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Law Enforcement JOURNAL



Summer 2008

ANOTHER SUCCESSFUL CONVENTION

By Ed Jacques, *LEJ* Editor

The 2008 Conference began with relevant topics and expert speakers at the seminar on Wednesday. For many it ended on a beautiful Friday morning on the golf course or pulling big trout out of Lake Michigan during the POAM fishing derby.

Sandwiched in between was the POAM Poker Run which took place in downtown Grand Rapids and a first class cigar smoke at The Chop House. The Thursday night reception traditionally features some of the Midwest's funniest comedians and this year was no different with Mike Green entertaining a full house. POAM President, Jim Tignanelli emceed the evening events, complete with his count down and announcement of "Michigan's Worst Police Administrator."

The most important event during the conference is unquestionably our Business Meeting on Thursday. That is where POAM honors its Police Officers of the Year and well known keynote speakers address the delegates. In the past, Vice President, Dick Cheney and Mayor Rudy Giuliani have taken the podium.



POAM President Jim Tignanelli thanks Governor Frank Keating for attending.

This year's guest was former Oklahoma Governor Frank Keating who was in office when the Federal buildings in Oklahoma City were bombed in 1995. Governor Keating spoke about how his administration and law enforcement officers dealt with its aftermath. He mentioned how the community came together to respond to the act of terrorism and the tremendous cooperation

that existed between the citizens, civic groups and government agencies alike.

The teamwork and patriotism in his state was similar to what everyone experienced after September 11. In fact, Keating noted that there was not a single incident of looting reported in Oklahoma City after the bombings.

The governor emphasized that our country cannot waver from its renewed commitment to protect its citizens. He thanked all law enforcement officers in attendance and reminded them that they are the nation's first defense against such actions and the protectors of every citizen's right to liberty and the pursuit of happiness.

Michigan dignitaries were there to read some of the stories and present plaques of appreciation to our Police Officers of the Year. At the request of its Executive Board, POAM has added additional recognition of outstanding police work through its Distinguished Service Awards. (Complete stories on pages 14-20).

The day's session ended with POAM's acknowledgement of its Legislators of the Year and honored Canton Police Officer Dave Boljesic with its annual Loyalty Award.

POAM Business Manager William Birdseye credited POAM's support staff, including Lynn Singer, with organizing another successful convention. "We're getting pretty good at this," said Birdseye. □



Member Services

Ed Jacques, Director

Information is Power

As Wayne County Deputies prepare to vote on future affiliation, they will inevitably be forced to sift through information, accurate or not, from some of the unions vying for their monthly dues checks. Does POAM want Wayne County Deputies? Of course, but not for the same reasons.

Adding eleven hundred more members would increase POAM's lobbying and legislative influence in Wayne County and Lansing. H.B. 6112 was recently passed by the Michigan House of Representatives allowing compulsory arbitration for correction officers. POAM General Counsel Frank A. Guido drafted the majority of its language, Executive Board members testified in front of committees, and with the help of the Deputy Sheriffs Association of Michigan (DSAM) that

legislation goes before the Senate this fall.

Because we represent sheriffs' department employees in almost every county, improving Wayne County Deputies' economic package will help other POAM collective bargaining units that may use the county as a comparable.

Continuing to grow the POAM family also insures that we will continue to improve communication and services to all members through increased support staff and the latest technology. The more law enforcement officers that are mobilized under one umbrella, the more impact we have on issues that are important to public safety.

We also believe that every police officer in Michigan deserves expert representation. POAM feels obligated to offer our services to every

police officer in the state and our reputation is that we deliver on promises, no matter how big or small the group. Even if the current or a new union other than POAM prevails, we will have effectively delivered a new service – communicating Wayne County Deputies' frustration with its current system of representation.

POAM will be conducting more meetings in September, but in the meantime, empower yourself. Call Executive Board members from local groups listed on pg. 27, read Birdseye's column on pg. 5, look at some recent contracts we have secured on pages 2 & 35, and visit www.poam.net. Don't let anyone whose first priority is money tell you how to vote. Doing a little independent research now will pay nice dividends long into the future. □

Signed and Sealed

Agreements gain vital benefits for POAM members

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

Negotiated

Clinton Township POA

The parties reached a six-year contract which will expire March 31, 2011, bringing the top pay of a patrol officer to \$68,903. The pension was adjusted to eliminate the Social Security offset. Additionally, existing members may purchase up to two years of military and/or certified police service. However, after this open period expires, all prior military or police purchase will be eliminated. Pension capped at 25 years of service.

After 25 years of service, an employee may retain employment with the Township, and participate in a 401(a) defined contribution plan. The employer and employee will contribute a minimum of 7% each to a maximum of 12.5%. This 401(a) is in lieu of any other pension contribution. Weapons allowance is increased by \$2 per day. Dental and optical benefits were negotiated the same as the fire department. Employees with more than 12 years of service receive an additional vacation day.

Health care was modified to eliminate dual coverage by married Township employees; however, employees who opt out of health care coverage receive \$100 per pay in lieu of health care benefits. Prescription co-pay was increased to \$10/\$20. Employees may choose an additional hospitalization plan or use the standard plan by paying the difference in the cost.

Court stand-by time was increased from two to three hours with a provision that no overlapping of overtime for court would be allowed. Language was cleaned up on seniority, job transfer openings, and minimum manpower. A cap was placed on school tuition of \$2,000 annually. Direct deposit of payroll checks will be mandatory.

Bargaining team consisted of President Brain Majur, Committee members Vince Collura, Larry Emerson and Dan Allen who were assisted by POAM Business Agent Kenneth E. Grabowski.

Negotiated

Monroe County DSA

Monroe County DSA is one of the most politically active members of the POAM. As a result of the direct action and hard work by the deputies of Monroe County, five County Commissioners were elected who are supportive and understand the needs and concerns of law enforcement. After a series of negotiation sessions the parties were successful in reaching a voluntary agreement.

- Wages: Five-year contract. Effective 2007 through 2011, a 3% across-the-board increase bringing the top pay of a deputy sheriff to \$59,698.
- Clothing allowance increased to \$600. Sick time payoff increased from 50% to 100%. Union leave: the president or his designee will now receive three fully paid compensated days to attend official union business and the president may designate one additional member for up to two days.
- In recognition for the law enforcement functions that are performed by a deputy in Monroe County, all deputies will receive hazardous duty pay. Effective 2007, a certified officer will receive \$500 annually; effective 2008-\$1,250 annually; effective 2010-\$1,375 annually, effective 2011-\$1,500 annually.
- Minimum court time call-in will be increased from two hours to three hours.
- Health care was modified; prescription co-pays will be increased to \$10/\$20/\$30. Premium sharing co-pay implemented as follows- 2008-5%; 2009-7%; 2010-7%; 2011-10%, of any plan selected.

The bargaining team consisted of President Dave LaMontaine; Vice President Brad Bentley; Treasurer Tim George; Secretary Ernie Green; Steward Matt Brody; Steward Bill Owens; Steward Mike Bomia; Steward Joe Lambert; Alternate Steward Rob Moody; who were assisted by POAM Business Agent Kenneth E. Grabowski.

Negotiated

Livonia POA

After a very long and difficult bargaining process where the City filed for 312 against the Union, the parties have successfully negotiated a contract.

Effective December 1, 2006 - 3% across-the board.

Effective December 1, 2007 - 3% across-the board.

Effective December 1, 2008 - 3% across-the board.

Effective December 1, 2009 - 2% across-the board.

Brining the top pay of a five-year police officer to \$62,687 and for a senior police officer to \$65,886.

Medical coverage continues with the following changes:

Effective December 1, 2008 a \$10 co-pay for office visits.

Effective December 1, 2009 a monthly co-pay on the premium of \$30 for single, \$35 for two-persons, \$45 for family. However, all active members of the Union will not pay this co-pay upon retirement. Employees hired after ratification will have same retirement health care as active employees. Additionally, all employees will now contribute the City's medical retirement VEBA Plan. Effective December 1, 2006 - a 2% employee contribution.

Pension - Employees who are in the City DC Plan will have their pension contribution increased retroactive to December 1, 2006 from 9% to 11%. Employees in the Defined Benefit Plan will have their COLA benefit increased from six-year payment to ten years with an increase in the payment of \$5 per year compounded, effective December 2008.

Dental coverage was increased from \$600 to \$700 annually.

Additionally several language changes were made that benefited both parties.

Bargaining team consisted of local President Tom Funke; Vice President Tim Larion; Secretary Angelo Colone, Treasurer Mike Novak, bargaining committee Scott Morgan, Denise Bennett, assisted by Kenneth E. Grabowski.



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JAMES TIGNANELLI - President, Fraser PSOA

DAN KUHN
Vice President
Saginaw POA

THOMAS FUNKE
Secretary
Livonia POA

WILLIAM BIRDSEYE
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- MCOLES- Michigan Commission on Law Enforcement Standards
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ED JACQUES – Law Enforcement Journal Editor
For editorial and advertising (313) 937-9000



From the President's Desk

by Jim Tignanelli

What a Summer!

What a summer we are having here at the POAM! There are stories throughout this edition of the *LEJ* regarding recruiting and such that will help reinforce what you hear so frequently—the POAM continues to grow. We are very proud of the opportunities to serve law enforcement in Michigan.

I made the annual trek to Washington, D.C. for Police Week with several of our board members. Once again, Michigan and in particular, the POAM, was well represented at the police memorial events. We hosted an “oasis” of sorts for those who were in attendance at the Tune Inn on Pennsylvania Avenue. Several hundred joined the festivities which included all the food and refreshments you can imagine. We were honored to have the Metro Detroit Police and Fire Pipe and Drum Corps with us for most of the day and evening. They literally stopped traffic in the street with their performance. I cannot thank them enough for their loyalty to our membership.

We also hosted a congressional reception at the U.S. Capitol building. Nearly all of our state's congressional members attended or were represented by staff. Our thanks go to those who hold our members in such high regard. Thanks also go to our lobbyist, Dennis McGrann and his staff (Emily) for making the arrangements for us. I'm confident no other state organization can claim such an event. I hope every one of you will find an opportunity to join us at a future event. Watch the *LEJ* for details.

Gary Pushee and I made our second annual visit to the Walter Reed Memorial Medical Center on May 13. This opportunity is difficult to put into words. Suffice it to say that we see some of the most seriously injured young heroes that return from the war on terror. What inspires me the most is the positive attitude that is displayed by each and every one of them. Each

praised the equipment, staff and efforts that are being made to assist them in returning to life back home. We were particularly fortunate to be able to visit with a young resident from Shelby Township, Alex Knapp. Alex was seriously injured while serving in Iraq and was kind enough to spend some time with us. We delivered a large banner that had been signed by all of the students at Mark Twain Elementary in Roseville. Each had sent their best wishes to Alex. He was very grateful for the thoughts and prayers that are being extended his way.

The POAM annual convention was a huge success. Details of that event are published throughout this edition. We are very proud of what has been accomplished. As I indicated earlier, this has been a great summer, and it's only just begun! All my best to each of you. Stay safe! □

RALPH STAELGRAEVE
COO/Partner
PASTA PER TRIO

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7000 Sober Road | Fowlerville, MI 48836
517-819-7135 P | 775-361-0264 F | ralphs@pastapertrio.com

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Vice-President's Viewpoint

by Dan Kuhn

What a Month of May

The role of vice president of the largest police union in the state of Michigan, as well as representing the POAM membership as a business agent is not one I take lightly. Although, I consider it an honor representing all of you across the state, it can sometimes be a lot of work too. Myself, and several other POAM business agents began the month of May by attending the Labor Arbitration Institute Program on Labor Law and Labor Arbitration in Chicago. The most critical part of being a B.A. in my opinion, is getting as much labor knowledge as I can. Much of what I learn is gained through the experience I get representing you as a business agent, but another big portion of it is my attending schools like this one.

The POAM is very conscious of the fact that training is an essential part of any labor union, and as an employer is second to none in the training of their employees. The opportunity to meet and network with so many arbitrators like George Roumell, Tom Angelo, Stephen Belfort, Christine Ver Ploeg, and Joan Parker was an invaluable experience. Seldom does one find that many arbitrators in one room, much less have the chance to talk with them one on one. The number of years of experience and knowledge that those instructors represent is very humbling. Arbitrator Roumell alone has decades of experience unmatched by few in this business. To observe their careful deliberation, and watch as they rendered their opinions on the numerous cases brought before them during the week was just plain amazing.

The topics ranged from just cause arguments, to contract interpretation, to off-duty misconduct, to everything in between. The Arbitrators were arranged in a panel on a stage in front of all of us, with a mediator presenting them with each case. After hearing the cases, each arbitrator

would deliberate, and then activate a red light for overturn, or a green light for uphold. Then, each Arbitrator would provide the reasoning behind their decision and often make an argument for remedies that fall somewhere "in the middle" of the union or the employer's desires, which I see a lot of in our own POAM arbitration cases.

What did I learn? I learned that reasonableness seems to be a question that all of the arbitrators asked themselves, even though all of them seemed to have varying definitions of "what's reasonable". I learned that arbitrators seldom agree unanimously on anything. To observe as they rendered their decisions on possibly life-altering issues to the grievant was a little scary. Some arbitrators used the standard of reasonable doubt, some considered preponderance of the evidence, and some seemed to want clear and convincing evidence. The most important thing I realized is that although arbitrators are professional, and well-intentioned, they don't always agree. Going before an arbitrator comes with some risk—period. Sometimes you win, sometimes you lose, and often you end up with something in between. My experience at the Labor Arbitration Institute was a memorable one and it reinforced my pride in how POAM prepares for arbitration and our commitment to thoroughly research the topic before selecting an arbitrator.

After my trip to Chicago, I attended Police Memorial Week in Washington, D.C., and finished off the month in Grand Rapids for the Annual POAM Convention where I continued my learning experiences at our seminar while catching up with many of my member groups. It is my privilege to represent the members of the POAM where ever I am. Stay safe and I hope to see you soon. □

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Advanced Anesthesia Associates
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Arizona Charlie's
Artistic Pools & Concrete
Associated Benefits Group
Bell Cleaners
Bielomatik Inc.
Bob's Pest Control LLC
Bonini's Carpet & Upholstery
Brothers Mortgage LLC

Butala, Simmons, Camilleri & Pate
C H Robinson Inc.
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Deer Lake Excavating LLC
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M-Tek Inc.
Martin Tool & Machine Inc.
May's Corner
McNally's Landscape & Design
Michigan Spring & Stamping



The Treasurer's Ledger

by William Birdseye

POAM is the Best Value for Wayne County Deputies

POAM's Recruitment Director Gary Pushee has informed me that in October 2008, Wayne County Deputies will finally have the opportunity to vote on affiliating with our organization. According to Gary, the current Local 502 Executive Board has been asking employees to sign interest cards for an independent association called the Wayne County Deputy Sheriffs Association, which will also be appearing on the ballot. The irony is that SEIU has allowed Local 502 to act as its own independent association for decades.

Over one hundred collective bargaining groups have switched to POAM in the last four years. Price was not an issue – even though in most of the cases our monthly dues were less. Wayne County Deputies will be saving around \$15 per month and receiving “full service” from the entire POAM support staff. That is an outstanding value.

It's a bargain because of the resources available to the group and the experience of the people administering it. The POAM Business Agent assigned to Wayne County will have negotiated hundreds of contracts and represented employees in countless grievance hearings and arbitrations. POAM attorneys have argued cases in front of the Michigan Supreme Court, Federal Court, Michigan Court of Appeals and numerous Circuit and District Courts. Some POAM lawyers are former prosecuting attorneys and have prevailed in some of the highest profile criminal and labor cases in the state.

Should Wayne County Deputies choose independence, where will

they find the experience necessary to guide their negotiating team? Will the inexperience of local employee representatives be improved by independence?

When POAM restructured and committed to full service twenty-five years ago, we represented a few dozen groups. Our competitors said we weren't big enough or had the experience to represent counties like Kent, Macomb, Genesee, Washtenaw etc... Since then we have grown ten times over and the same people responsible for that growth and garnered the experience are ready, willing and able to take on Wayne County.

The size of a collective bargaining unit does not determine the difficulty in providing the appropriate representation. POAM has all the necessary resources and support staff to provide that high quality of service in Wayne County. The most difficult employers frequently exist in some of Michigan's smallest counties.

A big part of the problem with independent groups like Wayne and Oakland County is that because they are not part of an established union. They become engaged in protracted litigious exercises that produce poor results at the expense of the local association. Oakland County's six-year 312 debacle is a prime example of how independence fails its membership. Albert Einstein once defined insanity as doing the same thing over and over again and expecting different results. Wayne County Deputies finally have a real opportunity to change that. □



From the Desk of Terri Lynn Land

Michigan Secretary of State

Vertical ID: Straight Up Success

Five years ago, Michigan began to approach the problem of underage drinking in a different way—vertically rather than horizontally.

A law went into effect on July 1, 2003, requiring the issuance of vertical (portrait) style driver's licenses or personal identification cards to individuals under the age of 21. As a result of this major change, purchasing alcohol has become more difficult for minors in our state.

Every driver under 21 in Michigan now has a vertical license. The horizontal format has been gradually phased out over the last several years for minors as their licenses came up for renewal. The new format has been welcomed by many parents as a smart innovation.

The vertical card gives restaurants, bars, convenience stores, casinos and law enforcement an instant visual cue to correctly determine a licenseholder's age and to immediately spot those not old enough to purchase alcohol. It also has a more tamper-resistant design to thwart attempted alterations or forgeries.

There are more than 731,000 people under age 21 who currently possess a Michigan vertical driver's license or personal ID card. I'm pleased to say it's less likely these young adults will succeed in using their ID to obtain alcohol than if they were using the old horizontal cards. That difference

can save lives.

One indicator of the Vertical Identification Program's success is the steady decline in convictions under Michigan's “zero tolerance” law. The law prohibits underage drivers from having any alcohol in their systems. In 2004, the first full year of the vertical license program, there were nearly 1,700 convictions. The number has fallen each year to about 1,340 in 2007.

During the transition to the new license, the Department of State has teamed with a broad coalition of retailers, law enforcement groups and other organizations to highlight the law on a public awareness campaign called “We Check to Protect!”

Our objective remains to protect youths from obtaining alcohol, as well as other age-restricted products like tobacco. It is important to their health and safety that we keep these potentially harmful things out of their underage hands. We must continue to work diligently to ensure the young people of Michigan know the law and respect it.

Deterring underage drinking is a significant challenge for our state, but with the vertical driver's license, we are heading in the right direction. □



Secretary's Notepad

by Thomas Funke

Police Week: An Experience You'll Never Forget!

President John F. Kennedy signed a proclamation in October of 1962 stating that May 15th will be "Peace Officers Memorial Day" and the week that it falls in will be known as "Police Week," but it took over 20 years for it to actually be celebrated. The day was set aside to pay tribute to federal, state, and municipal officers killed or disabled in the line of duty. In August 1981, the first National Police Officer's Memorial Service was held by the Fraternal Order of Police.

The second National Police Officer's Memorial Day Service was held on May 14, 1983 where 10 young widows came to Washington, D.C. to attend the service. Emotions were at a high after the young women got to meet other survivors and police officers. Their discussions after the service brought forth the national police survivors seminars.

On May 14, 1984 the first survivors seminar was held. Later that same year, President Ronald Regan signed into law the legislation allowing the National Law Enforcement Officers Memorial Fund to begin raising money for a monument to be built in Washington, D.C. honoring the fallen law enforcement officers.

In 1989, the first annual Candlelight Vigil was held at the site of the soon-to-be-constructed National Law Enforcement Officers Memorial in Judiciary Square in Washington, D.C. In October 1991, the National Law Enforcement Officers Memorial was dedicated by President George Bush, Sr. As of 2008, the wall has over 18,000 names of law enforcement officers who paid the ultimate price for their dedication.

I've been fortunate over the last several years to represent POAM, and the Livonia Police Department as an active Livonia Police Honor Guard member during National Police Week in Washington, D.C. The extreme emotional experience is one that every officer should have an opportunity to become involved in sometime during their careers. Police officers across the nation gather to commence the three-day observances at Judiciary Square in Washington, D.C.

The first night held the 20th Annual Candlelight Vigil which paid tribute to numerous fallen officers across the nation. Engraved on the wall this year were the names of six officers from the state of Michigan. These officers died in the line of duty from 1955 to 2007. Political

leaders along with family members of fallen officers gathered for this emotionally charged tribute.

The service starts with the family members and political leaders being lead past honor guard units from around the world to the haunting notes of pipe and drum corps. Rows of honor guard officers pay the ultimate tribute by saluting the family members of fallen officers. U.S. Attorney General Michael Mukasey delivered the keynote address and read the names of all 358 fallen officers while the silence spoke volumes. The service ended with officers lighting candles in honor of their fallen brothers and sisters.

The next day officers and family members had an opportunity to shade/trace the names of their loved ones that were engraved upon the wall. An honor guard competition was held for police honor guard units from across the nation to show their skills and technique levels. Also available was a retail area for commemorative souvenirs from numerous departments and police vendors. In the middle of the retail area was a "beer tent" for all to enjoy camaraderie and stories with their brothers and sisters.

The last day of the activities concluded with the 27th Annual National Police Officers Memorial Service on the capitol grounds. The president, who has spoken over the past six years was unable to attend due to a prior commitment in the Middle East. The keynote speaker was the U.S. Secretary of Labor Elaine L. Chao. Popular recording artist Jo Dee Messina paid vocal tribute during the ceremony.

Later that same day, POAM arranged and sponsored an afternoon and evening of beer, burgers, and brotherhood for all law enforcement members from Michigan to enjoy. The afternoon and evening saw as many funny stories as tear evoking memories. It was a celebration of life and a memorial to all those who came before. It was a moment to remember the fallen officers who lost their lives doing everything within their power to make our world, nation, state, city, and neighborhoods safe for all to enjoy. Others may run away from danger, but our brothers and sisters ran toward it knowing that justice would be served. □

SOUTHEAST MICHIGAN LAW DOGS WIN ANOTHER COPPER CUP



Staving off stiff competition from the likes of the Michigan State Police and the Kent County Sheriff Department, the Southeast Michigan Law Dogs hoisted another Copper Cup at the annual spring tournament held in the Grand Rapids area.

Law enforcement teams from all over Michigan participate in the annual event. The Law Dogs are comprised of officers mainly from Southfield, but team captain Jeff Jagielski has recruited other players from local departments. POAM is a sponsor of the tournament.



The Legislative Director's Chair

by Kenneth E. Grabowski

Protection for Union Representation

State Representative Richard LeBlanc (D-Westland), upon the request of POAM, has introduced H.B. 5796. This Bill will protect a union agent who has a representative relationship with a bargaining unit member to not be compelled to disclose in court or administrative action, arbitration or proceeding, whether civil or criminal, any information the union agent acquires in the course of his or her professional duties while acting in this capacity as a union representative. This legislation is important

and should be supported by all POAM members. Under current law there are times when even your union representative should not participate in internal discussions because they do not have the same level of privilege that is provided as an attorney-client privilege. This legislation, if approved, would allow your union representative to act more freely in representing you in any course of business. It is important for you to contact Rep. LeBlanc and members of your state House and urge them to support H.B. 5796

POAM AND DSAM PUSH HOUSE BILL 6112

POAM and the Deputy Sheriffs Association of Michigan (DSAM) have been working closely together in an attempt to correct the deficiency for correction officers who are currently unable to resolve any contract disputes through arbitration. We have been successful in having Representative Fred Miller introduce House Bill 6112, which would provide compulsory arbitration for correction officers. This bill has also been co-sponsored by Representatives Rick Jones, Mike Nofs, Kevin Elsenheimer, John Stakoe, Joel Sheltrown, David Palsrok, Chris Ward, David Law, Andrew Meisner, Barb Byrum, Mike Simpson, Matt Gillard and Gary McDowell.

The bill will streamline the settlement of labor disputes and will fulfill and enhance the following interest for the public. The bill stabilizes labor management relations between public employers and public correction officers through a binding procedure for resolution of labor disputes. The bill streamlines time limits and reduces exorbitant costs to both parties as has

been experienced in Public Act 312 proceedings. The streamline procedures include but are not limited to: submission of final last offers of settlement during the pre-arbitration mediation. This would enable both parties to get serious and make their last best final offers during mediation instead of waiting till the final day of an arbitration process. The bill removes any costs from the state for financial payments. The bill reduces costs and delays by prohibiting briefs, requiring the parties to submit closing arguments and avoiding any litigation in court which would delay the arbitration process.

These streamlined procedures will eliminate the slow and cumbersome process currently used by police and fire unions. This bill will enable labor and management to reach settlements quicker for correction officers.

The bill has successfully passed the House and will go before the Senate this fall. It is imperative that you contact your state senators and urge them to support House Bill 6112. □

The following State Representatives

Voted YES on H.B. 6112

Accavitti	Coulouris	Hildenbrand	Meisner	Simpson
Angerer	Cushingberry	Hood	Melton	Smith, Alma
Bauner	Dean	Hopgood	Meltzer	Smith, Virgil
Bennett	Dillon	Hune	Miller	Spade
Bieda	Donigan	Jackson	Moolenaar	Stahl
Byrnes	Ebli	Johnson	Moore	Stakoe
Byrum	Elsenheimer	Jones, Rick	Nofs	Tobocman
Casperson	Espinoza	Lahti	Palsrok	Vagnozzi
Caswell	Farrah	Law, David	Pearce	Valentine
Caul	Gaffney	Law, Kathleen	Polidori	Walker
Cheeks	Gonzales	LeBlanc	Rocca	Ward
Clack	Green	Leland	Sak	Warren
Clemente	Griffin	Lindberg	Schuitmaker	Wenke
Condino	Hammel	Mayes	Scott	Wojno
Constan	Hammon	McDowell	Sheltrown	Young
Corriveau	Hansen	Meadows		



Give us a try!

SVS
VISION
OPTICAL CENTERS



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; and
- Provide a one-year breakage protection 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; and
- Provide a one-year breakage protection warranty.

OPTION 3 — SVS VISION CARE PROGRAM

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Generally Speaking

Arbitration Under Attack: Employer Tactics Backfire



**By Frank
Guido,
General
Counsel**

POAM and its satellite organizations, COAM, TPOAM and FAOM, represent thousands of public employees throughout Michigan. We have more than 400 different collective bargaining agreements in place with various public employers at the city, county, township and village levels. More than 99% of those collective bargaining agreements contain arbitration as the dispute resolution forum for a breach of contract, whether disciplinary or non-disciplinary in origin. Even in those circumstances where disciplinary matters may be resolved administratively, such as through an Act 78 Civil Service Commission process, an election of remedies typically exists allowing either arbitration or the administrative process to be utilized.

The historic value of arbitration as a dispute resolution mechanism, which avoids costly and time consuming litigation, is rarely questioned. There are many reasons why arbitration has, for POAM and other unions, become a valued mechanism for resolving disputes. Unlike litigation in court, arbitration is, by its very nature, intended to be an informal process, unfettered by the technical rules of evidence. Arbitration does not require the presence of legal counsel as representative to a party. Arbitration also avoids protracted litigation features such as discovery involving depositions and interrogatories. In addition, arbitration procedures generally limit review of a decision, creating a very narrow doorway to the court.

The United States Supreme Court, in the landmark *Steelworkers Trilogy* of cases, established the Federal standard of review of an arbitration award, which was later adopted by the Michigan Supreme Court in *Kaleva-Norman-Dickson School District No. 6 v Kaleva-Norman-Dickson Teachers Association*, 393 Mich 583 (1975). That standard was succinctly described in *Ferndale Education Association v School District for the City of Ferndale*, 167 Mich App 637 (1976), wherein the court stated:

Questions concerning the scope of judicial review of arbitrability and the awards made by arbitrators in labor disputes have been almost a plague on both state and federal courts for years, but the eminently proper attitude that we have taken is one of 'hands off.' The party that ends up holding the short end of an arbitrator's award may try desperately to fit the facts within the narrow doorway to the courts, but the judicial policy is clear. In the *Steelworkers Trilogy*, the United States Supreme Court held that the merits of either the grievance or the arbitration award are irrelevant when a federal court is asked to enforce an arbitration agreement or award thereunder. Judicial review is limited to whether the award 'draws its essence' from the contract, whether the award was within the authority conferred upon the arbitrator by the collective bargaining agreement. Once substantive arbitrability is determined ... judicial review effectively ceases. The fact that an arbitrator's interpretation of a contract is wrong is irrelevant.

The court went on to state:

The scope of judicial review of a labor arbitration award is narrow and the reviewing court must not substitute its judgment for that of the arbitrator in questions of contract interpretation.

With regard to the value of arbitration in the labor-management arena, the Michigan Supreme Court, in *Port Huron Area School District v Port Huron Education Association*, 426 Mich 143 (1986), reiterated:

It is well settled that arbitration is a favored means of resolving labor disputes and that courts refrain from reviewing the merits of an arbitration award when considering its enforcement. To that extent, judicial review of an arbitrator's decision is very limited; the court may not review an arbitrator's factual findings or decision on the merits.

The United State Supreme Court expressed the policy of judicial deference in the context of labor arbitration in the celebrated *Steelworkers Trilogy* ...

The legal basis underlying this policy of judicial deference is grounded in contract: the contractual agreement to arbitrate and to accept the arbitral decision as 'final and binding.'

From the moment a grievance is filed, it typically proceeds through a contractually agreed-to sequence of steps governed by time limits, established mutually by the parties. When those steps are exhausted and a determination is made that a grievance is worthy of arbitration, the Union files an appropriate petition with either the American Arbitration Association, Federal Mediation and Conciliation Service, or the Michigan Employment Relations Commission. The parties may also make a selection of an arbitrator on an ad hoc basis. Upon selection of an arbitrator, either through an agreed-to procedure of mutually striking names or ranking a list of names provided by one of the agencies, the parties, in conjunction with the arbitrator, select a hearing date. Depending on the arbitrator's schedule, a hearing usually occurs within a three to six month window after appointment of the arbitrator.

At this point, the arbitration process is already more effective and expeditious when compared to litigation. In a court proceeding, after filing of litigation, court rules require or allow a number of responsive pleadings and extensive investigatory procedures. Answers must be filed, pre-trial conferences held, discovery is allowed (including depositions and interrogatories), dispositive motions are then filed, final pre-trial conferences, trial briefs, then trial itself is held, with a decision being rendered at some point in time, generally after conclusion of the trial. There is little question that arbitration provides a more time-friendly process for both labor and management in resolution of disputes.

The value of arbitration, when compared to litigation, has for years remained unquestioned because respect has existed, on the part of both management and labor, that at the conclusion of an arbitration case the judgment of the arbitrator is "final and binding," hence, the doorway to appellate review of an arbitration decision is extremely limited, with prohibition on a court substituting its judgment for that of the arbitrator.

Fast forward to the end of the first decade of the new century and the respect from management has eroded by what appears to be a concerted effort amongst various public employers (represented by a handful, if not just two particular law firms). There seems to be a mission to destroy the value of arbitration through several meritless and costly tactics, including the refusal to comply with arbitration awards which leads to enforcement actions being filed in court, as well as petitions being filed seeking to vacate the decision of arbitrators.

In the southeast portion of Michigan, known as the tri-County area, arbitration remains alive and well, with the respect it has always enjoyed from both management and labor. Arbitrators are selected, hearings are held, awards are issued and the parties comply. The parties recognize the decision is final and binding. There may be decisions which neither management nor labor like, but the parties recognize that this is the process we have agreed to for the benefit of all and that we will abide by the decisions rendered. If an individual is ordered reinstated to work or a monetary award is issued due to a breach of contract, employers comply. Likewise, if the Union does not prevail in a case, be it disciplinary in nature or a breach of contract involving monetary matters, the case is done, because we have agreed to accept the decision of the arbitrator as final and binding.

Once we leave the tri-county area, however, the picture becomes distinctly different. In the past five years POAM has been involved in more than 30 post-arbitration proceedings, including enforcement actions in court

Continued on page 26



From the Top

by Attorney General Mike Cox

Project SCAMS

Did you know that as many as five million seniors – someone's mom or dad, aunt or uncle - fall victim to financial abuse each year? And did you also know that 60 to 90% of the perpetrators of financial abuse of seniors are family members or caregivers?

These are the reasons why my office initiated Project SCAMS – Stop Crimes Against Michigan Seniors. The premise is simple: a significant number of residents of Michigan nursing homes are behind on their payments because their monies have either been embezzled or misappropriated.

To root out this problem of financial abuse against seniors, we partnered with the Office of Inspector General for the Social Security Administration, as well as the U.S. Department of Treasury, AARP, the Michigan Association of Homes and Services for the Aging and the Health Care Association of Michigan.

Michigan has 420 nursing homes with a population of approximately 40,000 residents. Our goal is to cover every nursing home in the state. The initial phase of Project SCAMS targeted West Michigan, Northwest Michigan and the Upper Peninsula. What we found was shocking:

- One son stole more than \$20,000, some of which was used to purchase firearms and lease hunting land;
- A daughter did not make payments to the nursing home in which her parent lived, incurring over a \$2,200 arrearage. Staff at the nursing home had to buy the resident shoes, provide spending money for outings;
- Another son stole over \$1,600 to pay for gambling habits;
- A resident's daughter stole over \$2,000. She had four prior financial felony convictions.

As a result, my office has brought charges against 22 individuals for allegedly stealing money that belongs to seniors. Incredibly, in each case, the accused is a relative of the victim.

The sad truth is that financial exploitation of seniors is one of the fastest growing crimes in America. And the problem is compounded by the fact that only one in 100 instances of victimization is typically reported.

Project SCAMS is especially important because Michigan is an aging state: In two years, Michigan will have more than 1.3 million residents aged 65 and older. The U.S. Census Bureau estimates that Michigan's senior population will almost double between now and 2030.

If someone you love is cared for in one of Michigan's nursing homes, here are some tips:

1. Visit frequently, at different times of the day. Don't be predictable.
2. Ask questions. And not just of your mom, dad, aunt or uncle, but also ask questions of the staff.

If you suspect that a senior (or vulnerable adult) who resides in a residential care facility is being financially exploited, please call our hotline number: **800-24-ABUSE (800-242-2873)**.

I am proud of the countless examples of cooperation I have enjoyed with Michigan's police officers over the years. Project SCAMS is another important project we can advance together to ensure the safety of Michigan citizens.

Seniors have paid their dues, literally and figuratively, and they are entitled to dignity, respect and peace of mind.

Just like all Michigan citizens, POAM members care deeply for their loved ones who are residents of a nursing home. Despite the various professional and personal demands, the welfare of fathers, mothers, aunts and grandparents is a top priority for all of us. I hope you will join with me in supporting Project SCAMS. □

ESTATE PLANNING. WHAT IS IT? CAN IT BE FUN? AND WHY SHOULD I DO IT?

Reprinted article authored by Jack Bolling in the Gannett Newspapers/Milford Times

Many of you are probably thinking, "Oh yeah, estate planning, that interests me about as much as a root canal. And it may be as painful too!" Well, it isn't and as an added bonus, you get to hang out with a lawyer for awhile. Now you're really worried, right?

So, if you indulge me for about 500 words, I'll explain it to you. (By the way the Gettysburg Address was 272 words.)

A textbook (yep, that's where I got it) defines estate planning as a process to develop and implement a detailed plan, unique to the planner and the planner's family, for the controlled management of personal and financial affairs; both while the planner is living and after death. That sounds pretty dull. Try this definition on for size: I want to give what I have, to whom I want, when I want, the way I want, and pay the least amount in taxes and fees, and assure the effective and efficient transfer of my financial and non-financial wealth as if I had been able to do it myself. That sounds better, don't you agree?

So, why should I want to do it? First, because I doubt that you can foresee the future. (If you can then you already know the rest of the article anyway.) Second, you want to do it so you can save a great deal of money and time, and head off a huge amount of potential chaos and hard feelings among those closest to you by preplanning how you want your assets managed when you are incapacitated, and how your property will be divided at your death. And lastly, you want to build in protections for your loved ones so that what you do give them is safeguarded against catastrophic creditors, predators, or quite often, themselves. Alright, you're anxious to start, but

you have more questions.

Won't it cost me a lot of money? Do I have to spend a lot of time with Bolling or some other attorney? The answers are no, it won't cost that much (trust me I'm a lawyer), and yes, you should spend a great deal of time counseling and planning with an estate planning attorney. So, I suggest that you pick one that you like (I am likable by the way) and one that shares your values and that you will enjoy working with and sharing your family and asset information with. This is especially important because you should plan on a long term relationship with the attorney that you select. The law changes, your family changes, and your assets change. Your estate plan is only as good as its continual updating and maintenance.

Today, estate planning is more than simply drafting wills and trusts and avoiding taxes. It's not about the documents, it's about the results; estate plans that work when needed. You plan because you care for your own welfare and that of your family, your legacy, your values, your hopes and dreams. □

LAW OFFICE OF JACK W. BOLLING, P.C.

Retired Southfield Police Officer

Member of the National Network of Estate Planning Attorneys

800 N. Milford Road, Suite 400

Milford, Michigan 48381

jwbollinglaw@comcast.net

www.jackbollinglaw.com

A CENTURY OF MAKING MICHIGAN'S FINEST BADGES

Local Manufacturer Practices Lost Art

By Ed Jacques, *LEJ* Editor

Weyhing Brothers Manufacturing Company in Detroit, Michigan is part museum, historical society, manufacturing plant and an artist's studio all wrapped into one. The company has a 100-year history of producing jewelry, awards, medals, tokens, pins, class rings and above all, custom made badges.

Over a century ago the Weyhing family brought generations of experience hand tooling fine jewelry and precious metals from Germany to Detroit. They erected their own stand alone building and over the next five decades built their business and part of Detroit history by producing products for some of the world's biggest companies and most renowned individuals.

In 1917, Henry Ford toyed with the idea minting his own money. His plan was not to replace the legal tender, but to create an issue intended to commingle with change then in circulation. Henry Ford's profile was substituted for Abraham Lincoln with the motto reading "help the other fellow", a favorite saying of Ford. Henry ordered one million substitute pennies and trial pieces were made before World War I and the U.S. Government forced Ford abandon his idea. The Dodge Brothers, Ronald Reagan and heavyweight champ Joe Louis were also customers, with Louis ordering one hundred ten carat gold boxing glove charms. At one time, nearly every car made in Detroit, including the Packard, Studebaker and Edsel displayed customized pieces manufactured at the plant. The company made so many silver dollar money clips for the Pontiac Motor Company that it depleted all local banks' supply. Seventy-five thousand rings honoring Detroit area veterans returning home from World War II were made with pride at the plant. During this time, Weyhing Brothers was also building the reputation as the Midwest's and probably the country's finest maker of police and fire badges.

In it's hey day the company employed over 30 full-time employees who worked at individual stations performing specialized functions. The company was bought in 1983 by Joe Garofalo and with so much history behind it, Garofalo had no intentions of changing its name. Today it is a 100% family run business with his wife Shirley, daughter Rose, son Dean and Joe's nephew Terry being the only employees. Walking into the building is like taking a trip to Greenfield Village with almost all of its original equipment still operational. Joe, age 76, still makes his badges the old fashion way with quality materials and expert craftsmanship.



Shirley still hand stamps every badge.

The Weyhing Brothers process begins with a four inch-by- four inch brass plate which is cut into its customized shape. Garofalo states that the metro style badge is the most popular in Michigan. The hydraulic hammer is than dropped on the badge up to eight times because Weyhing's unique manufacturing process calls for some copper and zinc for a higher quality product. After eight hits the

badge must be reheated and the process repeated until a perfect badge is formed. Ribbons, rank, insignias, eagles, etc. are then soldered and hand engraved by the old master himself. All gold badges receive the extra expense of copper plating to insure the proper adhesion. The

badge is then trimmed and any enamel is gound to bring out the details. The next step is the polishing room where the badge is cleaned, plated and finally shipped to the customer.

Although Weyhing Brothers still produces product for a fair amount of Michigan Police Departments, some, including the Detroit Police and the Michigan State Police now order badges from out of state, cheaper manufacturers' that use less expensive materials and simply machine press the entire badge. Because of Weyhing Brothers quality, old badges can be re-plated and repaired to look like new. Garofalo fondly remembers the days when Detroit police officers would stop by his shop and he could do on-the spot repairs. Joe gets frustrated when the newer badges from other manufacturers need fixing and he cannot assist the officers because the cheaper badges can't take the heat necessary to conduct the repairs.

Walking into the Weyhing Brothers Manufacturing building is a unique Detroit and Michigan history lesson. The original work stations, tools, dyes and stamping equipment is still intact. Overlooking Gratiot Ave. from its second floor, you can almost feel the hustle and bustle of a once vivacious City of Detroit with its trolley cars running along its crowded sidewalks. The Garofalos' have seen better times in Detroit but are still committed to keeping their manufacturing plant in the city. The city and state have ignored that loyalty and put the price of a product over the importance of its quality, especially a badge and everything that it represents. Whatever happened to Governor Granholm's commitment to buy Michigan's products?

If you are looking for a replacement or retired badge or any other product that Weyhing Brothers manufacturers, or if you're in the Eastern Market area, stop by the

store at Gratiot and McDougall and say hello to the Garofalos. You'll feel good knowing that you are supporting a century old business that refuses to skimp on quality and embraces a family tradition. If you are real lucky you might get a tour and a slice of American history. □



The Weyhing Bros. building is a landmark on Gratiot Ave.



Left to right: Shirley, Joe, Rose and Dean Garofalo.



All original work stations are still functional.



Joe Garofalo still has the steady hands necessary to customize each badge.



Contact info:
Weyhing Bros. Mfg. Co.
3040 Gratiot Ave.
Detroit, MI 48207
313-567-0600

POAM Events in Washington, D.C.

By Ed Jacques, *LEJ* Editor

It started with an event that stirred nearly every emotion in people – law enforcement or not. On Tuesday, May 13, 2008 the National Law Enforcement Officers Memorial Fund conducted its 20th Annual Candle Light Vigil to honor past heroes and enshrine new ones. This is an event that every law enforcement officer should experience at least once in their life. Thousands of candles held by survivors, colleagues and appreciative citizens illuminate the memorial. They spotlight the lives and careers of America's Finest and when that thin blue laser line cuts the sky, the overwhelming emotion hits you.

But, so does the size and compassion of the law enforcement family. The pride of our profession is exemplified by the discipline and precision of honor guards standing vigil, and the state of Michigan had many reasons to be proud.

On Wednesday evening, May 14, POAM held its Annual Federal Legislative Reception in the United States Capitol Building. As usual, senators, congressional leaders and their staff were present to show their support for law enforcement and discuss important issues with POAM Executive Board Members. POAM Legislative Director Kenneth E. Grabowski, and POAM Lobbyist, Dennis McGrann, arranged the gathering. "There is not another police organization in the country that puts on such an exclusive event," commented McGrann. "It's one thing to support candidates but, it's another to visit with elected officials on a consistent personal basis."

The politicians enjoy the relaxed venue and were especially impressed by the honor guard teams and the bagpipers that contributed to the unique event.

On Thursday, May 15, POAM hosted its 5th Annual Police Appreciation Party at the Tune Inn restaurant and bar on Pennsylvania Ave. This year's event acted as a grand finale for many visitors to D.C. and allowed all family and friends to come together at an establishment where uniforms are welcome. The party went on well into the evening and police officers from every corner of the country came to share a story, a beverage and a bite to eat. Michigan has the only statewide union in the country that extends an open invitation to law enforcement officers to get together and celebrate their profession. Needless to say, POAM is recognized all over the country as an organization that cares. □



Congressman Bart Stupak (left) and POAM Legislative Director Kenneth E. Grabowski.



Senator Debbie Stabenow spent some time with POAM Executive board members (left to right) William Birdseye, Kenneth E. Grabowski, Jim Tignanelli and Jim DeVries.



Congressman Joe Knollenberg with Livonia and Southfield Honor Guard.



Congresswoman Candice Miller and good friend Jim Tignanelli.



Detroit Police and Fire Pipe and Drum Corps.

COMMISSIONER HENRY LIEVENS HONORED

By Ed Jacques, *LEJ* Editor

Monroe County Commissioner J. Henry Lievens was named POAM's Commissioner of the Year for his tireless work on behalf of his constituents and law enforcement members in his district. Commissioner Lievens is an independent thinker and a blunt politician who never abandons his core values.

"Although bond ratings are important, I'll never use them as a measuring stick for my success," states Lievens. "A County Board's first responsibility is to provide quality services to its citizens." Henry is particularly passionate about insuring that Monroe County employees have access to decent health care and a pension plan they can count on in their retirement. "It's easy to make cuts but tough to create solutions," states the Commissioner.

Lievens chairs the Personnel Service Committee that deals with all Monroe County employment issues. Monroe County DSA President Dave LaMontaine has worked closely with Lievens and other commissioners on the board. "Henry can always be counted on to carry the banner on all issues relative to the local deputies' association," said Dave. "Henry is about hard work, not lip service."

Commissioner Lievens still runs the family farm and has a keen perception of what is important to voters in his district. They are strong backers of law enforcement and Henry has unabashedly inherited the POAM motto of "Protecting the Protectors." □



Kenneth E. Grabowski (left) and Dave La Montaine (right) are appreciative of Commissioner Lievens work.

When Politics and Policing Don't Mix

By Barry Sherman

First, let me start out by telling you when I feel these two do mix. Several weeks ago I received a call from a newspaper reporter who was writing a story on a local police labor organization who had worked successfully on defeating an incumbent mayor. Her question to me centered on whether or not this type of activity was ethical for police officers. My response to her was: not only was it ethical but in some cases it is essential. Why should police officers' labor organizations be any different from the Teamsters, UAW, teachers, skilled trades, or any other labor union who would do the same thing?

It is more common for such organizations to support candidates. However, there are times when working to defeat them becomes necessary. This could happen if the agenda of the candidate who is running for election or re-election becomes detrimental to the organization. I was always an advocate of and stayed involved in our Political Action Committees in my years with the Livonia POA and then later with the command officers. For several years in the 1980s, our POA had even joined forces with the firefighters, public works employees and the Livonia Education Association to implement a combined interview and endorsement process for local candidates.

Having established that, I will now tell you when I feel that police and politics do not mix. This would be in cities where the police chief and the upper echelon of the organization are appointed and serve at the pleasure of the mayor. The interference and pressure that can be exerted on the organization can and in some cases render the management of the organization ineffective. This became very evident recently in the City of Detroit if one is to believe the authenticity of the text messages (and why wouldn't we?) in the present scandal involving Detroit's mayor. I read with amazement and disgust the revelations of the text messages that were made public in the document that was authored by attorney Michael Stefani titled "Plaintiffs' Supplemental Brief In Support of Their Motion For Attorney Fees and Cost." This document highlights an attempted gross manipulation of the Internal Affairs section of the Detroit Police Department by those in political power, namely Christine Beatty the mayor's then Chief of Staff. City hall not only orchestrated the removal of former Deputy Chief Gary Brown from heading the Internal Affairs Section; it also recommended those who should replace him and his command staff. Even more alarming was the fact that this appears to have been done behind the back of then police Chief Jerry Oliver as text messages indicate that Ms. Beatty was dealing with other appointees in the police administration.

I don't want to just dwell on Detroit, as many other major American cities' police departments are plagued by such political interference. It only stands to reason that if you want to keep your job as chief you are going to have to succumb to some political pressure from the boss.

This issue was highlighted in a recent article appearing in National Review Online authored by Jack Dunphy about illegal immigration in the Los Angeles area. The present appointed chief in that city is William Bratton. You may recall Bratton served as Commissioner for NYPD under Rudolph Giuliani for two years (1994-1996). He then worked as a private consultant until he was appointed LAPD's 54th Chief in October of 2002. Bratton works for Mayor Antonio Villaraigosa who is openly sympathetic to illegal immigration. Mr. Dunphy points out that LAPD is governed by Special Order 40, which prohibits officers from taking police action solely based on a person's immigration status. Retired LAPD Sergeant Dennis Zane who is now a City Councilman, proposed a change to Special Order 40 that would authorize officers to report illegal alien gang members to immigration authorities. Well, Mayor Villaraigosa and Chief Bratton both opposed this

change. Dunphy stated: "That Bratton should echo the mayor's sentiments comes as no surprise to those of us who have witnessed his transformation from the no-nonsense police chief who arrived in L.A. in 2002 to the uniformed politician he is today." It may also come as no surprise to you that Bratton was reappointed in 2007 to a second five-year term. This was the first reappointment of an LAPD chief in several decades.

Professional policing in this country has come a long way. It is unfortunate that politics tend to work against this progress. □



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.

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Your Success: Our Greatest Achievement

***"Why should police officers' labor organizations
be any different from other labor unions?"***

POLICE OFFICERS ASSOCIATION OF MICHIGAN

POLICE OFFICERS OF THE YEAR

2008

KENT COUNTY SHERIFF'S DEPARTMENT DETECTIVE AARON BROWN AND SGT. ROGER ZOPPA

Lightning may never strike twice in the same place, but criminals do. That's the lesson two Kent County law enforcement officers and a stunned convenience store clerk learned last Aug. 28 when an undercover surveillance turned into a potentially deadly police chase.

It was 2 a.m. Kent County Sheriff's Department Detective Aaron Brown and Sgt. Aaron Brown were sitting in their unmarked car in a parking lot across the street from a party store under surveillance. The store was one of two all-night stores that had been robbed earlier that summer by a man firing a sawed-off shotgun. Fearing this violent gunman might strike again, the department assigned undercover officers to all six late-night party stores for a full month.

The month, however, was almost up, and the robberies, which had originally occurred in rapid succession, had stopped.

Suddenly, in the dark, the officers spotted a man matching the suspect's description trying to open the locked double doors at the side of the store and then disappearing behind the building. Anticipating another armed robbery, this time right before their eyes — and with a customer inside the store, they asked dispatch for back-up.

As soon as they did so, two men appeared from the back of the building, ran through the front door and headed directly to the counter clerk, gesturing wildly as they talked to him. Within seconds, both dashed from the store, raced around the building and out of the officers' sight — but not before they spotted a shotgun in one of the men's hands.

Assuming — although not knowing for sure — that they had witnessed a robbery, the two officers drove toward the store but quickly changed course when they saw the two suspects driving away in a car.

Within minutes, dispatch confirmed that their instincts had been correct. A robbery had occurred. The unfortunate clerk was the same one who had been robbed two months earlier in the same store by the same gunman wearing the same clothes. Neither the clerk nor the customer, who happened to be in the men's room when the robbery occurred, was hurt. But the men had escaped with several hundred dollars in cash.

Maintaining about a half block between their car and the suspect's ve-

hicle, Zoppa and Brown followed them. At first, the men maintained the 55-mile-per-hour road speed, seemingly unaware that the unmarked Pontiac Grand Am behind it held two law enforcement officers.

But the suspects become more suspicious when the tag car continued to tail them after several turns. Accelerating in an attempt to lose the pursuing car, they raced up to 80 miles per hour, even on dirt and gravel. They ran stop signs and drove recklessly. Then, without warning, their car jerked to a complete stop right in the middle of the street.

With the two officers still in the car behind them, the driver threw the car into reverse, heading backward directly toward the unmarked sheriff's department car.

Endangered by the impending crash, Brown and Zoppa jumped from their car not knowing what to expect next. Would the gunman lean out his window to fire his sawed-off shotgun at them? Would he jump from the car and rush at them with the gun? Or would the driver use the vehicle as a weapon?

Identifying themselves as officers, Brown and Zoppa warned the suspects to stop the car or they would shoot.

The car continued its backward momentum, and the officers made good on their promise, firing several shots at the approaching vehicle.

Jamming the car into forward, the driver and passenger sped off with one of them firing back at the officers, who had jumped back in their car to pursue them.

Marked police cars suddenly appeared everywhere, halting the brief but wild chase. The suspects surrendered and, by the time Brown and Zoppa arrived, the two who were lying on the ground near their car, closely guarded by responding officers. Both were later sentenced to prison, one for 10 to 40 years and one for 11 to 45 years.

Detective Aaron Brown and Sgt. Roger Zoppa were instrumental in capturing two dangerous men, who surely would have injured or even killed an innocent bystander at some point in the party store robbery rampage. They removed them from the streets and put them in prison. For their bravery and quick action in a potentially deadly situation, we present them with the 2008 POAM Distinguished Service Award.

ISABELLA COUNTY DETECTIVE SGT. DAVID PATTERSON

Crime fiction is filled with cat-and-mouse mind games between detective and suspect. Isabella County Detective Sgt. David Patterson played the same game for higher stakes in real life — and put a murderer in jail for life.

Patterson's venture began in November 2005 with the mysterious disappearance of a woman who was scheduled to testify against her ex-boyfriend on a domestic violence charge. He had also reportedly beaten and severely injured her several times before.

Patterson suspected the boyfriend of murdering her when he was out of jail on bond for the domestic violence charge. But he had no evidence that the man was responsible — and no proof that a murder had even occurred — so the man remained free pending his trial.

Relentlessly, Patterson painstakingly worked the case, seeking the missing body or tell-tale clues. Police helicopters did aerial searches. The county dive team checked the Chippewa River and a pond not far from the woman's home. Police collected coins from pay phones to check fingerprints. Cadaver dogs searched. Even psychics had their say.



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Round-the-clock home surveillance cameras and a GPS tracker in the man's car presented no new evidence.

Patterson's first break came when the ex-boyfriend, still out on bond, noticed police tailing him when he drove from his house. He tried to speed away but was caught and arrested. The court revoked his bond and threw him back into the Midland County Jail.

It was in jail that the ex-boyfriend boasted to his cellmate that he'd strangled the missing woman and then buried her to prevent her from testifying against him. The cellmate reported the conversation to police but was unable to provide more information or determine where the man had buried the body. Patterson knew he'd need far more evidence to charge and convict the man.

Six months after the woman's disappearance, the ex-boyfriend went to prison for up to 15 years on the domestic violence charge. Ironically, the missing woman's absence at the trial — which the ex-boyfriend hoped would be his ticket to freedom — proved immaterial because the court based its guilty verdict on the woman's testimony during his preliminary exam.

Although the man was now imprisoned, and Patterson had no credible evidence that the woman had been murdered, he refused to abandon the case. Instead, Patterson requested an informant share the ex-boyfriend's cell.

Based on advice from the Michigan State Police Behavioral Analysis Unit, Patterson created a media event on the first anniversary of the woman's disappearance. At the press conference — purportedly to remind deer hunters to keep their eyes open for a fresh gravesite or anything that might look suspicious during the upcoming hunting season — local newspapers took staged photos of the missing woman's 42-year-old daughter. Surrounding her were law enforcement officers from three area agencies.

Patterson then anonymously mailed the newspaper articles and news conference photos of the daughter with short notes to the ex-boyfriend, hoping to raise his anxiety level. He mailed them separately from outside the area — with no return addresses.

His ploy worked. In no time, Schultz angrily told his informant cellmate that the only reason the police were still looking for his ex-girlfriend was because her daughter was pushing them.

Within a few weeks of the article, the ex-boyfriend approached his cell-

mate about finding him a hit man on the outside to kill the daughter. The informant offered his biker brother, and the ex-boyfriend jumped at the idea.

After two phone conversations, some correspondence and a couple visits with a Michigan State Police officer posing as the biker brother hit man, the ex-boyfriend sealed the deal: He hired the bogus hit man to murder the missing woman's daughter and bury her with her mother.

The ex-boyfriend provided the "hit man" with the newspaper picture of the daughter and detailed directions to the missing woman's grave. With the ex-boyfriend's map in hand, police had no trouble locating the shallow burial site and the body of the woman, who had been strangled, stripped and burned with five gallons of gasoline.

On Jan. 11, 2008 — 26 months to the day after the woman's disappearance and after a dogged 26-month-investigation — the ex-boyfriend was convicted and sentenced to life in prison for the first-degree murder of his former girlfriend.

Detective Patterson could easily have given up during that long and frustrating investigation. But his persistence and work ethic would not allow him to do so. He kept the former girlfriend's family apprised of every step and helped console them as needed — so much so that the victim's daughter described him as her "rock" throughout the investigation. Patterson's final report to the prosecutor ran 1,242 pages.

For his diligence, painstaking detective work and creativity in solving a case others might understandably have abandoned, the Police Officers Association of Michigan honors Isabella County Detective Sgt. David Patterson the 2008 POAM Distinguished Service Award.

EASTPOINTE DETECTIVE MARK ALLEN, EASTPOINTE DETECTIVE TIM STOPCYNSKI AND ROSEVILLE DETECTIVE BRIAN SHOCK

When three Macomb County police detectives decided to say "No!" to drugs, dealers in two Southeast Michigan learned the hard way they meant business.

The three officers — Eastpointe Detective Mark Allen, Eastpointe Detective Tim Stopcynski and Roseville Detective Brian Shock — spearheaded, supervised and actively involved themselves in a massive undercover operation resulting more than 300 narcotic arrests and huge amounts of seized narcotics removed from the streets.

"Operation Smackdown," the largest narcotics bust ever executed in Macomb County — and possibly the largest in Michigan too — ultimately involved more than 100 officers from federal, state, county and local law enforcement agencies conducting four days of raids throughout Wayne and Macomb Counties last December.

The massive undercover operation began in 2007 when reported heroin use by Macomb County youths — many of them from good families — skyrocketed, bringing an alarming rate of addiction, overdose and death.

Command officers struggled to determine where the kids, many of them even too young for driver's licenses, were obtaining their drugs. They knew every day wasted in solving the puzzle and creating an effective solution would result in additional deaths and damage.

It was Detectives Allen, Stopcynski and Shock — all assigned as undercover narcotics investigators in their respective departments — proposed a plan. It would simultaneously attack heroin sellers and users.

Dubbed "Operation Smackdown," the coordinated effort involved con-

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centrated raids on places where youths bought their heroin. They would simultaneously arrest the kids and executing arrest and search warrants.

Almost immediately, every Macomb County law enforcement agency bought into the plan. So did the Detroit Police, the Wayne County Sheriff's Department and the federal Drug Enforcement Agency.

An impressive crew of command officers — including Fraser Department of Public Safety Acting Director George Rouhib, Eastpointe Inspector John Calabrese and Roseville Deputy Chief Anthony Cona — lead the operations.

The scope of "Operation Smackdown" made it crucial that intelligence be accurate and far-reaching, involving as many heroin houses as possible. The fear was that if they were ill-prepared, the operation would fail — and everyone involved realized that a massive, inter-agency project of such massive proportions could well be a one-time shot.

But only two weeks before the first raid on Dec. 17, intelligence-gathering had been severely impaired by delays and interagency logistics. With the tightest of deadlines and so much on the line, Allen, Stopczynski and Shock assumed key responsibilities, taking charge of gathering all intelligence for the entire multi-agency operation.

Using every technique they had learned through training and experience, they made controlled and undercover purchases, put suspected heroin houses and dealers under surveillance, interviewed confidential sources and even conducted cold walk-ups at pinpointed locations.

Within 12 days, the three had gathered intelligence on 45 operating dope houses in Macomb and Wayne counties. Working closely with Detroit and Wayne County law enforcement, they identified the best push-off locations, where police could set up shop inside, posing as dealers and arresting those who came to buy heroin.

Thanks to their tireless work, "Operation Smackdown" proved an unqualified success. When the four-day operation ended December 20, police had made more than 136 arrests, executed 30 search warrants and seized a huge stash of heroin, powdered cocaine, crack cocaine, marijuana, illegal weapons, cash and more than 50 vehicles.

Best of all, the operation disrupted the heroin flow to young people and, most likely, deterred many of them from seeking narcotics.

The operation was so successful, cooperating law enforcement agencies have scheduled "Operation Smackdown II" for next month.

Although dedication and hard work from all the devoted officers and

agencies involved contributed to the project's success, "Operation Smackdown" would never have happened without Shock, Allen and Stopczynski, according to POAM President Jim Tignanelli.

"Their overall performance is second to no officer I've seen during my career in law enforcement," Tignanelli observes. "I've had the pleasure of working alongside some of the best narcotics officers in both the state and federal systems, and I can honestly say these three are among the best."

All three officers excelled throughout in every aspect of this fruitful initiative — from its inception and intelligence-gathering to administration and undercover investigation. They involved themselves in more than 200 hand-to-hand narcotic purchases, successfully conducted reverse narcotics sales, never shied from known violent and armed offenders and used their expertise to successfully and safely conduct operations involving the lives of countless law-enforcement officers and young people in our communities.

The Police Officers Association takes great pride in presenting Eastpointe Detective Mark Allen, Eastpointe Detective Tim Stopczynski and Roseville Detective Brian Shock with the 2008 POAM Distinguished Service Award.

FRASER PUBLIC SAFETY OFFICERS EUGENE CHOJNOWSKI AND GARY MCLAUGHLIN

It was midafternoon Oct. 24 last year when Fraser Public Safety Officers Eugene Chojnowski and Gary McLaughlin entered a house of horrors far greater than anything the fast-approaching Halloween scare fest could offer.

The two officers and their fire chief had been the first to arrive at a burning house. Dense smoke and roaring flames spewed from the modest one-story brick home.

As the officers assessed the scene, a frantic lady approached them. Her 6-month-old nephew and an elderly woman were trapped in the home.

Unwilling to waste precious minutes donning their apparatus, Chojnowski and McLaughlin raced to the house and kicked in the front door — entering the inferno without breathing equipment and fire hoses.

Battling the black smoke and heat, McLaughlin found the infant on a couch, picked him up and handed him to Chojnowski. All three burst through the door to safety.

Miraculously, the baby survived with only slight smoke inhalation damage, but they were unable to re-enter the blaze to save the elderly woman.

Officers Eugene Chojnowski and Gary McLaughlin risked their own lives in their heroic rescue efforts. Had they stopped to protect themselves with the proper equipment, it might have been too late for that baby.

For their exemplary and selfless actions in saving an innocent life, the Police Officers Association of Michigan honors Officers Eugene Chojnowski and Gary McLaughlin with the 2008 POAM Police Officer of the Year Award.

GRAND TRAVERSE COUNTY DEPUTY CHARLES JETTER

When Grand Traverse County Deputy Charles Jetter responded to an emergency call last Nov. 11, he didn't expect to play a key role in the gunman's carefully pre-planned funeral.

The incident began about 10 p.m. with a deceptively innocent call. The



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caller, speaking calmly, insisted first to dispatch and then to police personnel, that he must speak to an officer about his personal problems.

Neither dispatch nor the responding officers could know that only six days before, the caller had picked out and paid for his own coffin, headstone and cemetery plot. He had also told several friends and family members that he planned to shoot the law enforcement officers when they arrived, forcing the deputies to shoot back and kill him.

Unaware of the man's true intention, three officers arrived. They expected to hear a torrent of problems flow from the man. Instead, the man greeting them with a barrage of bullets fired wildly from outside his tri-level home.

The officers took cover as Sheriff Scott Fewins activated the Northern Michigan Emergency Response Team. Among those responding was Grand Traverse County Deputy Charles Jetter.

With more than a dozen ERT officers in place, the gunman disappeared into his home, where he had stashed several high-powered handguns and

dead-on accuracy, Jetter fired, fatally striking his target — inadvertently completing the last detail of the assailant's self-planned funeral.

Without a doubt, Jetter's skilled marksmanship and heroic action saved the lives of his three ERT colleagues.

The Police Officers Association of Michigan therefore honors Grand Traverse County Deputy Charles Jetter, an outstanding officer with an impeccable lifetime service record, with our highest award by naming him 2008 POAM Police Officer of the Year.

SOUTHFIELD POLICE OFFICER BLAKE MATATALL

On Sept. 27 last year, Southfield Police Officer Blake Matatall experienced a vivid reminder of something every police officer knows: Any routine traffic stop can easily become anything but routine.

Just before 11 p.m. that night, Officer Matatall spotted a speeding Chevy Malibu erratically changing lanes on southbound Telegraph just north of 10 Mile Rd.

Pacing the car at 10 miles over the speed limit, Matatall activated his flashers. Although the car slowed, moved to the far right lane and hesitated at several driveways, it never stopped. Nor did it stop when Matatall, suspecting the driver was about to flee, activated his siren.

Finally, several blocks beyond the initial stop attempt, the car pulled into a commercial lot and rolled to a stop. Leaving his police car in the right lane of the narrow, two-lane entry, Matatall began walking toward the car but quickly realized he could not see the driver, who had angled his car to the right.

Matatall walked a wide angle to the left to better see the driver before getting closer to him. As he did so, the man began driving slowly forward. "Stop the vehicle!" Matatall repeatedly ordered him.

But the driver not only ignored the officer's commands, he accelerated and made a sharp U-turn so that his car was coming toward Matatall, who was still on foot.

Drawing his gun, Matatall again ordered the driver to stop. But instead of stopping, the driver accelerated, steering his car directly toward Matatall. Fearing for his life, Matatall retreated. The car continued on course — headed directly for him.

With only 3 feet between Matatall and the oncoming car, Matatall fired



assault rifles, according to his family.

Throughout the long night, the man refused all negotiation attempts, insisting that if the officers wanted to talk, they'd have to come inside. Two attempts to end the tense standoff with tear gas — once at 3 a.m. and again at 6:30 a.m. — proved equally futile.

Finally, shortly after 9 a.m., three ERT members approached the front of the home to check on the man. What they didn't know was that he was hiding underneath his front picture window — with a fully loaded TEC-9 semiautomatic strapped to him. And, if that weren't enough, he also had an AR-15, fully loaded with two 30-round magazines taped together. The AR-15 was in fire mode with one round already chambered.

Suddenly, the armed gunman sprang to his feet, shouldering the AR-15.

"He's got us, and he's got us pinned down," one of the ERT calmly but desperately radioed his colleagues.

Positioned about 75 to 100 yards from the house, Deputy Jetter knew he was responsible for covering his fellow team members and neighboring civilians. He also realized this was the time to use everything he'd learned as an FBI-trained sniper.

Through his rifle scope, he watched the armed man put his finger inside the AR-15 trigger guard and point it at the approaching officers. With



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four shots at the driver before jumping from the car's path.

The car swerved, missed the officer and bolted straight across southbound Telegraph, where it ran over a cement divider, crossed the grass median and crashed into a downed traffic sign. It continued across all the northbound lanes of Telegraph before it came to rest in a construction company parking lot.

Matatall raced across Telegraph to the car where, for the first time, he noticed a man in the passenger seat. Although the man was attempting to escape, Matatall successfully ordered him to the ground.

But Matatall — still operating without back-up — was far from done. As he stood near the downed passenger, he saw the driver, bleeding profusely, attempting to open his armrest.

"Hands up!" commanded Matatall.

This time, to Matatall's surprise, the man complied.

Noting the extent of the driver's injuries, Matatall called for life support and then handcuffed the passenger. The driver later died of his wounds.

Police learned that the two men had just met on an Internet site and had been smoking marijuana before the deadly encounter. They never figured out, however, how a car, driven by a man with fatal bullets in his chest and throat — and marijuana in his brain — could cut straight across multiple lanes of oncoming, 50-mile-per hour traffic on a heavily traveled artery — without hitting a car or causing an injury. And they never will.

Southfield Police Officer Blake Matatall demonstrated exemplary professional skill and life-saving, split-second decisions under extraordinarily stressful circumstances. The Police Officers Association of Michigan proudly honors him with our 2008 POAM Police Officer of the Year Award.

WESTLAND POLICE OFFICERS DAVID HOCHSTEIN AND KENNETH PERCIN

Responding to a call about trouble in a failing romantic relationship almost cost Westland Police Officers David Hochstein and Kenneth Percin their lives. But a long-time partnership based on trust and responsibility saved them.

The two officers, partners for several years, were at the Westland police station about 9 p.m. last Oct. 13 when a woman came in to report that her husband, who had a prior arrest for domestic violence against her, had just threatened her with a gun.

Although she had not lived with her husband for a couple months and had served him with divorce papers the week before, she said she still occasionally picked him up to take him grocery shopping.

That evening, when she arrived for the shopping trip, she asked to pick up her bills. He invited her inside to retrieve them from the family room table. When she saw no bills on the table, he told her they were on the kitchen table instead.

As she stepped into the kitchen, her husband confronted her with the divorce paperwork and pleaded with her to drop the divorce. When she refused, he pulled a handgun from his pocket and told her not to move. She immediately fled the house and went straight to the police station.

Hearing her story, Hochstein and Percin volunteered for the call.

The wife warned them that her husband had two long guns as well as the handgun.

Arriving at the man's well-armed home, Hochstein knocked on the front

door while Percin checked the windows with a flashlight.

Percin, spotted the husband standing against a wall near the garage entry door, alerted Hochstein and then asked the husband to come to the back door to speak to them. The husband ignored him. Percin repeated the invitation, but the husband failed to respond.

Percin secured his firearm and both officers entered the back door, with Hochstein using a sidearm to cover his partner.

But as Percin moved to arrest the husband by securing his arms in a bear hug, the husband began to struggle. With his back to Percin, he managed to reach into his own pocket and grab a small black semi-automatic handgun, all the time fighting to turn around and face the two uniformed officers.

Percin alerted Hochstein to the gun, all the time battling to control the husband's efforts to turn and level his gun at the officers. Just as Percin changed positions in an attempt to gain control over the man's gun, the husband fired one round toward Hochstein — straight across the front of Percin's body.



The shot sailed through the husband's and Percin's hands, embedding itself high in the wall. Percin's left arm flew backwards then dropped limply to his side.

Fearing for his partner's life, Hochstein joined the struggle to contain the husband, who was still fighting to free himself. Hochstein reached around Percin, discharging one round from his duty sidearm into the husband's left shoulder. The husband fell away from Percin and sank to the floor.

Fortunately, Percin's wound proved to be only a graze, and he helped Hochstein secure the house. The husband, however, was not as lucky because Hochstein's round proved fatal for him.

Officers David Hochstein, currently our Westland POA president, and Kenneth Percin have worked together for several years as night-shift partners. These courageous officers used not only their training and inner strengths but also their friendship and reliance on each other to secure a successful outcome in a deadly confrontation.

Their concern for each other, their professionalism and their bravery have earned Westland Police Officers David Hochstein and Kenneth Percin well-deserved recognition as 2008 POAM Police Officers of the Year.

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TAYLOR POLICE OFFICER MATTHEW EDWARDS

It was only eight days to Christmas Eve, but Taylor Police Officers Matthew Edwards and Jeffrey Graves found nothing of the holiday spirit when they responded to a domestic call at a mobile home park last Dec. 16.

When they arrived about 5 p.m., the two knocked on the door and identified themselves as police. The man, who continued to pound on inside of the closed door, told him he already knew that.

A woman standing in the driveway then introduced herself to the officers as his wife. She told them that her husband, while drinking heavily, had told her he wanted to commit suicide but was afraid to kill himself — so he planned to goad the police into doing it for him.

After calling this information into dispatch, the two officers continued talking to the wife when Officer Edwards spotted the man leaving the trailer. As he alerted his partner, Edwards noticed a kitchen knife with a nearly foot-long blade in man's right hand. The man came down his back steps and walked toward Edwards, who was now on one side of the trailer while Graves stood with the man's wife on the other side.

Both officers called out for the man to drop the knife, but the man ignored them, continuing his advance.

Fearing for his own life as well as for his fellow officer and the man's wife, Edwards unholstered his gun. Seemingly pleased, the man told him that's exactly what he wanted him to do — and he continued to advance on Edwards until he was only 15 feet away.

Having no other option, Edwards fired nine shots. With eight of the nine bullets hitting critical spots, the man — still moving closer to Edwards — finally collapsed. The two officers handcuffed him and called EMS to transport him to the hospital, where he died.

Officer Edwards demonstrated cool professionalism and precise accuracy in stopping a drunken, knife-wielding man who was intent on ending his own life — and could easily have taken his own wife and two police officers with him.

For his cool reaction and professional skill in a life-and-death situation, The Police Officers Association of Michigan proudly presents Taylor Police Officer Matthew Edwards with the 2008 POAM Office of the Year Award.



WESTLAND POLICE OFFICER JASON BLANCHARD

Westland Police Officer Jason Blanchard was the first officer on the scene to investigate a phoned-in report of an armed man near the swimming pool of a large apartment complex. But he was far from the first to encounter a growing law enforcement problem of people who try to commit suicide with police help.

It was midafternoon on June 8 last year when Blanchard pulled into the complex. At first he saw no one matching the description of a white male, about 25 years old, wearing a white T-shirt and jeans — and reportedly armed with a silver handgun.

From his patrol car, he was talking to two maintenance workers at the scene when he spotted the suspect standing behind the bushes surrounding the pool.

Aware the man might have a gun, Blanchard drew his service weapon,



left his car and headed toward the bushes. At this point, the man pulled a 12-inch, fixed-blade knife from under his shirt and walked toward Blanchard, who stood between him and the maintenance workers.

Ignoring Blanchard's commands for him to stop, the man continued advancing, threatening with his knife. As the distance between them closed, Blanchard realized that the knife-wielding man wanted to kill him.

Blanchard backed away, hoping to increase his reactionary gap to protect himself and the workers. Still the man pressed forward, now raising the knife above his head, ready to attack.

Again Blanchard ordered him to stop. But the man continued coming at him.

Knowing the workers stood close behind him and hearing the growing number of people who had arrived to see what was happening, Blanchard decided too many lives were now in jeopardy. If he retreated any farther, he would endanger innocent people who would then be standing between him and the armed man.

Blanchard stopped, held his ground and one last time ordered the man to stop — or be shot. But the man ignored him, brandishing his knife and advancing until he was only 8 feet from the officer.

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Feeling he had no alternative, Blanchard fired one round from his handgun, felling the man with an abdominal strike as back-up officers arrived.

In securing the injured man, police found a cordless home phone in his pocket. It took only minutes to determine that the phoned-in report about the man had come from that phone — and that he had been the anonymous person who instigated the police run.

At the hospital, the man, who lived in the apartment complex with his father, admitted that he had planned to wave the responding police officer over to him. When the officer came close, he intended to charge him. He hoped the officer would then shoot him, thereby committing “suicide by police,” a growing problem in police work.

If Officer Blanchard had not been prepared when he arrived and aware of his surroundings throughout the encounter, innocent lives could well have been lost. By using his law-enforcement training and maintaining his cool, he handled an extremely tense situation in textbook fashion — so much so that the tape from the dashboard-mounted camera will be used for future in-house training.

Westland Police Officer Jason Blanchard, the Police Officers Association of Michigan now honors you with the 2008 POAM Police Officer of the Year.

CLARE CITY POLICE OFFICER JEREMY MCGRAW

A moving flashlight beam sliced the dark near the local VFW hall, drawing Clare Police Chief Dwayne Miedzianowski’s attention as he awaited Officer Jeremy McGraw. It was 11 p.m. last Sept. 18, and both men were responding to a call about gunshots fired near the Lone Pine Hotel.

As the light landed on the chief, he left his car and spotted a man running toward the nearby hotel. The man grasped a flashlight in one hand. An unknown, stick-like object perched on his left shoulder.

Miedzianowski asked the man to drop the stick and talk to him. Swearing at the chief, the man ignored the order and continued toward the hotel. Radioing his exact location to McGraw, the chief followed about 15 feet behind the man who repeatedly glanced back and swore at Miedzianowski each time the chief ordered him to drop his stick.

As the man approached Cabin 17 at the hotel, Miedzianowski once again

asked him to drop his weapon. This time the man pivoted toward the chief and raised the stick with his left hand as though about to strike. Taking cover behind a parked truck, the chief continued to order the man to drop his weapon.

This time, the man did lower the stick to his side, but he continued to approach the chief, cursing at him as he did so.

Hoping to avert the attack without using lethal force, the chief pepper-sprayed the man’s face. This time the man responded with more than a curse: He reached into his belt with his right hand and pulled out a black-handled, silver-bladed knife.

Having no alternative, the chief drew his service weapon, pointed it at the man and ordered him to stop. Slowly, the man tucked the knife back into his belt, headed toward Cabin 17 and walked inside, closing the door behind him.

The chief quickly briefed McGraw, who had just arrived. Both men then checked the area before approaching the cabin door.

McGraw, Taser in hand, stood to the door’s right. His chief, weapon drawn for cover, positioned himself at a 45-degree angle and about seven steps back to the left.

Cautiously, McGraw knocked on the door, stepped back and then knocked two more times, all the time both men announced themselves as police. No answer. Both McGraw and the chief kicked the door. No answer.

Then, suddenly, the door swung open, and the suspect appeared — with a large military-style knife in his left hand and a silver-colored hatchet plus a smaller knife, both still sheathed, in his right.

Hands in front of his face, the man struggled to unsheath the hatchet. McGraw then ordered him to put down the knives or be tasered, but the man not only ignored him, he unsheathed the knife and took a step toward the officer.

McGraw fired his taser. The man jumped back into his cabin and shut the door, leaving McGraw unsure whether or not he had stuck him.

Twice McGraw kicked the door without results. Then, the door flew open. There stood the suspect with the military-style knife in his left hand and the now unsheathed hatchet in his right — both weapons raised aggressively in the air.

Backing away, McGraw drew his firearm, falling on his back right side as he tripped on a curb a few feet from the door. With McGraw stunned and seemingly unable to move, the man advanced within three feet — knife and hatchet in hand.

Fearing for McGraw’s life, the chief opened fire. The man stopped briefly, giving McGraw a chance to gather his wits and scoot back a few more feet before drawing his gun.

Pointing his weapon at his fast-approaching assailant, McGraw fired from his chest while leaning back. The man stopped, turned toward the chief as if to attack, then turned toward Cabin 17 — and collapsed, face down with fatal bullet wounds.

Chief Miedzianowski and Officer McGraw repeatedly tried to resolve a grave situation in every possible way short of deadly force. But, as every law enforcement officer knows, there are times when the last resort is the only one.

We commend Clare Police Officer Jeremy McGraw for his ongoing professionalism in countering such a dangerous attacker and for his ultimate skill and bravery in saving at least two lives in imminent danger. We’re proud to honor him with our 2008 POAM Police Officer of the Year Award.

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Michigan Law Governing Disclosure of Involuntary Statements by Law Enforcement Officers

By Doug Gutscher, POAM Assistant General Counsel

On December 29, 2006, P.A. 2006 no. 563 went into effect which restricted the use and disclosure of certain statements made by law enforcement officers. The law has two distinct parts. The first part of the law codifies "Garrity." The second aspect of the law is to prohibit disclosure of the statement.

POAM General Counsel Frank A. Guido assisted the legislature defining what exactly an involuntary statement meant. An involuntary statement means "information provided by a law enforcement officer, if compelled under a threat of dismissal from employment or any other employment sanction, by the law enforcement agency that employs the law enforcement officers." MCL 15.393 prohibits the use of the involuntary statement in a subsequent criminal proceeding. MCL 15.391 and MCL 15.393 go hand-in-hand to establish a clear, concise state law codifying what is commonly referred to as the "Garrity" right.

The second part of the law limits disclosure of the involuntary statements made by law enforcement officers. MCL 15.395 provides that involuntary statements made by law enforcement officers are a confidential communication that is not open to public inspection. On the surface this may seem beneficial to many law enforcement officers under investigation by their department, however, in reality it does create an issue for which you need to be aware. MCL 15.395 is nothing more than a disclosure law. In practical terms, this section only keeps the press and public from initially obtaining the statements. While the law prohibits disclosure, there are exceptions.

The statute does provide that a statement "may be disclosed by a law enforcement agency under one or more of the following circumstances."

The statement can be released with the written consent of the law enforcement officer who made the statement. The Prosecuting Attorney or Attorney General may obtain the statement with a search warrant, a subpoena, or court order (including an investigative subpoena). The hurdles for the Prosecutor have created some issues and apprehension among officers to protect their rights.

The issue which potentially could arise is a situation in which an officer is involved in an on-duty altercation with a subject that either could or does result in a criminal investigation of the officer's actions. While the officer could clearly write a report regarding a stand alone felony committed not associated with the actual confrontation, any statement regarding the confrontation with the suspect should be protected. If the statements are properly protected, then the prosecutor will have to follow the steps provided in the statute to obtain the police report or statements made by the officer. For some prosecutors this will not be an issue. They will simply comply with statute, however, others will refuse and create a situation.

The statute provides for the statements to be disclosed to legal counsel and union representatives to defend the officer in both internal and criminal matters. The statements, again, are not to be made public without written consent of the law enforcement officer who made the statement. In a civil action the statements are still subject to discovery by counsel filing a civil action against the employing agency or law enforcement officer. The statements are subject to court order protecting the confidentiality of the statements. An individual is not to disclose the involuntary statements without approval of the court. □

Scott Atkinson Retires... Sort Of

By Ed Jacques, *LEJ* Editor

On April 27, 2008, one of metro Detroit's most effective local police association leaders announced his retirement from the Taylor Police Department. The very next day, Scott Atkinson put in ten hours as a POAM Business Agent. Scott was never known for resting on his laurels as a police officer and union president, and he took on a big work load at POAM immediately after his retirement.

Atkinson's accomplishments as President of the Taylor Police Officers Labor Association is an impressive one. Years ago, frustrated with being one of the lowest paid police departments in the tri-county area, comparable to Pontiac, Atkinson researched switching union affiliation for his local association from Police Officers Labor Council (POLC) to Police Officers Association of Michigan (POAM). He also decided to run for, and won the local president's position. With the counseling of POAM and the support from his Business Agent, Gary Pushee, Scott agreed that improving wages and working conditions in the Taylor Police Department could be accomplished through becoming active in local politics. The Taylor POLA became a driving political entity in the city and forced politicians to address public safety issues. Playing an active role in pension board appointments and opposing candidates that were not pro law enforcement paid dividends and the administration began to recognize the undeniable facts. With the help of his Executive Board, Scott convinced the Mayor to give his police officers a 5% wage increase one year before their collective bargaining agreement expired because they were losing qualified officers to other higher paying departments. Over the cycle of the next two contracts, Taylor worked its way to the top of Wayne County comparables.

Scott worked road patrol and crime prevention as well as many special assignments during his career at Taylor P.D. Those included but were not limited to: narcotics and money laundering, unsolved homicides, illegal gun sales, domestic violence and field training.

Atkinson was named to the POAM Executive Board in 2001 and has been an active and vocal member on every issue, especially political en-

dorsements. In 2004, Scott began working part-time as a business agent with rave reviews from his clients. The number of units he represented continued to grow steadily. Atkinson now works with groups as far west as Ottawa and Cass County and St. Clair and Monroe County to the east. That may seem like too large of an area for one business agent to travel but, Scott has a unique situation.

Scott and his wife Cheryl currently live in Monroe, Michigan but for years have owned a cottage in Barry County. The property consists of fourteen acres on a small private lake that Scott compares to being in the Upper Peninsula. "I try to schedule multiple employer meetings or negotiations on the west side of the state in a particular week so I can utilize our cottage as my base of operations," says Scott. "The next week I will be over in the Detroit area servicing my groups on the east side." Cheryl has been a mortgage broker for the past twelve years and will be leaving that job to spend more time with Scott and relax a little bit. She will be traveling with Scott on some of his trips to western Michigan.

Although Atkinson will admit that he is too young to retire from working altogether, the facts are Scott comes from a working family and likes the challenges that his new role at POAM provides. "I worked every detail and as many hours as I could at the department," says Scott. "It could become a bit of a grind at times but with POAM, every group and contract that I am responsible for is different. I have helped brand new unions get formed and negotiated their inaugural contract and taken over established groups with seasoned veterans. The diversity of the people I work with makes my new job interesting and I have continued to receive full support from the staff at POAM as I begin my second career." □





QUÉBEC • CANADA • ÉTATS-UNIS

ÉRIC MONDOR

Cell.: 450.547.9314
expressmondor@intermonde.net

DANY MONDOR

Cell.: 450.547.9315
danymondor@intermonde.net

922, Grande Côte Ouest
Lanoraie (Québec) J0K 1E0

1.877.586.6662
Fax: 450.887.2137

MICHIGAN'S BEST POLICE ADMINISTRATOR FOR 2008 IS...

CITY OF CLARE POLICE CHIEF DWAYNE MIEDZIANOWSKI

By Ed Jacques, *LEJ* Editor

If remaining cool and calm under tremendous pressure, especially a critical incident involving one of your patrol officers qualifies you as Michigan's Best Police Chief, Dwayne Miedzianowski would certainly pass the test. If you help save the life of that fellow police officer, any candidate would proceed to the top of that distinguished list. But, Clare Police Chief Dwayne Miedzianowski has received the POAM's award for Best Police Administrator because that same professionalism and guts that he displayed on September 18, 2007 is a common trait in his leadership role at the Clare Police Department. (Story on page 20.)

Miedzianowski was a resident of Clare when the municipality's Chief of Police position opened in 2005. His three young daughters had established roots there; he knew many of the local officers and believed he could make a difference in his own community.

Although the city faces many of the same revenue challenges of other Michigan municipalities, Chief Miedzianowski has made a drastic improvement in department morale. Dwayne helped the officers develop twelve hour shifts, an FTO program, a Youth Police Academy, designated a school liaison officer as well as establishing other family events for its officers. "My goal is to retain our quality

officers and afford them some opportunity for growth in this department," said Miedzianowski. "We have exceptional officers employed here and I want to do everything possible to keep them."

In the end, Dwayne Miedzianowski's recognition as POAM's Best Police Administrator for 2008 is because of the trust and respect his subordinates have for him. Members know they can come to the Chief before filing a grievance to discuss its merits and trust his confidentiality on delicate issues. "It's never personal with Dwayne," said POAM Business Agent Dan Kuhn. "If there is a policy or procedure that has an impact on one of his employees, the Chief is always willing to personally meet with his officers over coffee or lunch and try to resolve the issue if possible."

"I saw some other high ranking police administrators at the POAM convention and I hope they feel the way I did afterward," said Miedzianowski. "This gathering and the acknowledgement of our brave officers serves as a great reminder of what police work is really all about."

Because of his integrity, professionalism, courage and above all, his sincere concern for Clare police officers and their families, Dwayne Miedzianowski is the perfect choice for POAM's Best Police Administrator. □



Chief Miedzianowski plays an important role in every Clare police officer's life and career.

THIS YEAR'S HORSE'S ASS IS...LEELANAU COUNTY

SHERIFF MICHAEL OLTERSDDORF

By Ed Jacques, *LEJ* Editor

On Thursday, May 22, 2008, POAM named the 2008 recipient of the STATE'S WORST POLICE ADMINISTRATOR, more commonly referred to as the "Horse's Ass." The dubious distinction was placed on Leelanau County Sheriff Michael Oltersdorf.

The award is given to the police administrator who consistently violates the officers' contract, has little or no leadership skills and is responsible for poor department morale. Sheriff Oltersdorf was the unanimous choice of the POAM's state wide Executive Board because of his numerous and outrageous actions taken as a police executive. Some of them so outrageous, they have

brought embarrassment to the hard working deputies employed by the Leelanau County Sheriff's Department.

Oltersdorf is up for re-election in November and a tight race is expected. Oltersdorf's support within the community and his Board of Commissioners is crumbling and all POAM members are encourage to call any family or friends that reside in the county to encourage them to send another "horse's ass" out to pasture.

TOP REASONS MICHAEL OLTERSDDORF IS 2008 HORSE'S ASS

- Forced new employees to sign a pre-employment letter guaranteeing that if they left the department prior to three years of service, they must re-imburse the county for all training, equipment and uniforms purchased.
- Signed up the detective sergeant for the "dunk tank" at the local Strawberry Festival. The detective sergeant first discovered the assignment by reading it in the local newspaper.
- Oltersdorf made national headlines by ordering employees locked in jail cells for two hour periods as "empathy training" so they would know what it feels like to be an inmate.
- Accused union reps of stealing pop cans from

department and demanded to see union check book and deposits to document the money derived from returnables. It was later discovered the pop cans in question were packaged and stored in the evidence room.

- Sergeants turn Oltersdorf and his undersheriff in to state and federal authorities for wiretapping and eavesdropping violations. They have routinely listened to personal phone calls of employees and other officers who stop by the department and use the phones.
- Oltersdorf spends over \$10,000 in an attempt to discipline a deputy over a lost badge that union offered to pay for. The deputy lost his badge while performing CPR and saving a local citizen's life. He also helped stretcher the patient out of the house and onto a waiting helicopter in the snow. Three hours after the first arbitration hearing, the wife of the survivor finds the badge buried in her gravel driveway. Oltersdorf and his undersheriff rush to the scene to retrieve the badge and have it fumed for fingerprints. They also called the local uniform stores to see if the union had recently purchased a new badge. They testified that they believe the badge was planted and opposed entering it as evidence in the arbitration. Arbitrator rules in union's favor and dismisses discipline. □



You're outta here!

CONGRATULATIONS

POAM's

2008 Legislators of the Year

By Ed Jacques, *LEJ* Editor



**STATE SENATOR
MARK JANSEN**

Mark Jansen was elected to the Michigan House of Representatives in November 1996 and was re-elected twice, serving through 2002. Jansen serviced all six years on the House Appropriations Committee, having been one of only two freshmen appointed to this post by leadership. He served in several other leadership roles including Chair of the House Republican Policy Committee and was elected to be the Assistant Minority Whip.

Jansen was born and raised in the Grand Rapids area and served as the Gaines Township Clerk. He graduated from South Christian High School and attended Grand Valley State University and Calvin College.

Jansen's leadership has continued in the senate where he chairs both the Economic Development and Retirement Sub Committees. "Senator Jansen is an intelligent legislator who conducts the research necessary before rendering his opinion on an issue," states POAM Lobbyist Tim Ward. "He is sponsoring Senate Bills 660 and 661 which seek to reduce gang activity by criminalizing certain behaviors."

Mark is also an active advocate in eliminating sub-standard housing and encouraging change in specific geographic areas of Michigan and was the former Director of Special Initiatives for Habitat for Humanity of Michigan. He has an impressive record of community service projects.

"Senator Jansen's integrity and commitment to law enforcement is well known through out Kent County and at our state's capitol," said POAM Legislative Director Kenneth E. Grabowski. "He is a deserving recipient of our Legislator of the Year Award." □

STATE REPRESENTATIVE MARK S. MEADOWS

As Mayor of East Lansing, Michigan between 1997 and 2005 Mark Meadows learned a lot about how local government should be run and building relationships with people that are trusted with its day-to-day operations, especially its police officers. During his eight years as Mayor, Meadows established a reputation for being a fair employer, listening to and working with his local police association on issues that were important to them.

It came as no surprise that Mark would also be an effective legislator when he was elected as State Representative in 2006, especially in light of his previous experience. He goes back to Attorney General Frank Kelley's tenure, appointed as an Assistant Attorney General in 1975 assigned to represent, at various times, the Department of Natural Resources, Social Services, Mental Health and the State Police. He worked in the Environmental Protection Division and the Public Service Commission and was General Counsel to the Michigan Commission on Law Enforcement Standards (MCOLES).

State Representative Mark S. Meadows earned an undergraduate degree at Western Michigan University and his law degree at Michigan State University, formerly Detroit College of Law. He currently serves as Vice Chairman of House Labor Committee and is a champion for employee rights. Meadows is sponsoring House Bill 5041 which protects county correction officers from unwise decisions from prosecutors.

"We always got a fair shake at the bargaining table when Mark ran the city of East Lansing," said POAM Legislative Director Kenneth E. Grabowski. "Representative Meadows' experience with police at the local and state level, is a big plus to every law enforcement officer in Michigan. POAM is very proud of our relationship with Representative Meadows and acknowledges his effort by naming him as our Legislator of the Year." □



CONGRATULATIONS

2008 POAM

Award Winners

By Ed Jacques, *LEJ* Editor

BOLJESIC WINS LOYALTY AWARD

Imagine you are a junior officer and you have just been involved in a critical incident. Or, you just got cheated out of your shift pick. Maybe you are a party to an ongoing internal investigation. If you work in Canton Township, there is some relief in knowing that your local president is Dave Boljesic.

Officer Boljesic has received POAM's Loyalty Award for 2008, recognizing his tireless union work on behalf of local police officers the past 20 years. Dave has been a police officer for 33 years; the first ten in Detroit and the last twenty-three in Canton Township. He has served on his local executive board since 1988 and as its president the last eight years. Boljesic exemplifies all of the qualities instilled in previous Loyalty Award recipients. He is knowledgeable and experienced, attends all POAM functions including training seminars, runs a strong local union and is available any time a member is in need. His executive board can handle their day-to-day business and knows when to contact the POAM for specialized services or help on any delicate issue.

When asked what makes him such an effective local president, Boljesic responded, "I try to keep members informed, especially on internal discipline

or grievances. I try to give them as much information as I can during contract negotiations. Working the traffic unit also allows me the opportunity to stay close to members and enjoy some of the independence that comes from working the road," added Dave.

Boljesic gives a lot of the credit for his effectiveness to the support staff at POAM. "We've developed tremendous relationships with both of our business agents, Jerry Radovic and Gary Pushee," says Dave. "I've been personally involved in two shootings and I can tell you that POAM attorneys are responsive and first rate." Dave is not bashful about asking his business agent or attorneys for advice on any topic. "I talk to Boljesic on a regular basis and he is a frequent visitor to the POAM office," remarked Pushee.

Canton Township became a full-time police department in 1980, and is a charter member of POAM. "I was very honored to be POAM's Police Officer of the Year in 1990 and its Loyalty Award winner for 2008," said Dave. "Those two recognitions are the highlights of my career." Boljesic plans on retiring in 2010 with 35 years of exceptional work on behalf of police officers and the communities they serve. □



Dave Boljesic from Canton Township PD was humbled by his award.

MICHIGAN SUPREME COURT CHIEF JUSTICE CLIFF TAYLOR IS POAM'S MAN OF THE YEAR

The people of Michigan can be proud to have a Chief Justice on their Supreme Court who stands on the side of people who obey the law, not those who break it. This sets Chief Justice Taylor and the Michigan Supreme Court apart from other states whose court continually look for ways to reinvent the law to support convicted law breakers. POAM members are especially thankful that such a great legal mind also appreciates the law enforcement field and faithfully attends the POAM convention to spend time with his favorite constituents.

Cliff Taylor never misses an opportunity to present deserving members with POAM's Police Officer of the Year Award. "I feel especially lucky to be chosen to read these heroes' stories and present their awards," said Taylor. "I am also honored by the award that POAM has bestowed upon me this year."

That would be POAM's Man of the Year Award. Justice Taylor has already received our organization's "Jurist of the Year" award as well as recognition from other worthy organizations. He has been a consistent friend of all law enforcement officers and



Chief Justice Cliff Taylor (left) and POAM General Counsel Frank A. Guido (right).

can be counted on for no nonsense rulings on issues. Washtenaw County police officers were appreciative of Chief Justice Taylor's intervention in the local court system where Taylor convinced local judges to reverse their ban on law enforcements' ability to carry weapons in the courtroom.

There are dozens upon dozens of cases and opinions by Justice Taylor that reinforced police officers rights and made our communities a safer place to work and raise our families. His leadership role on Michigan's Supreme Court has been recognized by colleagues from all over the United States. Consider this: The Wall Street Journal said of the current Michigan Supreme Court majority, "Probably no court in the country has been less inclined to respond favorably to innovative theories allowing criminals to escape."

Chief Justice Taylor is asking for our support as he seeks another term in November. Let's show our gratitude and confidence by keeping Cliff in his important role on the Michigan Supreme Court. □

Generally Speaking *Continued from page 9*

because of an employer's non-compliance with an arbitration award or, conversely, defending against an action filed in court by an employer seeking to vacate an arbitration award.

The total number of cases which have proceeded to arbitration during the same period was approximately 300. While the number of post-arbitration proceedings involve only 10% of the total cases, that amount is 500% higher than in the previous five year period.

The underpinning to this trend is rooted in several causes. There have been a handful of law firms representing the vast majority of public employers outside of the tri-county area. Those firms, in my opinion, are providing poor legal advice to their clients (management) advising them to not comply with arbitration awards, or in the alternative, to file appeals to vacate awards. The motivation is not unclear, as the checkbook, in my opinion, rears its ugly head when improvident legal actions are filed. Combine that motivation with elected officials who, outside the more labor-savvy tri-county area, are (let us not say ignorant of labor law), perhaps naive as to labor matters, which leads to the current unfortunate trend.

Why is this trend disturbing? In nearly every case, POAM has prevailed in obtaining enforcement of the arbitration award or in successfully defending against the legal attempt to vacate the award. There is one case which is an exception to our success (which is now on appeal), however, that case is unique as it exposed a judge who blatantly disregarded legal standards and decided to impose his own judgment. Whether that decision was mere political grandstanding by the court or a true ignorance of the law is of no distinction in the eyes of the law, as we fully expect the Court of Appeals to undue the court's misguided act. The fact remains that in my 26 plus years with POAM, in over 99% of the cases the public employer has met with no success in either refusing to comply with the arbitration award or in the attempt to vacate the award. Apparently, only the lawyers who gave the bad advice in the first place are achieving any "success."

The disturbing trend is expanding, as more of the same poor legal advice (generally from the same law firms, in my opinion), has encouraged employers to cut off arbitration of grievances once a collective bargaining agreement expires. While the law recognizes that at the expiration of a contract arbitration may be discontinued by either party, the wisdom of such action on the part of a public employer is seriously questioned. The tactic is ineffective, especially in those law enforcement groups which have the right to compulsory arbitration. If the tactic is employed, the Union will raise the issue of retroactive application of the grievance arbitration procedure so that arbitration cases arising after expiration of the agreement will ultimately be arbitrated.

POAM was successful in Ottawa County in obtaining retroactive application of arbitration of grievances which, unfortunately, led to the employer seeking to appeal the decision, which was rejected by the Circuit Court. In fact, Ottawa County is no stranger to the tactic, as it also cut off arbitration of grievances in an earlier round of compulsory arbitration, forcing POAM to raise the issue of retroactive application of the arbitration process. The compulsory arbitration panel chairperson, in that first case, rejected the issue on procedural, not substantive, grounds. Because of the procedural

error (unlike grievance arbitration requiring final and binding adherence to arbitration awards), POAM sought review of the decision, whereupon the Court of Appeals agreed with POAM and after oral argument in the Supreme Court, the Justices also agreed that the compulsory arbitration chairperson had erred.

Employers fail to recognize that even if they cut off arbitration at the expiration of a contract, litigation remains viable for a claimed breach of contract. As a result, who benefits from the tactical decision to cut off arbitration? Once again, only the lawyers will benefit, as they will be representing the public employer if litigation is filed, resulting in more lengthy proceedings, leading to more extensive legal fees, which is one of the reasons arbitration exists in the first instance, to avoid higher costs. As a result, POAM will usually make a first attempt to obtain retroactive application of the arbitration procedure, with reservation of the right to file litigation in the event arbitration is not available. The losers will be the public employer and citizens whose tax dollars are at stake, since our membership is protected by cost control through use of our experienced in-house staff of attorneys.

What does the future hold for arbitration, given the concerted effort on the part of various public employers (through their legal counsel) to undercut its value? If the trend continues, arbitration will likely become merely one, instead of the exclusive remedy to resolve disputes. No one wants litigation as the primary method of resolving a breach of contract claim, however, POAM and its satellite organizations are far better suited to take an aggressive role utilizing litigation than many governmental entities who claim to be financially strapped, yet who repeatedly make poor financial decisions (with the urging of legal counsel) that ends up costing far more than if arbitration were utilized and respected. If arbitration is no longer the end of a dispute, with post-arbitration court proceedings being inevitable, why use arbitration? Our likely response will be to go on the offensive and start with litigation. Maybe then employers will realize that the added exposure in litigation to broader forms of damages and causes of action, such as tort and civil rights claims, is not the preferred way to do business.

Our advice to management may seem self-serving, but nonetheless it will be given. That advice is, seriously question legal counsel as to the value and yes, the motives at hand, when it is recommended that arbitration be discontinued at the end of a contract. Question legal counsel when it is recommended that an arbitration award not be complied with. Question legal counsel when it is recommended that an action to vacate an arbitration award be sought. Recognize the exorbitant legal costs the public employer and the citizens who are your client constituents will incur with improvident tactics, which history has shown have little or no likelihood of success. Heed the words spoken by both the United States and Michigan Supreme Courts when you are told that the doorway to the court is very narrow and that the court may not review an arbitrator's factual findings or decision on the merits, to the extent that the court should have the attitude of one of "hands off." Recognize further, Mr. Employer, that your reputation within the academy of arbitrators is damaged when you act improvidently and do not respect the fundamental purpose and benefit of arbitration.

Well, that's my column for this edition of the *LEJ*, generally speaking. □

Friends of POAM

Millenium Auto Group Inc.	R & R Trailers Inc.	Supply Chain Solutions
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Primetime Pizza & Deli Inc.	Stafono's	Wisper & Wetsman Inc.
Quality Custom Carpentry	Stanley's Roofing Co.	WT's Bar and Grill

BOB WINES CLOSES THE BOOK

After 35 Years In The Police Labor Business

By Ed Jacques, *LEJ* Editor

Public Act 312 became law in 1969 and created a vacuum for public employee unions that were interested in representing police officers. It also hatched the Police Officers Association of Michigan (POAM) and other like-minded unions interested in entering the field.

The American Federation of State, County, Municipal Employees (AFSCME), Teamsters, Service Employees International Union (SEIU) and other AFL-CIO type unions had a leg up and were serving as certified bargaining agents for many of these groups. The Fraternal Order of Police (FOP) developed a labor division and the competition was on.

In the early 1970s the Huntington Woods Department was represented by AFSCME with a very capable local president. His name was Bob Wines. In fact, Wines did such an excellent job representing his unit that AFSCME hired Bob to represent other Oakland County departments while holding down his full-time job. Over the next decade Bob's responsibilities grew and he became president of the Law Enforcement Federation of Oakland County, an amalgamated local of AFSCME. Under Bob's leadership the Federation continued to grow, adding some Macomb County departments. Wines was later promoted to Regional Vice President of Council 25 and in 1985 became its full-time special projects officer, working directly for its president. Wines continued to represent police departments and trouble shoot for the organization.

About the same time, POAM had reorganized and named William Birdseye as its Business Manager with the goal to become a legitimate full service police union. POAM was beginning to grow and needed a qualified business agent to handle the incoming business. In 1987 Birdseye, Ken Grabowski and POAM Labor Economist Ann Maurer approached their leading candidate about joining the team. Bob Wines was already familiar with POAM's commitment to the law enforcement profession and attracted

to their programs and potential for growth. Bob had sixteen years into his pension at Huntington Woods so this relationship had to work. Wine enlisted in the POAM.

Over the next twenty years Wines built his reputation as being one of most knowledgeable labor guys in the Metro Detroit area. He took on a full work load as POAM established itself as the premier law enforcement union in the state and Bob was instrumental in converting police departments from their private sector union to POAM.

Over the last ten years, the Technical Professional Office Workers Association of Michigan (TPOAM) has applied the POAM principal to representing other public employees, to the mutual benefit of the municipalities' police officers. Because of his previous AFSCME experience Bob Wines has been valuable in recruiting these new members, testifying to TPOAM's superiority and personally representing some of the groups.

Bob is sixty-six years old and admits to police and labor work as his only real hobby. However, Wines is looking for some vacation property in Florida and still remembers how to fish and have a good time. He has other friends that have retired to Florida but, his immediate family still resides in the Midwest. Bob's goal is to continue his close relationship with family, whether they gather here or in a warm state.

On the behalf of the entire Executive Board and the many members that you have serviced over your stellar career, thank you, Bob Wines for your loyalty, integrity and professionalism. □



Bob Wines (left) was presented a plaque of appreciation by Kenneth E. Grabowski at a reception held on his behalf.

WELCOME NEW MEMBERS

JANUARY 1, 2008 - JULY 1, 2008

PREVIOUS AFFILIATION: P.O.L.C.

FLUSHING TOWNSHIP POA

CEDAR SPRINGS POA

ESSEXVILLE PUBLIC SAFETY OFFICERS

ROMEO POA

CITY OF MONROE POA

CITY OF MONROE COMMAND

OTSEGO COUNTY CORRECTIONS OFFICERS

PREVIOUS AFFILIATION: TEAMSTERS

ESSEXVILLE PUBLIC EMPLOYEES ASSN.

PREVIOUS AFFILIATION: AFSCME

MT. PLEASANT PUBLIC EMPLOYEES ASSN.

GROSSE ILE TOWNSHIP PUBLIC
EMPLOYEES ASSN.

PREVIOUS AFFILIATION: NONE

BANGOR POA

PENTWATER POA

COMMERCE TOWNSHIP FIREFIGHTERS

PREVIOUS AFFILIATION: SEIU

GRAND BLANC PUBLIC EMPLOYEES ASSN.

POAM SEMINAR

By Ed Jacques, *LEJ* Editor

On Wednesday, May 21, 2008, POAM, in conjunction with its Annual Convention hosted another labor and training seminar. Over 100 local leaders were in attendance, gathering information on three important topics.

EMPCO, Inc. is Michigan's largest promotion testing company and its President, John Higgins and former East Grand Rapids Public Safety Director Peter Gallagher were presenting. Higgins informed members on the management skills and abilities employers are trying to determine in the process. He also analyzed the predictive power of test types, whether they are assessment, written or structured and unstructured oral boards.

The seminar emphasized to members that they have rights associated with preparation for any test and the ability to challenge questions and/or answer that are included. EMPCO gave solid information on what to look for in exams including but not limited to: the number of questions, source text, uniformity of questions, vagueness of questions, adverse impact, pass rate, challenge process, and proper study time allowed.

"Dos" and "don'ts" on oral board interviews were covered with the emphasis being on the conduct and question of the evaluators. Follow up questions, scoring systems, structured or unstructured, and informed expectation were discussed in detail.

The requirements and success rate of an assessment center were analyzed and Higgins went into great detail about how EMPCO's reputation is staked on implementing a fair test for the employer and the employee. John stressed that the union has an important role in the process. It begins with negotiating the proper promotional language in its collective bargaining agreement and making sure the employer institutes a fair and relevant test.

Jo Murphy, Executive Director of MMAP, Inc. a statewide non-profit organization whose trained counselors partner with local area agencies gave a presentation on Medicare. With many audience members close to retirement or assisting their relatives that are about to qualify for Medicare, the subject matter was well received.

Questions were answered and information disseminated on eligibility, application process and enrollment periods. The presentation included coverage basics, Medicare Part A and B, Medicare Supplement Insurance (Medigap), Medicare Advantage, and prescription drug coverage and Medicare savings programs.

Specific information about Medicare Plan choices including deductibles and co-pays were explained and Medicaid benefits and its process were detailed.

After the morning sessions were concluded lunch was served. But no matter how much they ate or how late they were out the night before, it was impossible to not be at full attention when the afternoon sessions and POAM's keynote speaker, Frank Borelli conducted roll call.

With a resumé much too long to list in this article,

author and police and military training expert Frank Borelli captivated the entire audience. The topic was active shooter response training and Borelli took us back to the first documented school attack in 1891 up to the most recent attack at Northern Illinois University, including the attack in Bath, Michigan in 1927 that, to date, holds the record for the highest number of casualties and the first use of explosives in a school attack. Borelli documented the birth of SWAT, the impact of Columbine High School and the implementation of training as a response to those incidents.

Besides provided detailed information on the attacks and subsequent police response, (Borelli was one of the first specialists called after the Virginia Tech attack) Borelli stressed that active shooter response training needs to evolve, taking a proactive initiative rather than a reactive one. The ability to neutralize numerous terrorists (more than one or two) and dealing with the distinct possibility that these predators will be utilizing explosives are just two examples.

Frank had many suggestions on how to combat these attacks but honed in on a couple of elementary issues. "Don't allow your children to be victims. Defensive aggression and aggressive response training need to be emphasized to students and teachers alike. School administrators need to look at their security and other policies and ask themselves if that's enough in today's world. But most importantly, as parents, we need to demand that it is."

Frank signed copies of his latest book "American Thinking" after the presentation and stayed the evening to the share experience with his newest friends at POAM. □



John Higgins from Empco, Inc. initiated a lively discussion on promotional testing.



Jo Murphy provided information on Medicare that every person needs to know.



Good friend Dick DeVos welcomed members and thanked them for their patronage.



Frank Borelli proved why he is one of the country's most respected police and military training experts.



Frank Borelli
Borelli Consulting
P.O. Box 1731
Lusby, MD 20656
(410) 394-1004

John Higgins
EMPCO Incorporated
(248) 528-8060
www.empco.net

MMAP, Incorporated
Jo Murphy
6105 W. St. Joseph Hwy, Ste 204
Lansing, MI 48917
(517) 886-1242



By JIM DeVRIES, MCOLES Board Member



Police War Veterans Impacted

On March 20, 2003 our nation engaged Iraq in a war that few ever thought would continue through 2008. As a result of the length of this conflict, our citizenry is impacted in a number of ways. Few of us know military reservists that have not been called to active duty. Some have seen multiple tours and have had continuing exposure to combat. Law enforcement is well represented among the ranks of active duty military personnel in this war.

Among combat veterans returning to civilian life, an alarming number have indicated symptoms of post traumatic stress disorder (PTSD). This is an insidious ailment that can make life miserable for sufferers and their loved ones, and it has produced tragedies.

There are no reliable markers to identify susceptible personalities or conditions most likely to produce PTSD. Law enforcement personnel are not immune! Obviously, individuals afflicted with PTSD need and deserve professional help. In an effort to help our own and improve law enforcement responses to all situations involving PTSD, MCOLES has organized panel discussions with military personnel to examine the symptoms of this problem and the services available to the afflicted. More on that in the future.

In our last issue, I reported on the MCOLES Active Duty Firearm Standard and how this measure takes us closer to full implementation in Michigan of the Law Enforcement Officers Safety Act (LEOSA). There is more news on that front today.

On June 17, the Senate Judiciary Committee conducted its hearing and reported out favorably on House Bill 4611. This bill was requested by MCOLES to create, within state government, the capacity to implement provisions of the federal Law Enforcement Officers Safety Act of 2004 (LEOSA) that pertain to retired law enforcement officers. Retired officers are afforded, by way of LEOSA, interstate privileges carry firearms; provided that they become state certified under the same standards that active officers must meet. HB 4611 would authorize MCOLES to provide access for retired officers to the MCOLES Active Duty Firearm Standard within the state's law enforcement training structure. The bill would also designate MCOLES with responsibility to provide LEOSA certifications to law enforcement retirees who reside in this state and meet the state's standard. As a result of the Judiciary Committee's action, HB 4611 is one step further toward a vote by the full Senate and the Governor's signature.

Last, but certainly not least, we continue to see a declining number of law enforcement officers in this state. At the conclusion of the MCOLES Annual Registration period this past spring, Michigan's law enforcement strength had moved from 21,581 at the close of 2007 to 21,341 positions. This is a record low, 1816 fewer positions than existed September 11, 2001. As of June 16, 2008, the decline has subsided to 1,768 positions, reflecting a current total at 21,389 positions. This level continues to be lower than in any other year. State Senator Valde Garcia has announced a \$200,000 study to examine this problem more closely. □

--- ATTENTION WAYNE COUNTY DEPUTIES ---

The following is a list of police departments in Wayne County and some other sheriff departments represented by POAM. Call and ask their Executive Board President how POAM works for them:

Wayne County Municipalities *

Belleville
Canton Township
Dearborn
Dearborn Heights
Ecorse
Flat Rock

Garden City
Grosse Ile Township
Grosse Pointe Woods
Harper Woods
Highland Park
Huron Township
Inkster

Livonia
Melvindale
Northville
Northville Township
Plymouth
Plymouth Township
Redford Township

River Rouge
Romulus
Sumpter Township
Taylor
Wayne
Westland
Wyandotte

Other Counties of Interest **

Calhoun
Clare
Clinton
Genesee

Grand Traverse
Isabella
Kent
Livingston

Macomb
Midland
Monroe
Oakland Command

Ottawa
Saginaw
St. Clair
Tuscola

* These departments comprise over 90% of the total police force in Wayne County, excluding Detroit.

** POAM represents sheriff department employees in over 80% of Michigan's counties.

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Amanda Burr
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LOCAL HONOR GUARD CAMP PROVIDES VALUABLE SERVICE

By Ed Jacques, *LEJ* Editor

“**T**his honor guard training camp motto reminds students that those who are honored have given all there is to give. The least an honor guard member can do is to give his or her best in tribute to the deceased police officer or firefighter,” said Randy Kantner, Goshen Police Department Honor Guard member and trainer. The department’s honor guard training camp was formed in 2003. DFL is a separate organization that utilizes the same instructors and takes the training sessions on the road.

It has been estimated that over 500 police officers and firefighters from Michigan have been trained through the Goshen Camp or DFL School. Because honor guard training in Michigan is currently unavailable, Wyandotte Police Officer Daniel Foley, who has been active with honor guards since he joined the force in 1986 and has served as an instructor with the Goshen Honor Guard Camp talked Randy Kantner into bring the training sessions to Michigan, provided, of course, that Foley make the numerous arrangements to accommodate a large class.

Foley admits to being passionate about honor guards from his first day on the job. “The purpose is to prepare and educate the public safety officer on how to properly honor the national colors and the funeral protocol used when honoring a brother or sisters ultimate sacrifice,” said Foley. “The idea is to standardize honors protocol with emphasis on detail and accuracy so officers possess the tools, working knowledge and confidence necessary to handle virtually any detail requested of them.”

The school has a motivational factor for younger officers providing them with honor guard values and traditions. Many veteran officers have testified to a rekindling of the pride that attracted them to the police profession in the first place. The local police department benefits from the pride, appearance and perfection of its team. However, the comfort provided to a family of a deceased officer or firefighter is immeasurable and certainly deserving.

Foley believed in the ideal and principles of the honor guard philosophy and was determined to make it more readily available to metro Detroit and other Michigan agencies. The one week training camp took Foley nearly six months of planning to guarantee its success. The entire City of Wyandotte and its police administration were 100% supportive and involved in the training. Sessions were held at the local recreation center and Foley made arrangements with St. Patrick Catholic Church and Czopek Funeral Home for a simulated funeral service, which is the culmination of the five day honor guard training session. In addition to the many downriver police departments with participating officers, other members came



from Wayne, Oakland, Macomb and Washtenaw sheriffs’ and police departments.

“We do absolutely everything we can think of from start to finish to duplicate a funeral service for a police officer or firefighter that dies in the line of duty,” said Foley. In fact, Denise Scarbrough was asked to participate to lend authenticity to the training, something she was anxious to do to help train more officers for the detail that she appreciated so much at her husband Mike’s funeral. Sgt. Scarbrough of the Wayne County Airport Police died in a traffic accident in 2005.

Last year’s program was a resounding success and this year’s training camp scheduled for August has been full for months with other departments begging for a chance to get in. Classes are five days with eight hours per day of intensive, progressive and physical learning. The final exam will again consist of a simulated “full honors funeral,” including a procession to Mt. Carmel Cemetery for final interment and honors. Each member will receive duty assignments that require them to properly plan and execute in order to graduate. “I wish I could do this four times a year so more Michigan agencies can take advantage of the training,” commented Foley. “But it is too much for one department or community to handle on its own. Hopefully another department or two will follow our lead and talk to Randy Kantner about establishing some training in their part of the state.”

Because of Dan’s extensive experience with honor guard teams and contact with the affected families, he understands the awesome appreciation families have for every member of the detail. As Dan talked about making sure that his honor guard teams understand the level of sometimes unspoken appreciation by the families, I couldn’t help but wonder if he truly understands the gratitude that his graduating classes have for his efforts. They serve on their local honor guard teams with pride because of Foley’s determination to make training classes more readily available. □



Randy Kantner
DFL Honor Guard Training
(574) 312-0158
Dan Foley
Wyandotte PD
(734) 324-4419
dftraining@aol.com
dfhonorguardtraining.com



LETTERS

Scholarship Winners

Dear Mr. Tignanelli:

Thank you for your generous contribution towards my college education. I can promise you that it will be used wisely.

As requested, I am enclosing a senior photo for your use in the "Law Enforcement Journal." I will be honored to have my story shared with the membership.

Thank you again for your endorsement in considering me for this honor.

With regards,
Nicholas Jacob Arndt

Mr. Tignanelli:

I would like to take this opportunity to thank you and the fine members of your organization for the scholarship award.

This will assist me in buying some of the necessary books for my classes as a nursing student.

Your assistance is greatly appreciated, and thank you for the kind words about my scholarship application.

In closing, I would like to say that organizations such as the POAM are what the "police family" is all about. Helping each other.

Respectfully,
Samantha Zacks
Lakeland High School

Dear Mr. Tignanelli,

I wish to thank you and the members of the Police Offices Association of Michigan for your contribution towards my college education. I am grateful for this gift; I know that I will have many different expenses as I prepare for school at Ferris State University. I am going to continue my education in the Pharmacy program at FSU and am looking forward to challenges and opportunities that it will present.

Thank you again for this gift, it will definitely help with school.

Sincerely,
Kyle A. Metz

Dear Mr. Tignanelli,

I want to sincerely thank you for the thoughtful and generous college contribution check of \$250.00 you have sent to me. This will surely help with the cost of my education and I appreciate you considering for this opportunity.

I feel confident that my upbringing and academic background will help me succeed in the future and I appreciate the kind words and encouragement in your letter.

Enclosed please find a graduation photo for you to publish in your quarterly *Law Enforcement Journal*.

Sincerely, Andrew Collier



Dear Mr. Tignanelli:

Thank you for selecting me to receive a scholarship from the members of the Police Officers Association of Michigan. I understand that these funds are limited, and I feel honored to have been chosen. Your contribution will assist me in my continued education this coming fall.

I believe law enforcement and counselors do an excellent job working together to help those in need, fighting both cause and effect of abuse to innocent victims. Psychology is my passion, and I appreciate the Police Officers Association of Michigan and yourself in helping make my dream of a career in psychotherapy come true.

Respectfully yours, Sarabeth Stevens

Dear Mr. Tignanelli,

I want to thank you so much for the scholarship money you gave me. I will be attending Wayne State University and it will help me with my tuition. This truly means a lot to me especially since it comes from an organization as respected as the POAM is.

Sincerely, Jennifer

Dear Sir:

I am writing to convey my sincere appreciation upon receiving a scholarship from the Police Officers Association of Michigan. I am attending Indiana University in Bloomington, Indiana where I am working toward a Bachelor of Science Degree in Kinesiology/Fitness Science with a minor in Nutrition.

Receiving this scholarship is an honor and will contribute toward the realization of my goal of obtaining a 4-year degree in Kinesiology. I plan to be able to be a personal trainer and a group exercise instructor. I will be able to lead people on a path to better themselves both physically and emotionally. Eventually, I would like to move into a director or management position and own and run my own fitness facility.

Sincerely, Scott Catanzaro



The Federal Perspective

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

Law Makers Pass Legislation

Lawmakers are rushing to pass legislation during the few remaining weeks of session before the 110th Congress adjourns in September. Major questions surround the likelihood of Congress passing their 12 annual appropriations bills to fund the federal government for Fiscal Year 2009. The bills need to be passed by September 30th, 2008 when the current funding laws expire. If they are not completed in time, a Continuing Resolution (CR) must be passed. Appropriations Chairman David Obey (WI-7th CD) has stated recently that he will fund the government through a CR if election year politics continue to mar the appropriations process. As of June 26th, he has halted all committee hearings on funding bills in the House. It is unclear whether he will continue this hold after the 4th of July Recess which begins July 1st. Democratic leadership has indicated in the past that they will not attempt to pass any of the final bills until after the November Presidential Election. The latest development essentially guarantees that no bills will be passed during the 110th Congress.

In other news, on Wednesday, May 16, POAM again hosted "Michigan Police Night," one of the highlights of the "National Law Enforcement Memorial Week." Congressman Mike Rogers (8th-CD) sponsored this year's event, held in the U.S. Capitol, in recognition of the service and sacrifices of Michigan's law enforcement professionals. Special commemoration was given to the Michigan police officers added to the National Law Enforcement Memorial earlier in the week: Constable Elisha B. Moore Algonac, Michigan, P.D. 1/18/1905 and Officer Robert Anthony Kozminski Grand Rapids, Michigan, P.D. 7/8/2007 were honored.

The Metro Detroit Police and Fire Pipes and Drums started the evening by escorting the Colors into the room and playing several selections. Several members of the Michigan delegation took time out of their busy schedules to attend, including Congressman Bart Stupak (1st-CD), Congressman Vernon Ehlers (3rd-CD), Congressman Dale Kildee (5th-CD), Congress-

man Joe Knollenberg (9th-CD), and Congresswoman Candice Miller (10th-CD). Key justice and law enforcement staff members from many of the other Michigan offices also attended the event. Members were presented with an award from POAM for their service to the state of Michigan.

Key pieces of law enforcement related legislation have been considered in Congress lately, although not all have passed. The Public Safety Employer-Employee Cooperation Act of 2007, H.R. 980, sponsored by Dale E. Kildee (5th-CD) and cosponsored by 12 additional members of the delegation, passed the House July 17th, 2008 and was considered beginning on

May 7, 2009 in the Senate. The bill, which would strengthen union rights for public safety officers, began working through the Senate process with dozens of amendments being offered. Once President Bush issued a veto threat, the work being done to pass H.R. 980 came to a halt and it was withdrawn from the calendar. The visibility of this issue is high, however, and we can expect it to be addressed again during the 111th Congress.

On June 25, 2009 the House of Representatives reauthorized the Byrne grants program, H.R. 3546. The Byrne grants have been an amazing success nationwide, funding programs that led to the seizure of 54,000 weapons, the destruction of 5.5 million grams of methamphetamine, and the elimination of nearly 9,000 methamphetamine labs per year. This legislation authorizes \$1.1 billion through the year 2012, and while the President has historically pushed to eliminate Byrne all together or combine the program with others, the House passed the bill by a huge margin.

Congressman Bart Stupak is a cosponsor of this legislation.

The Senate version of the Emergency War Supplemental (H.R. 2642) included \$490 million for Byrne grant funding, but the provision was stripped from the House-passed version of the bill and ultimately not included in the final version sent to President Bush for signature. There are already talks of a second war supplemental bill and Byrne funding is a provision which lawmakers have indicated may be included in that bill.

On June 11th, 2008, the House Judiciary committee passed the Debbie Smith Reauthorization Act, which allocates \$1.3 billion through 2014 for assisting with crimes where DNA evidence could be valuable. The bill also provides \$50 million a year from 2009-2013 to help state and local law enforcement departments purchase or upgrade forensic equipment. In addition to these grant opportunities, the bill establishes a national DNA databank, requires all states to collect DNA samples from felons as they enter the system, and provides an increase for all grants to states if they take DNA samples from anyone arrested for murder, attempted murder, voluntary manslaughter, and any sex crime. John Conyers (Jr. 14th-CD), Dale E. Kildee (5th-CD), and Thaddeus G. McCotter (11th-CD) are all cosponsors of the bill.

As the 110th Congress wraps up its legislative calendar, POAM will continue to work aggressively to monitor pertinent legislation, remain in constant contact with key members of Congress including members of the Michigan delegation, and track changes and progress in grant programs and federal funding to ensure that the needs of Michigan's law enforcement community are continually heard and addressed. Please contact the POAM Washington office at (202) 544-9840 if you have any questions or would like assistance. □



Dennis McGrann

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TRAINING & INFORMATION BULLETIN

Information listed is tentative and is subject to change, verify before attending.
Seminars run September through December 2008

SEPTEMBER

- TBA..... Basic Reserve Academy
- TBA..... Patrol Dog Academy
- 3-5 Communication Training Officer (CTO)
Workshop (Dispatch)
- 5.....**NEW!** Tactical Vehicle Stops
- 6 & 20..... Basic Radar
- 8-9**NEW!** Public Information Officer Training –
Homeland Security Crisis; Presented by Law
Enforcement Media Training
- 9.....**NEW!** Fugitive Investigations
- 10..... Fingerprinting Difficult Surfaces
- 10-11 MicroSoft Power Point
- 10-12 Standard Field Sobriety Testing (SFST)
- 10-12 Digital Photography for Crime Scene and
Special Photo Methods Workshop
- 11..... Chemical Processing of Fingerprints
- 15-17 Accident Investigation #8 – Motorcycle Accidents
- 18..... Accident Investigation #23 – Michigan Traffic Law
for the Traffic Crash Inv.
- 19..... Report Writing
- 22-Oct. 3..... Evidence Technician School
- 23..... Legal Update
- 25..... Promotional Oral Interviews
- 25-26**NEW!** Phase I & II (Combined) Combat
Pistol Course w/Lou Chiodo
- 26.....**NEW!** Tactical Vehicle Stops
- 29..... FTO Update
- 30-Oct.1,2,7,8.. Emergency Telecommunicator Course (ETC)

OCTOBER

- 6.....**NEW!** Community Oriented Policing –
Front Line Personnel
- 6..... Crimes Involving Computers – Pt. 1
- 7.....**NEW!** Crimes Involving Computers – Pt. 2
- 7-8 Adv. Techniques in Property Room Management
- 9..... Introduction to Michigan
Criminal Law (Dispatchers)
- 10..... Tactical Risk Management – Your Role Inside
Michigan Law Enforcement
- 10.....**NEW!** Edged Weapons
- 13..... Drug Asset Forfeiture
- 13-15**NEW!** Internet Investigations & Investigative Tools
- 14-15 Fire Communications (Dispatchers)
- 15-16 Adv. MicroSoft Word
- 15-17 Simunition FX® Instructor

- 16..... Homeland Security for 911 Professionals
- 17..... Law Enforcement Interview & Interrogation
- 18..... Laser Speed Measurement Device
- 20..... Stolen Auto Identification Techniques
- 20-22 Simunition® Low-Light Course
- 22.....**NEW!** Suicide Intervention for 911
Professional (Dispatchers)
- 22..... Superglue
- 23..... Adv. Superglue Workshop
- 23.....**NEW!** Domestic and Family Violence (Dispatchers)
- 23-24 Promotional Assessment Centers
- 24..... Serology/DNA Update
- 25 & Nov 8..... Basic Radar
- 27-31 Basic Detective School
- 28..... Customer Service 911 Way (Dispatchers)
- 29.....**NEW!** Building Your 911 Liability Shield (Dispatchers)
- 30..... Wellness Management (Dispatchers)
- 31.....**NEW!** Is the Caller the Killer? (The Investigator and
911 Homicide Calls)

NOVEMBER

- 3-4 Accident Investigation #11 – Night Visibility
- 4-6 Adv. Emergency Medical Dispatch (EMD)
- 4-6 Managing Criminal Investigation Units
- 5-6 Adv. MicroSoft Excels
- 5-7 Accident Investigation #12 – Pedestrians Accidents
- 7..... Arson Detection
- 10..... Linguistic Interviewing
- 10-11**NEW!** Forgery Detection, Statements and
Handwriting Analysis
- 11.....**NEW!** Michigan Vehicle Code Update
- 11-13 Emergency Fire Dispatch Training
- 12.....**NEW!** Empty-Hand CQB/Defensive Tactics
- 14.....**NEW!** Conflict Resolution
- 17-19 Standard Field Sobriety Testing (SFST)
- 17-21 First Line Supervision

DECEMBER

- 1-5 FTO School
- 2-3 Objective Pre-Employment Interviewing
- 2-3 Emergency Medical Dispatch-Q
- 6..... Laser Speed Measurement Device
- 8-9 Copshock
- 8-12 Firearms Instructor School
- 9..... Legal Update

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



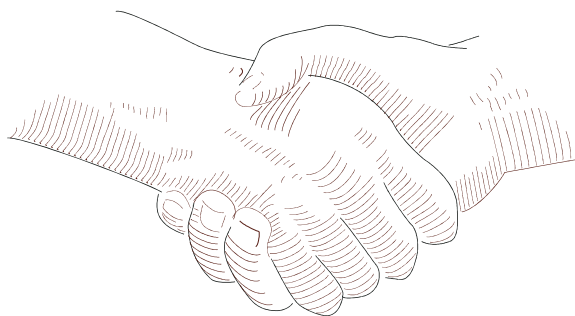
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TRAINING SCHEDULE

Signed and Sealed

Agreements gain vital benefits for POAM members

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



Negotiated

Albion Public Safety

Duration: 01/01/2008-12/31/2011

Wage Increases:

2008 – 2.0%
2009 – 2.0%
2010 – 1.5% in January; 1.5% in July
2011 – 1.5% in January; 1.5% in July

Bringing top pay for a public safety officer to \$44,124.

- Increased Longevity pay.
- Increased employer's contribution to retiree health care.
- Increased amount of vacation time.
- Drug rider changed from \$10 generic/\$20 brand to \$10 generic/\$20 brand/\$40 formulary.

Bargaining team consisted of Jason Kern and Tim Stanley who were assisted by POAM Business Agent Jerry Radovic.

Negotiated

Fraser Public Safety Officers

Duration: 07/01/05 - 06/30/09

Wage Increases: (full retro)

2005 - 2.0%
2006 - 2.0%
2007 - 3.0%
2008 - 2.5%

Brings top pay for public safety officers to \$63,568.

- Twenty days of vacation at one year with and one additional day each year after nine years to a maximum of twenty-five.
- Shift premium for motor traffic unit.
- Community Blue Plan 1 with \$10/\$40 drug card and no premium share.
- New hire longevity is \$500 at five years, \$1,000 at ten years and \$1,500 at fifteen years.
- Bachelor degree for new hires pays an additional \$1,000 per year and a masters degree pays \$2,000 more annually.

Bargaining team consisted of President Mike Iafrate and Vice President Renee Campion who were assisted by POAM Business Agent James Tignanelli.

Inaugural Contract

Marine City POA

Duration: 07/01/2005-06/30/2010

Wage Increases: (Full Retro)

2005 – 2.0%
2006 – 2.0%
2007 – 2.0%
2008 – 2.5%
2009 – 2.5%

Bringing top pay for a police officer to \$53,290 and sergeants to \$58,614.

SPECIAL NOTE: This is the inaugural contract with POAM. The previous six contracts were decided by a 312 Arbitrator!

- Health Insurance improved to Blue Cross Flex Blue Plan 2.
- New employees shall place 50% of unused sick time into a retirement health savings account.
- Employer will match \$1500 per year of new employees' contribution to the retirement health saving account.

Bargaining team consisted of James VanderMeulen and Brad Kolcz who were assisted by POAM Business Agent Kevin Loftis.

Negotiated

Tuscola County DSA

Duration: 01/01/08 - 12/31/10

Wage Increases:

2008 - 3.0% on January 1 and 1% on July 1
2009 - 2.5% on January 1 and 1% on July 1
2010 - 2.5% on January 1 and 1% on July 1

- Health care is Community Blue PPO 3 with a \$15/\$30 drug card and no premium sharing.
- Retiree health care savings plan was initiated with the ability to fund with sick time.
- Short term disability is 66.6% of pay for 26 weeks and long term disability is 60% through 65th birthday.

Bargaining team consisted of Jim Hook, Chris Rogner and Steve Anderson who were assisted by POAM Business Agent James Tignanelli.

Inaugural Contract

South Lyon POA

Duration 07/01/07 to 06/30/10

Wage Increases:

2007 - 2.50%
2008 - 2.75%
2009 - 2.75%

Bringing top pay for a police officer to \$63,928.

- Pension improved from a B-3 to B-4 with the city splitting the cost of improvement.
- Holiday pay improved from straight pay to 1-1/2 times.
- Health care is Community Blue PPO 2 with a \$15/\$30 drug card. Doctor visits are \$20. The maximum deductible and co-pays are \$600 for individuals and \$1,200 for families and employer reimburses 50% of those expenses.

Bargaining team consisted of Tim Raap and Chris Faught who were assisted by POAM Business Agent Thomas Funke.

Negotiated

Roseville POA

Duration: 07/01/06 - 06/30/11

Wage increases:

2006 - 4.0%
2007 - 0.0%
2008 - 2.0%
2009 - 2.5%
2011 - 2.5%

Bringing top pay for police officers to \$65,631.

- DROP plan initiated.
- Clothing allowance increased to \$700 annually.
- Cleaning allowance increased to \$450 annually.
- \$60 stand-by pay negotiated.
- Employees can now purchase prior police service.
- 100% of Wayne State tuition paid.
- \$250/\$500 health care deductible with \$20/\$30/\$50 drug card.
- New hires longevity is now \$1,200 at five years, \$2,400 at ten years, and \$3,600 at fifteen years.

Bargaining team consisted of President Ryan Monroe, Vice President Jason Price, Treasurer Vinny Finn, and Secretary Eric Boucher who were assisted by POAM Business Agent James Tignanelli.

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