Science

Club and Family Career and Community Leaders of America. He was in Rotary Club, Corunna Spirit Club, Youth Advisory Council and Business Professionals of America. He volunteered with Support Our Seniors, Finnegan for Sheriff, class fundraisers and National Honor Society Highway Cleanup. He plans to use his \$1,000 LEEP grant to study Criminal Justice at Ferris State University.

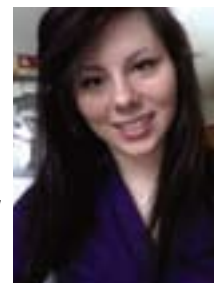


**Rodger Thompson**, of New Buffalo, MI, is a graduate of New Buffalo High School. His father is a Berrien County Sheriff's Deputy. Thompson was Captain of the football and track teams, Class Secretary, and received a Coach's Award in basketball. He was a member of Students Against Drunk Driving and Postponing Sexual Intimacy. He is involved in Youth Ministry, mission trips, beach sweeps, food drives, coached youth t-ball and football, and evaluated city sidewalks for grant proposals. He plans to use his \$1,000 LEEP grant to study Sociology with a Criminal Justice emphasis at Hope College.



## ALASKA

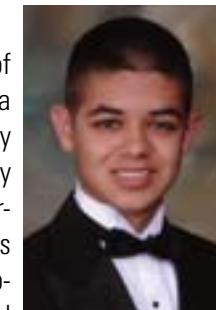
**Lena Illig** of Anchorage, AK, is studying Criminal Justice at University of Alaska. The University of Alaska Justice Club member graduated Alaska Military Youth Academy. She received a



Spirit of Youth Recognition Award for work on a Crisis Hotline and Standing Together Against Rape. Certified in first aid and CPR, she works at Aviation Medical Services of Alaska and volunteers with Anchorage Police Search and Rescue Team. She plans to use her \$1,000 LEEP grant to become a police officer and work in the FBI.

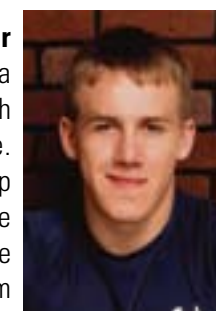
## CALIFORNIA

**Yordan Coss** of Stockton, CA, is a graduate of Tracy High School. A Tracy Police Explorer Sergeant, he wrote his senior essay on police brutality and use of force. He volunteered with Shop With A Cop and Relay for Life for the past nine years. He was on the cross-country, track and field, and Farm Power teams in high school. He plans to use his \$1,000 LEEP grant to pursue a degree in Criminology at Fresno State University. He plans to enter a police academy, work as a police officer and later with the FBI.



## KENTUCKY

**Britt Whitaker** of Dema, KY, is a Knott County High School graduate. Youth Leadership Ambassador for the Class of 2012, he was Football Team Captain, a member of National Youth Leadership Forum and KY Drive to Stay Alive — deterring drinking and driving. He mentored and tutored underclassmen. An Investigational Aide with Alcohol Beverage Control of Kentucky, he volunteers with Knott County Rescue Squad and Hindman Baptist Youth Group. He plans to use his \$1,000 LEEP grant to major in Police Studies and minor



in Criminal Justice at Eastern Kentucky University.

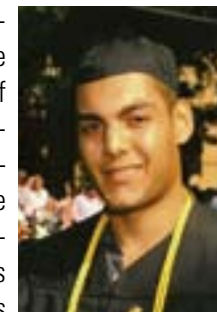
## PENNSYLVANIA

**Matthew Lecocq** of Pittsburgh, PA, attends Penn State. A Plum High School graduate, he interned with Plum Borough Police Department. He was a Boy Scout and Saber Team Commander of Air Force Junior Reserve Officer Training Corps, receiving a Reserve Officer Association Award. A volunteer at Independence Court Senior Center, he was in French Club and Symphonic and Marching bands. He plans to use his \$1,000 LEEP grant to pursue an Administration of Justice degree and later attend a police academy.



## TEXAS

**Edward Moctezuma** of Brownsville, TX, received a Criminal Justice degree from University of Texas. He completed Scorpion Academy, Citizens Police Academy and received two Sheriff's Association of Texas scholarships. He was in the top 10 percent of his class at Lopez High School, distinguished in Spanish and Magnet Program of Fine Arts. He volunteered for community cleanups. He plans to use his \$1,000 LEEP grant to pursue a master's in Criminal Justice at Texas State, become a police officer, then an FBI agent.



# EFM law is repealed by Michigan voters

— By Jennifer Foley, POJ Editor with excerpts from news reports

**M**ichigan voters have rejected the state's 2011 Emergency Financial Manager (EFM) law, also known as Public Act 4. But the battle continues as Gov. Rick Snyder says the repeal puts the previous 1990 EFM law in place, while others argue it does not.

Stand Up for Democracy — the group that led the campaign to overturn the law — says the fallback 1990 Emergency Financial Manager (EFM) law has already been repealed.

State voters narrowly defeated Proposal 1 — 52 percent said no to the law and 48 percent said yes with 93 percent of precincts reporting. The other five ballot initiatives failed, including Proposal 2, which would've made collective bargaining a constitutional right and protected the state from right-to-work legislation. Right to work would make it illegal to require financial support of a union as a condition of employment.

During the law's suspension from August (when the ballot item was approved) to Nov. 6, cities under EFM's were operating according to the 1990 law.

## POLC UNITS

POLC represented police departments in Flint and Benton Harbor, where EFM's are in place, held the status quo during the suspension period. "All the former EFM did stays in place. Nothing reverts back," said POLC Labor Rep. Lloyd Whetstone. But EFM's had to negotiate any further items with the union during that time period, he said.

In Flint's case, Ed Kurtz, the city's former EFM was appointed to take the place of Michael Brown, who was appointed under the 2011 law. Brown could not retain his position due to a technicality in the old law. Kurtz took a \$1,000 monthly salary and rehired Brown as the city administrator, pay-

ing him the same \$175,000 annual salary, Whetstone said.

Flint Police Sergeants, Captains and Lieutenants had no choice but to take reduced healthcare, retirement and wage reductions equal to over 20 percent in overall compensation cuts with retirees required to change to the new healthcare plans under Brown.

In Benton Harbor, EFM Joseph Harris remained in place. The Benton Harbor police and fire departments were combined into one public safety department under Harris' direction. The Benton Harbor Police Patrol contract, signed in July 2011 under Harris, is a 5-year agreement, expiring June 30, 2016.

While Benton Harbor police are cross-training to fight fires, the handful of firefighters left will only fight fires, said POLC Labor Rep. Mike Woronko. Eight police officers were laid off prior to the transition, and Woronko said, the department is now top heavy with a public safety director, assistant director, administrative assistant and two captains.

"They have all these chiefs and a minimal number of Indians," Woronko said. "I think they're systematically looting the city even under the emergency financial manager. He's not really providing the organizational structure to fight fires and respond to crime. I know that the police department has run out of gas twice this summer."

"It's keystone cops over there as far as the administration goes and what gains are they making under this EFM? It would be funny if it wasn't so sad," he said.

In July, the POLC filed a grievance against Benton Harbor for hiring new people without reinstating laid off officers first, as was agreed upon in the contract, Woronko said. "Now the department is funneling all that overtime to part-time

people and the use of part-time people has gone up significantly," Woronko said.

"I look at what's going on, and how many people still vote Republican and it's just discouraging," Woronko said of union-busting efforts. "To see people so shortsighted ... they don't understand their livelihood is going out the window."

EFM's are also in place in Pontiac, Ecorse, Allen Park and in the school districts of Detroit, Highland Park and Muskegon Heights. ♥

Visit [polc.org](http://polc.org) for updates on legislative issues.

## RIGHT TO WORK BAN

A measure to protect and expand bargaining rights, repeal limits on collective bargaining enacted in 2011, and block right-to-work in the state was denied by voters Nov. 6.

Protect Our Jobs gathered double the number of signatures needed to put the constitutional amendment on the ballot. However, Citizens Protecting Michigan's Constitution tried to stop the measure from reaching voters, calling it too sweeping as it rescinds and pre-empts dozens of anti-labor initiatives recently enacted or being considered.

Opponents of Proposal 2 argued the ballot language failed to include other sections of the constitution affected by adoption, leaving voters in the dark about the implications. The Supreme Court ruled republication of existing constitutional provisions was not necessary unless the amendments directly change an existing provision.

## HOME HEALTH CARE

Proposal 4, which would have given home health care workers unionization and bargaining rights, was also defeated according to exit polls and analysis from several news organizations.



# Detroit Police Department's fate is unknown following EFM vote

— Excerpted from media reports

**J**ust how the Nov. 6 repeal of the 2011 Emergency Financial Manager Law will affect Detroit Police isn't immediately clear since Detroit's financial stability agreement was approved pursuant to the law.

Stand Up for Democracy — the group that led the campaign to overturn the law, also known as Public Act 4 — says the fallback 1990 Emergency Financial Manager (EFM) law has already been repealed. But, Gov. Rick Snyder argues it's still in place. Snyder and state Treasurer Andy Dillon have also said the city's financial stability agreement would survive a repeal, but Detroit Mayor Dave Bing sees it differently. "From my vantage point, if it were to fail we'd have a problem going forward," Bing said prior to election results.

The 2011 EFM law was suspended in August pending general election results. At that time, state officials said cities operating under an emergency manager would revert to the 1990 EFM law. During the suspension, the city's financial stability agreement remained largely intact, said Bing's office and Snyder's office.

The city's April 4 agreement with the state — also known as the consent agreement — enabled the city to avoid a state-appointed emergency manager. The difference between the 2011 and 1990 laws is the newer law gave emergency managers more sweeping powers including the abil-

ity to temporarily suspend collective bargaining pacts.

The consent agreement gave Detroit some state oversight and Bing the ability to disregard collective bargaining with the city's 48 unions. For Detroit Police, the result was a 10 percent pay cut and mandatory 12-hour shifts, in addition to previous cuts in pay, healthcare and pensions, said union president Joe Duncan.

The union fought both measures in court, but Wayne County Circuit Judge Kathleen MacDonald denied the injunction against pay cuts and work rule changes. Earlier, Wayne County Circuit Court Judge John Murphy approved a temporary restraining order against the city in the matter, citing in part the suspension of the EFM law. Police union lawyer Donato Lorio said the union would appeal the injunction decision.

In the meantime, the Michigan Employment Relations Commission ordered the city to freeze cops' pay and working conditions while an arbiter determined whether mediation was required between the city and police union. That matter is still pending, mayoral spokeswoman Naomi Patton said.

This summer city leaders slashed the police department's 2012-13 budget by \$75 million, to about \$340 million to help reduce the city's chronic deficits. The City Council decided against putting a proposal before voters to increase property taxes

and raise \$56 million a year to hire 500 more cops.

Former Detroit Police Chief Ralph Godbee Jr. was not pleased with the pay cuts, but said the city needs the scheduling flexibility of 12-hour shifts to keep more of the 1,500 police officers on patrol while reducing overtime costs. Godbee was forced to retire in October following accusations by a female Detroit officer that she had an affair with the chief. He said the new shift configuration will be in place for one year and is expected to cut overtime costs and give officers more days off each month.

Duncan said working eight hours in the city is tough enough. "We're not talking about Mayberry here, we're talking about one of the most dangerous places in America," he said. "I don't think anybody can do 12 hours in the city of Detroit. Not with the crime, it's constant. If you are over-worked and tired you can't perform the same job at full capacity. In my opinion it's sacrificing officers for possible financial gain."

The Detroit Police Department responds to more than one million calls for service each year. As of Aug. 5, there were 212 homicides. In May alone, there were 657 aggravated assaults, 278 robberies, 33 homicides and 33 carjackings in Detroit.

Chester Logan was appointed as Detroit's interim police chief pending a nationwide search for a permanent replacement. ♥

## Crown Vic Recalled - Continued from page 3

In one complaint, the driver said when the steering column separated, there was no mechanical connection to the front wheels. "The operator was able to bring the vehicle to a safe stop, but they had just begun to accelerate from a traffic light when the shafts separated and the vehicle's speed was minimal," according to the May 18, 2010 complaint. NHTSA does not identify who filed a complaint.

The Montgomery County, Md., Police Department began inspect-

ing its 324 Crown Victorias because of a steering problem with its cruisers. Since July, two cruisers were affected by the steering problem, police said. There were no crashes or injuries. At least six cars were in need of repair in Tucson, Ariz. after police began inspecting their Crown Victorias, said a police officer union representative. A more thorough investigation was planned.

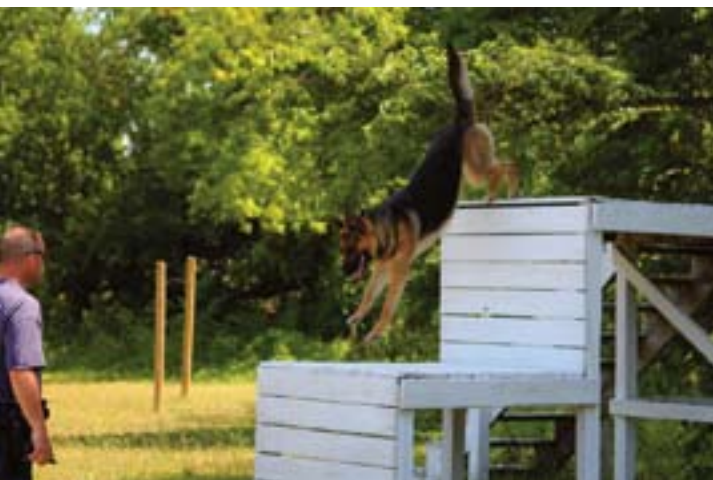
Ford replaced the "Crown Vic" with a new police interceptor sedan based on the Ford Taurus. ♥

# K9 center looking to upgrade police dog training experience

— By Jennifer Foley, POJ Editor



South Bend Police Officer Jeff Ransberger plays the decoy while coming out of a small shack wearing a bite sleeve for protection against Max's bite.



Cooper runs down the stairs he just climbed as part of his agility training with South Bend Police Sgt. Dan Demler.



Cooper takes a rest and gets some chow in the specialized back seat of a K9 police car.

**K**9 police dogs, including POLC K9 units, receive bi-weekly training to keep their skills sharp, but the four-decade old center they use is in need of some upgrades.

With no formal name, the South Bend, Indiana K9 police dog training center had a humble beginning with a 12 x 12 pump house serving as shelter for the handlers and their dogs in the 1970s. "When I got into K9 16 years ago, we were operating out of a small brick building there that just housed some electrical stuff for the well field. That was our shelter," said South Bend Police K9 Unit Sgt. Dan Demler.

Ten years ago, they upgraded to a previously abandoned 30-year-old portable classroom for indoor training. "We don't even have bathrooms at that building. We have to go to a bowling alley around corner," Demler said.

The K9 handlers — who partner with patrol dogs and detector dogs specializing in bombs, narcotics and even guns — are seeking a permanent structure. POLC K9 units from Niles and Berrien County are among the 13 dogs and trainers who use the 25-acre fenced South Bend Water Works property, located near 300 W. Sherwood.

"What they're trying to do is make it nice enough where it can be a regional training center for departments in Indiana and Michigan all way down to Kalamazoo," said Brett McGrew, POLC Executive Committee member. "The goal was to expand and reach out to other departments."

Trainers would like a larger permanent structure with a more formal classroom, kitchenette and a bathroom. "That way on days when it's a little too inclement . . . we can keep it inside," Demler said.

## RAISING FUNDS

K9 handlers have already raised some \$13,500 through a July golf outing and the sale of 2012 K9 calendars. "We needed \$4,600 to pay for 1,000 calendars," said South Bend Police Capt. Jeff Rynearson. "We had \$4,600 within 48 hours of asking for sponsors. This is what is so cool about the K9s is you get so much community support. Everybody loves the dogs even if they don't like cops."

The response to calendar sales was also overwhelming. "We

had so many phone calls the retailers were actually getting upset with us," Rynearson said of the calendars, which were printed past the December deadline when stores were expected to receive them. Rynearson said that won't happen again. 2013 calendars are expected to be available by November.

The Scott Severns Memorial Golf Outing raised \$9,000. The outing began as a way to construct a police and fire "heroes" section at Southlawn Cemetery in South Bend, where South Bend Corporal Severns was laid to rest. Severns died in the line of duty in 2006 and the annual golf outing reached the funding goal of over \$200,000 in 2011, Rynearson said.

"They wanted to be able to bury their son in a section designated as a heroes section," Rynearson said. "This was the first year that they actually discussed not having (the golf outing) and then they heard of our cause. (Severns) was our full-time 'bad guy.' He'd be the one to come out and take all the bites and hide for us. His father was a canine handler back in the 70s. He was actually waiting for a spot

to open up (in the K9 unit)."

"His mom thought what better way to honor him," Demler said of continuing the outing.

The new structure will be named for Severns and another K9 handler — Mishawaka Police Cpl. James Szuba — who died in a car crash with his dog, Ricky, in 2010.

Rynearson said depending on the length of time it takes to raise \$25,000 to \$30,000, they may start construction of a building shell and add to it over time or wait to raise the entire \$50,000. Eventually, they'd also like to upgrade some of the 1970s obstacle course structures. ♥



South Bend Police K9 Sgt. Dan Demler directs Cooper to jump a high fence.



Justice finds the scent he's been searching for and waits for his reward.

## Items top annual meeting agenda

(Continued from page 2)

ballot issue and support the collective bargaining issue. To restore some common sense in the legislature, Democrats must retake the House of Representatives in November. They concluded the Michigan Supreme Court election is very important for workers and their benefits.

Dave Harvey, Executive Director of MCOLES, said police positions continue to go in the wrong direction — down some 2,000 over the past ten years. Those losses are a direct result of layoffs or attrition.

Alan Reinstien, CPA, Wayne State University Professor of Accounting and Dean's

Research Chair, reviewed the history of compulsory arbitration (Act 312) in light of economic pressures. There are anti-tax increase pressures on national and state levels. The general sentiment is everyone should do more with less. The 1978 Headlee Amendment greatly affected support for K-12 education and reduced revenue sharing allocations, leaving fewer funds for police. He concluded the state's economy is slow to recover, but taxpayers have shown support for public safety millages via the ballot box.

Leon LaBrecque, CPA, JD, CFP, said the

European stock market has an effect on our market. He believes a potential storm is brewing by year's end as the Bush tax cuts are up for review and Congress must pass a bill keeping the government going after the November election. He advised getting out of equities for the time being and investing in short-term municipal or college bond funds to protect investments. He said everyone should have Roth IRAs.

The conference concluded Aug. 25 after election of the Executive Committee and a proposal to modify the dues structure that subsequently was not adopted. ♥

### TO HELP

**2013 K9 calendars featuring the officers and dogs that use the center are on sale for \$10. To purchase a calendar or for more information on the 2013 Scott Severns Memorial Golf Outing, visit [www.policek9boosters.org](http://www.policek9boosters.org) or call (574) 235-7607.**

# NAPOO helps 9/11 officers suffering from cancer

## Cancer rates nearly triple among New York police

— Excerpted from NAPO's Washington Report, Centers for Disease Control and Prevention, and media reports



The National Association of Police Organizations (NAPO) helped expand treatment for police officers and other 9/11 first responders who years later suffer the health effects of their heroic efforts.

NAPO requested coverage be expanded in the James Zadroga 9/11 Health and Compensation Act of 2010 to include melanoma, thyroid and prostate cancer and non-Hodgkin's lymphoma. With the exception of prostate cancer, all of NAPO's recommendations were included, adding 23 cancers to the World Trade Center-Related Health Conditions eligible for coverage.

This comes after reports earlier this year that cancer rates have nearly tripled among the 12,000 who responded to the scene at the World Trade Center in 2001. Of the 297 diagnosed with cancer, 56 have since died, according to a report.

The original list of conditions covered by the Zadroga Act did not include cancers, but allowed for the opportunity to add other health conditions over time, according to the Centers for Disease Control and Prevention.

Lower Manhattan residents have said dust and ash clouds caused by long-burning fires at the twin towers site were toxic. According to figures released by a New York Police union, cancer rates among NYPD officers who attended the disaster are 16 per year compared to six annually before the attacks. The average officers were 44-years-old when their ill health caused them to leave the force.

Lung cancer was the most common type of the disease, but there were more rare varieties such as cancers of the bile duct, tongue and nasal passages. The Zadroga Act was named for Detective

James Zadroga, who died of a respiratory disease after taking part in the recovery operation. Sick 9/11 workers are entitled to health screening and financial benefits under the act.

New York's City Hall authorities have refused to release cancer rates among the NYPD, denying a request for data from the Mount Sinai School of Medicine, which is conducting a study into whether material released at Ground Zero was cancerous. Retired NYPD Officer Edwin Rivera, 55, blames his cancer on breathing in dust at Ground Zero. "We sat in the pile and ate, drank water, rested — there was nowhere to go that wasn't contaminated. I have cancer that I should never have gotten," Rivera told the New York Post.

Visit [www.cdc.gov/wtc](http://www.cdc.gov/wtc) for more information on the James Zadroga Act.



# Member News

## Miller uses investigative knowledge to stop health care fraud, abuse

— By Jennifer Foley, POJ Editor

Former POLC Executive Committee member Brian Miller is having a hard time wrapping his mind around the fact that he's retired from police service.

The 46-year-old feels like he's too young to stop working. So he's following in the footsteps of many other retired officers who carry their law enforcement knowledge into a second career. Miller took an early retirement in April from Lincoln Park Police Department to work as a corporate fraud investigator (CFI) with Blue Cross/Blue Shield of Michigan.

"I took a penalty on my pension for this opportunity," Miller said. "Health care fraud is a serious problem and can be a criminal offense. We handle all cases concerning fraud, waste, and abuse for BCB-SM. I'm assigned to the Medicaid-Medicare area."

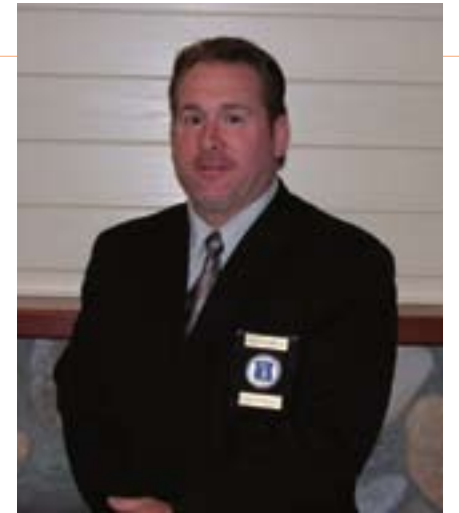
Miller, who served as Special Operations Sergeant of the Narcotics Division for the past seven years, had a career spanning 22-1/2 years with Lincoln Park PD. He has been active in the POLC for 20 of those years, serving in the local patrol and command unions. "When I was first hired on, it only took a couple years to make my way onto their local board," Miller said. "I became their president."

His work with retired POLC Rep. John Viviano led to his appointment to the POLC Executive Committee in 2005, where he has served as Chairman of POLC's Grievance Review Committee. "We made some positive changes on the Grievance Review Committee," Miller said. "I felt, with my experiences handling grievances at the local level, I offered a lot of positive input. We were heading in a great direction and I still think it will continue."

Miller's service gave him a better understanding of what the POLC does for its members. "When I was a member, but not on the executive board, I really didn't have a clear understanding of what went on behind the scenes. The service the POLC labor reps and staff provide to their membership is exceptional."

He said it was an honor to serve on the Executive Committee. "I will miss the people I worked with day-to-day and will cherish the friendships I have developed over the years," Miller said. "The entire POLC staff and Executive Committee members will always have my respect and admiration for the outstanding work they do for their members and for the support they have given me throughout my career."

"We are sorry to see him leave," said



Brian Miller served on the POLC Executive Committee for seven years.

POLC Labor Rep. Rob Figurski. "Brian was an extremely competent, knowledgeable leader for his Lincoln Park members. He served as a skilled, passionate spokesperson on the POLC board and grievance committee."

Miller's two-year term on the Executive Committee expires Aug. 2013. Miller recommended Gibraltar Police Officer Steve McInchak, who was appointed to finish his term.

"Brian always acted in the best interest of all POLC members," Figurski said. "We all wish him the best in his new career." ♥

## WELCOME ABOARD



### The Police Officers Labor Council welcomes the following new units

Unit	Former Affiliation
Houghton City Police	WPPA/POAM
Laingsburg Police Department	None
Laurium Police Officers	POAM
Osceola County EMS	SEIU



### GREETING THE VP

POLC Executive Committee Chairperson Greg Huggett gets some one-on-one time with U.S. Vice President Joe Biden. Biden spoke about first responders to the victims of the movie theater shooting in Aurora, Colorado during the 34th Annual Convention of the National Association of Police Organizations (NAPO) in July.

## New Executive Committee member has no problem making decisions

— By Jennifer Foley, POJ Editor

Gibraltar Police Officer Steve McInchak needs no direction as a newly appointed POLC Executive Committee member, said his predecessor Brian Miller.

“I don’t know that I could give anything to him because he’s that great,” Miller said. “I got him onto our board and he hit the ground running. He’s prepared and he’s knowledgeable and he knows what’s going on. He’s a college hockey referee, so decision-making is not a problem for him.”

McInchak replaces Miller, who retired as a Special Operations Sergeant with Lincoln Park Police Department this spring. He will be completing Miller’s two-year term, which expires August 2013.

Four of the nine POLC Executive Committee members were up for re-election by the union membership during the 15th Annual

**He’s prepared and he’s knowledgeable and he knows what’s going on.**

POLC/GELC Meeting & Labor Seminar Aug. 25. Re-elected for two-year terms were Rick Bleich, Muskegon Police Department, Paul Combs, Berkley Public Safety Department, Mike DeKam, Grand Rapids Communications, and Brett McGrew, Berrien County Sheriff’s Department. The Executive Committee members then re-elected Greg Huggett of Battle Creek Police Department as Chairperson and Combs as Vice Chairperson. Both are one-year terms.

Prior to the appointment, McInchak served as Vice President of his local association since 2010 and as former Secretary, Vice President and President of Lincoln Park Police Officers Association.

As Team Commander of Downriver SWAT Team, he worked as Assistant Team Leader, Team Leader and Assistant Commander, serving since 1997. McInchak, who also worked with River Rouge and Brownstown Police Departments, has an Associates Degree in Applied Science - Criminal Justice from Schoolcraft College.



Steve McInchak

McInchak stays active as an Ontario Hockey League Referee and as a Central Collegiate Hockey Association Referee. With 18 years of experience, he has refereed championships and tournaments. The father of two also coaches his oldest son’s hockey team, is a member of Southeast Michigan Police Hockey League, and umpires high school baseball in the off-season. ♥



Steve McInchak (third from right) was recently appointed to the POLC Executive Committee. (From left) Executive Committee members are Mike DeKam, Shane LaPorte, Rick Bleich, Brett McGrew, Chairperson Greg Huggett (center), Tom Wilk, McInchak of Gibraltar Police Department, Collin Birnie, and Vice Chairperson Paul Combs.

## Simulator helps teens see how texting blindfolds them to dangers

— By Jennifer Foley, POJ Editor

The average driver looks away from the road five seconds while texting. In that time, they travel the length of a football field if they’re traveling 55 miles per hour, said Holland Police Officer Doug VanderKooy.

That’s a huge distance to drive with a blindfold on and statistics prove how deadly it can be. Distracted driving — texting or using a cell phone while driving — is the number one killer of teens, trumping deaths due to drunk driving, VanderKooy said.

The Racing Through Education Program has yet another tool to help teens see the dangers — a driving simulator provided through a \$10,000 grant from State Farm Insurance. Law Enforcement Education Program (LEEP) helped get Racing Through Education started by awarding the program a \$5,000 grant in 2010.

The simulator forces drivers to pay attention to deer, cars, pedestrians and weather conditions while they are using a phone to talk or text. It even allows them to see how drinking alcohol impairs their reactions. “It is making a difference,” VanderKooy said. He said one teen girl,

after using the interactive simulator, wrote to him, “I will never text and drive.”

Periodically, drivers can reserve a half hour session to use the simulator at the Holland Police Department. VanderKooy also brings it to community functions and businesses. “If there are other police agencies that want to use this or want me to come do something for them, I’d be more than happy to do that,” VanderKooy said.

The simulator helps young drivers understand why they keep getting involved in certain types of accidents. “Our big goal is new drivers,” however, he said, drivers of all ages are welcome to use the simulator.

It’s especially helpful since a new law allowing officers to pull over texting drivers has backfired, VanderKooy said. That’s because drivers are holding phones in their laps and looking down to text. Before, VanderKooy said, texting drivers would hold phones on the steering wheel, which at least gave them peripheral vision of their surroundings. “Texting is much worse than cell phone use,” VanderKooy said. “Injury crashes have gone up since

that law took effect.”

### MORE PROGRAMS

Racing Through Education assists the Holland Police Department’s Teen Defensive Driving program with the simulator and a PowerPoint presentation by VanderKooy about distracted and drunk driving. A State Farm video narrated by actual teen survivors of deadly crashes is also shown. After the presentation, VanderKooy answers questions. “I do a lot of driver’s education classes,” he said.

VanderKooy was approached by a former driver’s ed student who said he remembered VanderKooy’s message: “The only way we’re going to cure this problem is through peer pressure.” That young man told VanderKooy he tells any friend he rides with not to use their phones in the car.

Meanwhile, Racing Through Education continues to drive the message home through events, like State Farm’s Celebrate My Drive program in September. “We ran a little over 100 kids through the simulator,” he said. “There were kids waiting in line nearly the whole time.” ♥



To use the driving simulator, have it brought to your police department, or for more information about Racing Through Education programs, contact Officer Doug VanderKooy at (616) 218-7678 or by email at [d.vanderkooy@cityofholland.com](mailto:d.vanderkooy@cityofholland.com)

Photo courtesy of Jenni VanderKooy of Captured Expressions

Racing Through Education volunteer Kyle VanTatenhove instructs a teen driver using the simulator at State Farm Celebrate My Drive event held in September at Allegan County Fair.

## Contract Settlements

— As reported by POLC Labor Representatives

### East Jordan Police Officers

- **New two-year agreement** expires June 30, 2014.
- **Wages:**  
1% effective July 1, 2012.  
1% effective July 1, 2013.
- **Fringe Benefits:** Added aunts and uncles to bereavement leave.
- **Health Care:** Employer elected to go with hard cap and insurance costs remained the same without any changes in coverage.
- **Bargaining Team:** Brett Seese aided by POLC Labor Rep. Ken Nash.

### Elk Rapids Police Officers

- **New two-year agreement** expires March 1, 2014.
- **Wages:**  
2% effective March 1, 2012.  
2% effective March 1, 2013.
- **Health Care:** HSA reduced for singles from \$540 to \$519; couples from \$1,300 to \$1,261; and family from \$1,570 to \$1,522. If spouse has comparable coverage available from his/her employer which would cost spouse less than \$900 annually, the spouse must secure coverage from their employer. Family coverage would then fall under the "Order of Benefit Determination Rule," which means children are covered by whichever parent's birthday comes first during the year.
- **Bargaining Team:** Jamie Peterson aided by POLC Labor Rep. Ken Nash.

### Village of Mancelona Department of Public Works

- **New 3-1/2 year agreement** expires Dec. 31, 2015.
- **Wages:**  
\$1 an hour effective July 1, 2012.  
.25 cents per hour effective July 1, 2013.  
.25 cents per hour effective July 1, 2014.
- **Health Care:** Employer elected to go with hard cap.
- **Bargaining Team:** Jeff Lobe and Craig Hart aided by POLC Labor Rep. Ken Nash.



### Midland Police Command Officers

- **New three-year agreement** expires June 30, 2015.
- **Wages:**  
2% effective July 1, 2012.  
2% effective July 1, 2013.  
2% effective July 1, 2014.
- **Fringe Benefits:** The one-year step increase was dropped and lieutenants are given top pay when promoted. Promotional procedures are spelled out for lieutenants. The rank of Captain was changed to Deputy Chief.
- **Manning & Safety:** Each shift shall have a command officer with a rank of sergeant or above.
- **Health Care:** Made changes for new employees hired after July 1, 2011 to match the patrol contract.
- **Retirement:** Made changes for new employees hired after July 1, 2011 to match the patrol contract.
- **Bargaining Team:** Lt. Steve London, Lt. Steven Elmer, Sgt. James Hurt and Sgt. Matthew Berchert aided by POLC Labor Rep. Ken Nash. ♥

## Voters pass millage supporting Berrien County 911 operators

— By Jennifer Foley, POJ Editor with excerpts from *The Herald Palladium*

**P**OLC dispatchers in Berrien County received some good news in August when voters approved a property tax increase to support 911 services. The millage will fund the move to a central dispatch system.

The proposed four-year 0.45-mill tax will begin in 2013 and replaces a 0.25-mill levy, which expires this year. A projected 2013 funding deficit of \$482,800, and a total projected deficit of \$5.6 million through 2017, prompted the millage vote.

Berrien County's Public Safety Communications Center in Benton Township has taken over police, fire and ambulance dispatch services for Benton Township, Benton Harbor and, most recently, St. Joseph. This makes Berrien County the central dispatch center for all but one municipality in the county, said Berrien County 911



Supervisor Chriss Lyon.

Six additional 911 operators have been hired over the past three years to accommodate the anticipated increase in call volume.

This year's Public Safety Communications budget is \$3.2 million. The county projects the tax increase will generate \$3.12 million in the first year. ♥

## Arbitration

— As reported by the POLC Legal Staff

### LONG STANDING CASE WON

Years of legal wrangling have finally paid off for Roosevelt Park Police. The POLC won its most recent grievance on behalf of Roosevelt Park Police and the Supreme Court denied a repeal request by the Employer to overturn a previous grievance award.

The matter dates back to 2009 when several grievances were filed over the way the city manager was handling comp time and overtime issues. The Employer's attorney raised an arbitrability issue and a hearing was conducted before an Arbitrator. That Arbitrator ruled in favor of the POLC.

The Employer appealed the matter to Muskegon Circuit Court and the judge set aside the Arbitrator's award, eliminating the union's right to arbitrate grievances except for 30-day suspensions and termination cases. However, the Court of Appeals overturned the circuit court. The Employer then sought an appeal before the Supreme Court, which was denied in late 2011.

While the issue was in the courts in 2010, the Employer suggested the union agree to change the drug card mid-contract. Previously, in 2002, the Employer changed the \$5 drug card to a \$10/\$20 drug card. A grievance and settlement agreement in 2003 stated the Employer could keep the \$10/\$20 drug card, but officers had to be reimbursed down to \$5 within 24 hours of handing in a receipt.



The 2010 drug card change the Employer wanted was a \$5/\$25/\$50 drug card with no reimbursement. The union denied the request. However, in January 2011, officers were given the new drug cards in violation of the 2003 settlement agreement. The POLC filed a grievance and arbitration went forward after the Court of Appeals decision allowing the union to arbitrate.

The Arbitrator found that in his 33 years of arbitration, he has never seen a collective bargaining agreement limiting all grievances, except for 30-day suspensions and termination. The Arbitrator said it would defy the very essence of unionism. He agreed with the previous Arbitrator's decision that the language was ambiguous and past practice calls for arbitration of all grievances. He further ruled the 2003 settlement is part of the collective bargaining agreement and the Employer must reimburse within 24 business hours, according to that settlement.

The Supreme Court denied the appeals request and the city manager was fired prior to the second Arbitrator's award. This was an excellent result as the POLC again won the arbitrability argument and the merits of the case. ♥

## Moore remembered for dedication to police work

**B**errien County Sheriff's Deputy Michael Moore's squad cars sits on the front lawn of the department surrounded by flowers and balloons.

It's a tribute to Moore, 35, who passed away Oct. 17 after a courageous 3-1/2-year battle against a rare soft tissue cancer. His POLC co-workers were by his side the entire way visiting him in the hospital and at home and hosting fundraisers to help with medical expenses.

Moore had recently retired to continue his battle against Myxoid Liposarcoma. The department gave him full honors at his funeral, the same as those who die in the line of duty.

Throughout his treatment, Moore remained positive, coming to work on light duty as often as possible and inspiring others to live life to the fullest. "Mike was loved by all who knew him," said Berrien County Sheriff Paul Bailey. "You never left his presence without a smile on your face. His devotion to his wife, his friends and the brown uniform was absolutely amazing. His spirit will live on forever in the lives of those he touched."

Moore worked as a Sheriff's Deputy for 13 years, in the jail and on road patrol. He is survived by his wife, Kellie (Hanners), who he



Michael Moore served as a Berrien County Sheriff's Deputy for 13 years.

married April 18, 2009. Moore also cherished his canine companions, Giovanna and Francesca.

His funeral was held at First Church of God in St. Joseph Oct. 20. Cremation followed. In lieu of flowers, donations can be made to "Fighting Crime, Fighting Cancer," a fund originally set up to help cover Moore's medical expenses. Moore wanted the fund to continue on to help other officers with cancer. Mail donations c/o United Federal Credit Union, 2807 S. State St., St. Joseph, MI 49085. Donations can also be made at any United Federal branch or to the Humane Society of Southwestern Michigan, 641 S. Crystal, Benton Harbor, MI 49022. ♥

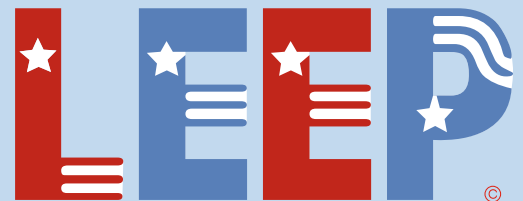


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# KIWANIS KIDS FINGERPRINTING



*Photo courtesy of Jenise Steinman*

*A Monroe Kiwanis member holds her son as they look on while Law Enforcement Education Program (LEEP) Kids Fingerprinting program administrator Tom Jenkins prepares the CD Rom of the child's fingerprints, photo and description, during a LEEP Programs demonstration. Kids Fingerprinting provides parents with a free CD that can be linked into the Amber Alert system should their child ever become missing.*