

The Police Officers Journal



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Conference highlights Act 312, health care, bargaining law changes

— By Richard Weiler, Director

Executive Committee Director Richard Weiler speaks at the 14th Annual POLC/GELC Meeting and Labor Seminar in Traverse City.

Once again the Annual POLC/GELC Meeting & Labor Seminar was a success, beginning Aug. 26 with guest speakers on various topics and concluding Aug. 27 with Labor Council business.

Five Michigan college-bound students were awarded scholarships from the POLC's 501(c) national charity, the Law Enforcement Education Program (LEEP), with one recipient attending with his family and friends. Thirteen \$1,000 LEEP scholarships were awarded nationally.

Tom Kreis, State of Michigan Mediator and former POLC staff member, discussed the outcome of Act 312 cases and settlements made through collective bargaining. As expected, due to the downturn of the economy, employers are winning economic issues presented to Act 312 arbitrators and fact finders. Wage increases are averaging 1 percent with cuts being worse for teacher contracts compared to public safety.

Dan Gorczyca of U.S. Health & Life, whom insure COPS Trust, said Obama's health care plan would take effect regardless of what is said. Litigation concerning that congressional passed plan centered on mandating individuals to have some sort of coverage. In 2014, all U.S. citizens and legal residents will have a qualifying health care plan. The four plans — Bronze, Silver, Gold and Platinum — have different benefit levels, however they all will have basics such as prescription, hospitalization and maternity care coverage. Most public safety officers currently have a Gold plan.

Medicaid will be expanded to everyone under age 65 with income up to 133 percent of FPL. States will receive 100 percent federal funding from 2014-2016 to finance the

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Executive Committee members and POLC members listen as Attorney John Lyons speaks about labor issues at the 14th Annual POLC/GELC Meeting and Labor Seminar in Traverse City.



Police deaths rise sharply in first half of year

Firearms-related fatalities hit 20-year high

— Excerpted from National Law Enforcement Officers Memorial Fund

For the second year in a row, police fatalities rose sharply nationwide during the first half of the year.

Forty of the 98 law enforcement officers, who died in the line of duty during the first six months of 2011, were killed by gunfire — the highest number in two decades, according to preliminary figures released by the National Law Enforcement Officers Memorial Fund (NLEOMF), in conjunction with the Concerns of Police Survivors (C.O.P.S.). This is a 14 percent overall increase compared to the 86 officers killed during the same time last year and a jump of 33 percent for officers killed by firearms.

The report does include some good news. Officers killed in traffic-related incidents (42) declined 17 percent compared to the first half of 2010. Traffic-related incidents have been the leading cause of law enforcement fatalities the past 13 years.

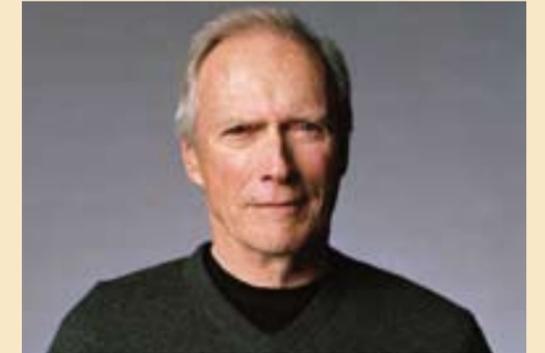
Of the 98 officers killed: 40 were shot to death; 21 died in automobile crashes; 16 succumbed to job-related illnesses; seven were struck by automobiles while outside of their own vehicles; five were killed in motorcycle crashes; two were struck by a train; one died in an aircraft crash; one was beaten to death; one was electrocuted; one died in a fall; one was killed in a bomb blast; one was crushed to death; and one was strangled.

Florida and Texas were the deadliest states for officers over the past six months with 10 police fatalities each; followed by New York with eight; Ohio with seven; and California, Michigan and Tennessee with four each. Nine of the officers killed served with Federal agencies and five served with corrections agencies. Eight of the officers who died were women.

"The economy has forced reductions in training, safety equipment and personnel at law enforcement agencies across America," said NLEOMF Chairman Craig W. Floyd. "These budget cuts have put our officers at greater risk, especially as they face a more brazen, cold-blooded criminal element and a continuing terrorist threat."

"The number of family members impacted by line of duty law enforcement deaths increases each year," said C.O.P.S. National President Linda Moon-Gregory. "Correspondently, the number of families requesting assistance through their darkest days, and requesting assistance through C.O.P.S. grief healing retreats, has also increased. This gives C.O.P.S. a greater obligation and privilege to use our resources for our mission of 'Rebuilding Shattered Lives.'" ♥

A copy of the full report, "Law Enforcement Officer Deaths: Mid-Year 2011 Report," is available at www.LawMemorial.org/ResearchBulletin.



Clint Eastwood takes honorary police role

— Excerpted from National Law Enforcement Officers Memorial Fund

Actor and Oscar-award winning director and producer Clint Eastwood has agreed to serve as Honorary Chairman for the National Law Enforcement Officers Memorial and Museum in Washington, DC.

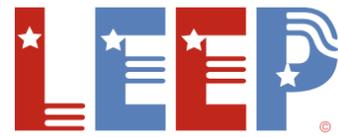
"On average, an officer is killed in the line of duty somewhere in America every 53 hours," Eastwood said. "Some 60,000 officers a year are assaulted resulting in 16,000 injuries. Yet, despite those daunting risks, some 800,000 men and women go out every day to serve and protect us. I am deeply honored to help tell their heroic story of service and sacrifice."

The National Memorial bears the names of 19,298 federal, state and local officers who have been killed in the line of duty, dating back to 1791.

The largest and most comprehensive law enforcement-focused museum in the world will offer high-tech interactive exhibitions and thousands of historical artifacts to tell the story of American law enforcement. The museum will be built on federal land across the street from the National Memorial. Groundbreaking occurred October 2010 and completion is set for the end of 2013.

As Honorary Chairman, Eastwood will help raise public awareness for the memorial and museum with an informative PSA campaign. More than \$43 million has been raised so far toward the \$80 million goal to build the museum.

"Clint Eastwood is an American icon, and we are extremely pleased and grateful that he has agreed to play a leadership role in helping us honor America's law enforcement professionals and complete their National Museum," said Memorial Fund Chairman and CEO Craig Floyd. ♥



LEEP supports career dreams with \$13,000 for scholars



POLC Executive Committee Director Richard Weiler presents Lucas Mitchell with his \$1,000 LEEP Dream Scholarship.



Lucas Mitchell



Kelly Oliver



Joshua Staley



Jeffrey Knecht



Luke Northup



Sarah Haupt



Nancy Beaty



Kelly Buck



Kristen Floyd

— By Jennifer Foley, POJ Editor

Thirteen top students interested in public safety careers will receive \$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 seventh year, LEEP has awarded some \$68,000 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 eight states were honored in the 2011 LEEP Dream Scholarship program including:

MICHIGAN

Nicholas Brenner, of Saginaw, Mich. A graduate of Bridgeport High School, he studied law enforcement at Bay-Arenac ISD Career Center, completed Community Emergency Response Training and helped with the 9th Annual Project Blue Light to support officers. He was Science Club president and a member of SADD. He plans to use his \$1,000 LEEP grant to attend Delta College. His career goal is to become a U.S. Marshal.

Lacey Greene, of Charlevoix, Mich. A graduate of Charlevoix High School, she was a Charlevoix County Sheriff's Department intern for two years. She is a member of Substance Abuse Free Environment to stop underage alcohol and drug use. She was awarded varsity academic letters, career, and technical education and management awards. A student council representative, she was a Peer-to-Peer and freshmen mentor. She plans to use her \$1,000 LEEP grant to attend Grand Valley State University to study Criminal Justice.

Lucas Mitchell, of Traverse City, Mich. A graduate of Traverse City Central High School, he has two years experience in public safety and protective services at TBA-ISD Career Technical Center. He was a volunteer with Grand Traverse Sheriff's Department and an intern with Grand Traverse Metro Fire Department, where he received significant FEMA and firefighter training. He received several technical awards. He plans to use his \$1,000 LEEP grant to attend Northwestern Michigan College to study Fire Science or Fire Investigation.

Kelly Oliver, of Macomb, Mich., is a graduate of Dakota High School. She completed Macomb County Sheriff's Youth Law Enforcement Academy. She was a youth group leader at Immanuel Lutheran Church High School. She received many band awards, playing clarinet and bassoon in Christmas Eve masses and Detroit Thanksgiving Day Parade. She was awarded

through the Dakota High Recognition Program. She plans to use her \$1,000 LEEP grant to attend Tiffin University. Her career goal is to work with the FBI.

Joshua Staley, of Battle Creek, Mich., is attending Liberty University. He is on the Dean's List, a member of Tau Sigma and Phi Theta Kappa Honor societies and Criminal Justice Student Club. He was Class of 2009 Valedictorian at Bedford Bible School, a Team USA gold medal winner in martial arts, basketball team captain and Journalism and Yearbook staff assistant editor. He received a U.S. Military Academy Congressional Appointment and U.S. Marine Corps NROTC scholarship. He plans to use his \$1,000 LEEP grant to pursue a degree in Criminal Justice with a minor in Strategic and Intelligence Studies.

CALIFORNIA

Jeffrey Knecht of Altadena, Calif., is studying Forensic Science at San Jose University. He is treasurer of the Forensic Science Students Club, a member of Alpha Phi Sigma Criminal Justice Honors Society and mentors low-income youths in San Jose schools. A graduate of Marantha High School, he volunteered with Glendale Police Department performing administrative duties and served as church deacon, helping with services and feeding the homeless. He plans to use his \$1,000 LEEP grant to become a police officer.

Luke Northup of Castro Valley, Calif., is studying Administration of Justice at Chabot Community College. He won a na-

tional bronze medal in crime scene investigation for Skills USA, taking first place in the state competition. A park ranger for Hayward Park and Recreation District, he completed Drug Abuse Resistance Education at Castro Valley High School. He was captain of the Criminal Justice Vocational program and the baseball team. He was a camp counselor, youth group leader and missionary to Mexico. He plans to use his \$1,000 LEEP grant to attend Sacramento State University. His career goal is to become a sheriff.

CONNECTICUT

Sarah Haupt of Bristol, Conn., attends University of New Haven. A graduate from Bristol Central High School, she was a Varsity Cheerleading Captain, Girls State City police officer and served on the All-Academic Team ACJA and Criminal Justice Fundraising Committee. She is battling cancer and Crohn's disease. She plans to use her \$1,000 LEEP grant to pursue a degree in Criminal Justice/Law Enforcement Administration.

FLORIDA

Nancy Beaty of Casselberry, Fla., attends Valencia Criminal Justice Institute. She graduated from University of Central Florida with a degree in Public Administration and minor in Criminal Justice. At Western High School, she was a JROTC cadet, receiving an Outstanding Cadet Award. The daughter of a police officer, she volunteers at United Methodist Interfaith

Kitchen serving the homeless of Deland, Florida. She plans to use her \$1,000 LEEP grant to achieve her career goal of becoming a police officer.

KENTUCKY

Kelly Buck of Campbellsville, Ky., is studying Criminal Justice at Campbellsville University. She has been named to the President's and Dean's Lists and serves as a housing monitor. She was a Cadet Battalion Commander in JROTC at Wayne County High School. She was Kentucky Sheriff's Boys and Girls Ranch head counselor; a church youth group member and clerk's assistant for the City of Monticello. She was on Drill Team, Historical Staff, Criminal Justice Council, Tiger volleyball and Marching Band Color Guard. She plans to use her \$1,000 LEEP grant to achieve her career goal of working in the Juvenile Justice program.

OHIO

Kristen Floyd of Wilmington, Ohio, attends University of Cincinnati Clermont College and Ohio Peace Officer Training Academy. She graduated Hocking College with a degree in Police Science. A law enforcement intern at Ohio Department of Natural Resources, she helped with K-9/SWAT training programs. She assisted with evidence searches at Meigs County Sheriff's Department and worked for two security service companies. At Wilmington High School, she was a SADD officer and a Safe Kids of Clinton County volunteer.

She plans to use her \$1,000 LEEP grant to study Criminal Justice.

PENNSYLVANIA

Wade Gerhard of Shillington, Pa., attends Alvernia University and passed the physical to attend Temple University Police Academy. He is a member of Beta Kappa Chi, a Science Association National Honor Society. He was a District Attorney Berks County Detectives intern, participated in Riot Control Training with Reading Police Department and donated his tips in a fallen officer benefit for three years. A Hamburg Area High School graduate, he lettered in basketball and was Homecoming King. He is a member of Big Brothers & Big Sisters of Berks County. He plans to use his \$1,000 LEEP grant to pursue a degree in Forensic Science.

TEXAS

Heather Bostock, of Stephenville, Texas, is studying Criminal Justice – International Justice and Security at University of New Haven. She is on the Federal Service Committee of American Criminal Justice Association and is an Honors Program member. She graduated Stephenville High School with a 4.0 GPA, was a member of National and Spanish Honor Society and University Interscholastic League Academics. A Sports Ambassador for People to People, she received the Silver Award in Girl Scouts. She plans to use her \$1,000 LEEP grant to achieve her career goal of working for Naval Criminal Investigative Service (NCIS). ♥

Supreme Court to decide if pension tax is unconstitutional

— Excerpted from *The Detroit News* and *Detroit Free Press*

Michigan's Supreme Court will decide whether Gov. Rick Snyder's new tax on public and private pension income violates the state constitution.

The cost is extremely high for Snyder and the GOP-controlled Legislature, which could see hundreds of millions gutted from the 2012 budget and all future state budgets. Pensioners will be equally affected by the decision — especially those who get public pensions. They would collectively pay about \$225 million in 2012 and \$343 million in 2013 in additional income taxes, according to a brief filed by Michigan Chamber of Commerce, which supports the law.

Disagreement centers on the meaning of a few lines in the Michigan Constitution of 1963, which state the "accrued financial benefits" of each public pension plan and retirement system "shall not be diminished or impaired."

Opponents of Snyder's plan say that means public pensions already earned can't be taxed. They say only new employ-

ees can have their pensions taxed and existing employees can only be taxed on pension benefits they've not yet earned.

Proponents say it simply means the state retirement funds and promised pensions can't be borrowed against or bargained away. They argue the drafters of the constitution would have said pensions couldn't be taxed, just as they said church property couldn't be taxed.

The case is before a 4-3 Republican majority court, who stress they interpret laws based on their plain language. A ruling is expected by late November. However, more challenges — including in federal court — are expected.

Snyder needs the pension tax income to help pay for a nearly \$1.8 billion business tax cut due to the elimination of the Michigan Business Tax. He sent the case to the Supreme Court for a ruling after he signed the law May 25. The new tax on public pensions and increased taxes on private pensions would take effect Jan. 1.

Attorney General Bill Schuette, following orders of the court, had top attorneys in his

office prepare two briefs — one arguing the tax is constitutional, the other unconstitutional. Several organizations have filed briefs, with business groups supporting the tax, and the Michigan State Employee Retirees Association Coordinating Council and several unions in opposition.

"Without the partial elimination of the tax exemption for retirement benefits, major tax reform legislation would be derailed and Michigan would be faced with a substantial budget shortfall," the chamber brief stated.

"The state of Michigan ... regularly assured its employees ... that their pension benefit included a tax exemption," the United Auto Workers (UAW) union argued.

The law creates three categories of pensioners, continuing the exemption for those born before 1946, limiting the exemption for those born in 1946 through 1952, and eliminating the exemption for those born after 1952 until they reach age 67, when a partial exemption is restored. ♥



Detroit Police accept pension cuts, file appeal in EFM case

— With excerpts from media reports and *The General Retirement System of the City of Detroit, The Police and Fire Retirement System of the City of Detroit* and Susan Glaser, Alvin Brooks, James E. Moore and Laura Isom, individually vs. Richard D. Snyder and Andrew Dillon.

Detroit Retirement Systems have suffered a double blow in recent months.

City of Detroit employees and Detroit Police officers agreed to substantial reductions in their pensions. Then a lawsuit filed by the Detroit Retirement Systems against the state's new Emergency Financial Manager (EFM) law was dismissed.

The city persuaded officers to accept reduced pension benefits that will result in a huge savings for the city. "This is a historic agreement for the city and the DPOA," said Mayor Dave Bing in a statement. "It shows that we are executing our plan to return the city to fiscal stability by reducing pension costs and doing so through hard work and tough negotiations."

The contract freezes wages, reduces the multiplier used to calculate pensions from 2.5 to 2.1 percent; eliminates cost-of-living

benefit increases; and switches officers hired after July 1, 2012 to a defined contribution plan, similar to a 401(k). Longevity pay and health insurance premiums remain the same. However, police commanders can reassign officers from 36th District Court and replace them with civilian workers. A 13th member will be added to the Police and Fire Pension Board to prevent tie votes.

COURT CASE

U.S. District Court Judge Sean F. Cox dismissed the Detroit Retirement Systems lawsuit, filed April 18, seeking to declare the EFM statute unconstitutional and overturn the law. Cox said the issues in the case weren't "ripe" for consideration.

However, Ron King, special counsel for the Detroit Retirement Systems, said the legal battle is not over. "... the case presents sufficient issues for immediate con-

sideration. Accordingly, we intend to file an appeal on or before Oct. 28, 2011."

Michigan's state-appointed EFM's have the power to eliminate existing union contracts and fire elected officials in cities, counties, townships and school districts operating at a deficit. The EFM is able to takeover government pension funds if they are not actuarially funded at 80 percent, put millage increases on the ballot, layoff employees, slash services, close buildings and merge municipalities or school districts with a neighboring government entity.

The lawsuit states there are sufficient grounds to believe the city of Detroit will soon be subject to action under Public Act 4 of 2011, which includes the EFM provision. The suit alleges the EFM statute would modify the city charter and collective bargaining agreements and allow for the removal of pension fund trustees. ♥

Public workers to take health care concessions

— With excerpts from media reports

POLC labor representatives were working hard to negotiate new contracts before Gov. Rick Snyder signed a health care cap into law, which takes effect Jan. 1.

SB 7, signed by the Republican governor in late September, limits the amount Michigan municipalities, counties and school districts are required to pay for workers' health coverage. The legislation is expected to save the state between \$42 million and \$59 million, while raising costs for some public employees.

Employers will pay a maximum of \$5,500

for a single employee, \$11,000 for a couple and \$15,000 for a family for health coverage. However, local governments and schools could opt instead to pay no more than 80 percent of the annual cost of medical benefits, leaving employees to pay the remaining 20 percent. A local government could also opt out of either cost-sharing plan with a two-thirds vote of its governing body. School districts would not be able to opt out.

Since existing union contracts take precedence over the new law, POLC labor representatives were busy finalizing new

contracts before Sept. 15. Any agreement executed on or after that date would have to abide by the health cap. Contracts settled before Sept. 15 will not be impacted until they expire, change or are renewed.

The Republican-led Legislature passed the final version of SB 7 despite opposition from some public employee unions, which say the new law is an attack on collective bargaining rights. "You bargain in good faith with your employer and enter into a contract, and now you've got a law that's forcing you to adopt some things you've

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Breastfeeding officers are forced to return to full duty

— Excerpted from *NBCWashington.com*

One police union is fighting an order requiring breastfeeding female officers to move from desk jobs to street patrol, causing them difficulty and discomfort.

Metropolitan Police Chief Cathy Lanier issued an order intended to force healthy officers from desk jobs to street patrols, which impacted breastfeeding female officers in the Washington DC department.

"You have to wear a bulletproof vest, which is extremely painful and can cause some physical damage," said union chairman Kristopher Baumann. "And in addition

to that, because when you are lactating there are time requirements when you have to pump for breast milk, the officers out in the field are now forced to come back into the station and use their breast pumps there."

The union and the department are in arbitration over the issue. Union officials say lactation rooms, some of which were set up in break rooms, are unsanitary and do not provide privacy to pump breast milk.

"We had an officer who was trying to pump breast milk ... who had three offi-



WOMEN IN LAW ENFORCEMENT

cers walk in on her while she was doing it because it was an unsecured room, and overall the policy has just been a disaster," Baumann said.

"Breastfeeding is something that is a choice by the parent," Lanier said. "We support that choice. We'll accommodate them every way we can, but we are talking about a period of years that go by. More than a year, there's not much more I can do than provide as much reasonable accommodation as I can." ♥

Ohio voters repeal anti-union rights law

— Excerpted from media reports

Efforts made by Ohio police, firefighter and teacher unions paid off at the polls. Voters soundly rejected an Ohio law, which would have limited the collective bargaining rights of 360,000 public workers.

Over 60 percent of voters cast ballots in favor of repealing Senate Bill 5 on Nov. 8. Known as Issue 2, the referendum was placed on the ballot after over 1.3 million signatures were collected opposing SB 5, which would have applied to police, firefighters, teachers, nurses and many other government workers. Democrats delivered more than 65,000 opponent signatures to the House labor committee's chairman.

"The results tonight are a tremendous victory — not just for Democrats but for all Ohio families," said Ohio Democratic Party Chairman Chris Redfern. "Voters were asked if they support John Kasich's anti-middle class agenda and they responded with a resounding 'NO.'"

Signed by Gov. Kasich April 1, the failed law would have limited collective bargaining and banned strikes. Ohio public workers could have still negotiated wages and certain work conditions — but not health care, sick time or pension benefits. The measure did away with automatic pay raises, basing future raises on merit. One of the biggest issues was a change doing

away with binding arbitration in contract disputes, allowing the employer to pick their own offer if negotiations fail. Opponents said this would've effectively eliminated collective bargaining, since the employer can always choose the final outcome.

The measure prompted weeks of pro-labor protests by thousands of people amid a national debate over union rights. Kasich has said his \$55.5 billion state budget relies on savings from lifting union protections to fill an \$8 billion hole.

WATCHING WISCONSIN

Massive protests marked Wisconsin's recently passed legislation limiting collective bargaining for public workers, excluding police and firefighters. "Unlike Ohio, Wisconsin workers do not have the opportunity to put a referendum on the ballot," said Phil Neuenfeldt, president of the Wisconsin state AFL-CIO. "Thankfully we have the right to recall. Today's win in Ohio has energized and excited Wisconsin workers to recall Gov. (Scott) Walker and put a stop to his attack on working families."

NEW JERSEY RAISES HEALTH, PENSION COSTS

New Jersey Gov. Chris Christie signed legislation to make 500,000 state and local government employees pay more for health

and pension benefits while saving taxpayers more than \$120 billion over the next 30 years, and another \$3.1 billion over 10 years from changes in health benefits. "By daring to be bold and take on the risks of addressing the big issues, we are doing what was once unimaginable — saving billions of dollars for taxpayers, fixing these systems in order to save them, and providing real, long-term fiscal stability for future generations of New Jerseyans," Christie said.

New Jersey AFL-CIO President Charles Wowkanecch sees it as a dark day for union members. "It is a terrible moment for all of the police, firefighters, teachers, state and local government workers who pay taxes, played by the rules, and contributed to their pensions when government didn't," Wowkanecch said. "Only through collective bargaining do workers have a voice. This bill silences that voice, and puts collective bargaining rights for all New Jersey workers on a slippery slope.

"The current economic conditions were not created by middle class workers in either the private or the public sector," Wowkanecch said. "They were created by the greed of Wall Street profiteers — yet it is middle class workers and their families who are paying for their misdeeds." ♥

private sector," Snyder said in a statement. His administration cited a 2009 survey from the U.S. Bureau of Labor Statistics saying Michigan private sector employees, on average, pay over 20 percent of their medical benefit costs. The Snyder administration said public employees pay an average of 10 to 15 percent.

The state's largest teachers union, the Michigan Education Association, has said "the real losers in the debate continue to be the employees who just got a greater burden of health care costs shifted onto their backs." ♥

double-digit concessions on top of these forced concessions," he said. "We're more than willing to contribute our fair share and more than willing to work something out. We realize the financial struggle the city is having."

The new law covers elected officials, including state lawmakers, but many state employees and public university workers won't be affected unless the state constitution is changed.

"These changes result in a fair and equitable approach that brings public employee benefits more in line with the pri-

Health care concessions

Continued from page 6

never negotiated," said Flint Police Officer Brian Burdy, president of the officers' union. "It's my contention (the law) is completely unconstitutional."

Burdy said Flint police officers' health insurance costs have already skyrocketed under PA 54, which requires employees under expired contracts to pay any increased cost of maintaining their benefits. He said his monthly costs jumped from \$75 to about \$300. "I hope they don't demand

Recall efforts fall short for Snyder, but still underway for Republican legislators

— Excerpted from LRIS, www.firericksnyder.org and media reports

The effort to recall Gov. Rick Snyder has fallen short of the necessary number of signatures required to be placed on the ballot, but recall petitions for many Republican legislators are being circulated for the February 2012 election.

Proponents of the recall effort cite recently passed legislation targeting unionized pay and benefits of public workers, including police officers, firefighters and teachers. Concerns include a tax on pensions, limits on local government revenue, limits on school budgets and implementation of emergency financial managers to resolve budget woes.

The website www.firericksnyder.org is the information hub for a campaign called "Reclaim Michigan, Recall Rick Snyder." Organizers now hope to garner enough signatures to have some of Gov. Snyder's supporters on the ballot for recall. As of press time, recall efforts against over 30 legislators were underway.

Petitions must be turned in within 180 calendar days after petition language is approved with signatures equal to or exceeding 25 percent of the total votes cast in the previous gubernatorial election, as required by the State of Michigan. Petitions must be filed by Nov. 25 to be placed on the Feb. 28, 2012 Republican presidential primary ballot.

But some say that would be a bad move for recall supporters. "Turnout always varies wildly on recalls depending what else is on the ballot. You're not going to have as many Democrats out as Republicans that day because (Republicans are) trying to pick a candidate," said Dave Dulio, associate professor and chair of the political science department at Oakland University.

The effort is organized by The Committee to Recall Rick Snyder, a non-partisan Political Action Committee (PAC) founded in March, "as a result of, and in opposition to what we perceive as a direct threat to the democratic values held by the people of Michigan," the website states. The website specifically mentions the passage of the Emergency Financial Managers bill into law, which gives the governor "sweeping control of towns, cities and school districts by allowing him to appoint individuals as well as corporate entities to key positions overseeing those establishments, empowering them to nullify all existing contracts while renegotiating their own." ♥



As of press time, recall efforts were underway for the following legislators:

- Speaker of the House James (Jase) Bolger (R-Marshall)
- Rep. Kevin Cotter (R-Mt. Pleasant)
- Rep. Kurt Damrow (R-Port Austin)
- Rep. Bradford Jacobsen (R-Oxford)
- Rep. Nancy Jenkins (R-Clayton)
- Rep. Joel Johnson (R-Clare)
- Rep. Phil Potvin (R-Cadillac)
- Rep. Paul Scott (R-Grand Blanc)
- Rep. Mike Shirkey (R-Clarklake)
- Sen. Darwin Booher (R-Evert)
- Sen. Jack Brandenburg (R-Harrison Township)
- Sen. Tom Casperson (R-Escanaba)
- Sen. Bruce Caswell (R-Hillsdale)
- Sen. Patrick Colbeck (R-Canton)
- Sen. Judy Emmons (R-Sheridan)
- Sen. Mike Green (R-Maryville)
- Sen. Goeff Hansen (R-Hart)
- Sen. Dave Hildenbrand (R-Lowell)
- Sen. Joe Hune (R-Hamburg Township)
- Sen. Mark Jansen (R-Gaines Township)
- Sen. Rick Jones (R-Grand Ledge)
- Sen. Roger Kahn (R-Saginaw Township)
- Sen. Mike Kowall (R-White Lake)
- Sen. Jim Marleau (R-Lake Orion)
- Sen. Arlan Meekhof (R-West Olive)
- Sen. John Moolenaar (R-Midland)
- Sen. Mike Nofs (R-Battle Creek)
- Sen. John Pappageorge (R-Troy)
- Sen. Phil Pavlov (R-St. Clair Township)
- Sen. John Proos (R-St. Joseph)
- Senate Majority Leader Randy Richardville (R-Monroe)
- Sen. David Robertson (R-Grand Blanc Township)
- Sen. Tory Rocca (R-Sterling Heights)
- Sen. Tonya Schuitmaker (R-Antwerp Township)
- Sen. Howard Walker (R-Traverse City) ♥

Will Michigan be next right-to-work state?

— Excerpted from media reports

Right-to-work or right-to-work-for-less — however you say it, teachers are the first group who may have their union rights threatened to the core.

Senate Republicans introduced so called “right-to-teach” legislation. Under the bill, public schools employees would not be required to pay union dues or fees as a condition of employment. The bill appears to only affect the state’s largest teacher’s union, the Michigan Education Association (MEA), since it applies to unions representing over 50,000 workers.

A spokeswoman for Gov. Rick Snyder said he’s unlikely to support the legislation.

However, during his campaign for governor, he said he would sign a right-to-work bill if it reached his desk.

The legislation operates like right-to-work laws, with the exception that it only applies to public schools. If a right-to-work bill for teachers becomes law, other public sector employees could be next.

A report released by the Economic Policy Institute, a non-partisan think tank, stated right to work would be detrimental for Michigan. The report cites data of average wages about \$1,500 lower in right-to-work states than in states without those laws. Seven of the 10 states with the highest unemployment are right-to-work states,

the report states. Also, the number of new firms entering Oklahoma the decade after the state adopted right to work actually declined, according to the report.

Rep. Mike Shirkey (R-Clarklake) said the correlation of high unemployment numbers or lower wages with right-to-work states doesn’t prove the figures were because of right-to-work laws. He said two-thirds of right-to-work states have a higher average income than Michigan.

“Allowing Michigan to be a ‘labor freedom’ state is one of the biggest obstacles to longer term sustained investment in Michigan,” said Shirkey. ♥

LaPorte elected to POLC Executive Committee

— By Jennifer Foley, POJ Editor

A new member joined the POLC Executive Committee and four more were re-elected during the 14th Annual POLC/GELC Meeting & Labor Seminar Aug. 27.

Five of the nine POLC Executive Committee members were up for re-election by the union membership this year. When the ballots were counted, Shane LaPorte of the Jackson City Police Department replaced Jason Shipman of Eaton County Sheriffs Department.

Retaining their seats are Richard Hetherington, Greg Huggett, Brian Miller and Thomas Wilk. Each POLC Executive Committee member serves a two-year term. Huggett was re-elected by the Executive Committee as Chair and Paul Combs was

re-elected as Vice Chair of the Committee.

Shane LaPorte, the POLC Local President for Jackson City Police, has served on the Local POLC Board for over 12 years. LaPorte became a Jackson City Police cadet in 1989 and completed the Mid Michigan Police Academy in 1991. He is an Honor Guard member and a Defensive Tactics Instructor with the department.

LaPorte completed the Jackson Chamber of Commerce Leadership Academy and Western Wayne County SWAT Academy. He is a member of USA Wrestling, trustee of Titan Takedown Wrestling Club and has been a varsity wrestling coach at Lumen Christi High School, his alma mater, since 1988. LaPorte is also a member of FireHogs



Shane LaPorte of the Jackson City Police Department is the newest POLC Executive Committee member.

travel hockey team, which is comprised of police and fire personnel.

LaPorte studied Criminal Justice at Lansing Community College and Jackson Community College. ♥



The POLC Executive Committee welcomed a new member at the Annual POLC/GELC Conference in August. New Executive Committee member (from left) Shane LaPorte, of Jackson City Police Department, joins Committee members Brian Miller, Richard Hetherington, Thomas Wilk, Committee Chair Greg Huggett, Brett McGrew, Rick Bleich, Mike DeKam and Committee Vice Chair Paul Combs.

Conference highlights

Continued from page 2

coverage and a sliding scale thereafter.

Jim Curan of Karoub Associates, lobbyist for MAPO of which we are members, did not paint a pretty picture of legislation affecting public employees. Many mandates enacted under this new legislature trample collective bargaining rights. Curan said there seems to be an idea in Lansing to let government implode and then start over. He reiterated public employees, with teachers front and center, have targets on

their backs and said the only way things will change is through a new legislature.

Arbitrator George Roumell gave a breakdown of many grievance arbitration rulings and his rationale for ruling the way he did. In discharge cases, Roumell looks at the person’s tenure with their agency and all relevant facts. If charges of a similar nature have been logged against the employee before, he looks at the rehabilitation measures taken by the employer and employee to prevent a repeat offense. Roumell, who

rendered the second award ever given on Act 312, said he did agree with some of the changes made in the new law and finds the time limits hard to live by.

Leon LaBrecque, CPA, JD, CFP, described the stock market as “bipolar” — like riding a roller coaster, up and down. Besides having a balanced portfolio when buying individual stocks, LaBrecque said stick with big companies as they have lasting power. He advised investing in the stock market over the long haul, not short term. ♥



CHARITY RIDE A SUCCESS

POLC Labor Rep. Ed Hillyer and his wife, Sue, pictured front, head off on his motorcycle for Gilda’s Motorcycle Poker Run for Charity July 9. The POLC and Law Enforcement Education Program (LEEP) co-sponsored the event which raised over \$16,000 for Gilda’s Run Grand Rapids. Gilda’s is a non-profit networking source that provides social and emotional support to cancer patients and their families and friends. Over 80 riders participated, including event organizer POLC Labor Rep. Will Keizer and POLC Executive Committee member Richard Hetherington.

Contract Settlements

— As reported by POLC Labor Reps.

Bath Township Patrol Officers

- **New four-year agreement** expires Dec. 31, 2015.
- **Wages:**
 - 1.5% increase effective Jan. 1, 2012.
 - 1.5% increase effective Jan. 1, 2013.
 - 2% increase effective Jan. 1, 2014.
 - 2% increase effective Jan. 1, 2015.
- **Fringe Benefits:** Increase life insurance to \$50,000 and provide 100% sick time payout to the beneficiary. Addition of Martin Luther King Day as holiday. Increase personal leave and bereavement pay from 24 hours to 36 hours. Comp bank maximum is 80 hours with a 20-hour pay out each year. Annual educational bonus of \$800 for having earned an associates degree; \$900 for a bachelor's; and \$1,000 for a master's.
- **Manning & Safety:** Updated list of employer-provided equipment including body armor, which was previously reimbursed.
- **Retirement:** Retirees receive their service weapon and badge upon retirement in good standing.
- **Bargaining Team:** Det. Gary Smith aided by POLC Labor Rep. John Stidham.

Battle Creek Lieutenants

- **New two-year agreement** expires June 30, 2013.
- **Wages:**
 - 0% increase effective July 1, 2011.
 - 0% increase effective July 1, 2012.
- **Fringe Benefits:** Suspend two holidays for each year of agreement. Reduce minimum overtime pay for court call-in from three hours to two hours.
- **Health Care:** Increase weekly premium sharing as follows: July 1, 2011 – \$27.50; Jan. 1, 2012 – \$32.50; July 1, 2012 – \$37.50; and Jan. 1, 2013 – \$47.50.
- **Retirement:** Reduce the maximum pension payout upon retirement that would be included in the FAC to six weeks.
- **Bargaining Team:** John Chrenenko, Ray Felix and Todd Madsen aided by POLC Labor Rep. Duane Smith.

Charter Township of Buena Vista Command Sergeants

- **New two-year agreement** expires July 31, 2013.
- **Wages:**
 - \$1,200 lump sum Jan. 1, 2012.
 - \$1,200 lump sum Jan. 1, 2013.
- **Health Care:** Implement BCBS PPO/HSA Simply Blue \$3,000/0% plan Jan. 1, 2012. The employer will pay all HSA costs for employees hired before Jan. 1, 2012 and those employees will pay 20% of health care premiums. Employees hired after Jan. 1, 2012 will pay 20% of the full cost of health care plan including HSA contributions.
- **Retirement:** Employees hired after Jan. 1, 2008 will have MERS B4, F50/25 plan with employee contribution of 3% of gross wages. Employees hired after Jan. 1, 2012 will have the MERS B4, F50/25 plan with a contribution of 3% of gross wages, but employer's contribution will be limited to 10%.
- **Bargaining Team:** Sgt. Jim Baker aided by POLC Labor Rep. John Stidham.

Charter Township of Buena Vista Patrol Officers

- **New two-year agreement** expires July 31, 2013.
- **Wages:**
 - \$1,200 lump sum Jan. 1, 2012.
 - \$1,200 lump sum Jan. 1, 2013.
- **Health Care:** Implement BCBS PPO/HSA Simply Blue \$3,000/0% plan Jan. 1, 2012. The employer will pay all HSA costs for employees hired before Jan. 1, 2012 and those employees will pay 20% of health care premiums. Employees hired after Jan. 1, 2012 will pay 20% of the full cost of health care plan including HSA contributions.
- **Retirement:** Employees hired after Jan. 1, 2008 will have MERS B4, F50/25 plan with employee contribution of 3% of gross wages. Employees hired after Jan. 1, 2012 will have the MERS B4, F50/25 plan with a contribution of 3% of gross wages, but employer's contribution will be limited to 10%.
- **Bargaining Team:** Jeff Lalonde aided by POLC Labor Rep. John Stidham.

Coloma Charter Township Patrol

- **New three-year agreement** expires Sept. 30, 2014.
- **Wages:**
 - 0% increase effective Oct. 1, 2011.
 - 0% increase effective Oct. 1, 2012.
 - 0% increase effective Oct. 1, 2013.
- **Fringe Benefits:** Employees receive signing bonus of \$2,000 at time of ratification.
- **Health Care:** Life insurance policy increased from \$30,000 to \$100,000.
- **Health Care:** Employees pay 8% of premium effective Oct. 1, 2011, 12% effective Oct. 1, 2012 and 16% effective Oct. 1, 2013.
- **Manning & Safety:** Employer may change to a 12-hour shift to avoid layoffs. Language was changed to allow lieutenant's position to be part of the grievance process.
- **Bargaining Team:** Raymond Morlock aided by POLC Labor Rep. Edward Hillyer.

DeWitt Township Patrol Officers

- **New three-year agreement** expires Dec. 31, 2014.
- **Wages:**
 - 2% increase effective Jan. 1, 2012.
 - 2% increase effective Jan. 1, 2013.
 - 3% increase effective Jan. 1, 2014.
- **Fringe Benefits:** Add two more steps in the vacation schedule: one additional day for 15 years of service and one more additional day for 20 years of service.
- **Health Care:** No changes to health care plan and no premium sharing.
- **Retirement:** Officers to be given their duty weapon upon retirement.
- **Bargaining Team:** Jason Jones and Don Rochford aided by POLC Labor Rep. Duane Smith.



Contract Settlements

DeWitt Township Supervisors

- **New four-year agreement** expires Dec. 31, 2015.
- **Wages:**
 - 1.5% increase effective Jan. 1, 2012.
 - 1.5% increase effective Jan. 1, 2013.
 - 1.5% increase effective Jan. 1, 2014.
 - 2% increase effective Jan. 1, 2015.
- **Health Care:** No change in coverage or premium share.
- **Fringe Benefits:** Sick time may be used for illness of stepchildren.
- **Retirement:** Upon retirement, employees keep their badge, ID and service firearm.
- **Bargaining Team:** Mark Nelson and Brian Traub.

City of Dowagiac Patrol

- **New three-year agreement** expires Sept. 30, 2014.
- **Wages:**
 - 0% increase effective Oct. 1, 2011.
 - 1.5% increase effective Oct. 1, 2012.
 - 1.5% increase effective Oct. 1, 2013.
- **Health Care:** City elected to go with "hard cap" for employee insurance premium sharing and agreed to method with the lowest cost to employees.
- **Retirement:** Employees hired after Oct. 1, 2011 shall be placed in a retirement plan that caps the annual employee contribution at 10% of base salary. A MERS Hybrid plan with a 1.5% multiplier will be established.
- **Bargaining Team:** David Davis, Jerid Ostrom and Ryan Murray aided by POLC Labor Rep. Edward Hillyer.

City of Dowagiac Sergeants

- **New three-year agreement** expires Sept. 30, 2014.
- **Wages:**
 - 0% increase effective Oct. 1, 2011.
 - 1.5% increase effective Oct. 1, 2012.
 - 1.5% increase effective Oct. 1, 2013.
- **Health Care:** City elected to go with "hard cap" for employee insurance premium sharing and agreed to method with the lowest cost to employees.
- **Retirement:** Employees hired after Oct. 1, 2011 shall be placed in a retirement plan that caps the annual employee contribution at 10% of base salary. A

MERS Hybrid plan with a 1.5% multiplier will be established.

- **Bargaining Team:** Michael Heidenreich aided by POLC Labor Rep. Edward Hillyer.
- ### Huron Township Dispatchers
- **New four-year agreement** expires Dec. 31, 2013.
 - **Wages:**
 - 0% increase effective Jan. 1, 2010.
 - 0% increase effective Jan. 1, 2011.
 - 0% increase effective Jan. 1, 2012.
 - 0% increase effective Jan. 1, 2013.
 - **Fringe Benefits:** Increase short-term disability maximum to \$1,000 per week and long-term disability to \$4,000 per month. Cleaning allowance of \$300 per year.
 - **Health Care:** Change from Community Blue 1 to Community Blue 3 as soon as possible. Effective Jan. 1, 2013, change Community Blue 3 to Community Blue 4. No premium sharing for employees.
 - **Bargaining Team:** Karen Stackpoole and Mike Anderson aided by POLC Labor Rep. Duane Smith.

Huron Township Patrol Officers

- **New four-year agreement** expires Dec. 31, 2013.
- **Wages:**
 - 0% increase effective Jan. 1, 2010.
 - 0% increase effective Jan. 1, 2011.
 - 0% increase effective Jan. 1, 2012.
 - 0% increase effective Jan. 1, 2013.
- **Fringe Benefits:** Uniform allowance of \$750 per year.
- **Health Care:** Change from Community Blue 1 to Community Blue 3 as soon as possible. Effective Jan. 1, 2013, change Community Blue 3 to Community Blue 4. No premium sharing for employees.
- **Bargaining Team:** Jason Otter and Jon Bettendorf aided by POLC Labor Rep. Duane Smith.

City of Kentwood Supervisory Unit

- **New three-year agreement** expires June 30, 2014.
- **Wages:**
 - 0% increase effective July 1, 2011.
 - 1.5% increase effective July 1, 2012.

1.5% increase effective July 1, 2013. Sergeants assigned to Investigative Units shall receive an additional \$1,300 annually.

- **Fringe Benefits:** Overtime to be paid for all hours actually worked, not including passive hours, in excess of eight hours per work day. Employees may request cash payment for comp time no more than three times per year. Longevity was reduced by eliminating the five-year, 25-year and 30-year steps and reducing the 15-year step from \$1,200 to \$1,000 and 20-year step from \$1,600 to \$1,200 annually.
- **Health Care:** Prescription co-pays will increase from \$10 generic/\$20 brand name to \$10 generic/\$40 brand name. Emergency room co-pays will increase from \$50 to \$100. Deductibles were increased from \$0 to \$500 for singles and \$1,000 for families. Employees shall pay the following amounts for health care coverage per pay period: \$70 effective after ratification, \$80 effective July 1, 2012 and \$90 effective July 1, 2013.
- **Manning & Safety:** Employees transferred to patrol in mist of shift period shall be assigned based upon their seniority and preference. Employees with the greatest seniority will be given the option first to be directed off their shift if the employer reduces the workforce that day.
- **Bargaining Team:** Richard Roberts, Don Turri and Jeff Leonard aided by POLC Labor Rep. Edward Hillyer.

Continued on page 14



Contract Settlements

City of Marshall Patrol Officers

- **New three-year agreement expires** June 30, 2014.
- **Wages:**
 - 1% increase effective July 1, 2011.
 - 1% increase effective July 1, 2012.
 - 1% increase effective July 1, 2013.
- **Fringe Benefits:** Shift premium of 2% will continue for 12-hour night shift and swing shift schedules.
- **Health Care:** Increase prescription co-pays from \$10 generic/\$20 brand name to \$10 generic/\$30 non-formulary/\$60 brand name. Employees hired after July 1, 2011 will pay 20% of health care premiums.
- **Manning & Safety:** Twelve-hour shifts to be implemented with an 84-hour, 14-day payroll period.
- **Bargaining Team:** Andrew Groeneveld and Kristopher Ambrose aided by POLC Labor Rep. John Stidham.

Missaukee County Patrol Deputies

- **New three-year agreement expires** Dec. 31, 2014.
- **Wages:**
 - 2% increase effective Jan. 1, 2012.
 - 2% increase effective Jan. 1, 2013.
 - 2% increase effective Jan. 1, 2014.
- **Health Care:** BCBS PPO 4 "medium" plan with BC Dental. Premium share for employees is 10% in 2012, 11% in 2013 and 12% in 2014. Employer will reimburse \$400 of prescription co-pays after employee pays the first \$100. Employer

will reimburse 50% of all other health care deductibles and co-pays.

- **Bargaining Team:** Monie Shafer, Ken Bigger and Mike Austin aided by POLC Labor Rep. Mike Woronko.

Tecumseh Police Officers

- **New one-year agreement expires** June 30, 2012.
- **Wages:**
 - 0% increase effective July 1, 2011.
- **Health Care:** Retirement health care eliminated for employees hired after July 1, 2011.
- **Retirement:** Employees hired after July 1, 2011 shall go to a hybrid pension with 1.5% multiplier on the Defined Benefit portion and a 5% employer contribution on base wage to the Defined Contribution portion.
- **Bargaining Team:** Tim Ryan aided by POLC Labor Rep. Duane Smith.

Wyoming Police Patrol

- **New three-year agreement expires** June 30, 2014.
- **Wages:**
 - 0% increase effective July 1, 2011.
 - 0% increase effective July 1, 2012.
 - Wage increase effective July 1, 2013 no less than 1% or greater than 3% of employee's hourly wage based on the C.P.I. — all Urban Consumers (U.S. Average) from January through December of the preceding calendar year. All increases shall be at the top step of the pay range, maintaining the differential between each step.
- **Memorandum of Understanding:** The

union and City have outlined procedures in the event the city implements a public safety department. The memorandum is subject to approval of City Council.

- **Health Care:** City's sponsored plan with benefits of at least those in effect Jan. 1, 2011. Prescription co-pay is \$10 generic, \$30 name brand. Co-pays are: \$10 office visit; \$20 specialist (unless specialist is the member's primary care physician in which case it will be \$10); \$35 urgent care; \$50 emergency room (waived if admitted); and \$50 imaging services (maximum two co-pays per year). Employees will contribute 15% toward premium effective immediately and 20% toward premium effective July 1, 2013. The employee contribution may be paid on a pre-tax basis through the Employer's flex plan.
- **Vacation:** Unused vacation from the prior year may be carried over and accumulated up to three years of employee's annual entitlement. This "new bank" includes conversion of sick leave hours to vacation leave. Excess hours as of Jan. 1, 2012 will be recorded in the "old bank" which cannot be added to after Jan. 1, 2012. New bank hours must be exhausted before old bank hours can be used. Sick leave hours converted to vacation leave may not exceed 80 hours for employees with five years of service and with 400 or more hours of sick leave.
- **Bargaining Team:** Greg Duffy, Shad McGinnis and Doug Smit aided by POLC Labor Rep. Will Keizer. ♥



The Police Officers Labor Council welcomes the following new units

WELCOME ABOARD

Unit

Caro Patrol
Dickinson County Command Officers
Dickinson County Corrections
Dickinson County Court Employees
Dickinson County Deputies/Dispatchers
UP Labor

Former Affiliation

MAP
POAM/WPPA
POAM/WPPA
AFSCME
POAM/WPPA
Independent



TALKING WITH THE ATTORNEY GENERAL

POLC Executive Committee members were able to talk with U.S. Attorney General Eric Holder (center) at a recent NAPO conference. Committee members surrounding Holder (from left) are Richard Hetherington and Director Richard Weiler and (from right) John Stidham and Greg Huggett.

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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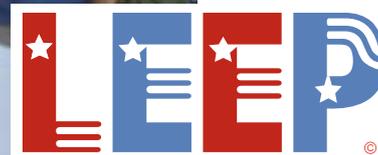
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Courtesy of Tri-City Times

KIDS FINGERPRINTING

Tom Jenkins (seated above), of the Law Enforcement Education Program (LEEP), fingerprints Cassidy Loridon, 13, as Capac Police Chief Rich Zavislak and Anna Pawlowski look on during Capac Family Days. This old-fashioned family picnic with games, food and fun took place outside the Capac Museum. The LEEP chart in the background is used to measure the height of each child. That information is recorded along with their digital photo, fingerprints and other pertinent information on CD Rom, which can be taken to police and works with the Amber Alert system. Jenkins travels around the state providing the free child identification CD and printout to parents, which is part of the Kids Don't Go With Strangers program. While parents and kids are waiting their turn, they can watch a DVD, which shows all the free LEEP safety programs available to the public.