



# Ohio FOP E-Focus

M A Y 2 0 0 9

## *134 Officers gave the Ultimate Sacrifice in 2008*

It seems just like yesterday I was writing another May E-Focus and was outlining the tragedies of the previous year. In the time that has passed, we have lost one hundred and thirty four heroes in the line of duty in this great country.

September was the deadliest month for law enforcement officers with nineteen officers killed.

Texas was the unfortunate leader in deaths with 14, fol-

lowed closely by California by 13.

Gunfire outpaced vehicle accidents as the leading cause of death, 38 to 36. 12 were struck by vehicles accidentally, 11 were the victim of vehicular assaults and 9 were in motorcycle accidents.

By comparing numbers through April of 2008 to April of 2009, the number of law enforcement officers killed in the line of duty has RISEN 18 PERCENT!

The number of officers killed in the line of duty over the years is as follows:

2008—134

2007—181

2006—151

2005—164

2004—164

2003—147

2002—159

2001—242

2000—163

Total this decade = 1505

## Ohio lost 5 heroes in 2008

Derek Wayne Owens Cleveland Police Department, OH EOW: Saturday, March 1, 2008

Cause of Death: Gunfire

Joshua T. Miktarian Twinsburg Police Department, OH EOW: Sunday, July 13, 2008

Cause of Death: Gunfire

Timothy Allen Haley Columbus Division of Police, OH EOW: Tuesday, August 26, 2008

Cause of Death: Duty related illness

Marty Michael Martin Franklin County Sheriff's Department, OH EOW: Saturday, September 6, 2008

Cause of Death: Automobile accident

William Kenneth Chadwell Pickaway County Sheriff's Office, OH EOW: Wednesday, December 24, 2008

Cause of Death: Struck by vehicle

# US Supreme Court decides search case

In April 2009, the United States Supreme Court decided in *Gant v. Arizona* the following:

Once an arrestee is secured, a search incident to arrest of the involved motor vehicle is lawful only when there is reason to believe that the vehicle holds evidence of the underlying crime on which the arrest is based. *Gant* does NOT foreclose other search doctrines that may apply to particular cases. Fourth Amendment warrant clause exceptions of consent, probation/parole search, exigent circumstances, vehicle “frisk” for weapons upon appropriate reasonable suspicion, inventory and community caretaking all continue to potentially apply.

Search of a vehicle incident to arrest is allowed only if the arrestee is within reaching distance of the passenger compartment at the time of the search or it is reasonable to believe that the vehicle contains evidence of the offense at the time of the arrest. For example: If you arrest someone for OMVI, you may be able to look in the car for empty liquor bottles but if you find stolen property...that may not be admissible in court.

The 1969 case of *Chimel vs. California* says search incident to arrest can be justified by the suspect's ability to lunge into an area and destroy evidence or reach a weapon. This is still good law, however...once a suspect is handcuffed and moved away from a vehicle, they no longer have the ability to lunge into that vehicle.

There is some concern in law enforcement circles that officers may jeopardize safety in order to search a vehicle. If an officer decides to leave a suspect un-handcuffed and near a car, just so they could then search the vehicle...they have placed themselves into a great risk.

I believe that if existing exceptions are available, that our jobs have not been significantly impacted by this decision. Please remember that no lost evidence is worth you getting hurt.

## Enforcement Expo

Do you want to be a part of a great training event? Do you want to be a part of a great trade show? Do you want to help out the FOP of Ohio? Does the

fact that you can do all of this for FREE interest you?

If so, please put September 1 and 2 on your calendar and make

your plans now to attend the Enforcement Expo at the Columbus Convention Center.

See you there!!!

# You can register for the LE Torch Run Online

We now have the availability to register for LETR 09 on line, and also set up an on-line donations page that runners can email to family, friends and others to solicit donations on-line for the LETR. Please send this out to your departments, and anyone else that will be participating in the 09 LETR with us.

The 2009 online registration site is now active at this link: <http://sooh.kintera.org/letr09> Participants can register online and solicit donations via email blasts. They also will be able to access this through the website at [www.soo.org](http://www.soo.org).

Please make sure to let all of your folks know about the Final Leg from OSP (17th Street in Columbus) to the opening of the summer games at Ohio State. It is a 2.6 mile formation run with runners from all the separate legs, as well as the OSP Cadet class, and representatives of many state departments including the Attorney General of Ohio. The experience is one you will not forget. After the final leg enjoy the camaraderie of the LETR community at the Varsity Club.

## FOP Motorcade took place May 5

The annual motorcade from the FOP of Ohio office in downtown Columbus (222 East Town Street) to the Ohio Peace Officer Memorial in London happened on May 5th.

The motorcade went around the Statehouse

and eventually on I-70 to the Ohio Peace Officer Memorial. It arrives just prior to the official Ohio Peace Officer Memorial Ceremony.

We make quite an impact on the families and other guests who gather to pay their respects to

those who have given the ultimate sacrifice.

Thank you to all departments that participated this year.

## Many cities looking at red light cameras

In today's economic climate, many cities are looking at red light cameras to help balance the budget. Some FOP locals have opposed them and some have endorsed

them.

However, you need to know that many cities will attempt to get the FOP to endorse the idea in hopes of new revenue for law enforcement but

all they really do is cut your budget by an amount equal to that new revenue and use the savings in the general fund.

## Many Agencies Hoping For Stimulus Money To Save Jobs!

It seems like every police department and sheriff's office in Ohio is hoping for the stimulus money to preserve jobs.

It is the hope of these agencies that the one time boost of revenue will be enough to get them through this economic crisis and things will return to normal and they will be able to afford the officers they have, and maybe even hire some more.

We really have a good case in trying to keep our staffing: crime appears to be rising in the face of this economic crisis, as was predicted. Also, heroin is making a huge comeback in our state and will soon rival crack cocaine addiction as our biggest drug problem. Last, our efforts to maintain the security of this country in the ongoing war on terror have not subsided.

These grants will turn out to be godsend for some agencies and a disappointment for those who do not get them.

It could even be worse next year. Many experts predict that the economic climate will begin to improve in 2009 but that our employers, local and state government, always are a year or two behind the leading economic indicators.

***So, in 2010, we may be in Washington DC asking for another stimulus.***

## Politicians want concessions from you!



Every time I turn on the Columbus news or read a local paper, it seems that a politician is spouting off about concessions from the unions. While whether or not to take concessions is a local issue best answered by your individual circum-

stance, I always want to ask them how far they are cutting their own salary and benefits. You also want to ask them why they did not demand to open the contract and give you more money when things were going well for them. Last, you

want to ask what other legal contracts they are going to reopen, such as how much they pay for streetlights.

The answers are they are coming to you **first** for any concessions!

# Ohio State FOP Auxiliary

## 2009 Reverse Raffle

Saturday July 25, 2009

Doubletree Hotel, Worthington, Ohio

Doors Open at 6:30 PM

### **GRAND PRIZE: \$2,000.00**

\$80.00 includes 1 dinner and 1 raffle ticket, Cash Bar

Additional Dinners may be purchased for \$30.00 each

Buffet Dinner includes: Mixed Field Greens salad, Baby Shrimp & Wheatberry Orzo Salad,  
Slow Roasted Sliced Beef Brisket with a Grilled Corn Barbeque Glaze,  
Potato Crusted Walleye with Lemon Herb Tartar,  
Pan Seared Chicken Breast with Asparagus Coulis & Tomatoes,  
Cheesy Garlic Potato Au Gratin, Grilled Summer Squash with Baby Carrots,  
An Assortment of Warm Rolls,  
Carmel Apple Pie or Old Fashioned Carrot Cake with Cinnamon Whipped Cream

Any questions call: Peggy 419-727-3830 or Susan 614-895-0668

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### **TICKET ORDER FORM**

Please complete the form and mail with your check to:

Peggy Mohr, Auxiliary Vice President

2728 117<sup>th</sup> St. Toledo, OH 43611

(Checks made payable to Ohio State Auxiliary)

\_\_\_\_\_ ticket(s) @ \$80.00

\_\_\_\_\_ dinner(s) @ \$30.00

Ticket number (s) requested \_\_\_\_\_

(numbers will be held on a first come basis)

**A confirmation will be e-mailed and/or mailed to you  
upon receipt of order and payment**

Name \_\_\_\_\_

Address \_\_\_\_\_

Phone (    ) \_\_\_\_\_ E-Mail \_\_\_\_\_

All tickets can be picked up after 6:30 pm at the door.

# UPDATE ON PERS/LE CONVERSION

In the last week I talked with Carolyn Drake at PERS. She and Karen Caraher, the Chief Financial Officer, contacted the OPERS actuaries (Gabriel, Roberts and Smith) for an update on the study for the PERS-LE conversion rates.

The actuaries are struggling with the formulas as there are many different variables and scenarios in which the conversion can be applied. In fact, the actuaries had requested additional information from OPERS and were also provided specific information from some of our members that have already expressed their desire to convert (their actual years of service within the various OPERS categories).

The OPERS expects to have the information from the actuary and start the programming (which will also be tedious) within the next two months. At that point it will be submitted to the OPERS Board for approval. It is possible that it could be submitted to the board for their June meeting. However, any items on the board agenda have to be submitted at least ten days in advance of the meeting. So, it is most likely that the OPERS Board will formally address the PERS-LE conversion issue at their July 15<sup>th</sup> meeting.

The next few meeting dates are May 20<sup>th</sup>, June 17<sup>th</sup> and July 15<sup>th</sup>.

## 2009 Take 25 campaign

On behalf of the National Fraternal Order of Police, we would like to remind you about the **2009 Take 25 campaign**. Take 25 is a preventive child safety campaign that the National Legislative Office is promoting in partnership with the National Center for Missing & Exploited Children (NCMEC). Created in commemoration of National Missing Children's Day--May 25th--Take 25 encourages parents, guardians, law enforcement, and other concerned citizens to **take 25 minutes to talk with their children about ways to stay safer**.

This May marks the third year of the Take 25 campaign, and we encourage your lodge to become involved. Lodges can get involved in a number of ways--they can host child identification events, distribute Take 25 child safety materials, incorporate Take 25 into an existing community event, or hold safety presentations in local schools. In an effort to facilitate these events, Take 25 provides organizers with event planning guides and sample outreach materials.

**All English and Spanish resources, including child ID kits, safety tips, and discussion guidelines are provided by NCMEC free of charge.**

To find out more, or to register your lodge's event and request materials for distribution, please visit [www.take25.org](http://www.take25.org). For additional questions about how your lodge can become involved, please contact Maggie Starr at NCMEC by email: [mstarr@ncmec.org](mailto:mstarr@ncmec.org) or phone: 703-837-6123.

## Do not forget FOP Travel site when booking for Long Beach

A few hundred of my closest friends will be traveling to the west coast this summer. The National Convention in Long Beach California will be held from August 16 through 20th. They will be staying in the Westin Hotel, that has already been decided for us. However, we may still have to pick flights and maybe even rental cars.

I am asking that you consider booking these through the FOP of Ohio website. At the bottom of the webpage, there is a link to our official travel service through YTB travel.

On May 1st, I found an economy rental car for \$287 per week on our site. The same car from the same company on Expedia

was \$320 per week.

Flights were \$238 from each website, so why would you not choose the FOP site that pays the organization a royalty?

## Furloughs are a hot topic

Furloughs are a hot topic in law enforcement labor circles. I have taken calls from other FOP's across the country wanting to know how we are fighting them here in the Buckeye State.

My answer is the same to all of them. There is

no uniform answer. Any concessions, or no concessions, are best decided by the people directly affected.

The police in Toledo won an arbitration over furloughs. Furloughs are being discussed in Maryland, Florida, Oklahoma

and other places.

Please examine all aspects of any concessions before accepting them.

Good Luck!

## Member and Lodge of the Year Nominations Due

Do you know a member who goes above and beyond what is asked of him or her?

Do you know a member who is there and a part of everything your lodge does? Every lodge has a go-to guy or gal, why not submit

them for the FOP of Ohio member of the year?

The same goes for the lodge of the year. Has your lodge done something to put itself above the others? I bet it has.

Please go to [www.fopohio.org](http://www.fopohio.org) for the criteria and how to submit your nominations

Submit your nominations by May 22 for these awards!

# Postal Inspector reaches out to local law enforcement

**Did you know...** - That the United States Postal Service has two law enforcement agencies? In addition to postal inspectors, the Postal Service also has a separate Office of Inspector General (OIG) with Special Agents that handle internal criminal investigations. To maintain the integrity and accountability of America's postal service, its revenue and assets, and its employees, Congress amended the 1978 Inspector General Act and created an independent Office of Inspector General for the Postal Service in 1996.

The USPS OIG employs more than 1,100 Special Agents, auditors, and professional support personnel in offices nationwide to achieve its mission of helping maintain confidence in the postal system and improving the Postal Service's bottom line. It's done by investigating fraud, waste, and employee crime, including theft of mail by Postal Service employees, and auditing postal programs to determine if they're efficient and cost-effective.

Criminal investigations by Special Agents of the USPS OIG cover a variety of offenses:

- Theft, Delay or Destruction of Mail by Employees and Contractors
- Injury Compensation Fraud
- Embezzlements and Financial Crimes
- Contract Fraud, including Kickbacks, Bribes and Gratuities
- Computer Crimes
- Narcotics distribution and possession
- Internal Affairs and Executive Investigations
- Whistleblower reprisals

OIG Special Agents work closely with state and local law enforcement officers and prosecutors on many of these cases. Investigations in Ohio are worked by OIG Special Agents from the Cleveland, Columbus, and Covington, KY offices. To learn more about the USPS OIG or to report criminal conduct by postal employees in your area, visit [www.uspsoig.gov](http://www.uspsoig.gov) or contact Assistant Special Agent in Charge Scott Balfour at 216.912.2071.

## FOP / OLC 24th Annual Conference Set for May 18-19

*The conference is set for May 19 at the facilities of Capital City Lodge #9.*

*Monday before the Conference with hospitality that evening.*

*Ramada North Columbus. The hotel is right across the parking lot from Cap City #9. We are looking forward to a great time and hope to see you there.*

*As usual, we will be holding educational seminars on*

*Overnight accommodations are available through the*



# FOP of Ohio Calendar

May 5	FOP of Ohio Memorial Motorcade from Columbus to London	
May 5	Ohio Peace Officer Memorial Ceremony	London
May 14-17	National Peace Officer Memorial Week	Washington DC
May 15	National Peace Officer Memorial Day	Washington DC
May 18-19	FOP / OLC 24th Annual Conference	Columbus
June 14-18	Ohio FOP Week at Put In Bay Islander Inn	Put In Bay
June 26-27	Ohio Special Olympics Tent Town	Columbus
July 25-28	75th Annual Fraternal Order of Police of Ohio Conference	Columbus
August 3	3rd Annual CIRS Foundation Golf Outing	Lockbourne
August 16-20	59th Biennial Grand Lodge Conference	Long Beach, CA

**Please visit [www.fopohio.org](http://www.fopohio.org) for a list of  
many local lodge golf outings and retirement seminars**