

SMULCAST

Jerrard F. Young DC Lodge #1

Spring 2012 Volume 31, Issue 2

National Police Week 2012: Honoring and Remembering Our Fallen Law Enforcement Officers



gain this year, communities across the United States will come together during National Police Week—May 13-19—to honor and remember those law enforcement officers who made the ultimate sacrifice, as well as the family members, friends and fellow officers they left behind.

This year, the names of 362 officers killed in the line of duty are being added to the National Law Enforcement Officers Memorial in Washington, DC. These 362 officers include 162 officers who were killed during 2011, plus 199 officers who died in previous years but whose stories of sacrifice had been lost to history until now.

The names of all 362 fallen officers nationwide will be formally dedicated on the National Law Enforcement Officers Memorial in Washington, DC, during the 24th Annual Candlelight Vigil on the evening of May 13, 2012. So that people across the country can experience this unique and powerful ceremony, the vigil will be

webcast live over the Internet beginning at 8 pm (EDT) on May 13th. To register for this free online event, visit www. LawMemorial.org/webcast.

The Candlelight Vigil is one of many commemorative events taking place in the nation's capital during National Police Week 2012. The national observance is organized by a group of organizations led by the National Law Enforcement Officers Memorial Fund (NLEOMF), Concerns of Police Survivors, the Fraternal Order of Police and the Fraternal Order of Police Auxiliary.

Final data from the National Law Enforcement Officers Memorial Fund show that for the 14th year in a row, traffic fatalities were the leading cause of officer fatalities, with 163 officers killed in the line of duty—an increase of seven percent from 2010.



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Officer Jerrard F. Young

The Fraternal Order of Police D.C. Lodge #1 was chartered in 1966. The Lodge was later named for the first member killed in the line of duty, Officer Jerrard

The Lodge is composed of Members from over 40 different law enforcement agencies and civilian associate members from all walks of life. The Lodge is involved in many community projects, charities, and social functions as well as efforts to improve law enforcement.

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THE PRESIDENT'S MESSAGE

By Marcello Muzzatti, President

f you build it they will come." That is the quote from the movie "Field of Dreams" and it is also what I believe is our motto for Police Week's Tent City. Once again we are going to have to move Police Week due to not being able to get the old site back. The old site, half of it, was leased out to GPO since they lost their parking lot to the construction of the new WalMart on H Street NW. I also had received several emails stating that our Special Event Permit would be contested by some of the new residents in the area. I had been to a couple of the neighborhood meetings in which the residents complained about the noise. They did not complain about our site but of the pedestrian traffic that caused all the noise. I tried to explain that our event is closely monitored by the Metropolitan Police Department but they felt that it was our event that caused all the issues. In either case it really did not matter since the lose of the space made us look at other locations. After searching for some time I was able to discover a site in SW DC. The actual location is 1880 2nd Street SW. This location is over by Buzzards Point and the Coast Guard Station. The site is big enough to hold our event and the good part is that we do not have to deal with any residents since there are none. We paid a lot less for this location and this will allow us to get several 15-passenger vans to shuttle people to our location. As the details of Police Week get finalized information can be obtained on the Police Week web page of www.policeweek. org or on Face Book. We will also update you with emails as it becomes necessary. Police Week is May 13, 14 and 15 please stop by and help out if you can or just support us. This is going to be a make or break for how the future of Police Week for DC Lodge #1 will be.

As we enter Police Week our local service is going to be on Monday, May 7, 2012 at 11:00 am in front of the MPD Headquarters. Every year we seem to get a few more attendees at this event and I would really like to see several hundred members at the service. Recently there have been several vigils by families and friends of officers that have died in the line of duty. I also received emails advising me that another member is due for a remembrance vigil and asked what we would do about it. The family and friends of the fallen officers do the vigils that are put on. If you feel that would like to honor a member that has fallen please step up to the plate and set it up, the FOP would be more than happy to help you and also guide you. For all of us that want to remember out local hero's please take the time to come to our local event nothing could be more fitting than taken a few minutes of your time to remember those that we have lost.

By now you should have received your membership card and I apologize if you got it late but we went to a new format at the last minute in order to save us time and I think you will be pleased with the new card and how it was delivered. If you did not get your card we may have a bad address on you or a payment of your dues was not received. In either case please contact the office in order for us to check your name in our database. Next year we hope to get started much earlier and we hope that the process will get more streamlined.

On of the best features about our lodge is our club. When you go to other states they always talk about what a great club we have and how much fun it is to hang out at our club. Some great employees staff our club and some have been with us for over 20 years. Lately be it either with papering guidelines being implemented or just people being busy the members are not getting by as much as they used to. This has hurt business. I need to ask you to please come by and have breakfast, lunch or dinner or stop by at the end of shift and grab a drink and maybe something to eat. We have a few members that support us just about everyday and I can't thank them enough for doing so. I need you to come down and support us. You eat every day and I only ask that you consider spending some of your meals at the FOP Club. Your support will help us stay afloat as we move ahead. Remember we don't allow the general public to stop by and eat or we would be doing as well as the other restaurants in the area but as a Members Only club we only are here for you. You can bring guest anytime and also ask them to join once they have seen or club and that would be a great help too. I hope you can find the time to stop by and enjoy your club.

We have had a couple of great events at the lodge, the Holiday Party last Decem-



ber, Saint Patrick's Day in March and now we are gearing up for Police Week. We have a cruise planed for next New Years out of Ft. Lauderdale on board the largest cruise ship in the world the Allure of the Seas. The flyer will be in this issue so look for it if you plan to go. The club committee is working on getting a few more events onto the calendar and if you want to see something at the club please let us know. If you want to plan an event whatever it may be and want to get it out to our membership please let me know so I can get it out. Just email me with the information. I usually just cut and paste the information you send me.

Thanks to our National Trustee, Lou Cannon, he has been able to get some great classes that are sponsored by the FBI for us at the lodge. The next class will be in May and are again free for law enforcement officers. Everybody that has come to these classes has commented on how great they are. Thanks Lou for getting them here!

Summer time is here and it came in early with warm weather hitting us in the middle of March. As the summer comes in we all know that it gets hotter and we think about not wearing our vest. I can only stress to you that wearing that vest is very important and could save your life. I know it gets hot I have been there too. Keep hydrated during the hot days and watch your health.

In closing I hope that you all have a great and safe summer. Make sure to find time to spend with your family and friends and please stop by the lodge and support us. Be careful and watch your

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LODGE OFFICERS

From the Vice President

By Andy Maybo

Greetings Brothers and Sisters!

I hope everyone is enjoying the warm weather and that this article finds you in good health. I want to apologize that the last Simulcast did not have my article published. Apparently there was a technical error. Therefore, I want to start off by going back to this past winter and remembering those whom we recently lost in the month of December. US Capitol Police Officer Brian Keith Dowell and US Park Police Sgt. Michael Boehm were both taken from us at too young of an age. As a fraternal organization, full of camaraderie in a family environment, we are committed to remembering and supporting the memories and families of these two lost brothers.

As I begin another term in office, I would like to personally thank you, the membership, for allowing me to serve as your Vice President. We have had some ups and downs during the past four years but I look forward to another successful two years ahead. As I welcome the newly elected Board Members, I would like to thank all the dedicated hard work of those departing. A special thanks to Andy Fried for all his technical support over the years with not only modernizing our Lodge with all of

our computers, phone lines, cameras, etc., but also for his work with the membership cards over the years. I also want to acknowledge Kenny Rodgers for his 38 years of service to the FOP. Kenny will be missed as Lodge Treasurer, Club Manager, and mentor/advisor to us all. I wish all those who have left office the very best.

As you know, Lodge 1 started DART (Disaster Aid Response Team) years ago shortly after we sent members to assist with Hurricane Katrina. The DART team has been placed on standby for numerous storms, tragedies, and events during the past years. This year, I am striving to add a canteen unit to the DART Team to have a response to our brothers and sisters working large planned events, major events and emergencies, and assistance for any special occasions. I will keep everyone informed of our progress. As always, with inclement weather hitting us hard this year, please remain on standby and watch for email blasts when we go into standby mode.

One committee I am proud of Chairing is the Fund Raising Committee. The Fund Raising Committee had a decent start since its inception in 2011. Our first fund raiser has been the sale of the 9-11 Anniversary Badge set. These sets have been selling *Continued on page 6*



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LODGE OFFICERS

National Trustee Report

Lou Cannon

In my commitment to serve the membership one of my goals is to provide quality training for either no cost or low cost to all. To start off the FOP has hosted several sessions of LEOKA, Law Enforcement Officers Killed/Assaulted, provided by the FBI. These sessions are informative and can save lives and reduce injuries to all LEOs. There will be more sessions in the future. They are one day long and worth the time invested. There is no cost to participate. Please make sure that the lodge has your current email address so that you receive information on upcoming training session and other important information. We also notify Agency Trustees so they too can provide you with information.

This brings me to my next item. Do you know who your Agency Trustee is? and are they working for you? Whether you participated in the lodge election process or not, part of your job is to make sure your agency trustees are working for you by attending meetings, providing you with information, and supporting the Lodge by attending events and being a positive representative for the FOP. The next training will on the topic of Identifying Deceptive Behavior. Information on registration will be forthcoming, please register early.

Recently I left the DCPSPD, not by choice. I want to thank the many who support me and feel sorry for those that must spread vicious rumors about me and those close to me. I was one of those called a "Double Dipper" because after retiring from MPD and sixteen years after Federal Service I was ASKED to come back to fix PSPD, which I did. During my interview/hiring process I asked if my rehiring would affect either my retirement or pension. The Director at that time assured me it would not along with other rehires. Almost four years later it was decided that all of the rehired personnel were not entitled to rehire. At issue is if we are Federal Annuitants. I was hired in 1973 and retired in 1995; I will let you do the research. By the way every year I get a notice from OPM regarding my Federal Retirement Benefits. When our pay was cut

by DCHR I became the lead Plaintiff in a Law Suit against the District. A week later I was terminated for, as the Chief of Police, not interviewing two PSPD supervisors in an investigation that was conducted by one of my Deputy Chiefs and instigating a flawed investigation. Coincidence or retaliation? I will let you decide. They have now begun a systematic dismantling of all the work done to improve PSPD. I am sure many are aware of the improvements implemented at PSPD during my tenure. Now for the big question, Could all that was done be accomplished without knowledge and approval of others within the DC Government? I wonder where those individuals are now and why they do not speak out? Politics?

If you are retired and living in Maryland did you know you cannot purchase a handgun to carry under LEOSA without taking an online Safety Course, but if you are retired Military you can? Now I am not opposed to the Military personnel having the exemption, but it is possible for someone to be retired from the Armed Forces and not have carried or used a handgun during their career. Any LEO must undergo at least bi-annual qualification and safety course. I am please to tell you that thanks to DC Lodge member Chris Fiora Legislation has been introduced to change this. He attended a recent session in Annapolis to testify on behalf of this. I submitted testimony on behalf of the DC Lodge and the Maryland State FOP also supported this change. I will keep you posted on the developments

There is a new location for Police Week this year. It is in SW near the Nationals Ball Park. Everyone should get behind this location and support it. You can help by directing visitors there or even better offering them a ride.

As a reminder you can still obtain the DC Lodge 9/11 Memorial Badge set, they are great gifts ad help support the Lodge. Also the new LEP tags are available for those that live in MD they look good and once again help support DC Lodge One.

Stay safe and I am here if I can help you in any matters, large or small.





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LODGE OFFICERS

From the Vice President

Continued from page 3

very well and are still available on our website at www.dc-fop.org We hope to sell many more of them during Police Week 2012 and are looking for volunteers to help sell these awesome badge sets. Please email me if interested.

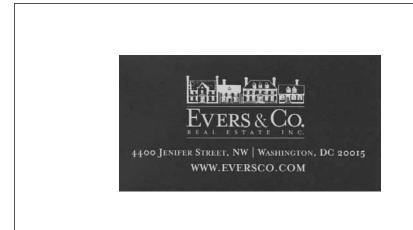
With Police Week approaching in May, it should serve as a reminder for each and every officer to remain vigilant. This year, the National FOP Memorial Service will be honoring 165 officers who made the Ultimate Sacrifice. It was one of the deadliest years this Country has faced in a long time and I believe we are going to see more of it. I ask you all to please wear your vests, protect your partners, and remind yourself and your fellow officers to remain on your toes and stay vigilant. I also urge you all to take advantage of so many training opportunities that are offered in this area. Lou Cannon, our National Trustee, is continually organizing various training seminars and opportunities at our Lodge. This training is free and is extremely educational (especially the Counter Terrorism and FBI seminars).

Police Week will also bring new challenges to our Lodge with "tent city" moving to a new location. The DC FOP Lodge 1 Police Week Committee will be working extremely hard to create the best experience possible at our new location. We will

have more parking with a larger site for festivities. We are a stone throw away from the Washington Nationals Baseball Park. The Lodge will also be offering a shuttle service from various locations throughout DC to get to this year's "tent city", located at 1880 2nd St, SW (located between S and T Street and 1st and 2nd Street, SW.) Please visit www.policeweek.org or www.dc-fop.org for more information as it becomes available.

On Monday, May 14th, the Washington Nationals will be hosting the Padres at a 7:05pm game. This baseball game will be honoring all of our fallen law enforcement officers from across the Country. The Nationals, along with the FOP, have partnered up to provide a great experience to police officers, along with their friends and families, by offering discounted tickets to this baseball game. The Nationals are also donating a portion of their ticket sales to the FOP Foundation to benefit the rising costs of the National Peace Officers' Memorial Service on May 15th. Please visit the website at www. policeweek.org for more information and a link to purchase game tickets.

In conclusion, I would like to thank my wife, my friends and family, my coworkers, my fellow Lodge Board Members and my Lodge membership for your continued support. I remain available for any issues you may have and will continue to work for the membership. I look forward to meeting more of you and hope that you remain safe on the street!

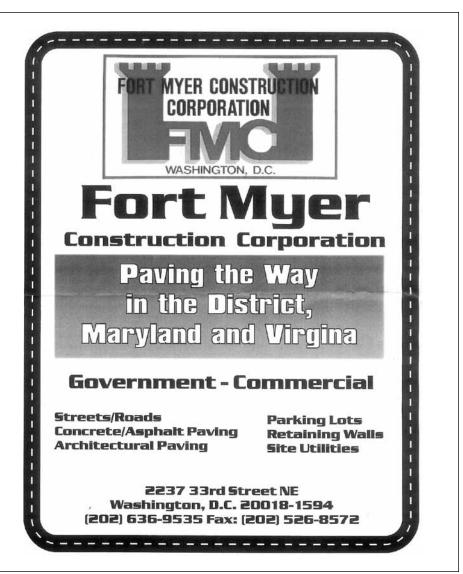






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Daniel J. Murphy III, DVM



FROM THE EDITOR'S DESK

Editor's Message

Tori Beauchemin

Irst I would like to apologize for the lack of an article from Vice President Maybo in the last issue. Andy has written an article for every issue since he became Vice President, and was very disappointed to find that the paper had been printed without his being included. He did submit one, weeks before the paper went out, but several complications with the last issue caused me to be in such a rush that I failed to go down my check list and notice that it was not included. Andy was very understanding and combined his last article in with the one he wrote for this issue, so that the members would still receive all the important information.

For quite a long time I was receiving loads of content for the paper each quarter but in the last year it has really dropped off. A small group of people give me something

for every issue and I get almost nothing else. This is why you may find articles that have been reprinted from other sources. This is your newspaper and I would encourage all members to feel free to make contributions to each issue. We should really be hearing from the Agency Trustees. I believe that as a lodge that has such a diverse membership from over 41 different agencies we would all like to know what is going on in our own agencies and even curious to know what other agencies are dealing with. I encourage you to contact your elected Agency Trustee and ask them to please start to submit articles to the *Simulcast*. The list of the Trustees for each agency was printed on the front page of the last issue, but if you are not sure who represents you, please contact the lodge.







LESGISLATION

Day on The Hill

Steve Franchak Legislative Chairman

n Monday, February 27, 2012, over 100 officers from various states met for the annual FOP briefing for Day on the Hill. After welcoming remarks from President Chuck Canterbury, the key note speaker was Senator Sherrod Brown of Ohio. After his remarks the National Officers and the National Legislative Committee spoke on the priority legislative issues of the National. They emphasized the need to keep the pressure on Congress through this election year.

The National Legislative Office spoke on the utilization of social networks as a way to keep abreast of the issues, i.e. Facebook, Grass Roots. They are also developing a grading system for members of the Senate and Congress based on their sponsorship, co-sponsorship, and their voting record on our legislative issues. Once this system is approved by the National Board, Officers may call the National Legislative Office to find the grades of their Senators and Congressmen.

The National Legislative Office also spoke about the PAC and compared the FOP PAC with the International Firefighters PAC and discussed the large disparity of funds. They also emphasized the need for more people to contribute to our PAC. As always, your contributions to the FOP PAC help National work to get the issues addressed.

As usual, the setting up and taking down for this event went well thanks to Andy Maybo, Rosario and her staff.



Michael Moore REALTOR*

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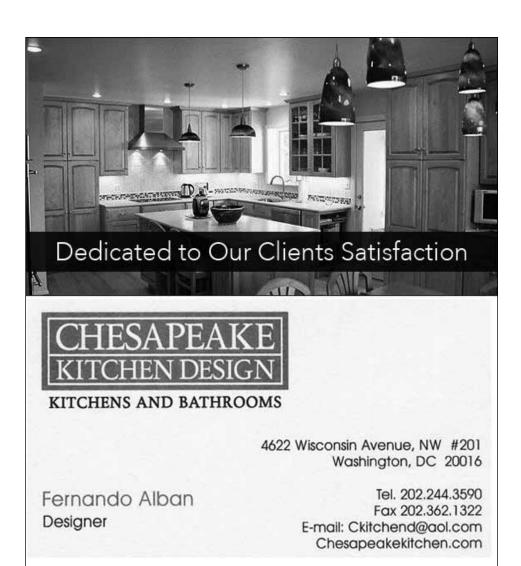
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Contributions or gifts to the National Fraternal Order of Police PAC are not tax deductible as charitable contributions for federal income tax purposes. Only PERSONAL or NON CORPORATE checks may be accepted. A contribution of \$25 is suggested, but please contribute more if you are able, and a lesser amount if you are not. Contributions to the NATL FOP PAC are strictly voluntary and FOP members have the right to refuse to contribute without reprisal. Your contribution will be used to support candidates for federal office who support law enforcement. Federal law requires political action committees to report the name, mailing address, occupation and name of employer for each individual whose contributions aggregate in excess of \$200 per calendar year.

(son, daughter, spouse, etc.)

LABOR

Celebrating, Honoring, Remembering Corrections Employees Week

Sergeant Nila Ritenour Chairperson FOP DC Corrections Union

Greetings fellow FOP DC Corrections Union Employees,

tarting Saturday May 5th, beginning with the Wreath Laying Ceremony at 9AM at the memorial located on 4th and F street NW honoring Corrections Employees who made the ultimate sacrifice, we celebrate Corrections Employees week. This is a National Celebration! From May 5th through the evening of May 12th a series of events are scheduled making this week a special time for our members and our profession. I urge everyone to participate as we have much to be thankful for.

As many of you are aware, I will be retiring this summer. I have enjoyed a long, fruitful career, and met many, many friends. I have spent the last six years as Chairperson of our FOP Union fighting for fairness and safety. I thank all of you for your support, help, and confidence these last six years. *Much has been accomplished*.

Before I list accomplishments let me say that *rumors concerning me being contracted by the Union are a lie.* Unfortunately there are fellow union members who will stoop to any level and tell any lie to trick you into signing anything. *Every Union member can vote in the upcoming elections.* The only restriction is you have to be a union member! Probates don't be fooled by politically ambitious co-workers who try to fool you with petitions, scare tactics, and promises. They only want to

Since becoming Chairperson my Union administration has waged an all-out effort to get us a competitive retirement benefit. Once we came close to getting a retirement, the city pulled it off the table. We were ready to sign! This proved that the City was negotiating in bad faith. With Fenty and his stalwarts gone it is hoped that these efforts will succeed. Devon Brown fired at least 100 Officers and let countless TERM Officers and Staff go. I fought him tooth and nail all the way. Standing beside you in all roll-calls are the dozens and dozens of Officers and Support Staff the Union under my leadership returned to duty. The Officers and C & P's returned to work from the escape case, a case that lasted nearly my entire administration, a monument to our NEVER LET GO policy of standing by our members. I want to personally thank my Vice Chairman, Sergeant Rosser, who helped hundreds with all manner of letters, responses, representations, and testimonies. His loyalty and professionalism kept the image of our Union front and center in places like the City Council, Congress, and National Corrections

Organizations. The entire Union Executive Team, Sergeant Lee and Corporals Ellis

every one of you every day in our agency, all done without the usual infighting our

and Moody served our membership with honesty and sacrifice. I thank them for their dedication. Together our team accomplished big goals that impacted each and

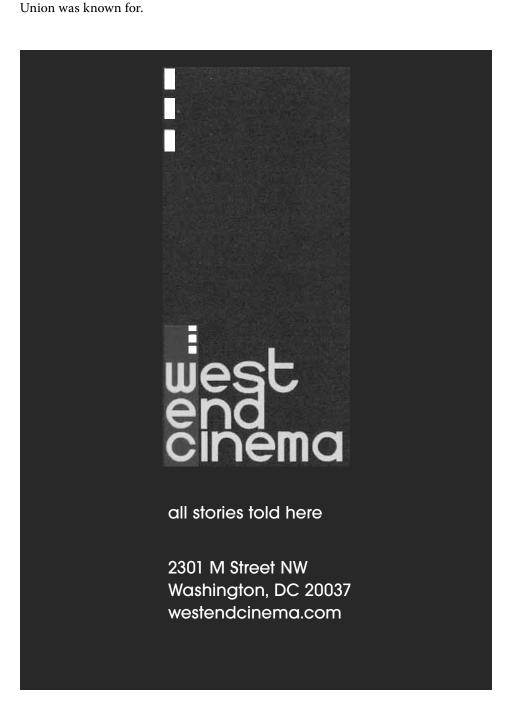
undo the progress my administration has made these last six years. You can vote!!!



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LABOR

My major accomplishments were;

1) New agency Executive Management.

Brown and Britton out. This effort helped stop the unjust firings. Front line staff is no longer viewed as the enemy by Executive Management.

2) Ended the viral favoritism infesting every aspect of DOC corrections. One big change is the equal opportunity of all staff to almost all posts and positions. No more 200 non-bid posts where favorities of the administration roosted. Today less than thirty Master Roster posts are non-biddable.

3) Ended TERM hiring.

TERM hiring was wrong. This was a hiring tool used to make every new-hire, "acting". At one time over 40% of this agency was working under a TERM condition. Just like most of management was in an acting capacity. This destabilizes an agency and is bad management!

4) Convinced Management that the Bulky, Hot, Vest should be voluntary and got BVD's.

In a major partnership decision, the *new Director and the Union worked together* to make our Uniforms more comfortable and reliable. This effort is ongoing as I write.

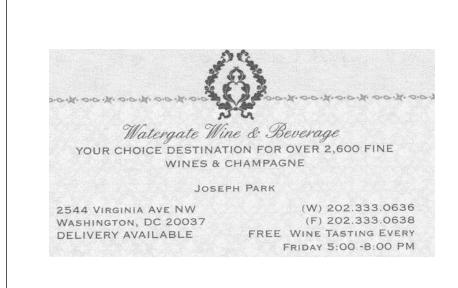
5) Held Surveillance and Internal Affairs Accountable for any accesses or perceived abuses of power.

Both of these institutions were used by the Brown administration to terrorize front line staff and create an Orwellian atmosphere inside the Jail. Officers and Support Staff were actually hesitating getting involved in emergency situation for fear of being fired. This had to be challenged and we did!

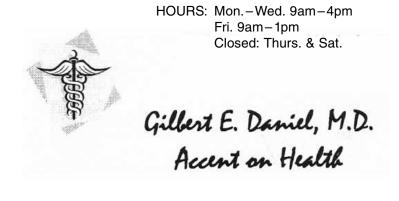
6) Established a record of telling the facts and the truth with elected officials in Washington DC.

Today, and for the next union administration, our Union enjoys the confidence of key Officials in City Government. The reason is that we always represented you with truth and documentation.

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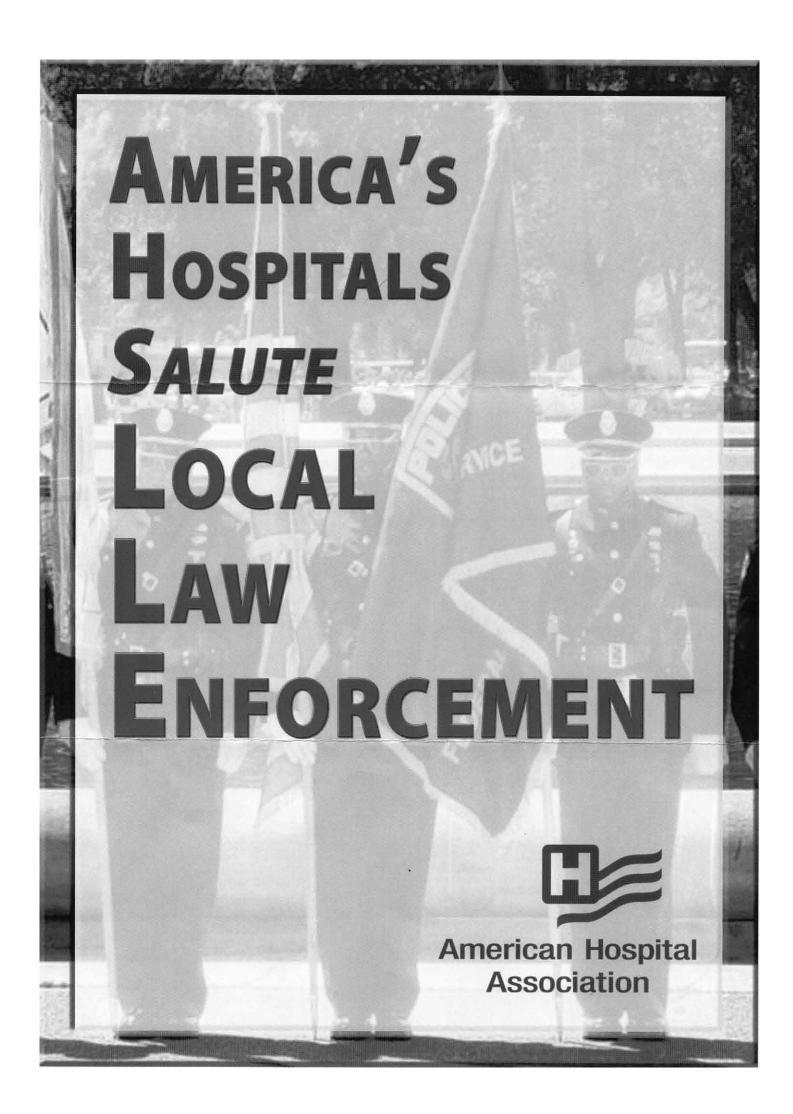




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Corrections Employees Week

Continued from page 11

7) Returned over Fifty Officers and Support Staff back to duty after they had been fired.

Starting with three co-workers, whose cases my predecessor refused to arbitrate, I approved and followed up on scores of unjustified terminations. If you couldn't be jailed for your actions we challenged your termination. Our Union team vowed not to leave any member, we felt was unjustifiably fired, without our best fight. We won 95% of our cases. Many folks dismiss this – until they are facing charges and termination! If Union Officials can't type, read, write, speak, or express themselves with hearings where the hearing Officer is an attorney—you are sunk! I thank my team for accomplishing all these. Many cases Mr. Rosser represented caused the hearing officer to recommend less than firing!

8) Planning and producing Six Holiday Parties and Six Corrections Employees Week Celebrations during my Term.

This includes the Crab Feast at Camelot. The small picnics on the Jail property, and our many actions of assistance to our members who suffered the loss of a loved one.

My friends I will never forget the rally downtown in October 2007 where many

of our friends from Corrections Unions up and down the east coast answered our Code Blue to fight Brown's horrible disciplinary and anti-Union actions. *Pictures of that rally are still seen on the internet*. Together we have served the citizens of Washington DC. above and beyond the call of duty. Our Union, under my leadership, has insured that our rights as law abiding citizens working in a Jail or Prison are respected. With the Gray administration promising to work more closely with the Union, and the economy beginning to improve, it is my hope that we will finally accomplish the goal of every FOP Corrections Union leader since 1994 – A competitive retirement; 25 and out at any age. I believe we would have accomplished this but for two reasons; the economic depression, and the election of Adrian Fenty in November 2007 who turned out to be very anti-union, and probusiness. Fenty is gone and the economy is improving. This shines hope that we can finally get this done.

Again Brothers and Sisters I implore you all to participate in the upcoming Corrections Employees celebration. I also implore you to participate in the upcoming Union elections and in all Union events. You are the Union, not the petition peddlers who make up lies like that consultant stuff – they just want to drag us backwards. The more you lay back and don't participate the more it encourages the pro-management element of our Union membership to step forward and make trouble. All they want is to protect the great post they have, or had, and to throw a party every month. Don't let it happen.

I will always keep each and every one of you in my prayers. Thank You and God bless you. Stay safe.



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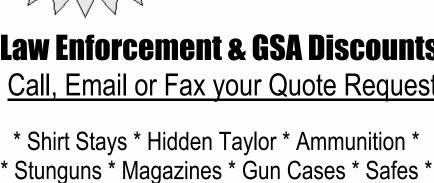














* Handcuffs * Body Armor * Car Seat Organizers *

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* Boresnakes * Flashlights * Duty Gear * BDU's *

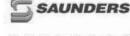
* Gloves * Tactical Gear * Citation Holder *



HOPPE'S







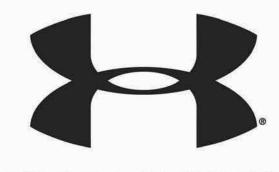












JNDER ARMOUR













LABOR

FOPDOC Union—Keeping On Course

Sergeant John Rosser Vice Chairman, FOP DC Corrections Labor Committee

Fellow FOP Corrections Union Members,

Corrections Employees Week is fast approaching. It has been a full year since our last celebration of the profession we work in. This year the festivities begin on Saturday May 5th and last until Saturday May 12th.

All are encouraged to participate in this week-long, National Celebration.

On Wednesday February 29th I addressed the City Council pressing the issues of Retirement and Private/Corporal pay grade increases. I also touched on staffing levels and Corrections as a partner in Law Enforcement in DC. I stated that we in Corrections were tired of hearing about "budget surpluses" when our members have had to suffer without promotions and pay increases. This was not new news to the City Council. The Union's Board has been meeting them monthly. On Wednesday March 7th I met with the City Administrator to discuss the same issues. On Friday March 9th I met with the City Administrator and the Mayor, along with Chairperson Ritenour, to discuss getting money for promotions and a competitive retirement. Movement to get these things done has gotten back on track due to the improving economy. We will continue to pound away on these issues. Many of our long terminated co-workers are reappearing at work, in our roll-calls, as we work diligently at bringing them back to work!!! This Union is always vigilant where Corrections Employees

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unjustifiable disciplines are concerned. New DOC leadership, returning co-workers, a less stressful Jail, new staff, and increased funding for promotions, we are Moving Forward!

My friend our FOPDOC Union is moving forward by keeping on course. This means we must talk, meet, and write to various elected officials and correctional associations. We must look good. This means well written documents, no misspelling, no run-on sentences, no poor English, and of course be able to speak clearly, intelligently, and effectively. We must not look and act like the image Hollywood portrays us; big, dumb, violent, and sadistic! Our Executive Board, Chairperson Ritenour, Vice Chair Rosser, Executive Secretary Ellis, Treasurer Moody and Recording Secretary Lee have made certain this Union looks, acts, writes, and speaks professionally at all times. We work as a team! This reflects on all of us. Misspelled, poorly written documents, and garbled, poorly spoken English cost us valuable respect in political and Union circles at all levels. We must guard our image as Correctional Professionals who are capable of sharing the Law Enforcement spotlight.

This summer Chairperson Nila Ritenour is retiring. She has been a steadfast champion of fairness for the front line FOP DC Corrections Officer and Support Staff. She demonstrated her "never give up" attitude while sticking beside the nine employees fired for the escape. This happened just two days after Ritenour had become Chairperson. Now, nearly six years later, these Correctional and C & P Officers are back.

Join me in thanking her for her dedicated service and wishing her well in retirement. Again, I hope all members will come and participate in Corrections Employees Week. I urge all members to participate in all Union activities. I also urge all Officers and Support Staff to help one another. We are indeed our Brothers and Sister's keepers! Let us put division, deceit, and divisiveness behind us and move forward! Only together can we succeed and stay safe!



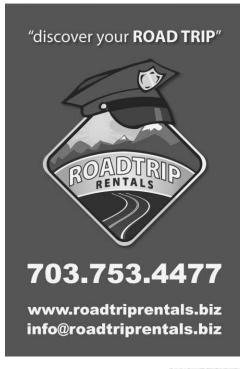
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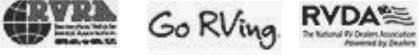
Something happens when families spend time together. Something good! Bonds are built between the generations. Secrets are shared. Discoveries are made. Moments are frozen in time. Sometimes the road to a happy family is an actual road. And sometimes, nothing brings a family closer together than taking them far away. Away from the daily distractions that can get in our way.

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LABOR

FOP DOC—On Duty!

Sergeant Phyllis Grimes

Greetings Fellow FOP DC Corrections Union Members,

As Chief Steward I have been all over the Jail and agency, along with Corporal Masi and Sergeant Jones, ensuring that anyone who wants to file a grievance can do so, get it turned in, and answered. I have addressed problems such as Staffing, Post Assignments, Sanitation of Employee Facilities, Uniforms, and Disciplinary Charges. Though I was slowed by a medical setback late this winter, I am happy to say "I'm back and running at full speed!"

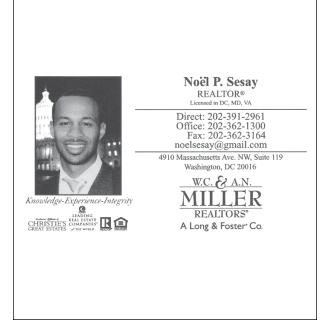
Already Mr. Masi and I have submitted and processed dozens of grievances this year alone on issues ranging from discourteous treatment, post assignments, staffing levels, and failure to pay O/T for late reliefs. We continue to work alongside the Executive Board fighting to get pay for career ladder promotions. We have ensured that proposals to suspend Officers are promptly given to Vice chairman Rosser for a quick answer. We are vigilant and on Duty!

On May 5th Corrections Employees week begins. The events start with the Memorial service at 4th and F street NW, at the Law Enforcement memorial. That afternoon the DOC picnic will be held on the pavilioned grounds of Lodge 89 on route 202 in Prince Georges County Maryland.

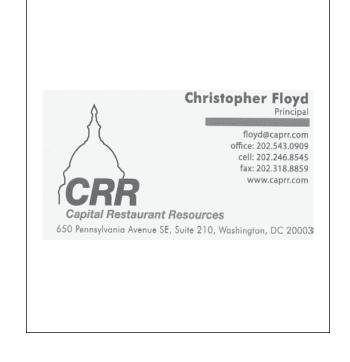
All our DOC co-workers and their families are invited.

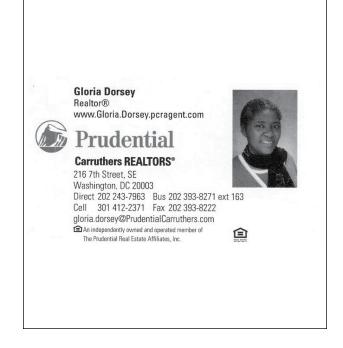
Our City is beginning to recover from a terrible recession that hit the entire country. Agencies are beginning to hire, and the City is starting to announce surplus revenues. This means we must jump back into the fight for a competitive retirement for our DOC folks. If we continue without raises, a retirement, and few promotions, we will begin to lose our Officers and Staff to the neighboring Correctional Agencies. Progress is being made. Much misinformation is being spread by Officers dissatisfied with the progress made. There is no consultant contract for anyone! No city agency has gotten a raise the past two years! All union members can vote - even probationary Officer. When ambitious Officers can't run against progress they will try to run against made up lies. Consultants and phantom raises are lies. What is true is that a certain group has spent the last two years circulating petitions, undermining and degrading the Union at every turn. They promise great posts, many parties, and a good time. Don't buy it. Your Union represents you. Your Union representatives must be able to write, think, and speak clearly and effectively. They will be sitting with key city policy makers. They must represent well. If they can't be supportive of Union Leadership then why should anyone support them? Unity is the one strength a Union has. We must stay positive and realistic!

Enjoy Corrections Week. Keep each other in prayer, and Watch each other's backs! We walk the toughest beat in town. The Jails tiers and cell-blocks. Stay Safe.









LABOR

ICPRA Conference Focuses on Law Enforcement Labor Rights

Greg O'Connor Chairman International Council of Police Representative Associations

he biennial conference of the International Council of Police Representative Associations, hosted by the Fraternal Order of Police in Baltimore on 20-21 March 2012, issued a communiqué calling on governments worldwide to acknowledge that law enforcement officers should be entitled to the same labor rights, such as the right to bargain collectively, as other citizens.

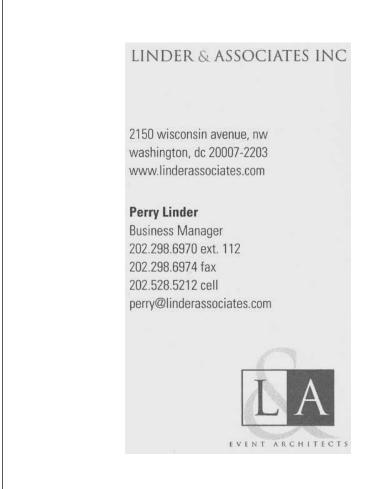
"Collective bargaining and other labor rights are being threatened, eroded, or abolished in a number of ICPRA jurisdictions, often in the guise of austerity measures claimed to be in response to global economic conditions. This is a problem affecting members in diverse jurisdictions around the world—including some US jurisdictions, England and Wales, and European jurisdictions such as Hungary, Greece and Latvia," ICPRA Chairman Greg O'Connor, who is also President of the New Zealand Police Association, said. Mr O'Connor was re-elected as Chairman for a further two years at the meeting.

"Governments at all levels—from municipalities to national governments—need to acknowledge that law enforcement officers are entitled to the same civil rights as other citizens, including the right to freely associate and bargain collectively."

The importance of effective representation was highlighted by the challenges being faced by the nascent Kenya Police Union. Kenyan Police face problems with access to food, water and medical care, especially around their deployment to protect against incursions by the Al Shabaab terrorist group near the border with Somalia. In the absence of a union, police officers have faced problems having their issues effectively addressed. ICPRA is supporting the Kenya Police Union as it moves towards official recognition.

Keynote speakers at the conference included US Assistant Secretaries of Homeland Security Alan Bersin and Louis Quijas, who highlighted the importance of international connectedness and information sharing in effective law enforcement in the post 9/11 world. These speakers welcomed that ICPRA embodies the necessary culture shift and emphasized the central role law enforcement unions and associations need to play in helping promote such a culture shift across law enforcement agencies worldwide.

Continued on page 20





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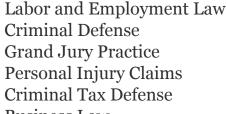
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Jerrard F. Young DC Lodge #1

Renditions Golf Course—Tuesday, September 25, 2012 1380 West Central Avenue, Davidsonville, MD 21035 8:00 Shotgun Start

■ Cost: 70.00 per person—Sign up Early to insure a spot

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LABOR

ICPRA Conference

Continued from page 18

"ICPRA is an organization of growing importance to effective representation of law enforcement officers worldwide. The issues we face as representative associations, and also the issues we and our members face as professional law enforcement officers, are increasingly transnational in nature. As the Assistant Secretaries recognized, ICPRA provides an important vehicle for the building and sharing of the knowledge necessary to operate effectively in the modern, global world," Mr O'Connor said.

About the International Council of Police Representative Associations

The International Council of Police Representative Associations is an organization comprising representatives of police and law enforcement associations and unions from around 40 countries, collectively representing more than 1.5 million law enforcement officers across North America, Europe, Africa, and Australasia.

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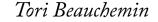
Harley-Davidson is proud to be a sponsor of the National Law Enforcement Officers Memorial Fund. Harley-Davidson Motor Company is a prize provider only, and Harley-Davidson, Inc., and Harley-Davidson Motor Company have no responsibility regarding conduct or administration of the raffle.

St. Patrick's Day Party at the Lodge

ur Annual St. Patrick's Day Party at the lodge was blessed with one of the largest crowds at the club in years. The event was once again run by Patrick Loftus who did an awesome job keeping the beer flowing and everything running smoothly. The Lodge looked great decked out with festive decorations and the traditional Irish fare was a hit as usual. Much thanks for another successful event to Pat Loftus, Jonathan Rosnick, Rebecca, Phyllis Grimes, Bob Short, Justin Gellert, Rosario, Thomas, Amparo and Tori.



















Super Bowl XLVI and NFL Sundays at the Lodge

t's been quite a few years since we've held a Super Bowl Party at the lodge. After this year's event, I believe it will become an annual favorite! In the very early fall, I agreed to open the lodge on Sundays for what at first was a small group who wanted to watch the games in their favorite bar. The club was simply not in the financial position to provide staff and run a full kitchen for a half a day. Karen Keller and I came up with a plan to prepare a weekly buffet of home cooked food that we purchased ourselves, and run the kitchen and bar each week with no paid staff. It soon became a group effort. This very loyal group of members and friends stayed true to the FOP and supported us every Sunday. Each week grew in participation. Friendly rivalries formed and loads of new friends were made. When Super Bowl Time came around it was not only a sporting event for the nation, but a celebration of a great season for our lodge as well. We had a larger than expected turnout, the food was great, and it was all pulled off entirely with volunteers. We are already looking forward to football season again, and have plenty of plans in the works to make the FOP the place to be on NFL Sundays for years to come. There are simply too many folks to thank for making this new venture work for the lodge but a few standouts besides Karen and mwyself are: Darryl D'Ateno, Mike Walsh, Phil Griffin, Chuck Bowens, Smiley Rouse and Carl Doby.

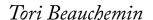




















MISCELLANY

Your Help Goes A Long Way

Our lodge has a long history of providing services and assistance to our members and the community.

We are asking for your help, through generous donations to our building fund, to expedite the payoff of the building mortgage.

This will free up more money to spend on our members and support our community.

Thanks for your generous support.

For donating, please make a separate check to: FOP Building Fund, 711 4th Street, NW, Washington, DC 20001 Much thanks to the following members for their generous donations.

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Attention Members: EMail Notices

s your lodge President, I send out and approve others to send emails to keep our members informed of events.

At a current General Membership meeting we discussed in length the concerns some members have with receiving emails. The membership agreed they wanted to continue to receive informative emails from the lodge. If you still want to receive our emails, please make sure that we have your correct email address.

If you have not received an email from the lodge in the last month from lodge@dc-fop.org then you need to do two things. First, check to see if that email went to your spam folder and if it did not then you need to add the above email address to your address book. This will allow it to get through your spam filter.

If you would like to check our database to make sure we have your correct email then please call Sandy at 202-408-7767 Ext 700 or you can email her at lodge-secretary@dc-fop.org. You must include your full name in the email to make it easier to look you up in our database.

In closing, the emails we send out have some very important information and we want to make sure all our members are informed.

If you get an email from us do not hit the "Spam" or "Junk Mail" key to delete the message we will receive information that will not allow us to send you any more emails.

I hope this helps and please take a few minutes to make sure all of the emails are getting to you.

THANK YOU

THANK YOU!!

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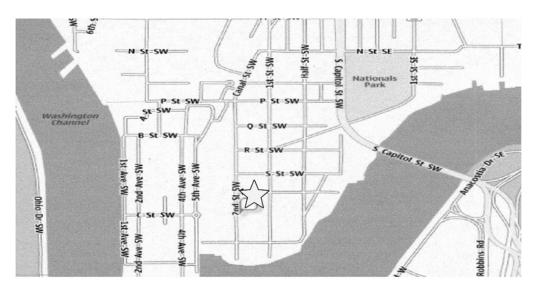
Jerrard F. Young DC Lodge #1

Police Week 2012

(Tent City~Beer Garden~Vendors Expo)

May 13th, 14th & 15th ~ 11am - 2am New Location!! 1880 2nd Street Southwest

(Across from Fort McNair)



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The National Law Enforcement Officers Memorial, The United States Capitol,
DC FOP Lodge, Area Metros and Hotels along the route.

We are also very pleased to announce the return of everyone's favorite Police Week DJs...Vinny & Sal!

NLEOMF

National Police Week 2012

Check for updates to the events schedule by visiting www.policeweek.org.

DC Lodge #1 Tent City / Beer Garden Vendor Expo

May 13th, 14th, 15th-11am-2am

Please note that this event has moved to 1880 2nd St. SW across from Fort McNair. Shuttles to the event site will be provided free of charge from the Memorial, DC Lodge and area metro stops.

18th Annual Blue Mass

May 08, 2012-12:10pm

The Blue Mass will be held at 12:10 p.m. at St. Patrick's Catholic Church, 619 Tenth Street, NW (10th & G Streets, NW) Washington, DC.

DC Generals Police Week Jamboree 2012

The DC Generals police and fire football team is proud to host Police Week Jamboree 2012, a public safety charity event made up of two police and fire football games and other activities. The DC Generals will challenge the Tampa Bay Sentinels in game #1 and the Atlanta Defenders play the Philadelphia Blue Flame in game #2. Game #1 is scheduled to kickoff at 12:00 p.m. All four teams are members of the National Public Safety League, a union of public safety agency football teams throughout the United States. Police Week Jamboree 2012 will be held at Eastern High School, 1700 E. Capitol St. NE, Washington DC. The after-game party will be held at 8:00 p.m. at the Washington Plaza Hotel, 10 Thomas Circle NW. Visit degeneralsfootball.org for more information and tickets.

Police Unity Tour Arrival Ceremony

May 12, 2012—2:00 pm

Police Unity Tour Arrival Ceremony—National Law Enforcement Officers Memorial

2nd Annual Blue Valor Run

May 12, 2012

The P.O. Ken Tietjen Memorial Foundation, in cooperation with The National Law Enforcement Officers Memorial Fund, announces the second annual Blue Valor Run—a one-day, 226-mile charity motorcycle ride beginning at Ground Zero in New York City and ending at Police Week in Washington D.C.

19th Annual TOP COPS Awards Ceremony

May 12, 2012

19th Annual TOP COPS Awards Ceremony—National Association of Police Organizations—The Mayflower Hotel, Washington, DC (tickets required)

24th Annual Candlelight Vigil

May 13, 2012-8:00 pm

National Law Enforcement Officers Memorial

17th Annual LawRide

May 13, 2012 (tentative)—9:00 am

6:00 am staging time at RFK Stadium/Armory at 19th and East Capitol Street, NE.

Officer World Expo - Police Week

May 13-14, 2012

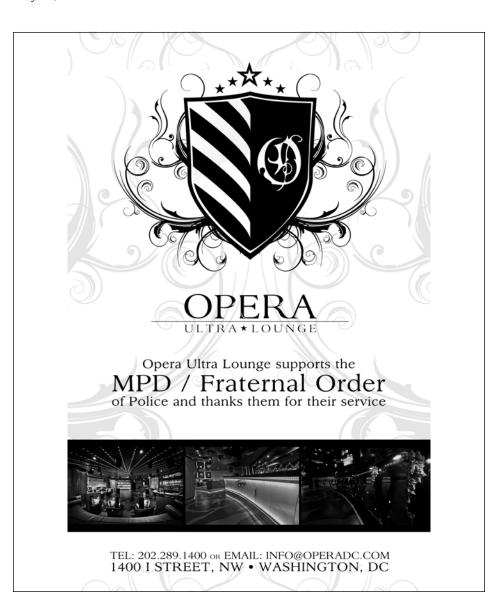
Law Enforcement Product News, Law Enforcement Technology, Officer.com and Enforcement Expo have teamed up with the National Sheriffs' Association to offer topnotch education during National Police Week.

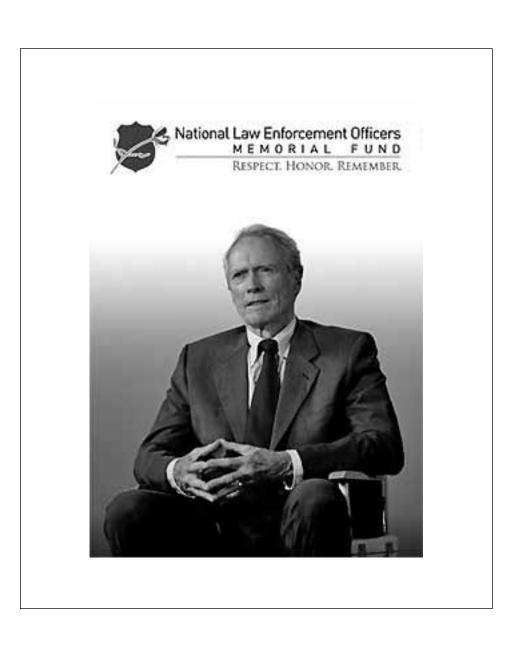
18th Annual Emerald Society & Pipeband March and Service

May 14, 2012—4:30 pm

18th Annual Emerald Society & Pipeband March and Service—Assemble at New Jersey Avenue and F Street, NW—Begin march to National Law Enforcement Officers Memorial at 6 pm.

Continued on page 30





NLEOMF

Police Week 2012

Continued from page 29

Philly to DC Memorial Run

May 14, 2012-12 pm

Philly to DC Memorial Run at the National Law Enforcement Officers Memorial

10th Annual Honor Guard Competition

May 14, 2012-8:30 am

10th Annual Honor Guard Competition—John Marshall Park (Pennsylvania Avenue at 4th Street, NW)

National Police Survivors' Conference

May 14, 2012-9:00 am - 4:30 pm

National Police Survivors' Conference—Concerns of Police Survivors—Hilton Alexandria Mark Center (Registration is mandatory.)

NCIS/USMC Wreathlaying Ceremony

May 15, 2012—8:00 am to 11:00 am

NCIS/USMC Wreathlaying Ceremony at the National Law Enforcement Officers Memorial

Thank you for all of your continued efforts to keep our homes and communities safe.



31st Annual National Peace Officers' Memorial Day Services

May 15, 2012—11:00 am

West Front of the U.S. Capitol, Washington, D.C.

FOP/FOPA Wreathlaying Ceremony

May 15, 2012—TBD (see below)

Wreathlaying Ceremony—Fraternal Order of Police/FOP Auxiliary—National Law Enforcement Officers Memorial (immediately following the ceremony at the U.S. Capitol)

National Police Survivors' Conference

May 16, 2012-9:00 am - 4:30 pm

National Police Survivors' Conference—Concerns of Police Survivors—Hilton Alexandria Mark Center (Registration is mandatory.)



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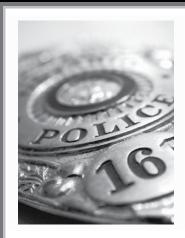
and congratulate them
on all of the hard work they do
in keeping our communities
and families safe.

TERENCE M. O'SULLIVAN

General President

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ARMAND E. SABITONI General Secretary-Treasurer



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NLEOMF

Joe Urschel Named Executive Director of the National Law Enforcement Museum

he National Law Enforcement Officers Memorial Fund (NLEOMF) today announced the hiring of Joe Urschel to be Executive Director of their National Law Enforcement Museum, which is scheduled to open in 2014 in Washington, DC's historic Judiciary Square.

Mr. Urschel, the former longtime Executive Director of the Newseum, officially assumed the office on March 5 and will oversee the development, construction, opening and operation of the Museum. Mr. Urschel was selected after a five-month national search to become the first Executive Director of the National Law Enforcement Museum.

Authorized by Congress in 2000, this will be the first museum to tell the story of American law enforcement. It will be built by the NLEOMF across the street from the National Law Enforcement Officers Memorial (400 block of E Street, NW). The Memorial, established by NLEOMF in 1991, bears the names of more than 19,000 federal, state and local law officers who have been killed in the line of duty.

"During his remarkable career, Joe has developed and launched two highly successful national museums in the Washington, DC area, and we could not be any prouder or more fortunate to add him to our leadership team," said NLEOMF Chairman and CEO Craig W. Floyd. "As a museum leader with a journalism background, Joe knows how to tell a story in an experiential, educational and entertaining way. He also knows how to take a great vision and turn it into reality," Mr. Floyd added.

After serving as a journalist with the *Detroit Free Press* and *USA Today* for nearly 20 years, Mr. Urschel became the Executive Director of the Newseum—an interactive museum of news and journalism—in 1996. Under Mr. Urschels leadership, the first Newseum opened in Rosslyn, Virginia in April 1997. Over the next five years, the Newseum attracted more than two million visitors.

Beginning in 2002, Mr. Urschel led the effort by the Freedom Forum to move the *Continued on next page*

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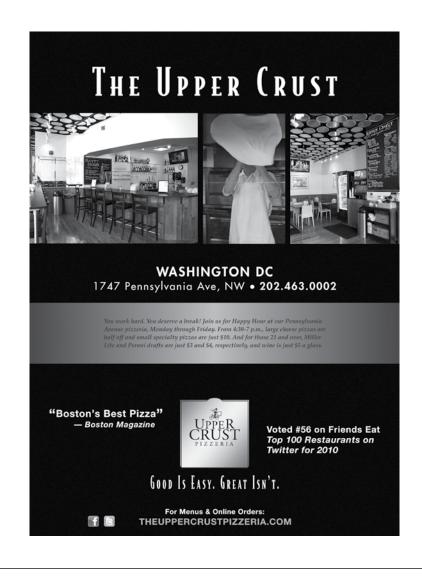
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NLEOMF

Newseum to its current location on Pennsylvania Avenue, NW, Washington, DC, where it reopened in April 2008. It has become one of the most popular destinations in the nation's capital, with some 700,000 visitors a year.

While at the helm from 1996-2011, Mr. Urschel was involved in all aspects of the Newseum, including: content development, fundraising, artifact collection and marketing. "Joe's experience and expertise will ensure that the National Law Enforcement Museum becomes the next great destination in Washington, DC," declared Mr. Floyd.

"I am proud of what the Newseum has done to introduce millions of visitors to the vital role that journalists and the news industry have played in our society throughout history," Mr. Urschel said. "Now, I am eager to do the same for the profession of law enforcement. It is a story that is rich with great characters, great conflict and great drama—all of the ingredients necessary for a great museum. It is a story that must be told."



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NLEOMF

National Law Enforcement Officers Memorial Fund and Modern City Entertainment to Create Heroes Behind the Badge Documentary

Film will detail the service and sacrifice of law enforcement officers and their families

The National Law Enforcement Officers Memorial Fund and Modern City Entertainment are teaming up to create Heroes Behind the Badge, a moving documentary about the service and sacrifice of law enforcement officers across America.

Set for release in fall 2012, *Heroes Behind the Badge* will feature stories about some of the brave men and women of law enforcement who have put their lives on the line and survived, as well as those who have made the ultimate sacrifice.

Filmed throughout the U.S., *Heroes Behind the Badge* will highlight the lives of four fallen officers and the enormous impact their passing has had on their family members, colleagues, and community.

The film will also feature the stories of three officers who narrowly escaped their assailants. These living legends will share their personal insights about how their near-fatal encounters have affected their lives.

Produced in partnership with the National Law Enforcement Officers Memorial Fund, *Heroes Behind the Badge* will also highlight the National Police Week events held in Washington, DC, including the annual May 13th Candlelight Vigil—where the names of fallen officers added to the Memorial each year are read aloud and formally dedicated—and the annual National Peace Officers Memorial Day service held at the U.S. Capitol on May 15.

One of the film's producers, Bill Erfurth, is a retired Lieutenant of the Miami-Dade Police Department and a 25-year law enforcement veteran. For Erfurth, the project is a labor of love that he believes will create awareness about what it really means to walk the thin blue line.

"I'm excited to be working with Bill—a longtime supporter of the Memorial Fund and a talented film producer—on this project that will raise public awareness about the service and sacrifice law enforcement officers make each day across our nation," said Craig W. Floyd, Chairman & CEO of the National Law Enforcement Officers Memorial Fund.

To keep abreast of the project status and to add your name to a pre-order list, visit the film's official website: www.HeroesBehindtheBadge.com or follow on Facebook:www.facebook.com/HeroesBehindtheBadge.



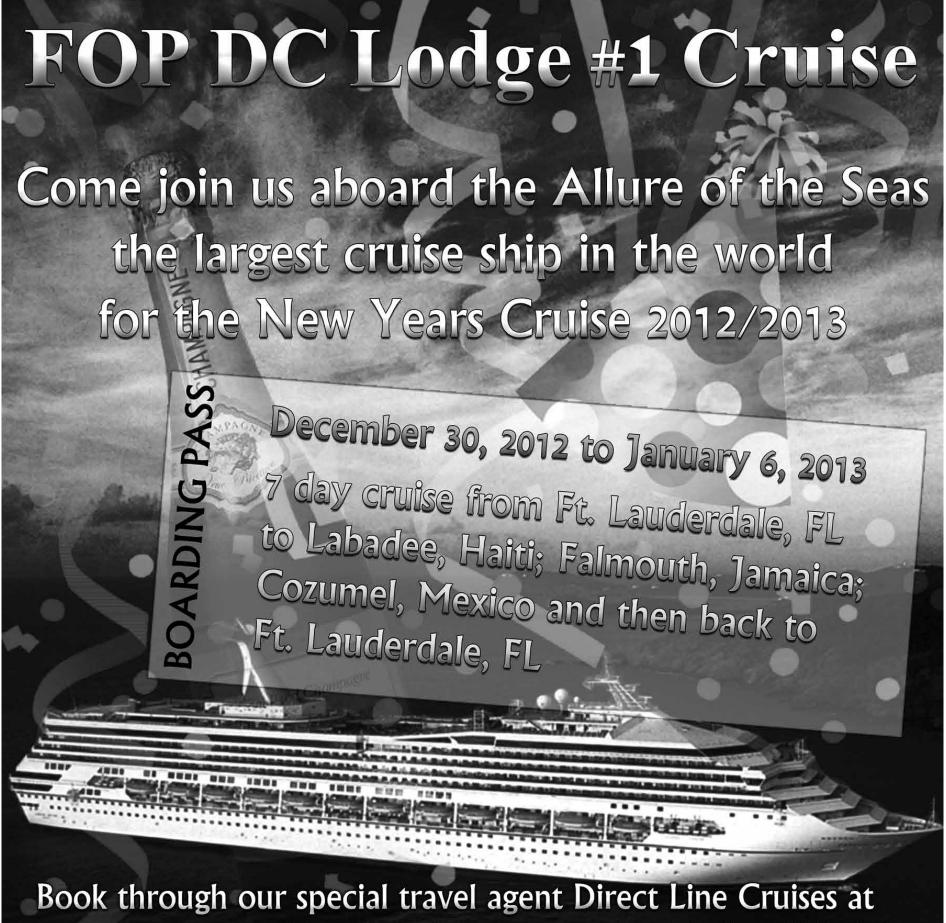


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SAFETY

Will Indiana's Self-Defense Measure Mean 'Open Season' on Cops?

ou may have heard of the bill passed recently by the Indiana General Assembly that gives citizens the right to physically resist — even with deadly force — any LEO they "reasonably believe" is unlawfully entering their dwelling or is about to cause them injury.

Last week, Gov. Mitch Daniels signed the bill, meaning its now law in the state of Indiana.

"It will mean basically open season on police officers," predicts Tim Downs, president of the state FOP, which campaigned vigorously although unsuccessfully against the bill. "Law enforcement officers are definitely going to be put in harm's way."

In this report, we explore the background and implications of the new law, which understandably has sent shock waves through the Indiana law enforcement community and has cops in other states wondering if they're next.

Hot Potato Decision

The legislation was drafted in response to a controversial decision by the Indiana Supreme Court last May in a domestic disturbance case, Barnes v. State of Indiana.

Back in 2007, a distressed woman in southern Indiana had called 911 during a heated argument with her husband. When officers arrived, the man, "very agitated and yelling," belligerently informed them that they were "not needed." When they tried to enter the couple's apartment to check on the complainant's wellbeing, he blocked the doorway and shoved one officer against a wall. He was subjected to a neck restraint, TASERed, and then arrested on 4 counts, including battery on a police officer

In appealing his subsequent conviction, the defendant argued that the officers' forcible entry was illegal and that he had a common-law right to "reasonably resist unlawful entry" by law enforcement into his home.

The state Supreme Court acknowledged that such a right, sometimes called the "castle defense doctrine," can be traced back to the Magna Carta of 1215. On 2 oc-

casions, the U.S. Supreme Court has recognized it: in Bad Elk v. United States [177 US 529 (1900)] and in United States v. Di Re [332 US 581 (1948)].

However, legislative and judicial thinking has changed significantly in recent years, the Indiana Supreme Court majority pointed out in its 3-2 decision. The Model Penal Code has now eliminated the right because "alternate remedies," including civil suit, now exist for an "aggrieved" party and because forceful resistance is "likely to result in greater injury." A "majority of states have abolished the right" to resist via statutes and judicial opinions, the Court stated.

"We believe...that a right to resist an unlawful police entry into a home is against public policy and is incompatible with modern Fourth Amendment jurisprudence," the justices declared. "[W]e find it unwise to allow a homeowner to adjudge the legality of police conduct in the heat of the moment. As we decline to recognize a right to resist unlawful police entry into a home, we decline to recognize a right to batter a police officer as a part of that resistance."

According to the Indianapolis Bar Association, "the same issue has been ruled upon similarly" by courts in an overwhelming majority of other states.

Response to 'Uproar'

According to media reports, the Court's ruling ignited a "public uproar." Before long, legislators had drafted an act in the Indiana General Assembly [Senate Bill 0001] to rectify the situation by affirming the "robust self-defense rights" of the state's residents

Earlier this month, the bill was approved 38-12 by the state Senate and 67-26 by the House. In its final form, it includes these key provisions to "ensure that a citizen feels secure...against unlawful intrusion by another individual or a public servant"; e.g., an officer of the law:

- "A person is justified in using reasonable force against a public servant if the person reasonably believes the force is necessary to:
- 1.) "protect the person or a third person from what the person reasonably be-



SAFETY

lieves to be the imminent use of unlawful force;

- 2.) "prevent or terminate the public servant's unlawful entry of or attack on the person's dwelling, curtilage, or occupied motor vehicle; or
- 3.) "prevent or terminate the public servant's unlawful trespass on or criminal interference with property lawfully in the person's possession, lawfully in possession of a member of the person's immediate family, or belonging to a person whose property the person has authority to protect."
- A person is not justified in using force against the police if he or she:
 - 1.) "is committing or escaping after the commission of a crime;
 - 2.) "provokes action by the public servant with intent to cause bodily injury;
 - 3.) "has entered into combat with the public servant or is the initial aggressor"... unless the officer "continues or threatens to continue unlawful action;
 - 4.) "reasonably believes the public servant is...acting lawfully [or is] engaged in the lawful execution of [his] official duties."

However, the bill specifies that even deadly force can be justified in resisting the police if a citizen "reasonably believes" an officer is "acting unlawfully" and "the force is reasonably necessary to prevent serious bodily injury to the person or a third person." In other words, Downs states, "There is no limit on the resistance that can be used."

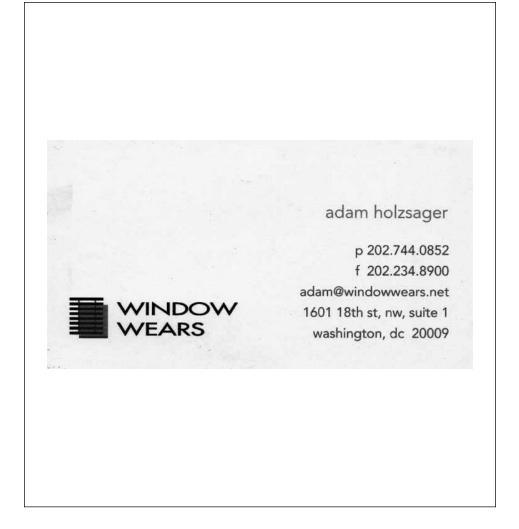
Police Reaction

The only organized voice that has spoken out against this legislation, says President Downs, is the Indiana state FOP. When the bill was passed despite the group's vehement objections, Downs requested an audience with Gov. Daniels to plead in person for a veto. Early this week, he spent 20 minutes with Daniels but was unable to persuade him to kill the bill. At this writing, the governor is believed to be just hours away from affixing his approval.

Downs has been an active LEO for more than 3 decades, currently serving as chief of police for the Lake County (IN) SD, and he has headed the state FOP since 1999. We asked what he thinks will be the outcome when Daniels signs the legislation into law

Downs: It's only a matter of time before an officer or a civilian gets seriously hurt

Continued on page 39





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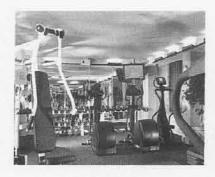
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SAFETY

Indiana Law

Continued from page 37

or killed because of this law. At the very least, it will result in more use of force. If a subject offers resistance he believes is justified, an officer isn't going to just meekly back off. He'll escalate force to overcome the resistance, one or both of them will likely be injured or worse, and a subject who survives will go to prison.

With this law successfully on the books in Indiana, I believe other states may look at it and be encouraged to adopt similar legislation.

Force Science News: Are there any subtleties in this law that make it less crazy than it seems?

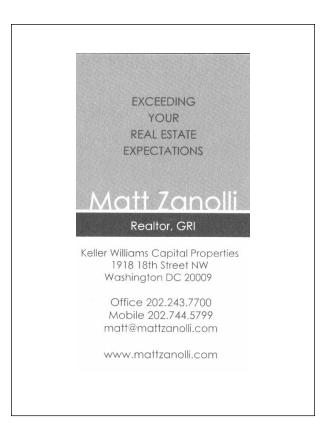
Downs: No, it's insane. Backers of the bill kept saying it gives the police more protection, but there is no protection in it whatsoever. Criminals and other people who dislike the police are interpreting it that they can do anything they want against us now. I'm already getting hate mail from people saying, "Let's get it on. If I kill you, I'm justified in doing it." This is potentially lethal thinking. I've not found a police officer yet who has anything good to say about this statute.

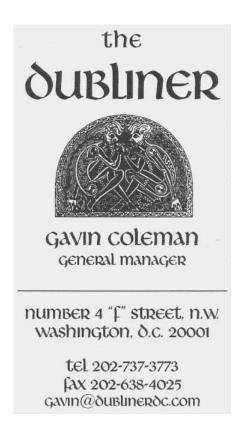
FSN: As the legislation is written, much hinges on a subject's "reasonable belief" as to whether an officer is acting lawfully. Don't most suspects automatically believe officers are wrong in the actions taken against them, regardless of the circumstances?

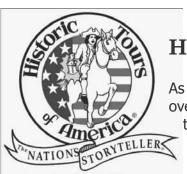
Downs: Suspects always think we're in the wrong. The average citizen, even if they're well-intentioned, has no training in the law and police procedure on which to base a 'reasonable' decision. They're going to subjectively judge the circumstances to decide whether an officer is acting lawfully. And this subjective decision is going to be made at a time when emotions are likely to be highly charged, and drugs and/or alcohol will be involved a huge percentage of the time, affecting people's thinking.

Police officers are called upon every day to investigate domestic disturbances, child and elder abuse, and many other serious matters. Sometimes they don't have time to secure a warrant, yet they're duty bound to make entry onto private property and into private residences in order to protect the innocent. Empowering people to resist them is a recipe for disaster that will lead to senseless loss of life.

FSN: Is there any leeway given for officers who Continued on page 8







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Simulcast *40* ■ *Spring 2012*

SAFETY

Indiana Law

Continued from page 39

make legitimate mistakes and unwittingly force entry into an incorrect residence? *Downs:* No. This is one of the many realities of police work that the politicians who voted for this don't understand.

FSN: And if it is determined later that the belief on which a subject acted was not reasonable and therefore the resistance was not justified, by then the damage from resisting is already done, right?

Downs: Right.

FSN: Who was the driving force behind this legislation?

Downs: Well, one group that sticks out and that surprised me was the National Rifle Assn. They give a lot of money and backing to politicians, and NRA people lobbied hard at the state capitol in favor of this bill. They thought the Supreme Court decision last year gave authorities too much power.

Also the press got a lot of people upset about not being able to defend themselves from unlawful intrusions when the decision came down. One legislator told me that a poll showed that 60% of the citizenry favored the bill. You'd have to prove that to me. I find it hard to believe. Many, many civilians I spoke to thought it was ridiculous. We had many legislators on our side, including one who's a former police chief, but the ones against us had the power.

FSN: What do you recommend for Indiana officers as this bill becomes law? *Downs:* Stay on high alert during any response, especially to a residence. Even more than before, you don't know what you may be going into.

FSN: Are you planning to test the constitutionality of this law?

Downs: We'll definitely have our attorneys look into any possible way we can get it reversed. This law is not only dangerous, it's not needed. If an officer acts unlawfully, there are plenty of state and federal statutes to deal with it. That's a matter best handled by a judge and jury, not by a person standing on a doorstep thinking, 'I'm going to take care of this myself"."



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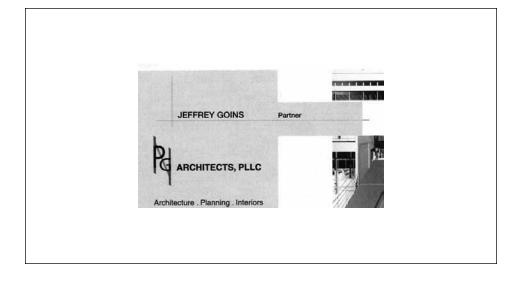
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FOP Grand Lodge Website

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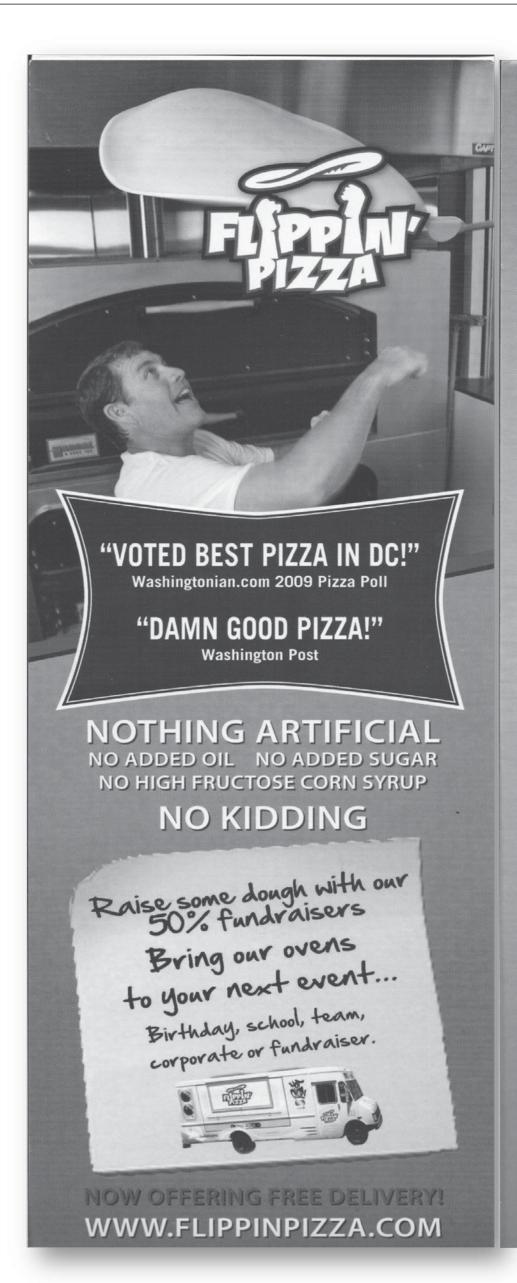
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