

The Police Officers Journal



VOLUME 19, NUMBER 4 • FALL 2009

Kids dont go with strangers
Kids dont go with strangers



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LEEP

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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

L.E.E.P. Programs: (800) 451-1220
www.polc.org

EXECUTIVE COMMITTEE

CHAIR: Greg Huggett
Battle Creek Police Dept.

David J. VanHouten
Grand Rapids Communications

Paul C. Combs
Berkley Public Safety Dept.

Rick Bleich
Muskegon Police Dept.

Richard Hetherington
Flint Police Dept.

Brett D. McGrew
Berrien County Sheriffs Dept.

Brian P. Miller
Lincoln Park Police Dept.

Jason Shipman
Eaton County Sheriffs Dept.

Thomas Wilk
Macomb County Community College

DIRECTOR, Richard Weiler
Detroit PD (Retired)

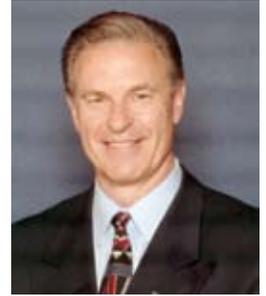
PUBLICATIONS

Fred Lamaire

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Production staff: Diané E. Bertoli, A.J. Malta

2009 Labor Council's conference had all the things you'll need in 2010



By Richard R. Weiler, Director

The 2009 Annual Meeting and Conference at the Grand Traverse Resort in August once again had all the needed details of what's ahead for labor contract bargaining in 2010 for POLC members.

Conference attendees whole-heartedly endorsed the programs and work of Executive Committee members, **Greg Huggett**, Battle Creek PD, **Rick Hetherington**, Flint PD, **Jason Shipman**, Eaton County Sheriffs Department, **Brian Miller**, Lincoln Park PD and **Tom Wilk**, Macomb County Community College—who were all re-elected to another two-year term on the Police Officers Labor Council Executive Committee. Following the meeting, pursuant to the by laws, the Executive Committee met and re-elected Huggett as the chairperson and then elected **Paul Combs**, Berkley PSD, as the new Vice-Chairperson. Both will serve for the ensuing year. Congratulations to all!

This year's conference speakers also tackled all of the topics vital to public sector employees and law enforcement, including: The MERC update, Health Care, MCOLES, a Legislative update, The Economy, Interest Arbitration-Fact Finding, Just Cause, and Garrity-Interviews. Those unable to attend, should talk with a POLC field representative for details—but here are highlights:

Michigan Employment Relations Commission (MERC) Mediator (and former POLC rep.) Tom Kreis, discussed where key economic issues are headed. The number one issue is no secret: Health care costs is first.

Tom Schneider, COPS Trust Executive Secretary, showed what you need to get a quote for options with your current provider for bargaining purposes. He emphasized you must first know and understand what you currently have and the costs of your plan to negotiate health care benefits. Even if your unit chooses to stay *status quo*, I'd recommend you contact him.

An MCOLES update by Acting Executive Director, Hermina Kramp, included the down trend in Michigan's law enforcement positions. As of June Michigan has lost 606 positions and since 2001 over 1900 positions have been lost.

Jim Curan, of our lobbying firm Karoub Associates, reviewed the legislative agenda as they slash and cut programs that they never before would touch or eliminate.

Leon Labrecque, CPA, JD CFP (certified financial planner), had some great advice for cops in today's economy. For more on Leon's comments see his articles in this edition and next.

Arbitrator, Stanley T. Dobry discussed Interest Arbitration and what he looks for in making final decisions.

Labor Council Representatives, Will Keizer and Ed Hillyer role-played employee, employer in an interview setting with attorney John J. Goldpaugh critiquing. Finally a panel of Labor Council staff attorneys, Tom Zulch, Brendan Canfield and Mike Woronko (a staff rep.) discussed just cause, duty of fair representation, Family Medical Leave Act and Fitness for Duty. ♥

LEEP keeps police focus on child safety issues for 2009

By A.J. Malta, POJ staff

A new school season of Law Enforcement Education Programs (LEEP) activities kicked off in Berkley, Michigan on Oct. 3 with nearly 200 kids being photographed, fingerprinted and given their own *Project Safekids* child identification CD kit.

The line of kids at the two LEEP tables was continuous from 10 a.m. until 2:00 p.m. as parents took advantage of one of LEEP's more popular activities to obtain a police-compatible, confidential record that could provide immediate and positive identification aids as part of the city's annual Public Safety Department Open House.

LEEP is putting a strong focus this year on an expanded schedule of child safety police-community activities including, as part of Project Safekids, a return of one of the most successful and popular child safety programs ever used.

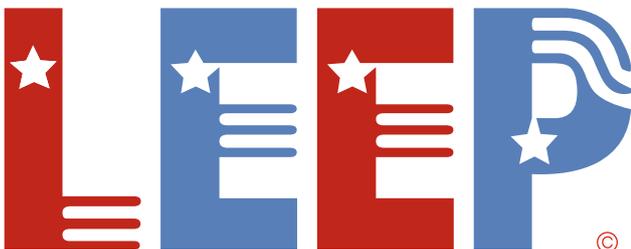
"Kids, Don't Go With Strangers," a Michigan-based program used nationwide during the 1970s Oakland County and Atlanta, Georgia, serial child slayings, was re-launched, with an all-new set of supporting multi-media materials including a children's coloring book and CD record. This award-winning public safety program presents a crucial child safety message in a non-threatening, highly effective manner, meant especially

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Photos: A.J. Malta

A Berkley mom helps her young toddler, Jackson, get fingerprinted for the Project Safekids kickoff in October during the Berkley PSD 'Open House.' Berkley officer Paul Combs helped make sure LEEP was part of the program, and a continuous lineup of kids loved it.



Child Safety Issues

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Retired Monroe Police Sgt. Tom Jenkins, a 29-year veteran, is familiar to students as he makes LEEP's safety presentations come to life during a full season of school appearances. LEEP brings back the "Kids, Don't Go With Strangers" child safety program this year—with all new pass-out materials, including a CD.

for younger children.

Presentations of **"Kids, Don't Go With Strangers,"** materials are available for elementary school use and will be scheduled and made available through LEEP and participating schools and police departments, or local business sponsors, along with the other popular **"Project Safekids"** child identification kits, and the **"Students On Sobriety"** and **"911 – Your Friend,"** programs.

Leading LEEP's expanded effort this year is 29-year Monroe PD veteran Sgt. Tom Jenkins. The former road patrol officer teaches at the Macomb County Police Academy and is an MCOLES instructor. Jenkins also travels as a TIPS Alcohol Management Instructor and for the past three years has been responsible for the live presentations on behalf of LEEP programs throughout Michigan and Ohio.

Recent LEEP mailings urged area school administrators to make use of a live presentation of Students on Sobriety (S.O.S.) in high schools, and offered free posters and passout materials for use with CD showings of the program, where live presentations are not possible.

Any POLC officer or local school administrator can schedule, or sponsor, any of the LEEP community programs in their area schools by contacting the LEEP programs office at (800) 451-1220, or addressing a letterhead request to LEEP at 28091 Dequindre, #303, Madison Hts, MI 48071.

Now is exactly the right time for your area schools or local departments or community event coordinators to schedule a LEEP child safety activity in their area. We urge all local POLC departments to support the LEEP offerings. ♥

Police deaths rise in first half of 2009

— From USA TODAY

All categories of police officer deaths in the U.S. are up in 2009, including those killed by gunfire. The number of officers killed in the line of duty increased 20% during the first six months of 2009 compared with last year, according to a mid-year report.

Despite the increases, the 66 officers killed—up from 55 in the first half of 2008—marked the second-lowest mid-year total since 1965, according to the National Law Enforcement Officers Memorial Fund. Law enforcement fatalities in 2008 had plunged to the lowest level—133—in nearly 50 years, according to LEOMF records. The average number of police officers killed at the middle of a year is 76, the records show.

Memorial fund Chairman Craig Floyd said police agencies are doing a "much better job of making it safer" for officers by encouraging the broader use of body armor and rethinking police involvement in risky high-speed pursuits of suspected criminals.

"There are three-times more officers on our streets than in the 1970s, and we have half the number of fatalities," Floyd said.

Among the findings:

- Officers killed in traffic-related incidents increased 17% at midyear, from 30 during the first half of 2008 to 35 in 2009. For the past 11 years, more officers have died in traffic-related incidents than any other cause.

- Fatal shootings are up slightly, from 20 in the first half of 2008 to 22 in 2009.

- Deaths from job-related injuries increased from four in 2008 to eight in 2009. In addition, one officer was killed in a helicopter crash.

During a five-week period this year, however, nine officers were shot to death in three separate incidents.

Four officers were killed March 21 in Oakland after a traffic stop. Two of the Oakland officers were killed when the driver of the stopped vehicle opened fire. Two other officers were fatally wounded by the gunman after they pursued him to a nearby apartment. The suspect was shot and killed by another officer. ♥

LEEP gives students' goals a \$14,000 boost

Fourteen top students interested in public safety careers received individual \$1,000 college grants from the POLC's Law Enforcement Education Program (LEEP) to encourage their pursuit of law enforcement/public safety careers.

Now in its fifth year, LEEP's Dream Scholarship Program has provided \$39,000 in grants 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.

Earning the 2009 LEEP Dream Scholarships were students from seven states, including:

FLORIDA

Alexandria L. Barron of Chiefland, Fla., who used her time at Chiefland High School to work with the Levy County EMS Explorers (as president) and its community service programs on Law Enforcement appreciation projects, and as a volunteer at nursing homes. She plans to attend Central Florida Community College.

MARYLAND

Rebecca M. Thomas of Cheltenham, Md. She graduated from Frederick Douglass Sr. High School, Upper Marlboro, Md., as a swim team member, active in her community where she helped raise funds for March of Dimes walkathon. Rebecca was work-based program Student of the Year. She receives a \$1,000 LEEP grant, and plans to attend Prince George Community College.

MICHIGAN

Bryan J. Belanger, of Suttons Bay, Mich. A graduate of Suttons Bay High



Chiefland Fla. Police Chief Robert Douglas, left, and Lt. Al Graves, right, personally congratulate LEEP scholar Alexandria Barron. She's attending Central Florida Community College this fall with a LEEP grant.

School, he was varsity baseball and football teams captain, and a community volunteer. He plans to use his \$1,000 LEEP grant to attend Northwestern Michigan College. He has been interested in a law enforcement career since participating in a shadowing program with the Leelanau County Sheriff's Dept. while in sixth grade.

Anthony J. Gancer of Battle Creek, Mich. Active in football, basketball, baseball and hockey, Anthony is a Coaches Award Winner at Penfield High School and hopes to undergo Police Academy training this year. His community service includes work as a cadet with the Battle Creek PD. He has already saved one life while working as a summer lifeguard. He will use his \$1,000 LEEP grant to attend Kellogg Community College.

Nicole McGhee of Traverse City, Mich., was actively pursuing a public safety career in high school for more than the past two years. A June 2009 honors graduate of Suttons Bay High School, she has already completed EMT training and Michigan State Police Academy (Class Commander) certifications and won the Regional Michigan Skills Competition in Criminal Justice with a perfect score. She will use her \$1,000 LEEP award to attend Northwestern Michigan College.

Amanda R. McNees of Battle Creek, Mich. An honors graduate of Penfield High School, she was Michigan State Police Academy class commander, and a Battle Creek Police Department cadet. Active with S.A.D.D. and in school sports and cheerleading, she has assisted com-

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LEEP scholarships

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munity clean-up campaigns and served as a youth advisor. She will use her \$1,000 LEEP award to pursue a criminal justice career at Kellogg Community College.

Keeley R. Mills of St. Johns, Mich., was captain of her St. John's High School varsity softball team, and a Lieutenant for her criminal justice program, as well as active with the National Honors Society, the Special Olympics and other police-community activities. She plans to use her \$1,000 LEEP grant to pursue a law enforcement career at Indiana Tech University.

Albert G. Rossner IV of Parma, Mich., a graduate of Western High School in Parma, earned a \$1,000 LEEP grant. Active with the student council, National Honor Society and school bands, and with church and community service groups working with youngsters, Albert hopes to pursue a medical forensics career in Health and Human Services at Bowling Green (Ohio) University.

Kelly Turner of Belleville, Mich., was selected for a \$1,000 LEEP grant. A National Honor Society graduate of Belleville High School, she has been active in community service activities and was

Link crew leader helping tutor fifth graders. She plans to undertake criminal justice classes at the University of Michigan-Dearborn campus.

Warren J. Webster of Grand Rapids, Mich., will receive a \$1,000 LEEP grant. He is a 2007 graduate of Grand Rapids Catholic Central, active with varsity hockey (as captain) and led his team to the state finals for two straight years, earning All-State, All-Area, and All-Conference honors. He delayed college to play Junior "A" Hockey in Canada to qualify for college level hockey participation. He has been accepted at Fredonia State University in New York for a criminal justice degree program. His father is 24-year veteran officer with the Grand Rapids PD.

MISSOURI

Lacey K. Merritt, of Verona, Mo., earned a \$1,000 LEEP college grant. She will graduate from Verona High School in December and hopes to attend Crowder College in Neosho, Mo. She plans to pursue a criminal justice degree at Missouri Southern State University. Active in volleyball, basketball, she was a member of the school science club and the Science Olympiad. Her community activities in-

clude work with senior citizens and the March of Dimes.

NEVADA

Kyle M. Moore of Logandale, Nev., hopes to follow his father's example in a law enforcement career. A graduate of Moapa Valley High School in Overton, Nev., he's been active in community service projects, the Boy Scouts, and Partners in Conservation. He will use his \$1,000 LEEP award to attend the University of Nevada-Reno.

OKLAHOMA

Nicholas J. Cartwright, of Mustang, Okla. Awarded a \$1,000 LEEP grant, he plans to attend Southwestern Oklahoma State University, for a degree in criminal justice. Nicholas graduated from Mustang High School, co-captained the varsity football team, earned all-district honors and was chosen to play in the "Jim Thorpe All-Star Game." He is active at church and works with young athletes.

TEXAS

Israel J. Delgado of El Paso, Tex., graduated from Socorro High School in El Paso with a record of service and accomplishment. A member of the National Honor Society, the Fellowship of Christian Athletes, he served on the Principal's and the Superintendent's Advisory Committees, and as a Block Officer for the Human and Protective Services Academy (HEROES) program, while active in basketball and as a band member. Israel hopes to use his \$1,000 LEEP grant to attend law enforcement classes at the University of Texas-El Paso. ❤️



Three of Michigan's LEEP scholars (from left, Bryan J. Belanger of Suttons Bay, Kelly Turner of Belleville, and Nicole McGhee of Traverse City made it up to the POLC Conference to receive their awards and some applause.

Michigan sets torrid pace as 26 states slash prison costs

The problem is especially acute in Michigan, where inmates on average serve 127% of their court-ordered minimum sentences, well beyond the sentences of inmates in other states

— From *The Wall Street Journal*

For three decades, state and local governments built and filled jails to make good on promises to get tough on crime. Now, the recession and collapsing budgets are forcing an abrupt about face, especially in Michigan.

Prisons are one of the biggest single line items in state budgets, in part because nearly five times as many people are now behind bars as in the 1970s. From California to New York, officials are now closing penitentiaries and releasing inmates early. At least 26 states have cut corrections spending in fiscal year 2010, and at least 17 are closing prisons, reducing inmate populations, or both, according to the Vera Institute on Justice, a criminal-justice reform organization.

The problem is especially acute in Michigan, where inmates on average serve 127% of their court-ordered minimum sentences, well beyond the sentences of inmates in other states that offer parole, according to the Council of State Governments Justice Center. Michigan last year spent \$2 billion on prisons, and one third of all state employees work for the department of corrections, which is among the highest percentage in the nation. With the collapse of the auto industry, the pressure to pare these costs is high.

ONLY FIVE WEEKS

Jeffrey Woods, warden of the Hiawatha Correctional Facility in Michigan's



Upper Peninsula, was vacationing when his cell phone rang July 1. The message: Hiawatha, slated to shut down in October as part of a downsizing of the state's prison system, would now close by Aug. 7. That meant he had just five weeks to ship out 1,100 inmates and 207 staff.

The scramble to empty Hiawatha prison is part of the rapid shift in thinking about how many people should be locked up in the U.S., and for what crimes.

Earlier this year, Michigan Gov. Jennifer Granholm expanded the parole and clemency board from 10 members to 15 and ordered cuts in the state's prison population of 48,000 by 4,000 inmates. Seven corrections facilities have closed so far this year, including Hiawatha; Michigan will shutter another four. At least one of those four might remain open as the state considered accepting federal detainees from Guantanamo Bay, Cuba, and prisoners from other states. Federal officials recently toured a maximum-security state prison in Standish, Mich., as a possible

Michigan's Hiawatha correctional facility was officially closed Aug. 9, 2009. The facility in the eastern U.P. had an original capacity of 480 prisoners.

new home for Guantanamo's prisoners.

But Hiawatha didn't get such a reprieve. A level-one prison, Hiawatha held everyone from burglars to second-degree murderers. On July 28, 40 Hiawatha inmates, wearing arm and leg restraints, boarded a bus headed 200 miles away to another prison where they would serve out their sentences. More buses and vans rolled later that day carrying inmates as far away as the Marquette Branch Prison, more than four hours west.

Before inmates could move, staff had to consider details like where their co-defendants were located. In some cases, prisoners had testified against co-defendants, or vice versa, and there was bad blood. Gang affiliations were taken into account; wardens didn't want rival gang members ending up in the same place, or worse, cell block. Medical needs and es-

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Prisons shutting down

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cape histories were factored in, too.

THE FINAL DAYS

Deputy warden Duncan MacLaren was already fielding calls for linens, desks and floor fans from other facilities taking Hiawatha's inmates. Some of the 16 facilities were asking that beds, mattresses and lockers be sent *before* the inmates. Between calls, MacLaren played therapist to Hiawatha's staff—counseling employees worried about making it on reduced pay since several were being demoted as a result of job transfers. He was in the same boat, demoted to an assistant deputy warden at another prison.

In the center of the prison yard Officer Al Pennell and several other officers scanned the grounds, waiting for prisoners who had not yet been transferred to filter through, unit by unit, for lunch. The huge garden inmates had grown over the years was showing signs of neglect as staff and prisoners got too busy to weed it.

The president of the guards' local union chapter, Pennell had also been inundated with inquiries from guards being transferred. Nine officers from Hiawatha would lose their jobs once the prison closed. Although many transferred to other prisons on the same 7,200-acre site, there were still concerns over a lack of familiarity with those prisons—their operations, layouts, and schedules. Some questioned whether they would be able to take the vacations they had put in for before the news broke that Hiawatha was closing.

There was little talk among inmates as they walked past, many of them glowering at the officers. Pennell says he tells friends to keep a close watch over their kids. "We know what we're letting go. We see all the files," he says, referring to the inmates throughout the system being released early.

The volume of parole interviews climbed from a rate of about 400 to 500 a week last year to as many as 1,200 a week this year...

WHO DECIDES ?

The decisions about parole are made 250 miles away in Lansing, where the Michigan Parole Board occupies the third floor of the Department of Corrections headquarters. Without a reduction in the prison population, prisons and camps can't be shut down. Of Hiawatha's 1,100 inmates, 25 were paroled under the recent push to get prisoners out of the system faster.

Parole board member Miguel Berrios was one of those responsible for thinning the prison's ranks. He had just finished interviewing an inmate at another prison—a prisoner with mental issues who sexually assaulted a small child. It was Berrios's 20th hearing that day. Once, parole board officials had to visit prisons in person before deciding to release an inmate. Now, hearings are done via video conference. Most interviews last 15 to 20 minutes, although some end quicker because inmates figure it is no use.

His questions are geared to getting prisoners to take responsibility for their crimes. For people who have been turned down for parole before, he asks questions like, "You've been inside 10 years beyond your early release date. Why is that?"

One person Berrios recommended for parole was a man he had arrested in the 1970s when Berrios was a police officer in Grand Rapids. He was also the man's probation officer at one point; another time, he pursued him when the defendant became a fugitive. The crimes were never

violent, Berrios said. "This guy had been with me 30 years. During the interview I told him we both need to retire." Berrios said he asked the inmate, who served 20 years on his last offense, if he'd learned anything. "He said, 'Yeah, don't do this in Michigan'."

Michigan officials were reluctant to parole inmates after a 1992 case in which a paroled sex offender, Leslie Allen Williams, killed four young women in Oakland County. The budget crunch has changed that. At the end of 2008, there were 12,000 prisoners in the Michigan prison system eligible for parole, but **not** released. In recent months, 3,000 of them **were** paroled.

The volume of parole interviews climbed from a rate of about 400 to 500 a week last year to as many as 1,200 a week this year, says Charles Sinclair, the parole board administrator. Parole approvals in July were up 36% over the same time in 2008.

Critics say the rush to parole prisoners could lead to mistakes. It is "a risky strategy, no question. I don't think it's a very good plan," says Michigan State Sen. Wayne Kuipers, who chairs the state's Senate Judiciary Committee.

Kuipers says Michigan historically has struggled with a poor recidivism rate, and that within 18 to 24 months of their release, 62% of parolees re-offend. He says the state has been testing some new re-entry programs for released inmates and he would rather see how successful those are before increasing paroles.

Sinclair of the parole board says new risk assessments, including one which can predict the likelihood that sex offender will re-offend, give board members more confidence.

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THE WAVES OF CHANGE: What can POLC members expect in the new decade

By Leon LaBrecque, JD, CPA, CFP®, CFA

(The following is excerpted from a presentation to the POLC annual conference at Grand Traverse Resort, August 28, 2009)

What do Microsoft, GE, and Hewlett-Packard have in common? They were all formed in an economic crisis. Bill Gates formed **Microsoft** in 1975, right in the middle of the 1973 recession. Thomas Edison started **GE** in 1876 in the middle of the 'Long Depression,' right after the Panic of 1873. The panic of 1873 didn't stop another entrepreneur, Alexander Graham Bell, who started **AT&T** in 1877. **Hewlett** and **Packard** got going in their garage in 1939, right near the end of the Great Depression with about \$1,200 of savings.

History doesn't move in a straight line, it moves in waves. These waves are well documented, and follow a pattern. Sometimes the patterns converge, and you get a giant wave. Right now, we have a series of waves converging on the Global economy.

Economies tend to have 'seasons' of economic activity, a **spring** of huge growth, a **summer** of maturity, a **fall** of



Leon LaBrecque

decline and a **winter** of non-activity. The markets earlier this year reached their 1996 levels, which surely feels like a **winter**. The long wave of economic activity is a big burst in spring and summer, coasting in fall, and marking time in winter. The "winters" tend to last 8-13 years—then springtime again.

Politics move in a different cycle. The US political cycle tends to change sides about every 15-22 years, depending on whether you measure the seasons by the House, the Senate, or the Presidency. Democrats get in for a while, then Republicans. They trade sides (I suppose until the electorate gets aggravated enough and kicks them out, to repeat the cycle) about every 15 years. I think we're in an obvious political shift.

Credit also moves in cycles, although this is disputed. We have very tight credit, then it loosens, then lenders go crazy and lend to anyone who can fog a mirror. Then the whole shebang falls and no one can borrow money (sound familiar?). And where are we now in the credit cycle? At the beginning of a new one.

The most important cycle, maybe the one that causes **all** of the others, is the cycle of generations. Anglo-American society has operated for the last 26 generations in a **four-cornered** cycle. The generational cycle starts with some sort of crisis, like the American Revolution, or World War II. These crises are met by "**heroes**," who solve the crisis. The next generation experiences a quietly enjoyable high period. This is followed by a waking and desire to change: think **baby boomers**, **Woodstock** and **rock 'n' roll**. This is followed by an unraveling, individualism,

and then finally a crisis again.

Our dads fought the Great Depression and WWII and were the **heroes** in the crises of 1929–1945, bringing in the generations of 1946–1964. The **boomers** went through a consciousness revolution from 1964–1984, and the **Gen Xr's** saw to the culture wars of 1985–2005. Where are we now? Probably crisis. This whole thing is very fascinating and covered by Strauss and Howe in their book **The Fourth Turning**.

What's on the horizon? We have the convergence in 2009 of troughs of several waves. The long wave of economic expansion seems to have bottomed. The U.S. political environment has shifted. The credit expansion has definitely contracted, and the generations have shifted. Every time in history this has happened before, there's been major change, and major activity. Change can be unsettling, but can also be profitable.

Some things appear inevitable:

- **Tax increases**—highly likely
- **Inflation**—highly likely
- **Health care changes**—highly likely
- **Credit**—tight for a while
- **Americans, at least temporarily, are changing debt and saving habits**

From a police officer's viewpoint, state revenue sharing and local budgets will be tighter, and future increases in anything will be more hard-fought than ever. More health care changes will be pushed for actives and retirees. Look for more health saving account arrangements, particularly for new hires. Look for higher federal taxes, and probably higher Michigan taxes, as well as local municipalities scratching

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The waves of change

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for dollars. Productivity is at its highest in recent history, and most employers are holding off on hiring until the last minute. When that last minute comes, watch for a hiring boom. In fact, Michigan could even have job shortages in certain industries.

For personal financial planning, contemplate fighting these higher taxes with a Roth IRA, which is exempt from taxes. You can contribute to a Roth IRA (both for you and your spouse) provided you meet certain income rules. In addition, you can convert an existing IRA into a Roth. Roths not only allow tax-free growth, but don't require distributions at any particular age (Regular IRAs and §457 plans require distributions at age 70½).

Another tax-free move is to use savings vehicles, either Coverdell or §529 Plans. The §529 plan of choice is the Michigan Education Savings Program ('MESP'). The MESP allows tax-free growth for college (any college, not just a Michigan college) and is tax-deductible from Michigan Income Taxes. The MESP (and other §529

plans) is transferable to other children or grandchildren. Be sure to set up an MESP with you as custodian and not directly in the child's name. Roths and §529s are even better in a down market, as it gives ample room for more tax-free growth.

To combat inflation, TIPS (Treasury Inflation Protected Securities) pay very little in low inflationary times, but the interest rate notches up with inflation. They're government securities, so they're as safe as the government (draw your own conclusions from that). With China and India back in the expansion game, global commodity prices are rising (iron, nickel, aluminum, oil, timber, cement, etc.). Taking some sort of hedge in a global commodity fund makes sense. It likewise make sense to review and rebalance your §457 plan and IRAs.

With tight credit, it's going to be a lot more of 'who you know' than before. I suggest building relationships with people who know people (like CPAs, lawyers and the like). You never know when

you're going to need a connection.

In short, we're in the bottom of a set of troughs which typically gives us huge, painful, but positive change. This time is different: We now live a global world connected by devices at the speed of light. In 1876, we were one growing country with about 50 million people. Today, we're 300 million people, part of a global economy with billions of people. We're jumping into a new decade, and it's going to be different. Fasten your seat belt and get ready for the ride! ♥

Leon Labrecque, JD, CPA, CFP®®, CFA is the Managing Partner of LJPR, LLC, of Troy, MI. LJPR produces wealth management solutions that include investment management, financial planning, tax planning and estate planning. LJPR operates on a fee-only basis. To read Leon's blog, or for more information, go to <http://LJPR.com>. LJPR's is at 4555 Investment Drive, Suite 304, Troy, MI 48098. 248-64-7400. If your unit is interested in having a group program for all members, contact Matthew Teetor at matthew.teetor@ljpr.com.

Prisons shutting down

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A HOPE, AND A PRAYER

"I am 100% positive we're doing the right thing," says Patricia Caruso, director of Michigan's Department of Corrections, of both the push for parole and the reentry programs. "Every dollar spent on corrections is a dollar not spent on education."

But, she says, she also lives in fear that a parolee will victimize someone and commit a new crime. "I can guarantee something bad will happen. Parolees, like you and I, are human beings and have free will," she says. "I know something bad will happen and I'm going to own it when it does. I say the rosary several times a day."

Back at Hiawatha on July 30, the furniture breakdown and turnstile departures continued as beds were disassembled, lockers moved and living areas emptied. The 10 open bays in each housing unit were built to house four men each in a dormitory style setting, meaning no doors and no privacy. That number had climbed as high as eight per bay over the years.

With just a few days to have the prison clear of inmates, there were still 420 prisoners left to be transferred. The night shift was rousting the mornings' travelers out of bed at 3:45 a.m. Another group of 40 men showered, ate breakfast, and then headed back to their unit for the last head count they would have at Hiawatha.

By 6 a.m. they'd be on a bus. When everyone was gone, only the buildings would remain: The state hasn't yet decided on Hiawatha's future.

Standing in the unit where he began as an officer on the night shift in 1989, Warden Woods said the closure was bittersweet. "I'm here at the end. I was here at the beginning," he said.

By Aug. 7, all the prisoners were gone and the warden faced the reports and requests on his desk, several of them from other wardens seeking equipment. Among the items sought by nearly 300 requests: the soup ladles from the prison's dining hall. ♥

LETTERS



Norton Shores unit president retires after 32 years service

To the POLC:

As of August 28, 2009, I retire as a patrolman from the Norton Shores Police Department after 32 years of service. I had the honor of being the NSPD Patrol Unit President for many years in addition to other representative positions, and I want to express my pleasure at being part of the best police labor organization in Michigan. It has been an exciting, and sometimes challenging, time being part of the growth of the POLC.

I will admit having some skepticism in the beginning—being from a small west side department, [over] just how much POLC would help when we needed them. However, when our unit had serious issues, the POLC was there with the necessary representation, assistance, and service, to protect our interests with outstanding service.

My gratitude goes out to the entire POLC organization from representatives, labor attorneys, and the executive board. The superb office staff always was there to answer questions, assist in obtaining any requested information, and if they could not provide an answer, ensure someone got in touch to provide the necessary information, a great asset to a great organization.

During my years of involvement, I met numerous people in the POLC, many I'm grateful to call friends and hopefully will keep in touch as the time moves on. Best wishes to all and continued success in coming years for the POLC.

— **Ray Baker, Norton Shores PD, Patrol Unit**

Thanks for the opportunity

To the POLC:

All but a few of the today's public safety workers can remember when they didn't get paid overtime for attending court, hearings, and there was no such thing as show up/call back time. Personal business days and the vacation schedules of today were only dreams. Scheduling was strictly a management right, which sometimes gave us non consistent days off (Monday and Thursday, for example). Certainly the testing policies for promotional opportunities did not even resemble those in effect today. Much of the equipment of today could not even be imagined in the "old days."

I remember most of it, too. As a dues paying POLC member with the City of Troy Patrol Unit from 1981 until 1992, I was privileged to serve as an Executive Board Member. In 1996, I retired from Troy PD to become a staff representative for the POLC. I joined the POLC as an employee because I believed in the POLC, and after twenty eight years, I still see and believe in the ability, work ethic, professionalism and dedication of the POLC.

I am fully aware that no other labor organization can rightfully claim they offer more or have done more to bring about today's public sector employee pay and benefits.

I want all of you to know how much these past 28 years have meant. I know that together with the local leaders and unit bargaining teams, we made some great and long overdue work and job improvements for our members. I feel privileged to have been a part of it.

But 28 years is a long time to serve any organization and its members. The time has come for me to retire. I thank the POLC and its members for the opportunity to be a part of, and to serve, the finest group of Professional Public Employees in the state.

Thank you for the opportunity.

— **Danny N. Bartley**

Criminals add cell phones to list of weapons

— *From Newsday*

Regular training classes routinely alert officers to unique and creative weapons that they may encounter in their regular duties—everything from knives inside lipstick containers to steering wheel security devices that can be converted into shotguns. And officers guarding prisoners in hospitals know that some meal trays have a vanity mirror that can easily be fashioned into a makeshift shiv.

Cell phones are the latest addition to the "arms race." An unofficial warning making its way around a number of New York police precincts earlier this year showed how easy it is to hide a razor blade in the battery compartment of a T-Mobile Sidekick

and other hand-held electronic devices, in the narrow space between the back cover and battery.

New York Police also had a recent Harlem arrest in which a cell phone recovered from a suspect had been converted into a "low grade" stun gun.

The makeshift weapons race may be a result of a heavy police presence in certain areas or a push to keep guns off New York streets. Last year, for instance, knives and other sharp objects were the weapon of choice in 125 slayings, up 50 percent compared to 83 such killings in 2007. Gun murders, meanwhile, dropped to 292 last year, from 347 the year before. ♥

Union contract can exempt workers from unilateral job furloughs

...he compared Prince George's County to a lawyer who loses his job and calls the mortgage company claiming he can't pay his loan, only to get caught later with a huge savings account. Or, in this case, \$97 million in reserve funds that the county could have tapped...

From The National Law Journal

A pair of recent court rulings gives unions new and potentially potent ammunition against furloughs of public employees.

In August, a federal judge struck down a furlough plan in Prince George's County, Md., holding that the plan violated the U.S. Constitution by unilaterally cutting wages guaranteed through collective bargaining. In July, a state judge in Hawaii issued a similar ruling, saying a furlough violated the state constitution and criticizing officials for ordering unpaid leave without first negotiating with public employee unions.

Furloughs are seemingly the *strategy du jour* in states and municipalities hard hit by the recession. To date, more than 728,500 public employees in at least 21 states have taken or will soon be forced to take furloughs, according to the National Conference of State Legislatures. If other courts agree, the argument that furloughs illegally ignore union contracts could have wide implications: More than 3 million public employees nationwide are covered by collective bargaining agreements, according to U.S. Department of Labor statistics.

...although the ruling must survive on appeal first, said Peter Conrad of New York's Proskauer Rose, who handles labor disputes on behalf of employers, he predicted that unions will use this "to the maximum extent possible."

In furlough battles across the country, word of the Hawaii and Maryland rulings is already spreading quickly. Bruce Lerner of Washington, D.C.'s Bredhoff & Kaiser, who represented police officers in the Maryland case, said he has received a handful of phone calls from unions wanting to see his complaints and arguments. And unions in Ohio and Florida have called to express

interest in resurrecting failed furlough challenges, said a police union official.

In California, where state employees are suing in state court over furloughs ordered by Gov. Arnold Schwarzenegger, Paul E. Harris III, chief counsel of the Service Employees International Union Local 1000 in Sacramento, said he plans to cite the Maryland ruling in upcoming oral and written arguments. "We hope to achieve similar results here," he said.

THEY HAD A CONTRACT

As in the Maryland case, California employees are targeting furloughs as contract violations. The union alleges that state employee furloughs announced in December and July are illegal pay cuts, and that Schwarzenegger used false pretenses to declare a state of emergency so he could order unnecessary furloughs without prior negotiation. Harris described the Maryland ruling as "*persuasive authority*" for the California court.

Persuasive maybe, although the ruling must survive on appeal first, said Peter Conrad of New York's *Proskauer Rose*, who handles labor disputes on behalf of employers. He's not counting on a reversal, however, and he predicted that unions will use this "*to the maximum extent possible.*"

Unions will have a lot of fodder to use, Lerner said. During oral arguments before the U.S. District Court for the District of Maryland, he compared Prince George's County to a lawyer who loses his job and calls the mortgage company claiming he can't pay his loan, only to get caught later with a huge savings account. Or, in this case, *\$97 million in reserve funds that the county could have tapped*, said Lerner.

It was a detail that didn't go unnoticed. "[A]lthough the County suggests to the Court that it faced dire circumstances and had no other reasonable alternatives, the record suggests otherwise," Judge Alexander Williams Jr. ruled on Aug. 18. He concluded that county furloughs ran "roughshod" over the unions "who in good faith negotiated a binding contract." ♥

Contract Settlements

– As reported by POLC Labor Reps.



Branch County 911 Central Dispatch

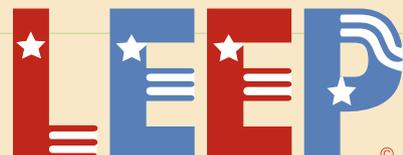
- **Three-year settlement** expires December 31, 2011
- **Wages:**
 - 2.5% increase effective Jan. 1, 2009
 - 2.5% increase effective Jan. 1, 2010
 - 2.5% increase effective Jan. 1, 2011
- **Health Care:** Employees premium sharing increases for the current PPO I plan. Employees can opt for a lesser PPO III plan with no premium sharing for the first year. Subsequent years may have premium sharing determined by a

formula tied into future increases. An employee would never pay more than 2% of the premium for this plan.

- **Pensions:** The Union and the Employer agreed to transition the group from a County-defined benefit pension plan to a MERS-defined pension plan as long as the transition is cost neutral and does not negatively affect the employee's benefit level.
- **Bargaining Team:** Ryan Fillmore, Dennis Drauker, Holly Patterson, assisted by POLC Labor Rep. Duane Smith. ♥



LEEPing IN — Law Enforcement Education Program Chairman David VanHouten presents a check to Kent County Sheriff Dept. deputy Sgt. T.J. Sikkema to support its West Michigan Distracted Driver Program aimed at educating high school students about the dangers of driving while distracted. Highway billboards, like the one shown near US 131 and 44th St. in Wyoming, designed by area students, are sprouting up under the program. Vehicle crashes are the leading cause of death among U.S. teenagers, according to the federal Centers for Disease Control and Prevention. During 2005, 4,544 teens ages 16 to 19 died of injuries caused by crashes and about 400,000 vehicle occupants in the same age group sustained injuries requiring emergency room treatment. Kent County Deputy Tim Ernhart developed the program with the assistance of Sgt Sikkema.



Utah's '4-10' workweek a hit with state workers

— From *Time.com*

A year ago, 17,000 state employees in Utah became the first in the U.S. to work a mandated four-day workweek, Mondays through Thursdays, in an effort to reduce energy costs.

After 12 months, Utah's experiment was deemed so successful that a new acronym could catch on: TGIT (thank God it's Thursday). The state finds that its compressed workweek resulted in a 13% reduction in energy use and estimated employees saved as much as \$6 million in gasoline costs. Altogether, the initiative cut the state's greenhouse-gas emissions by more than 12,000 metric tons a year. And, 82% of state workers say they want to keep the new schedule.

Salaries were not cut; nor was the total amount of time employees worked. They packed in 40 hours by starting earlier and staying later four days a week. But on that fifth (glorious) day, they don't have to commute, and their offices don't need to be heated, cooled or lit.

"It's beneficial for the environment and beneficial for workers," says Lori Wadsworth, a professor at Brigham Young University who helped survey state employees. "People loved it." Those who didn't tended to have young children and difficulty finding extended day care.

CLEAR ADVANTAGES

The advantages of a so-called *4-10 schedule* are clear: less commuting, lower utility bills. But there have been unexpected benefits as well, even for people who aren't state employees. By staying open more hours most days of the week, Utah's government offices became accessible to people who in the past had to miss work to get there in time. With the new 4-10 policy, lines at the department of motor vehicles actually got shorter. Fears that working 10-hour days would lead to burnout turned out to be unfounded—Wadsworth says workers took fewer sick days and reported exercising more on Fridays.

Managers from around the world have gotten in touch with Utah officials, and cities and towns including El Paso, Texas, and Melbourne Beach, Fla., are following the state's lead. Private industry is interested as well—General Motors has just instituted a workweek of four 10-hour days at several of its plants. ♥

Arbitration

— As reported by POLC Legal Staff

Bay City Command wins anyway

An Arbitrator upheld a POLC grievance filed over the objections of the local Police Command Officers unit on behalf of a demoted Bay City Police Sergeant, and took the local Command Officers unit to task for failing to follow up or pursue the grievance.

The local unit had even demanded the POLC **not** pursue the grievance, even after being rightly informed by their Labor Representative, Chet Kulusza, that the POLC has a legal duty to represent **all** of its members and could not disregard a valid grievance.

The Arbitrator held the demotion to be excessive, without just cause, and concluded that the City did not conduct an impartial investigation and failed to follow progressive discipline. The demotion occurred after the grievant was found sleeping on duty during a night shift.

The City had piled on dozens of additional charges, some dating back at least two years, claiming inadequate work performance including making mistakes in reviewing and writing reports, completing patrol evaluations in an untimely manner, not responding to emails from the lieutenant, and going home while on duty. The POLC contended the petty nature of many of these additional allegations was self-evident; one involved a single grammatical error on a report. The City had never taken affirmative action until finding that he had fallen asleep on duty.

The POLC contended the demotion was excessive. The grievant was found to suffer from moderately severe sleep apnea, as convincingly attested to by a doctor. The POLC also found numerous grounds to challenge the other allegations, asserting that the City placed the grievant in double jeopardy, that it violated his due process rights, that he never received notice of several rules, that it did not complete a full investigation, and that it had treated the grievant disparately.

While Bay City's Command Officers have already expressed displeasure at the POLC's action in pursuing this grievance, all of their members, and the officers of any other POLC unit, have NOT lost any individual rights over similar treatment by an employer, nor the right to gain similar arbitration results, because this one had to be pursued. ♥

DeWitt Township officer is Michigan's 'Top Cop'

A domestic dispute which took an unexpected turn to near-fatal violence for DeWitt Township Police Officer William Darnell has earned him recognition at Michigan's "Top Cop" in 2009 from the National Association of Police Organizations (NAPO).

His conduct in the November 2008 shooting also warranted special honors for the officer and his actions at the Police Officers Labor Council annual meeting in Traverse City in August, where Director Richard Weiler presented him with a POLC Service Award. Darnell was awarded a Medal of Honor by the Michigan Association of Chiefs of Police in June.

Officer Darnell and a fellow officer from the City of DeWitt Department had both responded to a call from a woman who reported that her estranged husband was trying to break into her apartment. The two officers interviewed the caller at her apartment, and Officer Darnell went down the stairs to have a look around. The suspect, who had been hiding in the stairwell, ambushed the officer, shooting him in the face. The perpetrator then ran up the steps.

Officer Darnell went down hard. Despite tremendous pain, the officer hit the emergency button on his radio to alert dispatch, and then dragged himself into position to block the stairwell and return fire in an effort to continue back-up for his fellow officer.

Upstairs, he could hear more shots as the DeWitt officer also tried to apprehend the suspect, forcing the suspect back down the stairwell, where Officer Darnell, despite his painful wounds again opened fire. Pinned by gunfire on both sides, a combination of shots fatally disabled the shooter.

Officer Darnell could easily have crawled to safety. Instead,



William Darnell, Dewitt Township Police, selected by NAPO as Michigan's "Top Cop" was presented with a Service Award as well at the August .POLC Annual Conference.

this TOP COP® mustered every bit of strength and courage to hold on, not only for his partner's sake, but to stop the subject from escaping and to protect the public and other responding officers. A former firefighter and EMT, he is a graduate of the Mid-Michigan Police Academy and for the last three years, was with the Dewitt Township Police Department as a patrolman, crime scene investigator and evidence room technician.

For his uncommon display of bravery, NAPO is proud to honor Officer William Darnell with the 2009 TOP COPS® Award. ❤️

Exclusive Aflac Insurance for POLC/GELC members

An exclusive arrangement with Aflac is now available to POLC/GELC members. The Aflac programs, including Disability Income Protection, are available without employer involvement.

For information on how Aflac could be a fit, contact Joy Rybicki or Anna Wierenga in the Grand Rapids area by calling (269) 792-9806 or (616) 889-9325.

Aflac program highlights include around the clock 24-Hour

Accident Indemnity Advantage; Hospital Protection plan, including Maternity coverages; Personal Sickness Indemnity; Dental, and Life plans.

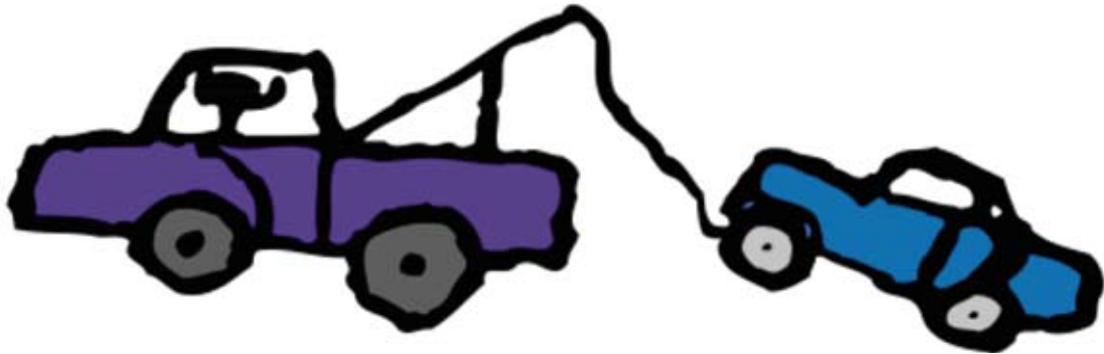
A custom program can be tailored to fit individual needs regardless of current employer-provided benefits. Individual or Family coverages are available. ❤️



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Your Old Car Can Help DRIVE **LEEP** Programs

Even if it can't move too far or too fast, any older unwanted automobile, motorcycle, RV, boat or just about any motorized vehicle may still go a long way to help fund Law Enforcement Education Program (LEEP) activities each year—and it would trade all the problems and expense of trying to sell it yourself, for a full tax deduction this year.

Keeping garages or driveways clear of unwanted or unusable vehicles is becoming a popular way to provide 100% tax-deductible donations for non-profit organizations like LEEP—with a proven record of community activities and programs. More-

over, it would save you the cost of making needed repairs and it relieves you of potential liability for selling what could be an unsafe vehicle, too.

Making a vehicle donation is easy. All it takes is a toll-free phone call: 800/451-1220, to arrange for a free pick-up of your vehicles. IRS forms are available, too.

Please think of LEEP when you or your friends need to get rid of an older, unwanted or problem vehicle. It's a great way to get unsafe vehicles off the road—and Michigan's law enforcement officers will have extra reason to thank you for it. ♥