



©Copyright 2011 POAM  
All rights reserved. Printed in U.S.A.  
Vol. 42, No. 1

# Law Enforcement JOURNAL

Pre-Convention Issue



Spring 2011

## Monroe Police Cross-Train

By Ed Jacques, *LEJ* Editor

Monroe Police Chief Tom Moore was pleased when his patrol union agreed to implement 12-hour shifts in August, 2010. Moore and POA President Bryan Gee agreed that the 12-hour shifts would save the City of Monroe on overtime and sick time as well as putting more officers on the road. Gee was certain that his members would also come to appreciate many of the quality of life benefits that 12-hour shifts had provided police officers in other municipalities, and eventually save the layoffs of some members in his unit. What he didn't know was that it was also an unintentional first step towards putting them in a position to further enhance the group's value. The Monroe POA had already made significant concessions in their last collective bargaining agreement.

Shortly thereafter, as had been their history, the firefighter negotiations were going poorly. Their union had threatened to discontinue their ambulance service. In September, the City asked the police union if they would be interested in taking medical first responder classes to ensure that citizens could count on qualified personnel in the case of a medical emergency. Twelve police officers completed the 84 hours of in-house training provided by Huron Valley Ambulance.

The certification also resulted in a one-half percent increase in pay.

When contract negotiations with the fire union continued to go downhill, the City and its police union agreed that a majority of its officers would be good candidates for firefighter cross-training. Monroe Fire Chief Mominnee was an instructor with the Monroe County Firefighters Association, which is the host for the Michigan Firefighters Training Council, the certifying body. Fire Chief Mominnee would conduct the training. Twelve candidates were chosen by seniority and appointed as part-time members of the Monroe Fire Department for training purposes by City Manager George Brown and training money was approved by City Council. The training began in November of 2010 and all 12 were certified as firefighters I and II in March, 2011, with 12 more members scheduled for the class in November of 2011. There is no current mandate on either the police or fire side for any employee to become cross-trained.

The firefighter union filed for an injunction in Circuit Court to stop the training, which was denied. Monroe's City Charter does not mandate a

police and fire department, only a police and fire chief. No firefighters were laid off as a result of the voluntary cross-training, even though none of the 17 current full-timers chose to participate.

Although there were initial costs associated with the cross-training and purchase of equipment, if the City chooses to implement public safety they will certainly see significant savings in 2012. Part of their reason is that seven of the nine current police command officers are eligible for retirement in December, 2011, and will likely take advantage of an agreement that provides their current health care coverage stays in place until Medicare

kicks in. If they do not retire, they will receive current employee's health care benefits, which is not as comprehensive. Regardless of what those command personnel decide, the City of Monroe projects a balanced budget in 2012.

The patrol union agreed that if and when public safety implementation occurs, as do public safety employees in other communities, officers will get a raise for being cross-trained and all remaining members will be eligible for training in the future. After implementation, all new hires must be certified as PSO's.

"Local unions must understand the economic stressors that many communities face,"

said Brian Gee. "Making some concessions, going to 12-hour shifts and taking this additional training has provided job security for my members. I didn't want the Monroe Police Department to be a good candidate for consolidation by the Sheriff's Department."

The firefighters union has still not settled their contract and have filed lawsuits and conducted a negative public relations campaign on the issue of cross-training. Firefighters will stay in the fire house and are certainly necessary in the transition to public safety if it takes place. "They perform specialized skills and have the knowledge and experience that would benefit public safety in Monroe." added Gee. "I would like to work with many of them."

Chief Moore emphasized the need to be proactive. "Governor Snyder has stated emphatically that discretionary revenue sharing allotments to municipalities will be tied into their efforts involving consolidation of services. We'll be ready." □



*Members of the Monroe Police Department said the fire training was both challenging and fun, but most of all established an "Espirt de Corps".*

# Signed and Sealed

# Agreements gain vital benefits for POAM members

Summaries and highlights of recently completed local contract negotiations and 312 arbitrations



## Negotiated

### Huntington Woods Public Safety Officers Association

The local association and the City met to discuss contract concessions. The parties agreed that effective July 1, 2010 pay would be reduced by 2%, effective July 1, 2011 pay will be reduced by 1%, and effective July 1, 2012 pay will be reduced by 1%. The parties agreed to a wage reopener for July 1, 2013 and July 1, 2014 in the event general fund revenues increase.

Health care: Blue Cross CB-4 Option 1 - \$20 office visit/\$20 chiropractic care; \$15/\$50 prescription coverage. Preventative services co-pay raised from \$250 to \$500. Emergency room co-pay raised from \$50 to \$100. Health care reopener for July 1, 2013 or July 1, 2014.

Compensatory time increased from 80 hours to 96 hours.

Layoffs: no public safety officer employed as of June 14, 2010 can be laid off from that period through June 30, 2013.

*Bargaining team consisted of Erick Stiner and Steve Staron who were assisted by Kenneth Grabowski.*

## Negotiated

### South Haven POA

DURATION: 07/01/2010-06/30/2013

#### Wages:

Top pay for police officers will be \$51,229 in third year of contract.

#### Insurance:

Increased opt out for family coverage to \$500 per month and waiver of dependent coverage to \$340 per month.

#### Paid Time Off:

Employer agrees to allow hours from twelve hour shifts to be banked and used as PTO.

*Bargaining team consisted of Sean Olney and Chris Mersman who were assisted by POAM Business Agent James DeVries.*

## Negotiated

### City of Westland POA

Contract concessions: The parties met with the City and renegotiated the current contract which was scheduled to expire June 30, 2012. A new agreement was reached extending the current contract to June 30, 2014. Pay scale for new hires was increased from five to seven years. Longevity pay was eliminated for employees hired after January 1, 2010. Medical coverage was changed to Blue Cross PPO 2. Employees hired after January 1, 2010 have their FAC modified and the multiplier will cease after 30 years of service being reduced to 1%. Base salary increases of 2% due July 1, 2010 and 3% due July 1, 2011 were extended so the increases will not take place until July 1, 2012 for the 2% increase and July 1, 2013 for the 3% increase. The city may now implement a civilian employee non-sworn work force to fill some positions currently worked by officers. Buy-outs were instituted to allow the early retirement of employees. Additionally, longevity is eliminated for all employees after 2010. Current employees receive an additional 12 hours of non-cumulative personal leave days per year. The City agreed not to reduce manpower levels from a set number.

*Negotiations were conducted by Norm Brooks, President, Dan Serrano, Treasurer, Chris Gazdecki, Vice President, David Archambeau, Secretary, Roger Borst, Trustee. Assisted by Ken Grabowski.*

## Act 312 Award

### Muskegon Command

DURATION: 01/01/2010-12/31/2012

#### Wages:

Union proposed 1% increase in 2010, 2% in 2011 and 2% in 2012. Employer proposed 1% in each year. Arbitrator selected employer's offer.

#### Pension:

Union proposed change from 53/25 to 50/25. Employer proposed status quo. Arbitrator selected status quo.

#### Sick Time Payout:

Union proposed an increase to 75%. Employer proposed status quo. Arbitrator selected status quo.

#### Medicare Part D Contribution from Employer:

Employer proposed eliminating their payment of \$41 per month. Union proposed status quo. Arbitrator selected status quo.

*Bargaining team consisted of Gerald Ziegler and Leah Penwick who were assisted by POAM Business Agent James DeVries. The Arbitrator was Greg Saltzman.*



## Law Enforcement JOURNAL

OFFICIAL PUBLICATION OF POLICE OFFICERS ASSOCIATION OF MICHIGAN  
27056 Joy Road, Redford Township, Michigan 48239-1949  
The LEJ is published bi-annually.

### JAMES TIGNANELLI - President, Fraser PSOA

**HARRY VALENTINE**  
Vice President  
Washtenaw County DSA

**MARK ZACKS**  
Secretary  
Southfield POA

**WILLIAM BIRDSEYE**  
Treasurer  
Detroit POA

## Executive Board

**GERALD RADOVIC**  
Business Agent  
POA of Dearborn

**PATRICK SPIDELL**  
Business Agent  
Clinton Township POA

**KENNETH E. GRABOWSKI**  
Legislative Director  
Redford Township POA

**JAMES DeVRIES**  
Business Agent  
Board Member — MCOLES  
Grand Haven POA

**GARY PUSHEE**  
Business Agent  
POA of Dearborn

**THOMAS FUNKE**  
Lavonia POA

**WAYNE BEERBOWER**  
Business Agent  
Farmington Hills POA

**TOM SCHERER**  
Clinton Township POA

**KEVIN LOFTIS**  
Oak Park PSOA

**DAN KUHN**  
Saginaw POA

**TIM LEWIS**  
Kent County LEA

**DAVE LAMONTAINE**  
Monroe County DSA

**GREGG ALLGEIER**  
POA of Dearborn

**JIM McMAHON**  
Gross Pointe Farms PSOA

**MATT VAN LIERE**  
Ottawa County DSA

**PAUL POSTAL**  
Grand Traverse County DSA

## POAM REPRESENTS YOU

- MCOLES- Michigan Commission on Law Enforcement Standards
- Mid-States Coalition of Police Officers

**ED JACQUES – Law Enforcement Journal Editor**  
For editorial and advertising (313) 937-9000

## Negotiated

### New Baltimore Command

Duration: 09/01/2010-08/31/2012

Wages: 2010 – 0%      2011 – 0%      2012 – 0%

- Health care is BCBS PPO 2 with \$10/\$20 drug rider. Members contribute \$780 a year towards premium.
- Sergeants wages frozen at 10% over patrol. Lieutenants frozen at 7% over sergeants.

*Bargaining team consisted of Fred Riebel and John Willer, who were assisted by POAM Business Agent Jim Tignanelli.*



# From the President's Desk

by Jim Tignanelli

## Term Limits Create a Need for POAM Presence

The new year started like "open season" on those of us being served by collective bargaining agreements. Once we saw it starting in Wisconsin and Ohio, the natural presumption was Michigan would be right behind. And those presumptions were correct.

Term limits among our state legislators has created a challenge for both our lobbyists and our legislative director, Ken Grabowski. While term limits have been around since the late 1990's, each year has presented a new freshman class of elected officials. Most, or all are well intended but many are motivated by a particular issue that has disturbed them prior to their arrival. Many others are uninformed about matters being considered.

The matter of "collective bargaining" took top billing among media outlets. When I asked a legislator what that term meant, he/she immediately related to how an arbitrator can "impose their will" on a local government. When I said that collective bargaining is when two parties discuss issues which are ultimately ratified by the approval of both parties, he/she appeared to have seen a ghost.

The impetus to repeal Public Act 312 seemed to evolve among a number of people that did not know that nearly 2/3 of the time the award goes to the employer. When asked why an employer would want the repeal of an act that has eliminated strikes by police officers and has resulted in an award favoring the employer 2/3 of the time, the moods seemed to change. The sub-committee meeting in Lansing was an interesting afternoon and those that presented were informative.

Both Ken and Bill Birdseye have done a yeoman's job of working with the persons closest to the issue and I am confident that the end result will be one we can live with. I would like to offer a public thanks to the POAM executive board for their professional participation in Lansing.

Later that day, nearly 70 of your elected legislators came to a reception sponsored by the POAM and facilitated by Michigan Legislative Consultants. A great deal of information was shared that afternoon and you can be proud of the POAM's influence.

I do believe it is worth repeating a conversation I have been having with many of the groups that I service for POAM. There are two primary sources of revenue that we deal with. One directly emanates from property assessments. The other is a local government's share of "state shared revenues". Essentially, this is provided by formula and is a share of sales tax collected throughout the state. Neither is in abundance at this time. When you add that to the reduced interest being earned by pension plans and the increases in health care, patience is a great virtue to have at negotiations. Working for a bankrupt employer is no fun. Thoughtful and creative bargaining ideas are a necessary part of our times. Ignoring what is obvious to everyone else (less revenue), just complicates things. You all deserve more. You do. In the past week, two more of our fellow officers were shot and killed while working. You deserve more. Your POAM business agents can be relied on for new and better ways to preserve the benefits you have while working to find new ways to keep you safe, healthy and headed to your retirement. Please be safe. □

# Inside this issue

F E A T U R E S	◆ Monroe Police Cross-Train-----	1
	◆ Important Unit Clarification-----	11
	◆ Court of Appeals Affirms POAM-----	13
	◆ Honor Guard Training-----	14
	◆ New Roles at POAM-----	16
	◆ Art Borella on Worker's Comp-----	17
	◆ Port Huron P.D. Lives On-----	19
	◆ The Cutting Edge-----	22
	◆ Bless the Bagpipers-----	24
	◆ New Stressors on P.O.s-----	25
◆ Comfort Provider-----	26	

## The Regulars

<b>Signed &amp; Sealeds</b>	
-----	2, 30-31
<b>From the President's Desk</b>	
-----	3
<b>Vice President's Viewpoint</b>	
-----	4
<b>Treasurer's Ledger</b>	
-----	5
<b>Guest Column</b>	
-----	6
<b>Director's Chair</b>	
-----	7
<b>Generally Speaking</b>	
-----	9, 26
<b>Training</b>	
-----	15, 18, 27
<b>MCOLES Report</b>	
-----	23
<b>Letters</b>	
-----	28
<b>Federal Perspective</b>	
-----	29



# Vice-President's Viewpoint

by Harry Valentine

## A Time to Honor and Remember

Some will remember the week of January 16th as just another week. Working, family obligations, meetings, playoff football, or some other activity or event that is imprinted on your mind.

For me the memory is the funeral of a local police officer killed in the line of duty and the eleven others nationwide who were shot in a one week period. I find it a sad commentary on society that those who dedicate themselves to protect the public while guaranteeing its freedoms could be shot and killed on the streets they patrol or in a station house as they prepare for their shifts.

It wasn't that long ago we were shocked at the murder of four officers in a coffee shop in Washington State, the killing of two officers in Pittsburgh, Los Angeles, and Florida. Unfortunately the list goes on and on. The media will explain how the officers died. Of greater importance, and a story told with less frequency, is how they lived and with even less frequency, how they will be remembered.

In October of 1961 President John F. Kennedy and the United States Congress proclaimed May 15th as Police Memorial Day. It is a time as stated by President George W. Bush, "To pay tribute to the local, State, and Federal law enforcement officers who serve and protect us with courage and dedication. These observances also remind us of the ongoing need to be vigilant against all forms of crime, especially to acts of extreme violence and terrorism."

In Washington D.C., Police Week will take place May 13th through the 16th. There will be services, vigils, and events all designed to respect and honor those and their families who have given so much to insure public order, preserve domestic rights, and maintain the freedoms which

are the foundation of our society.

Locally there will be services and memorials. The POAM will be in Washington D.C. for Police Week. Police Week is a worthwhile and memorable expression. However, not everyone can make the trip. For those of us who aren't in Washington we should also observe May 15th. We should attend or organize a local service and request the leaders of our agency take a leadership role in that endeavor. Leadership starts at the front and progresses to the back. Let us work with diligence, dedication, and honor to see that those who have given so much are remembered.

It is a time to educate and remind the public of the sacrifices made on their behalf. More important is to comfort the families of the fallen, letting them know their loved ones will be remembered and their loss is our loss.

We are not public servants. We are law enforcement officers, corrections officers, fire fighters, EMS workers, and dispatchers. We do not serve the public. We are entrusted with the responsibility of protecting the rights of individuals, maintaining public order, and keeping society safe from the dangers our citizens do not have the wherewithal, ability, or desire to address.

In remembering our comrades let us not conduct our affairs and discharge our duties in a manner that would violate that public trust. We should not be held to a higher standard, we should set the standard. We do this by taking care of our own and remembering them in a way that tells the public we will not forget those who have gone before us and what they died to uphold. □



## National Police Week

## Schedule of Events

**Michigan State Memorial Service**  
May 7, 2011—7 p.m.

On the steps of the Michigan State Capitol building in Lansing, Michigan

### 16th Annual LawRide

**May 08, 2011—9:00 am**

16th Annual LawRide -- Line up at RFK Stadium (Lot 8) – Procession leaves for National Law Enforcement Officers Memorial at 11 am; arrival ceremony follows

### Police Unity Tour Arrival Ceremony

**May 12, 2011—2:00 pm**

Police Unity Tour Arrival Ceremony – National Law Enforcement Officers Memorial

### 23rd Annual Candlelight Vigil

**May 13, 2011—8:00 pm**

23rd Annual Candlelight Vigil – National Law Enforcement Officers Memorial

### 9th Annual Steve Young Honor Guard Competition

**May 14, 2011—8:30 am**

9th Annual Steve Young Honor Guard Competition – John Marshall Park (Pennsylvania Avenue at 4th Street, NW)

### 8th Annual POAM Police Appreciation Party

**May 14, 2011—noon to midnight**

The Tune-Inn 331 1/2 Pennsylvania Ave. S.E.

### 17th Annual Emerald Society & Pipeband March and Service

**May 14, 2011—4:30 pm**

17th Annual Emerald Society & Pipeband March and Service – Assemble at New Jersey Avenue and F Street, NW – Begin march to National Law Enforcement Officers Memorial at 6 pm



# The Treasurer's Ledger

by William Birdseye

## Website Has Proven Value

Eighteen months ago, the POAM Executive Board committed some of its financial resources and support staff to make our web site one of the most dynamic sources of police and labor information in the country. We started by hiring a professional expert in the field, Trademark Productions, to totally revamp and update our site with all the latest and greatest features and technology. One year later, www.poam.net has become the most hit-upon police union website in the country. We have built a springboard for instant communication with our members and easy access to an on-going library of valuable information for the law enforcement profession.

This site allows local associations to publicize events and fundraisers, provides legal information including a printable Garrity form, has links to law enforcement-related web sites and preferred vendors, information on all of our previous seminars, and much, much more. On a weekly basis, POAM receives a dozen or more requests for additional information on subjects like 12-hour shifts, Garrity information and arbitration results.

Leadership at POAM has been directing local collective bargaining units to the web site to read and print off important information. Over the last couple of years, we have weaned the *Law Enforcement Journal* from publication four times a year to a semi-annual publication, printed in the spring and fall of each year. The web site needs to be your first source of information, because timeliness is paramount to mounting the proper response. A perfect example of that would be the slew of anti-union legislation introduced in February that was rushed through the House within a few weeks with little or no debate or input from affected parties.

When HB 4502 was introduced repealing compulsory arbitration for police officers (Act 312), the web site acted as an instant information resource to our members as Legislative Director Kenneth Grabowski and Michigan Legislative Consultants Lobbyist Tim Ward were meeting with House members and Senators on its impact. POAM members quickly

backed up Grabowski's voice with letters and an e-mail blast to every House member and Senator about their opposition to the legislation. We compiled every legislator's e-mail address, drafted a letter and with three clicks of the mouse, each member sent an e-mail to all 138 politicians. In the end, hundreds of e-mails were sent on HB 4502 and nearly as many went out on HB 4152, which was an attempted run-around on our effective lobbying against HB 4502 (go to web site for more details). Some House members called us after that e-mail blast and said they were misinformed on the bill and other senators called us thanking us for the advance warning.

That call to action was generated by an emergency e-mail blast from POAM asking members to access the web site and follow through on our directive. But I want you to consider this: POAM has e-mail addresses for only about 25% of our members. Imagine what kind of impact we would have if we could triple the number of e-mail addresses in our database. How will a politician act when they receive thousands of e-mails from POAM members when they introduce or support anti-police legislation?

This activity in Lansing should be a wake-up call to all of you. You need to speak up or your rights will be trampled. Providing our office with a valid e-mail address and answering a simple call to action is the first step in safeguarding your career and maintaining your collective bargaining rights.

Decades ago POAM promised to never divulge any member's mailing address or allow any member to be a target for solicitation. We've never broken that commitment. That same promise holds true for your e-mail addresses.

Your mission today is to notify the POAM staff of your e-mail address so we can keep you current on these types of issues. Work e-mail will do just fine. But whether you like it or not, it's time to utilize 21st century technology and strategies to safeguard our profession. □

# WELCOME NEW MEMBERS

Since January 1, 2011

### PREVIOUS AFFILIATION TEAMSTERS

GRAND TRAVERSE COUNTY

SERGEANTS ASSOCIATION

14-A DISTRICT COURT EMPLOYEES

14-A DISTRICT COURT SUPERVISORS

### PREVIOUS AFFILIATION AFT

CITY OF MONROE

EMPLOYEES ASSOCIATION

### PREVIOUS AFFILIATION UAW

FLINT TOWNSHIP COMMAND

### PREVIOUS AFFILIATION POLC

DETROIT PUBLIC SCHOOLS POLICE

### PREVIOUS AFFILIATION MAFF

WHITE LAKE FIREFIGHTERS

### PREVIOUS AFFILIATION AFSCME

MORENCI POA



## Guest Column

by Sheriff Benny Napoleon

### A Few Words from the Wayne County Sheriff

First, let me thank the leadership and members of POAM and WCDSA for consistently working with my executive team and me to ensure the doors of communication swing freely in both directions. Since my appointment in 2009 and election in 2010, many changes have occurred in the administration of the Wayne County Sheriff's Office (operations and management). This has been no slight undertaking. We have had to make critical decisions with regard to the budget deficit, personnel and facilities maintenance. And progress is being made. But there is more work to be done and I am confident we can move forward successfully as a unified team.

That is why I am glad to see the County moving forward with my plan to build a state-of-the-art jail comprising our three current facilities—Jails I, II and III. Consolidation of Jail services into one location will reduce redundancy in staffing, prisoner operations, and facility maintenance. Cost savings to taxpayers is anticipated to exceed \$20 million annually. That is tremendous in light of the growing deficit the WCSO has faced in recent years. Improved technology will allow for virtual visitation reducing the need for individuals to travel to the facility to visit an inmate. And consolidation of services within the housing units will reduce the staffing costs, allow for improved services and increased security for the inmates as well as staff. I will insure that my officers are the

beneficiaries of the most modern, efficient and comfortable working environment as possible.

It is my hope that as our fiscal deficits begin to diminish we can begin pursuing other policing opportunities and means of increasing public safety within our 43 cities. We want the WCSO to continue serving as an agency where individuals can thrive as law enforcement professionals in numerous assignments from recruitment through retirement.

Finally, I want to thank POAM and all the members who partnered with us in making Christmas 2010 the best it could be for area children and families. Thanks to your hard work and warm hearts we raised roughly \$30,000 allowing us to purchase toys and coats for 190 children and 60 families. We certainly couldn't have put the smiles on those kids faces without you. We're already planning this year's event and looking forward to generating even more smiles for Christmas 2011. My administration is also working closely with union executives on the first annual WCDSA family picnic to be held in August of this year. I look forward to meeting the moms, dads, wives, husbands and other "support staff" of my officers.

I want to thank you for the dialogue we shared at the beginning of the year and look forward to several more opportunities. Again, my door is always open. □

## Your Financial Future: Will You Be Ready?

Getting your financial and investment act together takes time and close attention to detail. With more responsibilities, the process becomes even more complex.

As a Morgan Stanley Smith Barney Financial Advisor, I have access to a range of resources, advice and services to help you meet your needs.

- Equities, fixed income and mutual funds
- Trust and estate planning services
- Alternative strategies
- Individual Retirement Accounts
- Brokerage services
- Business financial services
- Lending services
- Financial planning services

Please call me to arrange a meeting about your wealth management needs.

**Sean P. Moran**

Senior Vice President  
Financial Advisor  
130 Kercheval Avenue  
Grosse Pointe Farms, MI 48236  
313-642-5918  
sean.p.moran@mssb.com  
www.fa.smithbarney.com/moran/

**Morgan Stanley  
Smith Barney**

A Morgan Stanley Company

Morgan Stanley Smith Barney and its Financial Advisors do not provide tax or legal advice. Please consult your personal tax advisor regarding taxation and tax planning and your attorney for personal trusts. This material has been prepared for informational purposes only and is not an offer to buy or sell or a solicitation of any offer to buy or sell any security/instrument or to participate in any trading strategy.  
© 2011 Morgan Stanley Smith Barney LLC. Member SIPC.

NY CS 6389274 BC004 08/10 GP10-01143P-N05/10



# The Legislative Director's Chair

by Kenneth E. Grabowski

## Put Your Elected Officials on Notice!

**W**OW! What a roller-coaster the last few weeks have been. The legislative session has been extremely busy, and the unnecessary attacks on police officers and other public employees continue. As of April 10th, P.A. 312 appears to be surviving the legislative onslaught. While several misinformed House Representatives are attempting to repeal P.A. 312, POAM representatives have been able to educate enough elected officials to slow down the anti-312 steamroller. On February 23, 2011, POAM sponsored our Annual Legislative Reception where many members of the House and Senate came and discussed the issue. POAM has been working the back corridors of Lansing, working with Republicans and Democrats alike, promoting the issues of police officers and protecting legislation that has worked well for public safety for over 40 years. POAM does not promote threats or publicity stunts to communicate our message. We will continue to work diligently behind the scenes to secure our future.

Governor Snyder stepped up to the plate and kept his word when he publicly came out against the 312 repeal.

On other legislation, it was unfortunate that legislators did ram through the Emergency Financial Manager (EFM) bill with very little changes. The bill gives the EFM extraordinary powers to run local units of government and modify contractual benefits. We were especially disappointed that non-economic rights such as grievance procedure, senior-

ity, etc. were left unprotected. However, we are pleased that State Treasurer Andy Dillon named POAM Business Manager William Birdseye to a panel to present the position of police officers working under control of an EFM.

POAM is most disappointed in too many legislators that have asked for our financial support and endorsement, as well as working with them on their legislative agenda and election campaigns and then thrown common sense out the window by passing legislation because "We have to do something." It does not matter if the legislation makes sense or hurts police officers. POAM is considering the establishment of a new legislative award to be presented at our annual convention called "The Willard." The "Willard" will be awarded to legislators who have become "rats" and are not worthy of our support. Call me with your thoughts or nominations.

Please review the additional legislation proposed below and call, write and e-mail your legislators voicing your strong opposition to these anti-police bills. By accessing poam.net, your message can be sent to 138 politicians with three clicks of the mouse. Every member should also be providing our office with a valid e-mail address so we can notify you when a "Legislative Emergency Call to Action" is required. Your participation has worked so far, but more will be needed in the future. □

**HB-4152 - Upon expiration of a contract, immediately passes 100% of any benefit premium increase to employee. Allows no retroactivity on wages or step increases. This bill is an additional attack on 312.**

**HB-4172 - Requires public employer to pay no more than 75% of the cost of family health care plan; 80% if single.**

**SB-7 - Requires public employees to pay no less than 20% of the cost of a health care plan; 10% if HSA.**

**HB-4059 - Prohibits paying union officials while conducting union business.**

**SJR-B - Mandates a 5% pay reduction for all public employees.**

**HB-4309-12 - Removes contractual rights in consolidations.**

**SB-0116 and SB-0120 - Creates right to work zones.**

*Legislative Director Ken Grabowski and Serives Director Ed Jacques communicate progress through a podcast.*



Senator Mike Nofs and POAM Board Member Mark Zacks discuss Act 312 during the Legislative Reception.



Left to right:  
POAM Executive Board Member Tom Scherer, Representative Andrew Kandrevas, POAM Executive Board Member Gary Pushee, Representative Vicki Barnett and POAM Executive Board Member Jerry Gradovic.

1923

2011

**DETROIT  
POPCORN  
COMPANY**  
SINCE 1923

**15% OFF RENTALS  
& 10% OFF SUPPLIES  
FOR ALL POAM MEMBERS**

**DETROIT POPCORN IS YOUR  
GRADUATION  
HEADQUARTERS**

-  **GREAT PARTY IDEAS**
-  **RENTAL EQUIPMENT**
-  **FAST & RELIABLE DELIVERY**



**CALL TO ORDER 1-800-642-CORN (2676)  
www.detroitpopcorn.com**

14950 TELEGRAPH RD. REDFORD TWP., MI 48239

# Generally Speaking

## The Elected, the “Anointed” and the Carpetbagger



**By Frank Guido,  
General Counsel**

There is an unsavory phenomenon which rears its ugly head when economic times, real or perceived, are difficult. This phenomenon infiltrates the mindset of some individuals in leadership roles in state and local government, causing them to believe they can “solve” economic problems, as if they were “anointed,” thereby forgetting they have been elected by the people.

*Semper pro populus* is the Latin phrase for “always for the people.” When some state legislators and local government officials act on behalf of their ego, they fail to act on behalf of the people who elected them. There is little question that a parallel exists between fiduciary duties and the obligations of elected public service. The term fiduciary, as derived from the Latin term “*fides*” or “*fiducia*”, means trust and confidence. When the public elects an official, the public places its trust and confidence in that individual to act on behalf of the best interest of the public.

Elected officials make significant decisions on behalf of the public, including how to spend taxpayer money and how to deliver services. A fiduciary, who has the power and obligation to take action on behalf of others, must adhere to strict standards of diligence, responsibility and honesty. Fiduciaries must use their “best efforts” for those they serve. Likewise, in the case of an elected public official, a responsibility exists to use skill, care and diligence in providing service to the public.

When a public official faces a difficult decision that may involve a trade-off between what seems to be equally significant goals, there is guidance in how to reach the best decision. Considerations of fairness, fair processes, trustworthiness, responsibility, loyalty, compassion and respect are useful when making the difficult decision. The degree of loyalty, however, must always be to the entity served, the people, and not individual interests. For true fiduciaries, the ultimate source of accountability may be the courts. Public officials, however, must also be answerable to the public.

***“We are confronted daily with dangerous legislation being proposed by state legislators adversely affecting fundamental law enforcement labor rights.”***

When public officials cross the line, forgetting that they are elected and not “anointed,” the parallel to fulfilling fiduciary responsibility is lost. As the dictionary states, to “anoint” is to be smeared or poured upon with perfumed oil or other substance in a ritual process. In Western Tradition, the anointing of a King is the equivalent of a crowning. When some government officials perceive that they may act with impunity, as though “anointed” as a King, they have forgotten that they are, in fact, elected by the people, and that they do not have unfettered discretion when they act.

Times are perilous in the labor-management arena. We are confronted daily with dangerous legislation being proposed by state legislators

adversely affecting fundamental law enforcement labor rights. Likewise, at the municipal level, we are confronted with bizarre employment decisions which do not reflect elected officials acting in the interest of the people, but, instead, players who are putting self and ego at the forefront of their decision-making process. If you ask what is the rationale, the answer may be found, in part, in the following analysis: *The State has no money, so the State cannot give financial support (i.e. revenue sharing) to local government in the amount needed, hence, the State will “destroy,” I mean “amend” State law to empower local government to run roughshod over employee collective bargaining rights, so that local government can allegedly “solve” their economic problems to take State government off the financial hook.* That twisted logic, which unduly hammers law enforcement, will not fix the problems which exist. Instead, an entirely new set of problems, financial, emotional and physical, will result.

I need not elaborate on the assault which we have recently witnessed, not only in Michigan, but across the country, especially in the State of Wisconsin, where the real issues at hand have taken a back seat to the

power play of ego. The proposed legislation spewing from Lansing is a new life form unto itself. Proposals are flowing daily which gut collective bargaining rights, unilaterally impose requirements on public employees to forego


contractually arrived at benefits and wages and require employees to absorb insurance costs without negotiation or agreement. Other proposed legislation seeks to void contracts and eliminate collective bargaining rights for lengthy periods of time. The proposals make little or no effort to distinguish between which public employees will be affected. “All are punished,” to quote Shakespeare. The proposals, in reality, accomplish little more than turning back the clock to a period in our history which caused the necessity of labor unions in the first instance. As we all know, “history repeats itself.” The only question is what will be the ultimate consequence to the present level of anti-union folly.

Speaking specifically of law enforcement, Michigan law has long recognized that it is the “public policy of this state ...” that because “the right of employees to strike is by law prohibited ...,” “the high morale of ... employees and the efficient operation of ... departments” requires mechanisms to be in place to resolve disputes. To restrict or eliminate rights to collective bargaining and to tamper with compulsory arbitration of disputes, is to negate the very public policy which is in place in this state, to which elected officials owe fidelity and not a self-serving, ego-driven “anointed” versus elected mentality.

Looking to someone who has truly been anointed, Pope Benedict XVI, in an address on January 31, 2009, stated that labor unions have an important role to play in finding a way out of financial crisis to establish a new culture of solidarity and responsibility in the market place. To that end he stated that “Union organizations can make a significant contribution” to a “new synthesis between the common good and the market, between capital and labor.” Giving recognition to his predecessor, Pope John Paul II, Pope Benedict further stated that labor is a key component in social questions and an indispensable element of social life in modern industrialized societies. The Pope embodied his strong position on the role of labor organizations in his third encyclical entitled “Charity and Truth.”

Transcending the legislative upheaval in Lansing, is the equally mali-

*Continued on page 26*



Police Officers Association  
Announces New Member  
Vision Program with  
SVS Vision!

**OPTION 1 – Members currently covered by an optical plan**

SVS Vision office locations will:

- Provide free cleanings and adjustments
- Repair breakages occurring in the line of duty at no charge
- Provide a one-year breakage warranty

**OPTION 2 – Members without current vision coverage**

SVS Vision office locations will:

- Discount your total out-of-pocket sales amount in addition to any current advertised pricing
- Provide free cleanings and adjustments
- Repair breakages occurring in the line of duty at no charge
- Provide a one-year breakage warranty

**OPTION 3 – SVS VISION CARE PROGRAM**

Our SVS Vision Care program is available to POAM members and their dependents for a minimal annual fee of \$29 per each POAM member and \$20 per dependent.

SVS Vision office locations will:

- Provide vision testing examinations by a doctor of optometry
- Take 50 percent off our retail price on any frame
- Take 25 percent off our retail price on lenses, coatings, and tints
- Take 20 percent off our retail price on contact lens exams

Over 30 Michigan locations to serve POAM members • For more information, contact your nearest SVS location

- Adrian 517-265-8086
- Allen Park 313-382-0100
- Brighton 810-227-2376
- Clawson 248-435-2189
- Detroit (Mack) 313-882-7883
- Detroit (W. Warren) 313-240-7551
- Flint (Lapeer Rd.) 810-742-6733
- Flint (S. Linden Rd.) 810-230-9300
- Fraser 586-293-4198
- Garden City 734-458-5181
- G. Rapids (Northland Dr.) 616-364-4099
- G. Rapids (28th St.) 616-245-6300
- Imlay City 810-721-9411
- Kentwood 616-538-6511
- Lake Orion 248-693-8666
- Lansing 517-323-8221
- Livonia 734-421-2844
- Marine City 810-765-3509
- Marysville 810-364-5520
- Monroe 734-243-0960
- Mt. Clemens 586-468-7612
- Oak Park 248-399-1556
- Saginaw 989-791-1044
- Shelby Twp. 586-247-2652
- St. Clair Shores 586-778-7542
- Sterling Heights 586-979-6260
- Taylor 313-299-8870
- Trenton 734-675-8197
- Walker 616-363-9831
- Waterford 248-666-4020
- Wayne 734-728-5940
- Ypsilanti 734-572-8822



Preferred Vendor

Change the way you look.

**svs**  
**VISION**  
OPTICAL CENTERS

For more information: 800-SVS-4600 or visit [www.svsvision.com](http://www.svsvision.com)

# Important Unit Clarification

By Ed Jacques, *LEJ* Editor

## Oltersdorf Attempts to Create a New, Non-Union Supervisory Position

In 2009, Patrick Spidell from the Command Officers Association of Michigan (COAM) filed a petition to clarify its bargaining unit of supervisory employees of the Leelanau County Sheriff's Department to include the newly created position of "Law Enforcement Commander." Spidell contended that placement of the position in the COAM unit was appropriate because the Law Enforcement Commander is a third level supervisory employee. The employer argued that the newly-created position cannot be properly placed in any bargaining unit because it is an executive position, and the Michigan Employment Relations Commission (MERC) has ruled that executives should be excluded from collective bargaining.

Before you assume this will be a typical MERC decision and jump to the end of the story to read the conclusion, you need to know that the employer is POAM's back-to-back winner of its "Horse's Ass" award, the union rep is his long-time adversary whom he refers to as the "Johnny Cochran" of the POAM. Throw in the attorney for Leelanau County, John McGlinchey, and you have a good old-fashioned three-for-all.

Mr. McGlinchey must have known that his client was in trouble early on in this case. In a pre-trial hearing with Administrative Law Judge David M. Peltz, Peltz asked both parties why this issue was being revisited in light of Lake County and Lake County Sheriff, 1999 MERC Lab Op 107, where the court ruled that a Chief Deputy in command of a department in the absence of the Sheriff and Undersheriff is not excludable from a supervisory unit as an executive. Coincidentally, the two advocates who argued that case were McGlinchey and Spidell. Advantage – Spidell and COAM.



Patrick Spidell

The employer argued that the Law Enforcement Commander should be exempt from Union privileges because he has the authority to assign work, discipline the sergeants and deputies under his command, conducts internal investigation of depart-

mental employees, including positions within the COAM bargaining unit, is responsible for the establishment of policies and procedures applicable to the department, plays a role in the hiring and firing of employees in the Law Enforcement Division, and assumes command of the Department when the Sheriff and Undersheriff are unavailable.

Spidell countered that the daily schedule for Road Patrol Deputies is prepared by one of the Sergeants. The Law Enforcement Commander does not play a specific role in contractual grievance procedures and he only has the authority to discipline employees under his command up to the point of suspension without pay. Spidell added that even though he is responsible for the establishment of policies and procedures applicable to the Department, Sheriff Oltersdorf has the authority to overrule any of the policy decisions made by the Law Enforcement Commander. The "Commander" has no budgetary responsibilities and must seek the approval of the Undersheriff before making purchases on behalf of the Law Enforcement Division, and has no responsibility whatsoever in developing the Employer's overall budget.

***Oltersdorf also stated, "It would not be beneficial to our County to promote a third Sergeant who would become adversarial."***

Early on in his presentation, Spidell produced a confidential memo from Sheriff Michael Oltersdorf requesting the Leelanau County Commission create a new position to run the Law Enforcement Division. Oltersdorf detailed the "adversarial relationship" that existed between him and the two sergeants assigned to the Law Enforcement Division. Oltersdorf also stated, "It would not be beneficial to our County to promote a third Sergeant who would work closely with them and without a doubt, also become adversarial (with their influence)." He went on to say that he does not feel the two law enforcement sergeants buy into the Sheriff's "philosophy."

Coincidentally, these are the two sergeants that have filed a federal lawsuit against the Sheriff for



*Who's taping who?*

eavesdropping on personal and union phone calls and have persevered in Oltersdorf's "House of Horrors." Last year, an independent "Blue Ribbon Panel" of attorneys who were not otherwise involved in the case, recommended to the County that they settle the sergeant's federal lawsuit with a \$1.2 million award. Risking hundreds of thousands of dollars more in attorney fees, the County Board of Commissioners unanimously rejected the settlement plan. This new "Law Enforcement Commander" job classification is not the first time the Commissioners have been hoodwinked by Oltersdorf.

In his decision, Judge Peltz agreed with Spidell and dismissed every claim of proper executive status made by the employer. In summarizing, he said "We have long held that a unit that includes all levels of supervision is presumptively appropriate, even though some members of the unit exercise supervisory authority over other members of the unit, and that upper level supervisors will not be denied rights under PERA." Peltz also dismissed Oltersdorf's request that a different standard should apply with respect to the executive status of upper management employees in a paramilitary setting.

COAM is unable accept dues from the Commander position until Sheriff Oltersdorf agrees to negotiate the terms and conditions surrounding how the position should be properly filled. Spidell is not sure that will happen any time soon. "This case is about principle and keeping job classifications in the appropriate union" said Pat. "I expect the Sheriff to continue his long-standing tradition of trying to find ways to circumvent a judge's decision." □

# Visit Us Online Today!



## MERCHANDISE



[www.workwearstore.com/poam](http://www.workwearstore.com/poam)

*We'll get you covered in POAM merchandise. The POAM online store offers everything from caps and polos to jackets and brief bags. Many styles, colors and prices to choose from.*

**Don't see what your looking for?  
Contact us we'll be sure to get you taken care of!**



1708 N. MICHIGAN AVE. - SAGINAW

**PH. 989-752-3618**

**800-229-0988**

[service@workwearstore.com](mailto:service@workwearstore.com)

# MICHIGAN COURT OF APPEALS AFFIRMS POAM'S UNFAIR LABOR PRACTICE CHARGE

By Ed Jacques, *LEJ* Editor

Lake County and the Police Officers Association of Michigan (POAM), representing the Lake County Deputy Sheriff's Association, began negotiating a new collective bargaining agreement in August 2005, well before its expiration on December 31, 2005. POAM Business Agent Patrick Spidell and local union president Ron Brown reached a tentative agreement with Lake County in May, 2006. The tentative agreement was drafted in the form of a list of changes to the parties 2003-2005 contract. The parties agreed that, except for the agreed-upon changes in seniority provisions, that all language from the previous contract would become part of the new agreement.

On July 19, 2006, the Union ratified the tentative agreement and counsel for the County prepared a draft contract for his client on August 10, 2006 that provided the contract was effective January 1, 2006 and would be in full force and effect until December 31, 2008. On September 19, 2006, both parties agreed to a few clerical changes and Spidell signed the contract.

On September 15, 2006, several days before the contract was signed by Spidell, the County terminated a bargaining unit member. POAM filed a grievance on September 20, 2006, but the County denied the grievance stating that the discharge was subsequent to the expiration of the old contract and prior to the employer's execution of the new contract. The County cited *Ottawa County v Jaklinski*, 423 Mich 1; 377 NW2d 668 (1985), stating that the right to arbitration of a grievance does not survive the expiration of a labor contract. POAM Assistant General Counsel George Mertz informed the County that POAM disagreed with its interpretation of the *Jaklinski* case, claiming that there is nothing in the case that would prevent the right to arbitrate the grievance, because of the retroactive effect of the contract.

On October 12, 2006, local union president Ron Brown notified the Lake County Board of Commissioners that POAM was advancing the grievance to the third step and would ultimately seek arbitration if the grievance procedure did not resolve the issue.

On October 17, 2006, counsel for the County, John McGlinchey, sent a letter to Pat Spidell stating that the agreement, as ratified and executed by POAM, would be presented to the Board of Commissioners for its ratification and execution. McGlinchey also stated that the employer did not consent to arbitrate grievances filed after the expiration of the contract. On October 26, 2006 the contract was signed by the County, even though the parties continued to negotiate over retiree health care issues. Shortly thereafter the parties agreed to substitute retiree health insurance

language proposed by the County and Brown signed the contract on November 8, 2006. The retiree health insurance changes then became effective, and employees received wage increases that were made retroactive to January 1, 2006.

POAM filed an unfair labor practice (ULP) against the County on January 24, 2007, alleging that the County was required to arbitrate the grievant's termination under the terms of the 2006-2008 agreement.

Lake County countered that because the discharge occurred after the old agreement expired and before the 2006-2008 agreement was ratified, they were not required to arbitrate the grievance and refused. The Michigan Employment Relations Commission (MERC) held that the County violated their duty to bargain in good faith by refusing to submit the grievance to an arbitrator. Lake County immediately appealed MERC's decision to the Michigan Court of Appeals.

Court of Appeals Judges Markey, Wilder and Stephens, in their decision, pointed to a previous case in Port Huron where "if the issue of arbitrability is raised, the arbitrator shall decide the merits of the grievance only if the arbitrability is affirmatively decided." They went on to say, "There is no question the parties have agreed to arbitrate contractual disputes." They stated that Lake County's argument that they had never agreed to retroactive application of the grievance procedure fails because they expressly ratified and executed the contract retroactively, except for provisions expressly exempted from retroactivity. The contract, as MERC had found, unambiguously stated that the agreement was effective January 1, 2006, unless otherwise provided. The Court also rejected the County's claim that they

did "provide otherwise" by refusing to participate in arbitration. Lake County's attorney, John McGlinchey, testified that his refusal to arbitrate the grievance constituted an exception under the "unless otherwise provided" language of the contract. POAM attorney George Mertz pointed out and the Court agreed that the contract's language provides that its terms are retroactive "unless otherwise provided by and between" the parties. Mertz also pointed out that the contract stated that it "contains the entire terms and conditions of employment agreed upon" by the parties. Mertz further showed that the parties specifically excluded health care benefits from retroactivity, which underscored the understanding of the term "except as otherwise provided" and, no such language appeared in relation to arbitrability.

The Court of Appeals rejected Lake County's appeal of MERC's determination of a ULP. Lake County has spent tens of thousands of dollars and is risking substantially more than that if it loses the arbitration. If arbitration was not available, POAM would have simply sued Lake County in Circuit Court for breach of contract. Hoping that POAM would back off its defense of a member just because the County said they would not participate was just as big of a mistake. □

*"..the contract's language provides that its terms are retroactive."*



*Poam Assistant General Counsel George Mertz*

*"..the employer did not consent to arbitrate grievances filed after the expiration of the contract."*

# TO ALL LAW ENFORCEMENT AGENCIES AND THEIR RESPECTIVE FIRE DEPARTMENTS:

THE WYANDOTTE POLICE DEPARTMENT HONOR GUARD AND DFL HONOR GUARD TRAINING OF GOSHEN, INDIANA WILL BE HOSTING A 5-DAY HONOR GUARD TRAINING CLASS MONDAY JUNE 20TH-24TH, 2011.

## MCOLES / 302 FUNDS APPROVED: COURSE #5322

DUE TO THE INTEREST AND RESPONSE FROM OUR PREVIOUS CLASSES,  
THIS SCHOOL IS EXPECTED TO FILL EXTREMELY FAST.

The purpose of this class is to prepare students to render the appropriate and proper honors to a fallen Officer or Fire Fighter and to represent their respective agencies in a dignified and professional manner. Students attending this program leave as a cohesive team with a renewed sense of pride and a greater understanding of the Honor Guard traditions.

TUITION: \$350 PER PERSON AND INCLUDES:

UNIFORM OF THE DAY: HAT & THREE SHIRTS  
INSTRUCTIONAL MANUAL & STUDENT I.D.  
LIGHT CONTINENTAL BREAKFAST & LUNCH EACH DAY  
GRADUATION CEREMONY  
FORMAL CATERED RECEPTION  
CLASS PHOTO

COMMEMORATIVE CHALLENGE COIN & GRADUATION CERTIFICATE UPON SUCESSFUL GRADUATION

Class will begin promptly at 0800hrs and is expected to conclude at approximately 1700hrs each day during training at which time students will receive intensive, hands on instruction in:

Basic Drill, Manual of Arms  
Color Guard, Flag Law / Flag Etiquette / History  
Casket Watch, Casket Movement  
Firing Party  
Bell Ceremony (Firefighters)  
Funeral Planning and Preparations

Class will conclude on Friday June 24th with the final exam and graduation in which students will carry out the assignments and responsibilities of a full honors memorial service (funeral).  
(All department administration, personnel and families are welcome & encouraged to attend!)

EQUIPMENT NEEDED (provided by student) :  
Uniform of the day: Black, Blue or Brown BDU style pants (no camouflage)  
WHITE GLOVES  
DRESS UNIFORM (final exam)  
UNIT COLORS/FLAGS, STAFFS, HARNESSSES, STANDS  
CEREMONIAL WEAPONS & 25 RND S BLANK AMMO (MIN)  
CEREMONIAL AXE OR PIKE POLES (Fire Departments)

**CLASS IS STRICTLY LIMITED TO 60 STUDENTS:  
PAYMENT & REGISTRATION DEADLINE IS:  
MAY 15, 2011**

FOR ADDITIONAL INFORMATION AND REGISTRATION FORMS, PLEASE CONTACT:  
OFC. DAN FOLEY, 734-324-4419 OR E-MAIL AT AXELF63@WYAN.ORG

# NEW AMERICAN TRUTH

## *A Case for Hands-On Training*

By Paul Markel  
newamericantruth.com

“They’re fighting!” a woman’s voice screamed. I was only a few yards away and turned to see that the typical “fight ring” had formed in the crowd. Running to the scene all I could make out was two piles of people struggling on the ground. It was dark and a distant security light provided the only illumination. What did I have? Drunks? A domestic? Who were the aggressors and who were the victims?

All that I knew for certain was that the fight needed to be broken up. I piled in and soon had both groups separated using the vascular neck restraint. All but one participant calmed quickly. The last one lunged but was rapidly taken down again with a properly applied neck restraint.

Other officers quickly arrived and the situation was soon in hand. As the adrenaline rush faded two things were apparent. First, I scraped up my right hand pretty well on the concrete. Secondly, my eyeglasses were crushed thoroughly whether by intent or accident.

While sitting down to fill out my incident report I ran over the scene time and again. My department has approved the carrying of the Taser X26, pepper spray, and friction lock batons, however, none of those tools seemed appropriate. I could not Taser the two tangled piles. I could have pepper sprayed both piles but there were at least fifty spectators in the immediate vicinity (I was doing crowd control at a football game). Pepper spraying fifty football fans would have proved a nightmare far worse than a couple of fist fights. As for the baton option, I have used them previously as control tools but you can’t just start beating on the pile. The guy on top just might have been the victim of the assault. The primary conclusion that I came to was, despite the wonderful advances in cop tools, some times you have just got to get in and mix it up.

We should all have an appreciation that the new taser and pepper spray have spared many officers from bumps, bruises, strains, and sprains. Conversely, a lot of bad guys, though they probably don’t realize it, have been spared a good deal of physical trauma thanks to these tools. Nonetheless, the fact remains that you may very well find yourself in a situation where these tools aren’t the best choice.

My point? Don’t allow yourself to rely solely on technology. Some times you may have to get in there and get your hands dirty. What kind of

empty handed training is worth your time? There are numerous martial disciplines that have much to offer. Even basic Western Boxing has its attributes. Although boxing the ears off of a suspect should not be your first option, boxing stresses good footwork, heightens agility and reflexes as well as emphasizing strength training.

Grappling sports, such as Jujitsu, have a wide variety of techniques that are applicable to the street cop. Of course, each technique or skill needs to be considered with the question, “Would I want to do that on the asphalt in a dark parking lot?” Many techniques that work great on a padded gym mat would leave you scraped, bruised, and injured when done on concrete.

Is it “judo” or a “jujitsu”? Is there a difference? In some cases yes, there is a big difference. The “judo” arts are normally sanctioned sports with very strict rules as to what kind of techniques you may and may not use. The “jujitsu” arts in the pure sense are combat arts design with actual fighting in mind. Of course this may vary depending of the school and instructor. For instance, a technique that may be perfectly legal in jujitsu may be forbidden in the sport of judo.

From my own experience, as a teenager I studied Tae Kwon Do. During our sparring we were admonished that punches to the face were not allowed. Even in my youth I recognized this folly. During a genuine attack were you supposed to tell your opponent that “punches to the face are not allowed”? Yes, that particular TKD school proclaimed that they were teaching “self-defense”, though apparently not face defense. I don’t want to get off on a tangent, just realize that there is a difference in the martial training you choose. They are not all the same. If you pick a karate school and they have you sparring with eight-year-olds, I would start looking somewhere else.

The bottom line is that despite the tremendous advances in less-than-lethal technology over the last twenty or so years, you are still going to run into hands-on jobs. How well you handle those hands on situations will depend on you and how prepared you are. Train today, survive tomorrow. □

©Reproduced with permission from newamericantruth.com



Owner Jeff Valdez

Holiday  
Parties

Retirement  
Parties

25101 Telegraph  
N. of Ten Mile  
Southfield, MI

248-356-2720

See the  
Red Wings,  
Pistons,  
Lions  
and Tigers  
on our  
HD TVs.

# VALENTINE AND ZACKS ACCEPT NEW ROLES AT POAM FUNKE AND KUHN GO FULL-TIME

By Ed Jacques, *LEJ* Editor

Harry Valentine has learned a lot in his 27 years as a deputy with the Washtenaw County Sheriff's Department. Fortunately for Washtenaw County Deputies, 22 years of lessons came from being actively involved with his local union.

When the local association switched from FOP to POAM in 1989, Valentine was recruited to serve on the local executive board as its Sergeant at Arms. After three years in that capacity, he inherited the presidency in 1992. "I received 'hands-on training' from our business agent, Ken Grabowski, that was invaluable," said Valentine. "I was probably on the phone with Ken every other day asking for his advice." Valentine's "teach me" philosophy served him well in those inaugural years as he became a loyal and effective union president. "I could always count on Harry to follow through on all of his local responsibilities while establishing a working relationship with the employer" stated Grabowski. "Union leaders that work in large sheriff's departments like Washtenaw need to realize its many political motivations and Harry picked up on those right away."

Although Valentine has been president and assisted members through several critical incidents and discipline issues, he states that his biggest challenge has been maintaining road patrol throughout the County. Whether it be threatened layoffs, or the County pricing some of its local townships out of the contracted police service, Valentine has stood tall and helped secure those jobs. "I will bring the same work ethic to the vice president's position at POAM as I have established as president of the Washtenaw County Deputy Sheriff's Association, and that is as a loyal employee on behalf of every member," commented Valentine. "I tend to look at things in a long-term prospective and make improvements that will continue long after I'm gone."

Valentine replaces former Saginaw POA President Dan Kuhn in the vice president's role. Kuhn vacated that position after retiring from the Saginaw Police Department earlier this year. Kuhn served as POAM VP since 2002. He spent eight years on his local executive board, seven of them as its president, after being reinstated after an epic battle with the city's administration. "I've always felt a strong sense of obligation to serve POAM after General Counsel Frank Guido won my job back many years ago" confessed Kuhn. "It has been a labor of love and I am now working directly under Jim Tignanelli, who has spent countless hours representing myself and many members of Saginaw POA."

From his home base in Saginaw Township, Kuhn represents collective bargaining units as far north as Gladwin County, Genesee County to the south, Isabella County to the west, and Sanilac County to the east. Kuhn doesn't mind the travel. "When you push a squad car around a city like Saginaw for 20 years, it's kind of refreshing to get on the road and take in some of nature's scenery along the way." Kuhn added, "This job presents different challenges every day and I want to provide all POAM members under

my watch the same protections that I received as a patrolman in Saginaw."

POAM's growth spurt has also created an opportunity for Thomas Funke, who has served on the POAM Executive Board since 1996 and acted as the POAM secretary for the last four years. In late 2010, Funke retired after 25 years with the Livonia Police Department, the last nine years acting as its union president. While working in those capacities, Funke also worked part-time as a business agent representing over a dozen collective bargaining units. After retirement, Tom was removed from his secretary position and assigned as a full-time business agent. Funke has picked up the majority of new groups joining POAM in 2011 and is close to carrying a full caseload.

Funke earned the respect of everyone he worked with in Livonia, including the administration and the City's politicians. Tom always put his members' interests first and earned a reputation as a tough, honest and approachable leader in the City. Funke turned down numerous opportunities to take promotional exams because he knew that an increase in rank would strip him of his responsibilities and passion for representing rank and file police officers.

"I was happy for my good friend Wayne Beerbower when he retired from Farmington Hills PD and was offered a full-time job at POAM," said Funke. "I'm thrilled that my hard work has created that same opportunity for me."

The secretary's position at POAM has been filled by Southfield POA President Mark Zacks. Zacks has served on the POAM Executive Board since 2001 and has been his local union's president since 1999.

Zacks has established a reputation for being very active and outspoken when discussing important law enforcement issues at POAM Executive Board meetings. "That won't change, but I now have to concentrate on logging the minutes and points of order during those meetings so I am in the process of honing my multi-tasking skills," joked Zacks. "But seriously, Harry Valentine and I both agree that we have some pretty big shoes to fill, but we're both up for the task."

Zacks also handles the responsibility of being a part-time business agent. His no-nonsense, "call it as he sees it" attitude in negotiations, employer meetings and union activities have been welcomed by all of the groups he services and in some cases, by employers. He has a reputation as a bulldog in communities like Bloomfield Hills and Linden, where he mobilized employees and citizens to storm local council meetings and saved police and dispatch jobs.

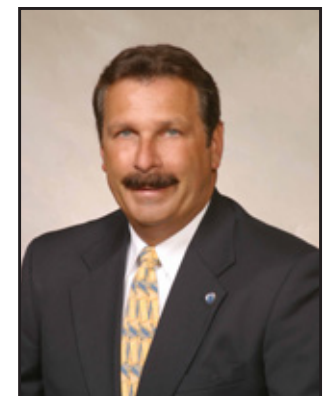
POAM President Jim Tignanelli is relieved that his Executive Board contains more than enough talent to fill positions when they become available. "The POAM Board has a wealth of experience and I'm just as pleased that our tremendous growth has created some fresh blood in our organization. Our goal is to provide the most comprehensive professional service to our members, and in the process we have created new opportunities for people that want to be part of the team," bragged Tignanelli. □



*POAM Vice-President  
Harry Valentine*



*Business Agent  
Dan Kuhn*



*Business Agent  
Thomas Funke*



*POAM Secretary  
Mark Zacks*

# RELATIONSHIP BETWEEN WORKER'S COMPENSATION BENEFITS AND SOCIAL SECURITY DISABILITY BENEFITS INCLUDING MEDICARE

By Arthur A. Borella

Individuals who are injured or who develop an occupational condition or disease arising out of their job may be entitled to Workers' Disability Compensation benefits by virtue of the fact that they had medical bills or lost wages caused by the injury/condition/disease. All related, reasonable and necessary medical expenses should be covered. Payment of your medical bills does not hinge on how bad the injury was or whether any time was lost from work. However, payment for your lost wages does require a bit more. You must be off at least 14 consecutive days in order to have all lost days compensated at the appropriate benefit rate.\* In addition, you may have to prove that your injury/condition/ disease prevents you from earning wages in the same salary range, in other work that you are qualified and trained to perform, other than the job you were performing at the time of your disability.

Occasionally, a worker is injured badly enough or is sick enough that Social Security Disability comes into play. Social Security is much more restrictive in terms of the seriousness of injury/condition/disease, the amount of time lost, "waiting periods", set-offs (or coordination) of workers' compensation benefits, and the benefit rate.

Unless you have already been unable to work for 12 consecutive months or are expected to be, you normally won't qualify for Social Security Disability Benefits. The Social Security definition of disability is that you have an injury/condition/disease that is so bad that you are unable to engage in any "substantial gainful activity" for 12 full months or more. Social Security Medicare coverage is normally not available until you are disabled for 29 months.

If you are found to be disabled under the Social Security Act, you still do not get paid for the first five full months of your disability. It does not matter how long your disability eventually lasts, you still lose those first five full months as a "waiting period".

Next, Social Security will determine if your worker's disability compensation benefits affect the benefit rate you are entitled to. A typical full Social Security Disability rate might be around \$1,500/mo. If you do not receive any workers' compensation, that is the amount you could expect to receive for each month of your disability after the five full months waiting period, with the possibility of a COLA increase each December. However, if you receive Long Term Disability and/or certain types of Pensions, you may have to reimburse the LTD insurer or pension for payments they made for any of the same months you receive Social Security Disability benefits.

If you are also receiving workers' compensation benefits, you might not get your full Social Security disability rate. In general, Social Security does not allow you to receive in combined workers' disability compensation benefits and Social Security disability benefits, more than 80% of your best year's average monthly earnings. They usually use the highest earning year during the five years before your disability began.\*\*

#### For example:

<b>Best year Earnings:</b>	<b>\$48,000 = \$4,000/mo. average (80% max. allowed = \$3,200/mo.)</b>
<b>Workman's Comp. pay</b>	<b>At \$700/wk x 52 = \$36,400/yr. divided by 12 months = \$3,033.33/mo.</b>

Since Social Security won't let you collect more than \$3,200/mo in workers' disability compensation benefits and Social Security disability benefits combined, you will only receive \$166.67/mo (\$3,200 - \$3,033.33) in Social Security disability benefits, rather than your full \$1,500/mo. in Social Security Disability.

Frequently, workers' compensation claims are settled or "redeemed" for a lump sum in lieu of continuing weekly benefits. You would think that once you settled your workers' compensation claim for a lump sum and

ended those weekly benefits, Social Security would no longer reduce your Social Security benefits. You would be wrong. Unless the Workers' Compensation Magistrate who approved the settlement makes special findings clearly stated in the Redemption (Settlement) Order, Social Security will treat your lump sum settlement as though you continued to receive weekly benefits at the same rate until that lump sum is exhausted.

#### **For example:**

**Workers' Compensation Settlement: \$75,000**  
**WC Benefit rate before settlement: \$700/wk.**

If the Redemption Order contains no language limiting the attribution of the money to you, Social Security will deem you to still be receiving \$700/wk for the next 107 weeks. Accordingly, they will continue to offset/coordinate your Social Security benefits at that rate for a little more than two years so that instead of \$1,500/mo, you would only receive \$166.67/mo.

To avoid this type of offset, your Redemption Order needs to attribute the portion of the money you will receive from the settlement as being spread over your life expectancy. By doing this you greatly reduce the monthly amount that is attributed to workers' disability compensation benefits and thus eliminate or greatly reduce any offset to your Social Security benefits.

If you do settle your workers' compensation claim and you are collecting Social Security benefits, you also have to consider Medicare's interests. As stated above, a person entitled to Social Security disability benefits will also be entitled to Medicare health insurance coverage. Medicare coverage will go into effect 29 months after the date that you are found to be disabled by Social Security (5 month waiting period plus 2 years).

Medicare is a "secondary payer". That means that if there is a primary payer, then Medicare will not pay for medical treatment. If an individual is entitled to workers' compensation benefits, the primary payer for work-related medical expenses would be the employer or the employer's workers' compensation carrier. Therefore, to settle the workers' compensation claim where the person is on Medicare or is Medicare eligible within 30 months, Medicare's interests must be considered so that Medicare is not stuck for future work-related medical expenses.

As a result, a medical trust account entitled, "Medicare Set-Aside" (MSA), must be established. To do this, an analysis of what the future work-related medical expenses will be has to be performed and submitted to Medicare for approval. Once this has been approved, the workers' compensation case can be settled and the defendant employer/insurance carrier would not only have to pay the lump sum settlement amount, but would also have to fund the MSA account. This account usually is administered by the worker and can only be used to pay future work-related medical expenses. □

*\*If only 0 - 7 days are lost, none are paid. If only 8 - 13 are lost, only the 8th through 13th are paid.*

*\*\*Other formulae are used in certain circumstances*

*The partners of the Law Firm of Borella & Amsbaugh, P.C., Arthur A. Borella and Richard M. Amsbaugh have a combined 55 years of legal experience. We represent individuals in Worker's Disability Compensation claims, Social Security Disability claims, as well as all types of personal injury claims. For a free consultation, please contact us.*

*Any suggestions concerning future topics to be discussed in this column can be mailed to Arthur Borella at 40400 E. Ann Arbor Road, Suite 201, Plymouth, MI 48170-4590. In addition, Mr. Borella can be reached by e-mail at aaborell@yahoo.com, or by phone at 1-800-553-3024.*

# A NEW GENERATION OF POLICE MOTORCYCLES

By Ed Jacques, *LEJ* Editor

In early 2006 the father and son duo of Quince and Nick Lefurgey embarked on a new project together, a full line Honda Powersports dealership. Quince, with a life time of Powersports industry background and Nick fresh out of college (with a degree in Criminal Justice and a degree in Business from Ferris State University) the pair settled on a store in the Metro Detroit town of Lenox. In June of 06, the large sign reading Peak Powersports was hung and lit and they were off and running.

Since the beginning the dealership has shared a close relationship with local law enforcement agencies. Quince's oldest son, James Quincy Lefurgey is currently a police officer for Grosse Pointe Woods, and another family member, Robert Lefurgey was a reserve officer for Macomb County Sheriffs Department. Always looking to help, Peak Powersports has even loaned out units to assist local police departments in time of need such as during the blizzard in February of 2011 when the Memphis Police Department needed a utility vehicle to remain mobile in the heavily hit rural township.

The next logical step for the father and son combo became very obvious after a trip to California where they observed the CHP riding Honda ST1300PA police motorcycles. Both having ridden the civilian version of the motorcycle in the past, they knew there was an opportunity. The Honda ST1300PA motorcycle is a far cry from the motorcycle commonly ridden by officers here in Michigan. With a top speed well over 120mph, and a lower sticker price and maintenance costs than the Harley and BMW police motorcycles, it's a clear winner.

"That's when we knew we had something" Quince said. "We've heard stories about when the president comes to town and lands at Selfridge Air National Guard base, the local police join the motorcade and can not keep up, as their Harleys struggle touch the 100MPH mark, that's embarrassing. The ST1300PA is not only faster, but better on fuel, stops quicker, turns sharper and is cheaper to purchase as well as maintain" And he's right. In fact, out west it's rare to see anything but a Honda ST1300PA as a police motorcycle.



This is when the father and son pair at Peak Powersports really knew it was time to step up. "We bought one" said Nick Lefurgey. "We knew that unless we get this motorcycle in officers' hands, they will never really know what they are missing out on." Nick went on to say that starting this spring they will be loaning the bike out to departments across the state so they can test them out (of course, this is first come first serve). "The best part is they can be built to order with active radar, license plate scanners, radios, weapons holders, you name it, its all a possibility on with this motorcycle." Quince said. □

For more information on the Honda ST1300PA visit the guys from Peak Powersports at the POAM annual convention at the Amway Grand Plaza Hotel in Grand Rapids Michigan where they will be displaying the Honda ST1300PA motorcycle or visit them at their shop located at 65700 Gratiot Avenue Lenox, MI 48050. phone: (586) 727-2777 fax: (586) 727-3598 [www.peakhonda.com](http://www.peakhonda.com)

## SCHOOLCRAFT COLLEGE LAW ENFORCEMENT IN-SERVICE

[leis@schoolcraft.edu](mailto:leis@schoolcraft.edu)

**NEW!**

**PUBLIC SAFETY  
TRAINING CENTER  
OPEN HOUSE  
~ JUNE 14  
31777 INDUSTRIAL RD.  
LIVONIA, MI 48150**

<b>FATS: Deadly Force Decision Making</b>	<b>\$50*</b>	<b>Controlling Ground Encounters</b>	<b>\$250*</b>
MAY 12, 24		MAY 19	JULY 21
<b>Police Vehicle Operation Recertification</b>	<b>\$150*</b>	SEPTEMBER 15	NOVEMBER 17
<i>*Indicates limited availability.</i>		JUNE 16	AUGUST 18
MAY 13*, 18, 27	JULY 22, 27	OCTOBER 20	DECEMBER 8
SEPTEMBER 7, 20, 27			
JUNE 3, 10*, 17, 21, 30	AUGUST 17, 23		
OCTOBER 4			
<b>Patrol Stops: The Tactical Edge NEW</b>	<b>\$225</b>	<b>Pursuit Policy Train the Trainer NEW</b>	<b>\$0</b>
JULY 27 OR OCTOBER 12		MAY 2	
<b>Undercover Survival</b>	<b>\$220</b>	<b>Taser Certification/Recertification</b>	<b>\$350/\$175</b>
MAY 24 OR SEPTEMBER 27		MAY 5-6	
<b>Lawful Invasions</b>	<b>\$220</b>	<b>PPCT Instructor Recertification</b>	<b>\$250</b>
MAY 25 OR SEPTEMBER 28		MAY 10-12	
<i>*Attend both the undercover survival and lawful invasion for \$355!</i>		<b>Anti-Terrorism Workshop for Campus Law Enforcement</b>	<b>\$0</b>
<b>LE Response and Mental Health NEW</b>	<b>\$0</b>	AUGUST 4-5	
SEPTEMBER 21		<b>DHC/FLETC Rural Policing Institute NEW</b>	<b>\$0</b>
<b>Low-Light Tactics for Law Enforcement NEW</b>	<b>\$225</b>	AUGUST 15-17	
OCTOBER 20, 27		<b>Colt M16/AR15 Armorer's School</b>	<b>\$450</b>
<b>Rapid Response to Active Shooter</b>	<b>\$150*</b>	AUGUST 29-31	
JUNE 22-23 OR AUGUST 10-11 OR SEPTEMBER 21-22*			
<i>*This session is not grant funded and will be charged at full cost for all agencies.</i>			

# Port Huron Police Department *Still In Business*

By Ed Jacques, *LEJ* Editor

Like every other Michigan City, Port Huron has been hurt by decreasing home values and revenue sharing cuts from the state. Add to that a significant decline in manufacturing jobs and you have a proud community that struggles to provide adequate services to its citizens.

So when the Port Huron Police Department's top two police officers, Chief Jim Jones and Captain Don Porrett retired at the beginning of 2011, City Manager Bruce Brown thought it was a good opportunity to investigate the possibility of contracting police services with the St. Clair County Sheriffs Department. The City and the County split the cost of a nine-thousand dollar (\$9,000) study to determine the feasibility of contracting with the county.

Shortly after reviewing the study, Brown released his report on police services on February 21, 2011. In the report City Manager Brown highlighted and opined on the four options the City had at its disposal to save money in their delivery of public safety services. The first was the creation of a Metropolitan Police Department encompassing Port Huron, Fort Gratiot Township, Port Huron Township, Kimball Township and possibly Marysville. Brown accurately pointed out in his report that Michigan is a "home rule" state and each governmental entity must agree to the concept and give up individual control of their departments for less cost and less services. The loss of pride, local autonomy and identity would probably outweigh any financial benefit. The report also rightfully pointed out other pension and fringe benefit issues that might be a financial hindrance.



*Port Huron citizens, local police officers and POAM representatives packed the City Council meeting.*

The City Manager pointed to "potential" budget shortfalls in the city and claimed the Administration had identified between four hundred (\$400,000) and five hundred (\$500,000) thousand dollars of potential savings if the department agreed to voluntary reorganization and a number of layoffs. The current operating model of the police department would need to establish a partnership with the City Manager and be thoroughly reviewed by the new police chief.

The report gave little analysis of what many members of the Port Huron Police Department had recommended as the best answer for the citizens, administration, police officers and fire employees. That was their willingness to work with the fire department and cross train each other's employees and become a public safety department. Brown's report says that there has been a "spotted" success rate for these kinds of entities when in fact, in just

about every case, they have been a financial and practical victory for everyone involved.

It was very clear that Brown's report was slanting towards consolidating the police department and/or a "fee for service" approach in a two-year program where Port Huron Police Department employees would be "managed" by the Sheriffs Department before a final decision on consolidation. Both proposals would require some layoffs in the police department and the admission that without a special actuarial study, it was not possible to pinpoint retirement costs to the city after full consolidation. But somehow the study predicated between eight-hundred thousand (\$800,000) and 1.1 million dollars in savings.

Port Huron POA President Brian Kerrigan and COA President Roger Wesch both questioned how comprehensive a nine-thousand dollar (\$9,000) study could be. Wesch gave his opinion that if the study was to be done correctly, it should have cost triple that. Wesch also insisted that the City Council take the time to hear from the community and its officers before a decision was made.

Kerrigan reminded the Council that there would be no turning back on its decision and wondered if they had considered what their options were if they weren't content with the sheriff department contract. Kerrigan and Wesch both emphatically pronounced their respect for the job that St. Clair County Deputies do and the respect they receive from citizens in Port Huron.

When it appeared that the City Council may vote on the future of its police department within two weeks and with little input from its citizens, POAM's Rapid Response Team was called in for immediate action.

President Jim Tignanelli conducted newspaper and radio interviews. Patrol officers and command staff worked together passing out flyers and encouraging the business community to get involved. POAM Services Director Ed Jacques researched and conducted a direct mail campaign delivering the same message that Tignanelli, Kerrigan and Wesch had been preaching. Port Huron citizens and business people need to voice their concerns to the City Council on the future of their police department.

The plan, as it has in many other communities, worked to perfection. Phone calls were pouring into council members' offices, the news media was on full alert and an avalanche of people showed up at the council meeting, with 100% support for keeping the Port Huron Police Department. The Council realized it had a tiger by its tail and voted unanimously not to consolidate with the St. Clair County Sheriffs Department.

One week later, Port Huron City Council named former Utica Police Chief Dan Reaves as its new Police Chief. COAM Business Agent Jerry Radovic has worked with Reaves in the past and likes the choice. "We will work with the Chief and the Council to make sure this police department survives the current economic meltdown," said Radovic. □

#### **Editors note:**

*Do not hesitate to call POAM and ask for advice or support if and when this issue comes to your municipality. As we have been preaching for a long time now, police officers have a lot more impact and influence in their communities than they realize. Your real supervisors are the citizens you serve. Do a good job and they will support you in turn.*

***"When it appeared that the City Council may vote on the future of its police department within two weeks and with little input from its citizens, POAM's Rapid Response Team was called in for immediate action."***

# FLANAGAN'S

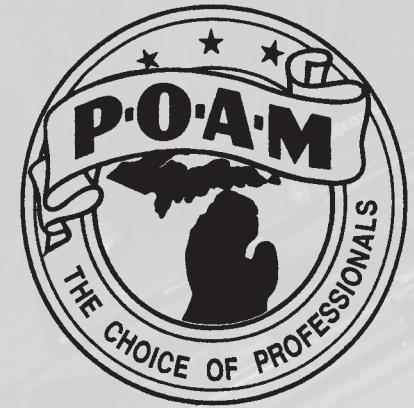


Drink specials for POAM members.



MOMENTUM 1-40-05

Drink Specials  
for POAM members!



## Wednesday, May 25 POAM POKER RUN

The poker run helps introduce members to the many bars surrounding the Amway Grand Hotel in downtown Grand Rapids. We have identified the most popular ones and asked if they would assist us in conducting another poker run for the 2011 convention. Their response was a resounding YES!

Here's how it works. Members pay an entrance fee of \$10 and receive a complimentary gift. (You're already ahead on this deal.) You will then proceed to the designated establishments and when you show a special pass while ordering a beverage, you will receive a sealed envelope that contains a single playing card. Collect one envelope from each stop and proceed back to GP Sports in the Amway Grand Hotel, where registration began earlier in the evening. Your sealed envelopes will be collected, and when everyone returns, we will play a big game of "Showdown."

Every dollar collected as an entry fee will be thrown into the pot and 40% will be awarded to the best poker hand, 30% to second best, 20% for third place, and 10% to the fourth best poker hand.

Sounds like a pretty sweet deal, doesn't it? Contact the POAM office to save your spot. Registration is limited so act now.



### REMEMBER THERE ARE NO LOSERS IN POAM!



Drink Specials  
for POAM members!

## GP Sports

in the Pantlind Lobby  
of the Amway Grand Hotel

Drink Specials  
for POAM members!



Drink specials for  
POAM members!

# Convention Info .....



## AMWAY GRAND HOTEL GRAND RAPIDS

### May 25-27, 2011

# 2011 POAM ANNUAL CONVENTION

### Wednesday - May 25, 2011

Daytime...  
Seminar



Evening...  
Cigar Smoke  
or Poker Run

### Thursday - May 26, 2011

Noon...  
Business Meeting



Evening...  
Entertainment

### Friday - May 27, 2011

Morning...  
Golf



The Amway Grand Hotel has a block of rooms at the rate of \$116/DbL. per room per day for members of the POAM. Reservations should be made prior to April 23 to be assured you will get this rate. Book now!

Call Amway Grand, (616)774-2000, group code 1092FW.

A thank you.

*Turn it into something Grand.*



Settle into a luxurious guest room then indulge yourself at one of our ten tempting restaurants and lounges – including the AAA Five Diamond 1913 Room. Then spend the evening in our heated pool, or venturing out to enjoy the nightlife. As the sun sets, be sure to pull the curtains and wish a good night to the bustling city below.

Call 800.253.3590 or visit [amwaygrand.com](http://amwaygrand.com).

The Amway Grand Plaza Hotel welcomes all POAM delegates to Grand Rapids, and extends a warm thank you for all your service to Michigan communities.



AMWAY GRAND PLAZA  
Grand Rapids, MI | [amwaygrand.com](http://amwaygrand.com) | 616.774.2000



*Don't be left out.*  
Make your convention reservations  
**TODAY!**

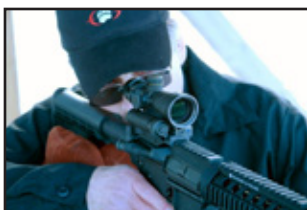




# The Cutting Edge

## RAISING THE BAR ON TACTICAL OPTICS

### The Browe Combat Optic



Advantage, by definition is superiority of position or condition and is frequently the deciding factor in surviving a lethal engagement, where only skill and training are of greater importance than this advantage. The recently introduced Browe Combat Optic provides that important tactical advantage, exhibiting design features superior to any other optical product currently available. The BCO is a purpose designed and built optic for use in combat as well in close quarters tactical scenarios, where form follows function. It enhances the speed at which an operative can acquire a sight picture and successfully engage a target making the difference in operational success in every instance. Superior performance is delivered using current state of the art technology, not using decade's old designs and technology incorporated into currently fielded products that have not seen a major design change for over 20 years.

No expense was spared in the design and manufacture of the BCO, beginning with the scope body, a precision military grade titanium investment casting produced by Ti Squared Technologies. Why use titanium when others use less expensive aluminum? Titanium, although more expensive, is both lighter and stronger making it more capable of withstanding the rigors of its intended use. A roof prism optical system is incorporated to maintain a short overall length, a platform that has proven itself successful with currently deployed products. The optical design for the 4x32 BCO was developed by Optical Engineering of Minne-

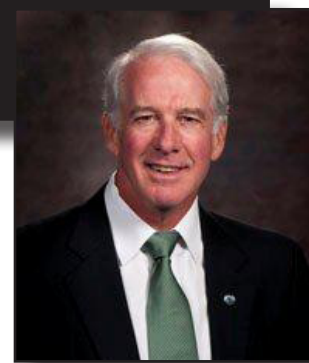
sota, a company known for their experience in the commercial, research and military arenas. All lenses are precision ground of the finest quality optical glass available and are broad band anti-reflective coated possessing excellent light gathering capabilities even under low light conditions. The reticle incorporates an LED coupled with microprocessor technology and a cadmium-sulfide photocell to measure target light levels, automatically adjusting the reticle to match target lighting conditions. When operating in urban areas, light conditions can vary from streets to dark alleys and buildings. When nanoseconds count there is no time to make manual illumination adjustments or search for a poorly illuminated reticle. The optical axis was engineered to allow perfect alignment and compatibility with other optical devices including low light/night vision, FLIR thermal imaging and others etc.. Multiple mounting areas are incorporated into the housing design, allowing the easy addition of add on accessories like red dot reflex sights for snap shooting application. (for specifications 4x32 BCO see [www.browe-inc.com](http://www.browe-inc.com))

The BCO can be mounted on any tactical rifle or carbine equipped with a Picatinny rail; which includes virtually all currently manufactured tactical firearms. Return to zero when mounting the optic on a firearm is accom-

plished using the standard ARMS adjustable single throw lever mount supplied as part of the BCO standard package. Installation and removal from the firearm requires only a 90 movement of the throw lever. When not in use on the firearm, the optic can be stored in a Pelican combat hardened case which is also included in the standard package. Once mounted, the optic is activated using the Single Intuitive Control "SIC" button. First press of the SIC button puts the system into "automatic" mode, the LED reticle automatically adjusts to target lighting conditions and meters off of the target, not the ambient background using Target Light Sensor Technology. The second press of the button will put the system into "manual" mode starting with the brightest setting, every subsequent press of the SIC button allows cycling through the ten (10) daylight and three (3) night vision settings. Holding the SIC button for three seconds will put the system back into sleep mode conserving the battery. The BCO microcontroller is field programmable if expedient custom setting changes are required. An integral vibration sensor returns the system to sleep mode after 120 minutes of non-movement should the weapon be set down for an extended period of time with the reticle activated. Additional accessories include pop open lens covers, laser filters, Killflash anti-reflection filters etc.; these devices mount positively to the optic via internal threads rather than with large rubber bands as used on other currently fielded products.

Following initial zeroing aided by a green laser bore sighting device the BCO was manually fine tuned at 100 meters. Both elevation and windage adjustments produce ½ minute of angle adjustment per click at 100 meters; the adjustments were positive and repeatable. Bull's eye and humanoid targets were engaged at both 100 and 200 meters from bench rest and off hand positions with more than acceptable results. Head shots at 100 meters were easily accomplished; groups consistently averaged 1.5", reasonable results given the limitations of the short barreled Smith & Wesson M4 carbine. The BCO utilizes a ballistic chevron reticle calibrated for 5.56 mm NATO ammunition and is used for expedient range determination. Ranging is easy, referencing an average humanoid target. The peak of the chevron indicates 100 meters, the crotch of the chevron 200 meters, the feet of the chevron is calibrated for 300 meters with greater distances indicated by numbers on the vertical post. This system is fast, straight forward and simple to use, no mental effort is required.

Any advantage over an adversary can provide the tactical officer with a decisive edge in a lethal engagement; the Browe BCO provides that advantage. The BCO combines best-in-practice features, such as high quality optical glass, high precision machining and rugged military design with unique next-in-practice features that places the Browe Combat Optic at the top of its class. Additionally, it avoids the shortcomings found in other optical systems such as manual reticle intensity adjustment or reticle blooming that is encountered in some optics unless the light source is masked in daylight scenarios. Elimination of manual reticle adjustments shortens engagement times from seconds to nanoseconds, one of many superior features of the BCO. With the BCO, the proof is in the performance and we were more than impressed by its performance. This product has truly raised the bar on tactical optics, taking combat optics to the next level and establishing a new benchmark that all others will be measured against. In an era where literally everything is outsourced; this domestically designed, sourced and produced optic proudly boasts that it is made in the U.S.A. When nothing less than the best and most advanced in tactical optics will do, contact Browe, Inc.  See ad on inside back cover.



By Jim DeVries, MCOLES Board Member

## Changes at MCOLES

**M**COLES has gone through personnel changes brought on by early retirement incentives. In total MCOLES has eight less employees and is in the middle of a restructuring. Some familiar names are now gone: David King, Garry Ruffini and Maggie Edwards, to name a few. An organizational structure has been developed replacing only half of those retired. As with most police agencies MCOLES is doing more with less and training its staff in new responsibilities.

Other changes have taken place as well. At the February 9, 2011 Commission meeting the Commission voted to suspend the rule requiring that an officer work 520 hours in a given year to retain their license. This rule was suspended giving the Executive Director and staff the authority to look at possible revision to both statutes that govern MCOLES, Public Acts, 203 and 302. The 520 hour rule which pertains to the definition of regular employment will be studied along with all of the other statute provisions. A committee of Commissioners will work along with staff to make recommendations for revisions of the statutes to the full Commission later this year.

Through the MITN system, which is the system each department is required to submit each officer's information and training, some interesting

statistics are being revealed. Approximately 56% of all police officers in the State are over the age of 40. Female police officers make up 12% of all law enforcement. Sixty percent of all agencies in the State are 15 officers or less. MCOLES has the ability to provide these and many more statistics. Especially disturbing is the aging of our officers. This will be watched closely as officers appear to be staying longer, possibly due to defined contribution plans, and communities are not hiring, thus an age gap appears to be developing. In conjunction with that, the total number of officers in the State continues to decline, down 2,813 officers since 2001.

MCOLES is anxiously waiting on the new Governor's budget and subsequent battles with the legislature to see what if any changes will occur. It has long been rumored that more of the general fund operating money will be taken from MCOLES, leaving only money obtained through Public Act 302 (ticket money) to fund the operations. This would essentially reduce the money available for grants that are annually awarded by MCOLES. The POAM will continue to watch this issue as training and the money needed to provide that training are ever so important given the reduction of officers in this State. □



# WHERE GUNFIGHTERS COME TO TRAIN

# NATIONAL PATROL RIFLE CONFERENCE & COMPETITION

## METRO DETROIT, MI: JUNE 5 - JUNE 7, 2011

### UP TO \$25,000 IN PRIZES



**Competition only: \$129**  
**Conference only: \$239**  
**Both events: \$349**

Above rates are for registrations received before 4-1-11

## go to [www.centermassinc.com](http://www.centermassinc.com) for more info

# A Touch of Class, Honor and Distinction

By Ed Jacques, *LEJ* Editor

Every Wednesday night a group gathers at the American Legion Hall in Berkley to practice for something they all pray they will never have to do again. The group is the Metro Detroit Police Fire Pipes and Drums (MDPFPD), Michigan's only (and one of the few in the nation) pipe bands comprised exclusively of police officers and firefighters. Their mission is to provide traditional funeral music for police officers and firefighters who have lost their lives in the line of duty. The band provides this service, without cost, anywhere in the state upon the request of the officer's agency and/or family.

The band was formed as a result of the murder of Hazel Park Police Officer Jessica Nagle-Wilson in 2002. Up until that time if a pipe band was needed for a line of duty death agencies had to look outside the state of Michigan, to Chicago, Cleveland or Windsor, CA. Since the band's inception, it has been called upon over 40 times to honor their brothers and sisters who have made the ultimate sacrifice. The MDPFPD also performs at memorial services throughout the state, including the annual 9/11 service at the Michigan Fallen Heroes Memorial in Pontiac and the Blue Mass in Lansing. MDPFPD has also represented Michigan police officers at Police Week in Washington DC and Michigan fire fighters at the Fallen Firefighters Memorial in Emmitsburg, MD.

Band members are all volunteers, and must be either active or retired law enforcement officers (local, county, state or federal) or firefighters (full time, paid on call or volunteer). Pipers supply their own instruments, while the MDPFPD supplies the snare, tenor and bass drums. MDP-

FPD supplies all uniforms, at a cost of approximately \$2,500 per set. The MDPFPD relies exclusively on donations, and has a 501c(3) tax status as a non-profit organization.

The Band wears a traditional pipe band uniform, which includes a kilt. The tartan was designed specifically for the band's kilt and it is registered with the Scottish Register of Tartans. The colors are symbolic; red for firefighters, blue for police officers, black for mourning and white for hope and life.

The MDPFPD is always looking for new members, from accomplished musicians to those who wish to learn. Instruction on both bagpipes and drums is provided by both band members and the civilian instructors. All that is asked of any member is a commitment to the mission of the Metro Detroit Police Fire Pipes and Drums... "We Honor Our Brothers and Sisters". □



*For more information,*

*please visit*

[metrodetroitpolicefirepipesdrums.org](http://metrodetroitpolicefirepipesdrums.org)

*or contact Dave Wurtz,*

*Secretary MDPFPD*

*at 248-877-4967 or*

*[Davewurtz@comcast.net](mailto:Davewurtz@comcast.net)*

## 8th ANNUAL POAM POLICE APPRECIATION PARTY ON TAP AT THE TUNE INN

By Ed Jacques, *LEJ* Editor

POAM President Jim Tignanelli has announced that our organization will once again host an informal gathering at the Tune Inn for police officers attending Police Week activities in Washington, D.C. The reception will be held on Saturday, May 14, 2011.

The tradition started when POAM Executive Board members attended ceremonies in D.C. and noticed that many Honor Guard teams, in between standing vigil, were changing uniforms in public restrooms and waiting in line to get a bite to eat. As former and current police officers, they concluded that all attendees needed a place to relax, eat, and drink with their families and friends, and at an establishment where uniforms were welcome.

For the sixth consecutive year, the event will be held at the Tune Inn, which is located at 331 1/2 Pennsylvania Ave., S.E. The bar/restaurant is located across from the Capitol and is convenient to all the landmarks and events during Police Week. Even though it's a short walk, POAM will have a van with its insignias on each side, making runs from the Capitol to the Tune Inn all afternoon.

Last year's event was a smashing success with the Detroit Police and Fire Pipe and Drum Corps providing inspired entertainment and police officers from all over the country swapping stories and well wishes. POAM Executive Board members will be there to greet you and make you feel at home. □



*The Tune Inn is the place to be!*



# Economy Adds New Stress to the Life of an Officer

By Barry Sherman

Instruct the “Senior Seminar” capstone course for graduating Criminal Justice Seniors at Madonna University. The students in the class are both officers from the field and those who are looking to enter the criminal justice arena. We examine contemporary issues in criminal justice and approach them from a critical thinking perspective. Naturally, the topic of police stress (and how to counter it) is one of those issues. Traditionally, this subject was always approached by analyzing those stressors that exist for an officer from within the organization, as well as those external to the department setting.

## Internal stressors can be generated by:

- Loss of identity in a paramilitary organization
- Poor management skills by administration and supervision
- Favoritism in assignments
- Lack of recognition
- Selective discipline
- Overly restrictive policies

## External stressors include:

- Interaction with the negative elements of society
- Frequency of witnessing human suffering
- Dangers that threaten the safety and health of officers
- Court decisions that make enforcement difficult
- Distorted media accounts of police incidents

*“..concessions impact the quality of life for officers and their families.”*

Today we must look at a third type of stress for an officer, and that is economic stress. This affects the officer at both the institutional level as well as the personal level. Several years before I retired in the late 1990’s I was assigned as training lieutenant for Livonia P.D. Funds were prevalent for training, equipment, overtime, and other miscellaneous needs. We all know this is not the case today. Training budgets have been slashed, and outdated, damaged equipment tends to be given an extended life span. Overtime now comes in two extremes. The first is that it has been cut or is non-existent. This becomes a stressor for the officer who has attained a standard of living based on his or her prior overtime income and now has difficulty meeting financial obligations. The other extreme is forced overtime for those departments who have cut so far into their manpower that they have to order officers to work excessive hours, which takes a toll on their personal and family life.

*“Autocratic police administrators need to come off the high horse and work with their officers, to reduce stress.”*

In addition, there is the stress associated with governmental employers now asking for contract concessions in both wages and fringe benefits. These concessions impact the quality of life for officers and their families. Collective bargaining rights for public employees are being attacked in many states and it looks like Michigan could be moving in that direction. Another worry to public employees is the movement to tax pensions in Michigan. A major issue today that did not face us a decade ago is the dismantling of departments by contracting with larger agencies to take over policing in their communities.

I could go on and on listing the negative economic issues facing today’s police officer. My main point here is that police officers now have an additional stress factor that did not exist in policing of the past. It should not surprise you that police have higher rates than the national average when it comes to divorce, alcohol abuse and suicide. Police officers tend to deny or avoid the fact they may need professional help to deal with these situations. For this reason, police administrators/managers need to become more cognizant of the early signs of stress in their employees. Early intervention is the key to prevention of a more serious or permanent issue that would negatively impact the officer, his or her family, the department, and the community. Autocratic police administrators need to come off the high horse and work with their officers, not against them. Reducing the stress within the organization is essential when the officer has the other stress factors to deal with. The community also benefits from early intervention as productivity and job satisfaction increase, resulting in positive relations with its citizens. □

## Complete your CRIMINAL JUSTICE DEGREE at Madonna University

### Now available at Macomb University Center

Courses available on-line,  
at the Livonia campus and  
the University Center at Gaylord.

For further information and  
prior learning/academy  
credit contact:

**Barry Sherman**  
department chairperson  
800-852-4951 ext. 5546  
bsherman@madonna.edu



Main campus: 36600 Schoolcraft Road  
Livonia, MI 48150 • 800-852-4951

[www.madonna.edu](http://www.madonna.edu)



*Barry Sherman retired from the Livonia Police Department as a Lieutenant after 28 years of service. He was a member of the POAM and is a past president of the Livonia Lieutenants and Sergeants Association. He earned his B.A. Degree from Madonna University and his M.A. in Criminal Justice from the University of Detroit. Barry taught part time at area colleges and universities while employed with Livonia. Upon his retirement he accepted a full time position with Madonna University where he is an Associate Professor and Chairperson of the Criminal Justice Department. He is member of the Criminal Justice Advisory Boards for Livonia Public Schools and Henry Ford Community College. You can reach him at 734-432-5546 or bsherman@madonna.edu.*

# Generally Speaking, cont.

Continued from page 9

cious penchant of some local government officials who consider difficult economic times as a free-for-all to cut budget corners by cutting law enforcement personnel, either through attrition or suspect disciplinary action, without distinguishing between essential and non-essential governmental services. When law enforcement employees are fired in circumstances that in “good economic times” would have yielded far less scrutiny, let alone discharge, then acting in the public good is not being furthered. Inevitably, a union will challenge such action, which then yields a time consuming and costly fight, generally through arbitration and thereafter the possibility of the courts, with a result that costs the employer not only substantial legal fees, but also the inevitable restoration to work with back pay and benefits. The parties, as a result, are placed in a worse position than they were in when the ill-thought out decision to discipline was made in the first instance.

With the advent of legislation authorizing creation of an “Emergency Financial Manager,” we will now have an individual who is not elected, yet will possess and wield more power and authority than those who are elected. Perhaps, it is an “anointing.” Or, perhaps it is the creation of a new class of individual, the government-sanctioned “carpetbagger.” The EFM could truly be called a “carpetbagger,” since the EFM will ride into town, motivated by political and financial advantage, and will operate with unfettered discretion affecting everyone. The old saying of “power corrupts, but

absolute power corrupts absolutely” is a real possibility for the future, with the overly broad “absolute” powers contemplated for an EFM.

Before anyone considers my thoughts as mere rants and raves, it must be said with equal vigor that there are officials in state and local government who truly remember their “elected” capacity, and act in furtherance of the interest of the people at all times. Those individuals fulfill the unwritten fiduciary duty of the job. We call them friends and we will not forget them.

Let it equally be said that there are some public sector unions that deserve to be chastised for their demands at the bargaining table and their dealings with public employers. Unions that are intransigent in thought and deed have fueled governmental disdain toward all public sector unions. We are all now paying the price for the arrogance and wrongful actions of both government and unions.

The POAM membership can rest assured that we are reviewing, on a daily basis, legislative proposals, conversing with legislators and local government officials, and proposing revisions to pending legislation to reach an amicable resolution to the problems in the labor-management arena. We hope for success, but we are prepared, if necessary, to take aggressive legal action to protect our membership.

We all remember “The Good, The Bad and The Ugly.” Will it now be the Elected, the “Anointed” and the Carpetbagger? Well, time will tell. That’s my article for this edition, “Generally Speaking.” □

## COMFORT PROVIDER

By Ed Jacques, *LEJ* Editor

Judy Lauria became a pretty good seamstress out of necessity while raising her seven children in the Upper Peninsula of Michigan. Most people would say that having four of her boys become police officers in Michigan would be a pretty significant contribution on her part to law enforcement in the state. But, in her own very discreet way, Judy has made one of the most unique and long lasting contributions to police officers in Michigan and across the country. Her gift provides comfort to the family members of police officers killed in the line of duty.

It all started in 2004 when Detroit Police Officers Matthew Bowens and Jennifer Fettig were ambushed and killed in their squad car. Judy had previously donated a hand-sewn quilt to assist a Police Officers Legal Defense Fund and was compelled to sew a custom quilt for the Bowens and Fettig families. Judy took on this “labor of love” because as she says “I wanted all of those family members to know that there were many people out there whom they had never met that felt some of their pain and cared deeply about their family.” Judy Lauria has donated her time, energy and money to every other slain Michigan police officers’ family since then, in the form of a customized quilt. In fact, one year Judy sewed a smaller version of her quilts for every officer killed in the line of duty throughout the entire United States! She estimates that she’s crafted nearly 650 since 2004.

Although Judy could not keep up the pace of her special gift across the country, she has never forgotten Michigan police officers. She has sewn “brotherhood quilts” for special staff and command schools and other law enforcement agencies. She has honored special request for additional quilts for the children of police officers and also fulfilled retroactive request from relatives of police officers killed prior to 2004.

The quilts are 6 ft. by 5 ft. and consist of a series of templates or sections of cotton quilted materials sewn together by hand. Judy utilizes prominent department colors in the background and in the stitching of the quilt

and customizes her quilt to unique characteristics of the fallen officer. She will incorporate all the different departments or units a police officer belonged to and add some elements such as favorite sport teams, musical instruments, badge number, department patch, etc. All quilts also include the date of the officers’ end of watch. In some cases Judy has used old uniform shirts and pants to make up her templates. “One family wanted to use as much of their loved ones uniform in the production and when I told them I was running short, they dug deep in their clothes hamper to pull out an old shirt that I could use to finish,” said Judy. “When patches weren’t available I would find the art work and sew them myself.”

“The most difficult part of the process is the layout and color coordinating the individual templates to make the quilts blend,” added Judy. The entire process takes between twenty-five (25) and thirty (30) hours per quilt and to this day Judy still worries that she may have made a spelling mistake.

Judy is also very proud that her efforts have led others across the country to “pay it forward” in their own special way to honor the lives of slain police officers. “People are planting trees, making photo album covers and other very personal items that the families cherish,” said Judy “The families are very touched by those gestures and I know that the folks that put their heart and soul into their projects are also very fulfilled.”

Judy has vowed to continue her mission in Michigan with the hope that her work load lessens every year. She has never charged a fee and her out of pocket expenses alone total tens of thousands of dollars fulfilling her special calling. Judy has never publicized her work, in fact she is almost secretive about her gift. That’s what makes it so special. □

**Editor’s Note:** Judy Lauria will be honored at the POAM convention in 2011 with a special presentation.



Judy’s latest work on behalf of the Nehasil family.



# OAKLAND POLICE ACADEMY

## Combined Regional Emergency Services Training Oakland Community College

2900 Featherstone Road • Auburn Hills, MI 48326-2845 • [www.oaklandcc.edu/police](http://www.oaklandcc.edu/police)



OAKLAND  
POLICE  
ACADEMY  
JUSTICE THROUGH KNOWLEDGE

Revised October 2010 – Program Manager: Joe Marchetti – To register contact: 248.232.4220

# TRAINING & INFORMATION BULLETIN

Information listed is tentative and is subject to change, verify before attending.  
Seminars run January through June 2011

## OAKLAND POLICE ACADEMY

### Basic Training

Next Academy Session - August 12, 2011 through December 9, 2011

Next Academy Orientation - June 22, 2011 at 9:00AM in Building F, Room 123

The Basic Police Training (BPT) program is based on a state-wide job analysis made by the Michigan Commission on Law Enforcement Standards (MCOLES). This demonstration of job relatedness is required by both federal and state fair employment laws. In addition, candidates who complete the mandated training requirements for Basic Police Training at the Oakland Police Academy are awarded college credits.



The Oakland Police Academy is located in Building-J at the Auburn Hills Campus of Oakland Community College, 2900 Featherstone, Auburn Hills, MI 48326-2845. Training usually takes place Monday through Friday from 7:30am to 5:00pm; however there are occasions when evening training is scheduled.

Classes are conducted in comfortable, climate controlled classrooms utilizing the latest in instructional hardware. We have the latest video technology as well as internet connection capabilities.

The Academy's modern indoor firing range is second to none in the State of Michigan. Our computer controlled ten firing point range is located on the police academy premises, eliminating needless travel time to and from firearms training, which is often the case elsewhere.

The Oakland Police Academy is recognized as a leading police training facility in the region, consistently graduating high achievers. In large part, these outcomes are due to the exceptional quality of the instruction provided to the trainee by the academy's experienced training staff.

Tuition for the Oakland Police Academy is currently \$5500.00 and the next open session will be from August 12, 2011 through December 9, 2011. There is an application and orientation process for this program that must be attended prior to enrollment in a training session. **The next orientation date is Wednesday, June 22, 2011 at 9:00AM in Building F, Room 123.**

All self sponsored (pre-service) graduates of the Basic Police Training program are eligible to be considered for a scholarship award. At least two awards will be presented at each Police Academy graduation ceremony.

Please contact the Oakland Police Academy at 248.232.4222 if you have any questions or [click here](#) for minimum candidate requirements as well as uniform information.

### APRIL

- 1..... Fire Scene Preservation and Investigation
- 4-8..... Field Training Officer Seminar
- 5-6..... Fire Communications
- 6..... **NEW!** K9 – Hard Surface Tracking
- 7..... Homeland Security for 911 Professionals
- 7..... Linguistic Interviewing
- 8..... **NEW!** Commercial Vehicle Enforcement
- 11-15..... First Line Supervision
- 13..... Customer Service for 911 Professionals
- 14..... Law Enforcement Interview and Interrogation
- 14..... **NEW!** K9 Tactical Tracking Training
- 15..... Standard Field Sobriety Refresher

- 19..... Building Life's Bridges to Suicidal Caller
- 19-21..... Simunition® FX® Scenario Instructor and Safety Certification Course
- 20..... 911 Ethics and Liability
- 21..... Stress Management
- 28..... Understanding Domestic Violence

### MAY

- 2 - Jun. 3..... Patrol Dog Academy
- 3..... Superglue Workshop
- 3-5..... Emergency Medical Dispatch (EMD)
- 4..... Advanced Superglue
- 4..... Michigan Motor Vehicle Code Update
- 5-6..... Promotional Assessment Centers
- 6..... Tactical Vehicle Stops
- 9-11..... Digital Photography of Crime Scenes and Special Photo Methods Workshop
- 10-12..... Emergency Fire Dispatch (EFD)
- 17-18..... Emergency Medical Dispatch – Q (Quality Assurance)
- 18..... Legal Update
- 18-19..... Computer Crimes/Incident Triage
- 19..... **NEW!** K9 Urban Tracking Scenario Training
- 19-21..... Speed Measurement Operator
- 23-25..... Standard Field Sobriety Testing (SFST)
- 23-27..... Accident Investigation #2 – Follow-up Inv.
- 25..... Alternative Light Sources
- 26..... Fingerprinting Difficult Surfaces
- 31..... **NEW!** Advanced Empty Hands CQB

### JUNE

- 2-3..... Copshock
- 6-7..... Phase I and II Combat Pistol Course w/Lou Chiodo
- 6-10..... Basic Police Mountain Bike School
- 13..... Fugitive Investigations
- 15-17..... PPCT G.A.G.E. Instructor
- 20..... Accident Investigation #4 – Grid Mapping Evidence
- 21-22..... Accident Investigation #3 – Accident Photography
- 23..... Accident Investigation #5 – Tire Dynamics and Examination
- 24..... Accident Investigation #6 – Lamp Examinations

### AUGUST

- 29 - Sept. 2..... Accident Investigation #7 – Commercial Vehicle Accident Inv.

**Officers need their MCOLES License Number in order to update their training record.**



OAKLAND COMMUNITY COLLEGE®

# TRAINING SCHEDULE



**You have an  
opinion.  
Tell us about it.**

**Send your letters to:**  
The Police Officers  
Association of Michigan  
27056 Joy Road  
Redford Township, Michigan  
48239-1949

## Thank you, POAM

February 10, 2011

Jerry Radovic, Business Agent  
POAM  
27056 Joy Road  
Redford, MI 48239

Dear Jerry:

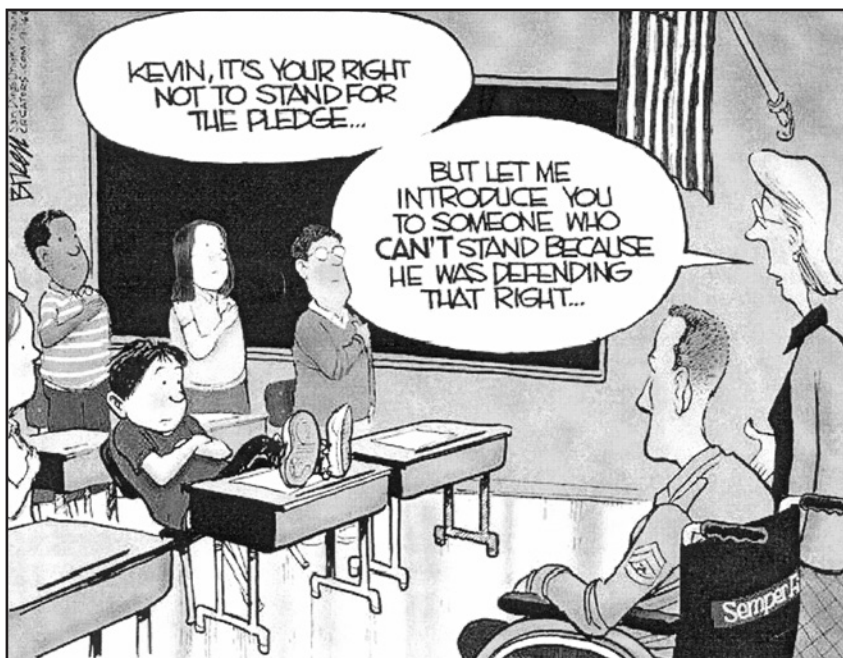
Thank you for all of your patience and very hard work on my behalf and all the members of the Waterford Township Command Officers Association.

Please convey my appreciation to the exceptional staff of professionals that work for the POAM. I really liked their retirement gift.


"Retirement" has a weird sound to it, and I'm looking forward to many new adventures. But the one thing I do know is that I could have never made it here without you and the POAM.

You are all the best! Please continue to take care of yourself and your police brethren.

*Nick Petranovic*  
*Waterford Township Command*



Submitted by Marty Bednarz, Beverly Hills PSOA



**City of Harper Woods**  
DEPARTMENT OF POLICE  
19617 HARPER AVENUE • HARPER WOODS, MICH. 48225

BUS. (313) 343-2530  
ADM. OFC. (313) 343-2585  
FAX NO. (313) 343-2514

*Randolph Skotarczyk*  
CHIEF OF POLICE  
*James P. Burke*  
DEPUTY CHIEF

October 23, 2010


President Tignanelli,

On behalf of the men and women of the Harper Woods Police Department, I would like to extend our sincere appreciation and gratitude to the Police Officers Association of Michigan for your selection of our Chief, Randy Skotarczyk, as the Administrator of the Year. This honor has brought great pride to our department. As you know, Randy was a long time union officer before being named Chief. He brought the values he held then to the office, once he was appointed Chief. Randy treats his officers with fairness and respect and is a "cops" cop. Your selection of our Chief is a reflection of the excellent job each of our officers do on a daily basis, it just shows what can be accomplished when all of the members of a department work as a team.

On a personal note, I would also like to thank you for the selection of myself and Jason Sakowski as Police Officers' of the Year for the POAM. I can honestly tell you that in my 28 years on the job, this recognition from such an outstanding group of people is the highlight of my career. It was very moving and humbling to listen to the amazing bravery shown by our fellow POAM members at the award ceremony, to be included among them is an unbelievable honor.


Once our command officers made the switch to the POAM, followed soon thereafter by our patrol union, all the pieces of our organization fell into place. Having an outstanding Chief, tremendous employees, and an excellent union for support has created a work environment that is second to none. Thank you also for the terrific conference in Grand Rapids. All of the events were first class. I have been to many conferences over the years, I can tell you the POAM was by far the best, (and certainly the most fun!) one I have ever attended. It has been five years and the Chief is still waiting for his first grievance to deal with. I think that clearly shows why the POAM is the "Choice of Professionals".


Fraternally,  
*Jjm Burke*  
Jjm Burke  
President, Harper Woods Police Command



AREA DE GOBIERNO  
DE SEGURIDAD Y SERVICIOS A LA COMUNIDAD  
Coordinación General de Seguridad

**POLICÍA MUNICIPAL**  
madrid





**JAMES A. TIGNANELLI**  
**POLICE OFFICERS ASSOCIATION**  
**OF MICHIGAN**  
**27056 JOY RD.**  
**REDFORD, MICHIGAN**

February, 2011

Mr. Tignanelli, good afternoon from Madrid.

I am an official of the Spanish Police where I take 33 years of service and I am carrying out a collection-exhibition of METAL & CAP-BADGES, exhibition that will serve as a small homage to my years of service in the Police.


For that exposed, it would be a great honor for me, to be able to include inside the exhibition cabinets some of these METAL BADGES of the Departments of **MICHIGAN POLICE DEPARTMENT** and **SHERIFF'S** and that they could be seen next to those facilitated by other police Departments of the World, (some as those of the enclosed pictures).

I communicate him that the day 26 of the present month, I will make an exhibition of these METAL-BADGES in " POLIBOMBER " through IPA. for what would be very prides to be able to include one of these metal-badges of their Department.

Waiting their collaboration, I am while waiting for their news and until then he receives this official's cordial greeting in Madrid.

Sincerely,  
*Francisco Díaz-Maroto*

FRANCISCO DÍAZ-MAROTO  
CALLE CIRCUNVALACIÓN, 4- CENTRO 5º.D  
28850-TORREJÓN DE ARDOZ- MADRID (ESPAÑA)



# The Federal Perspective

By Dennis McGrann, POAM Lobbyist, Washington, D.C.

## Changes to Committee Leadership Impact Law Enforcement

Washington continues to chug along with Congress still unable to approve a full funding bill for 2011. On March 18th the President signed the latest extension of 2011 funding, which gives Congressional Leaders and the White House until April 8th to try to reach a deal on spending for the rest of the fiscal year. The Senate passed the measure (H J Res 48) by a 87-13 vote, with the legislation attracting an additional four GOP “nay” votes compared to the previous Continuing Resolution (CR) extension. Floor debate on the issue has focused on the desired level of spending for the year, with House Leadership arguing for more cuts. The House passed the three-week extension of stopgap funding by a 271-158 vote, with 85 Democrats joining 186 Republicans in support of the measure (H J Res 48). To strike a longer deal on a fiscal 2011 spending bill, discussions with House Republicans and the White House will likely have to target domestic discretionary spending, military spending, and entitlement programs. As of print, the two Chambers are scheduled to return the week of March 28th, leaving Members two weeks of working session to strike a deal.

### Michigan's New Members:

In January the U.S. House of Representatives welcomed four new House Members from Michigan into the 112th Congress. Congressman Dan Benishek (R-1st CD) from Iron Mountain who sits on the National Resources, Science, Space & Technology, and Veterans' Affairs Committee; Congressman Bill Huizenga (R-CD 2nd) from Cadillac who sits on the Financial Services Committee; Congressman Justin Amash (R-3rd CD) from Grand Rapids who sits on the Budget, Oversight & Government Reform, and Joint Economic Committee; and Congressman Hansen Clarke (D-13th CD) from Detroit who sits on the Homeland Security and Science, Space & Technology Committee.

### Michigan's Increased Influence:

The November mid-term election proved to be an eventful day resulting in the House “flipping” and the Republican Party re-establishing the majority they lost in 2006, gaining a total of 63 seats. Following an election, particularly one of this nature, there are several changes to committee leadership that can have significant impact on local law enforcement, for example

Congressman David Camp (R-4th CD) from Midland is now the Chairman of the Ways and Means Committee with Congressman Sander Levin (D-12th CD) of Roseville as Ranking Member, this committee has jurisdiction over work incentive programs including pensions and social security. Additionally, Congressman Fred Upton (R-6th CD), from Kalamazoo is now the Chairman of the House Energy & Commerce Committee which has jurisdiction over communication technologies such as an interoperability network including the “D-Block”; Congressman Mike Rogers (R-8th CD) of Lansing has been elected Chairman of the Intelligence Committee charged with the oversight of the United States Intelligence Community and National Security; and Congressman John Conyers Jr. (D-14th CD) of Detroit is now the Ranking Member on the House Judiciary Committee.

### Interoperability Network:

As Congress prepares to tackle freeing up more radio spectrum for wireless broadband, there are still several concerns surrounding the issue many of which will play out in Congressman Upton's committee over the next few months. Last March, the Federal Communication Commission (FCC)

recommended that 500 megahertz (MHz) of spectrum be cleared off and auctioned to wireless carriers as part of its National Broadband Plan and President Obama has wrapped that recommendation into his new wireless initiative to foster broadband access.

On Capitol Hill, the question of incentive auctions is bound up with the question of whether to auction off a slice of the 10 megahertz vacant spectrum known as the “D-block” or to simply turn it over to public safety agencies.

As the 10th anniversary of the September 11th terrorist attacks draws near, lawmakers and industry players differ over which course is the better way to fund a nationwide, interoperable public safety communications network. To date, the White House supports the direct allocation of this valuable chunk of airwaves to public safety purposes. The President's Budget plan calls for a \$10.7 billion commitment to support the development and deployment of a nationwide wireless broadband network to afford public safety agencies with far greater levels of effectiveness and interoperability. An important element of this plan is the reallocation of the DBlock for public safety. Furthermore, on January 25th, 2011 Senate Commerce Chairman Jay Rockefeller (D-WV) introduced “The Public Safety and Wireless Innovation Act of 2011”(S. 28), which establishes a framework for the deployment of a nationwide, interoperable, wireless broadband network for public safety and

allocates the D-Block to public safety. A House companion, the Broadband for First Responders Act of 2011 (HR 607) was introduced by Congressman Peter King (R-NY) on February 10th, 2011.

### Michigan LE Notes:

The Washington D.C. office of POAM is in constant communication with the Michigan delegation regarding pertinent law enforcement related legislation and actions that support Michigan's law enforcement community. Below we have compiled a selected list of the recent law enforcement related actions and bills supported by Members of the Michigan delegation in the 112th Congress.

In the wake of the tragic shooting at a Detroit-area police department, Congressman Clarke's office reached out to the Washington office of POAM to reiterate his commitment to ensure that police departments have the resources to keep themselves safe as they work to keep Michigan's communities safe. Congressman Clarke's staff has let us know the Congressman has raised the issue of funding for local first responders at every Homeland Security Committee hearing this year, and has spoken personally with Homeland Security Secretary Napolitano and Attorney General Holder about the need for more resources in Michigan. Most recently, he sent a letter to Homeland Security Secretary Napolitano urging her to reexamine metro Detroit's status in the Urban Area Security Initiative grant program and to perform other analysis to recognize that Michigan needs additional resources to keep its people and the homeland safe.

### National Blue Alert Act of 2011 (HR 365)

Introduced by Congressman Michael Grimm (R-NY) on 01/20/2011

Referred to the House Committee on the Judiciary-Subcommittee on Crime, Terrorism, and Homeland Security MI Co-Sponsors: Congressman Mike Rogers (R-8th CD)



Dennis McGrann

*Continued on next page*

## Federal Perspective, cont.

**Summary:** The National Blue Alert Act of 2011 directs the Attorney General to: (1) establish a communications network within the Department of Justice (DOJ) to disseminate information when a law enforcement officer is seriously injured or killed in the line of duty; and (2) assign a DOJ officer to act as the national coordinator of the Blue Alert communications network. Sets forth the duties of the national coordinator, including encouraging states and local governments to develop additional Blue Alert plans, establishing voluntary guidelines for states and local governments to use in developing such plans, developing protocols for efforts to apprehend suspects, and establishing an advisory group to assist states, local governments, law enforcement agencies, and other entities in initiating, facilitating, and promoting Blue Alert plans.

Furthermore, the bill would amend the Omnibus Crime Control and Safe Streets Act to require the use of public safety and community policing grants to assist states in developing and enhancing a Blue Alert plan and communications network.

### **National Criminal Justice Commission Act (S.306)**

**Introduced by Senator Jim Webb (D-VA)**

**Referred to the Committee on the Judiciary**

### **MI Co-sponsors: Senator Carl Levin (D)**

**Summary:** Establishes the National Criminal Justice Commission and directs the Commission to:

(1) review all areas of the criminal justice system, including federal, state, local, and tribal governments' criminal justice costs, practices, and policies; (2) make findings regarding such review and recommendations for changes to prevent, deter, and reduce crime and violence, reduce recidivism, improve cost-effectiveness, and ensure the interests of justice at every step of the criminal justice system; (3) consult with government and nongovernment leaders, including the United States Sentencing Commission; and (4) submit a final report on its findings, conclusions, and recommendations to Congress, the President, and state, local, and tribal governments and make such report available to the public

As always, the Washington, DC office of POAM will be closely following legislation pertinent to the police and peace officers of Michigan. If you have any questions or need additional information regarding federal initiatives regarding the law enforcement community, please do not hesitate to contact us at (202) 544-9840. □

## Signed and Sealed

# Agreements gain vital benefits for POAM members

Summaries and highlights of recently completed local contract negotiations and 312 arbitrations



### **Negotiated**

## **Grand Traverse Co. Dispatch Supervisors**

Duration: 01/01/2011 - 12/31/2014

#### Wages:

2011 – 1.50%  
2012 – 1.75%  
2013 – 1.50%  
2014 – 1.50% Top wage of \$52,874

Health care premium share capped at \$30, \$60, \$70 for 1st year, \$35, \$65, \$75 for 2nd year and \$40, \$70, \$80 in final year of contract.

*Bargaining team consisted of Gwen Stinson who was assisted by POAM Business Agent Pat Spidell.*

### **Negotiated**

## **Howell POA**

Duration: 07/01/2009 - 06/30/2012

#### Wages:

2009 – 0%  
2010 – 0%  
2011 – 0%

- Employee healthcare is HSA with deductibles of \$2,000 & \$4,000 with a \$10/\$60 drug card.
- Retiree health insurance has a \$2,000 deductible.
- City will pay \$1.67 for every dollar the employee puts into HSA. Employer can institute comparable coverage with another carrier.
- New employees to contribute \$25 per pay to retiree HSA.

*Bargaining team consisted of Dave Fogo, Jeff Wilson and Don Banfield, who were assisted by POAM Business Agent Wayne Beerbower.*

### **Negotiated**

## **Oceana County DSA**

Duration: 01/01/2010 - 12/31/2012

#### Wages:

2010 – 0%  
2011 – 3%  
2012 – Wage and benefit re-opener  
Top wage for Deputy to \$44,236  
Top wage for CO to \$37,067

*Bargaining team consisted of Ryan Schiller, Jeremy Swihart and Kevin Repo, who were assisted by POAM Business Agent Pat Spidell.*

### **Negotiated**

## **Romeo POA**

Duration: 07/01/2010-06/30/2013

#### Wages:

2010 – 0%  
2011 – 0%  
2012 – 0% Top pay stays at \$52,145

- Health care is now BCBS Flexible Blue Plan 2. Employer to fund the annual deductible.
- Vision coverage is increased to VSP 12 12 12.
- Employer will now only pay for one health insurance plan if Village employees are married.
- Health Insurance opt-out is \$225 a month.

*Bargaining team consisted of Dan Sokolnicki and James Mason, who were assisted by POAM Business Agent Kevin Loftis.*

### **Negotiated**

## **Huron Co. DSA & Corrections**

Duration: 01/01/2010-12/31/2011

#### Wages: Include Retro

2010 – 2%  
2011 – 1.50%

New hires now take seven steps to top pay.

No changes to health care or pension.

*Bargaining team consisted of Ward Carter, Duane Miller, Doug Gentner and Mike McCormick, who were assisted by POAM Business Agent Jim Tignanelli.*

### **Negotiated**

## **Richmond POA**

Duration: 07/01/2010-06/30/2013

#### Wages:

2010 – 0%  
2011 – 0%  
2012 – 0%

- Health care is BCBS Flexible Blue plan 3. Employer to fund all deductibles.
- Vacation time increased.

*Bargaining team consisted of Fred McCallumore, who was assisted by POAM Business Agent Kevin Loftis.*



Introducing the Titanium, light sensing  
4X32 BROWE COMBAT OPTIC (BCO)



Rugged military design with next-in-practice features in a versatile Titanium housing.

- > Single Intuitive Control (SIC) button
- > Target Light Sensor Technology
- > Field programmable BCO Microcontroller
- > Vibration sensor

For more information visit: [www.browe-inc.com](http://www.browe-inc.com)

BROWE, INC. - 30870 Stephenson Hwy., Suite C, Madison Heights, Michigan 48071 USA  
Phone: 1-800-407-3150 Fax: 1-248-284-0915 Email: [sales@browe-inc.com](mailto:sales@browe-inc.com)

## Signed and Sealed

# Agreements gain vital benefits for POAM members

Summaries and highlights of recently completed local contract negotiations and 312 arbitrations



### Negotiated

## Clay Township POA

Duration: 01/01/2010-12/31/2012

#### Wages:

- 2010 – 0%
- 2011 – 0%
- 2012 – 0%

Four additional sick days and shift premium raised to .50 per hour.

New hires to receive the following:

- 3.5% match to HCSP
- MERS B-3 with 25/50
- Seven steps to top pay

*Bargaining team consisted of Mike Koach and Kevin Kuligoski, who were assisted by POAM Business Agent Jim Tignanelli.*

### Negotiated

## Algonac POA

Duration: 07/01/2010-06/30/2012

#### Wages:

- 2010 – 0%
- 2011 – 0%
- 2012 – 0%

- Health care is BCBS Flexible Blue with \$2,000/\$4,000 HDPC fully funded by employer.
- Language drafted that current full-time staffing levels must be maintained before hiring part-time.

*Bargaining team consisted of Dennis Tuzinowski and Tim O'Donnell, who were assisted by POAM Business Agent Jim Tignanelli.*

### Act 312 Award

## Adrian POA

Duration: 07/01/2008 – 06/30/2011

#### Wages:

- 2008 – 0%
- 2009 – 0%
- 2010 – 1% Top pay to \$47,626.

Health care is BCBS Community Blue 10 with 20% co-insurance with a maximum out of pocket cost of \$2,500/\$5,000. Premium sharing remains at \$40/\$50/\$60 per month with a \$10/\$40 Rx plan.

Vacation time increased two days for all steps above ten years seniority.

*Arbitrator was Barry Ott. Bargaining team consisted of Curt Whiting who was assisted by POAM Business Agent Kevin Loftis and 312 Advocate William Birdseye.*

<b>Monroe Police Cross-Train</b>	<b>1</b>
<b>Important Unit Clarification</b>	<b>11</b>
<b>Court of Appeals Affirms POAM</b>	<b>13</b>
<b>Honor Guard Training</b>	<b>14</b>
<b>Art Borella on Worker's Comp</b>	<b>17</b>
<b>Port Huron P.D. Lives On</b>	<b>19</b>
<b>Bless the Bagpipers</b>	<b>24</b>
<b>New Stressors on P.O.s</b>	<b>25</b>

*Don't be left out.*  
 Make your convention reservations  
**TODAY!**

NON-PROFIT  
 U.S. POSTAGE  
 PAID  
 ROYAL OAK, MI 48068  
 PERMIT #792

# GET 50% OFF INSTALLATION!

SHOW YOUR BADGE AT ANY MICKEY SHORR LOCATION AND GET 50% OFF THE COST OF INSTALLATION ON EVERYTHING\*

JUST SHOW YOUR BADGE.



\*50% Off Installation offer includes normal installation with purchases made at Mickey Shorr. A materials fee of \$4.95 applies. Additional parts and extensive labor extra. Prior sales not included.

**KENWOOD**  
**6" x 9" 4-Way Speakers**  
 150 watts. 7503  
 Mfg. List \$119.95  
**\$49.95 PAIR**

Easy iPod/iPhone Integration!  
**Just Plug It In!**  
 simple  
**iPod/iPhone MP3 Adaptor**  
 •Connect your iPod/iPhone, or MP3 player to your factory radio. IS77/1482  
 Mfg. List \$99.95  
**\$79.95**

**FRONT AUX INPUT**  
**KENWOOD**  
**AM/FM CD/MP3 Receiver**  
 •Front aux input •Remote control •Detach face. KDC148/2225  
 Mfg. List \$129.95  
**\$79.95 INSTALLED**

**KENWOOD**  
**350 Watt Amp And 2 12" Woofer Party Pack**  
 •Low pass filter •High surround for deep bass •Polypropylene woofer. PW1200/7014  
 Mfg. List \$279.95  
**\$129.95**

**AVITAL**  
**2-3 Button Remote Alarm**  
 •Shock sensor •Kill switch •6 tone siren •Warn-away. 3100L/1219  
 Mfg. List \$199.95  
**\$99.95 INSTALLED**  
 Keyless Entry Optional. Extensive Labor Extra.

**Directed**  
 ELECTRONICS, INC.  
**Remote Car Starter**  
 •1-3 Button remote •1 aux channel •Turbo timer •Light flash optional. 1556  
 Mfg. List \$199.95  
**\$99.95 INSTALLED**  
 Requires Auto Transmission-Key Coded Cars Extra. Keyless Entry Optional. Extensive Labor Extra.

**BOSS**  
 AUDIO SYSTEMS  
**8.5" TFT Flipdown Widescreen**  
 •DVD player •Wireless remote •Dome lights •2 headphones •Infrared transmitter. BV8.5BA/2703  
 Mfg. List \$349.95  
**\$199.95**

**KENWOOD**  
**AM/FM CD/DVD 6.1" Double Din**  
 •Touch screen •High speed iPod/iPhone •Front USB/aux input. DDX318/2061  
 Mfg. List \$699.95  
**\$399.95**

**WINDOW TINTING**  
 Quality installation means everything!  
 We'll beat any deal and install it right!

**WE WILL BEAT ANY DEAL!**

**WE ARE EVERYTHING MOBILE ELECTRONICS!**  
 Alarms, remote starters, mobile video, GPS, CDs, iPods, amps, speakers, subwoofers and more!  
 MS77 SALE OFFERS VALID 4/27 THRU 5/28/11

- ROYAL OAK 25920 WOODWARD AT 10 1/2 MI ... 248.398.7204
- TROY 1010 E. MAPLE AT ROCHESTER ... 248.589.1910
- WARREN 32912 VAN DYKE AT 14 MI ... 586.979.8894
- LIVONIA 27819 PLYMOUTH RD, W. OF INKSTER ... 734.425.4646
- FARMINGTON HILLS 30724 GRAND RIVER ... 248.473.8200
- ROSEVILLE 29241 GRATIOT 1/4 MILE N. OF 12 MI. ... 586.777.8660
- ST. CLAIR SHORES 22500 HARPER, S. OF 9 MI ... 586.771.7620
- PORT HURON 4124 24TH AVE. (M-25) ... 810.385.4880

# MICKEY SHORR

## MOBILE ELECTRONICS

A MICHIGAN COMPANY. FAMILY OWNED AND OPERATED SINCE 1967.

- CANTON 43729 FORD RD. W. OF I-275 ... 734.981.7770
- KEEGO HARBOR 3335 ORCHARD LK. RD ... 248.682.1600
- TAYLOR 14270 S. TELEGRAPH N. OF EUREKA ... 734.946.4174
- WATERFORD 5420 HIGHLAND RD. (M-59) ... 248.673.4970
- LINCOLN PARK 3377 FORT ST. ... 313.383.9434
- GRAND RAPIDS 3300 EASTERN AVE. AT 33RD ... 616.241.5897
- PLAINFIELD (GRAND RAPIDS) 4061 PLAINFIELD ... 616.363.1106
- DETROIT 15270 GRATIOT S. OF 8 MILE ... 313.526.3799

LAYAWAY AVAILABLE • LIFETIME INSTALLATION WARRANTY • TRADE-INS TO SAVE YOU MORE WE INSTALL CAR STEREO, ALARMS & STARTERS FREE\* SAME DAY, EVERYDAY  
 WE OFFER EASY INSTALLATION FOR YOUR Bluetooth OR iPod WE'RE THE EXPERTS!  
 \*Free Installation Offer includes normal installation with purchases made at Mickey Shorr. A materials fee of \$4.95 applies. Additional parts and extensive labor extra. Prior sales not included.

SEE OUR WEEKLY SPECIALS AT MICKEYSHORR.COM • STORE HOURS: MON - FRI 9AM - 9PM • SAT 9AM - 5:30PM • CLOSED SUN