

In Service



TMPA

Texas Municipal Police Association

May – June 2010

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Do you participate in a Retirement Plan?



Are you eligible to retire?

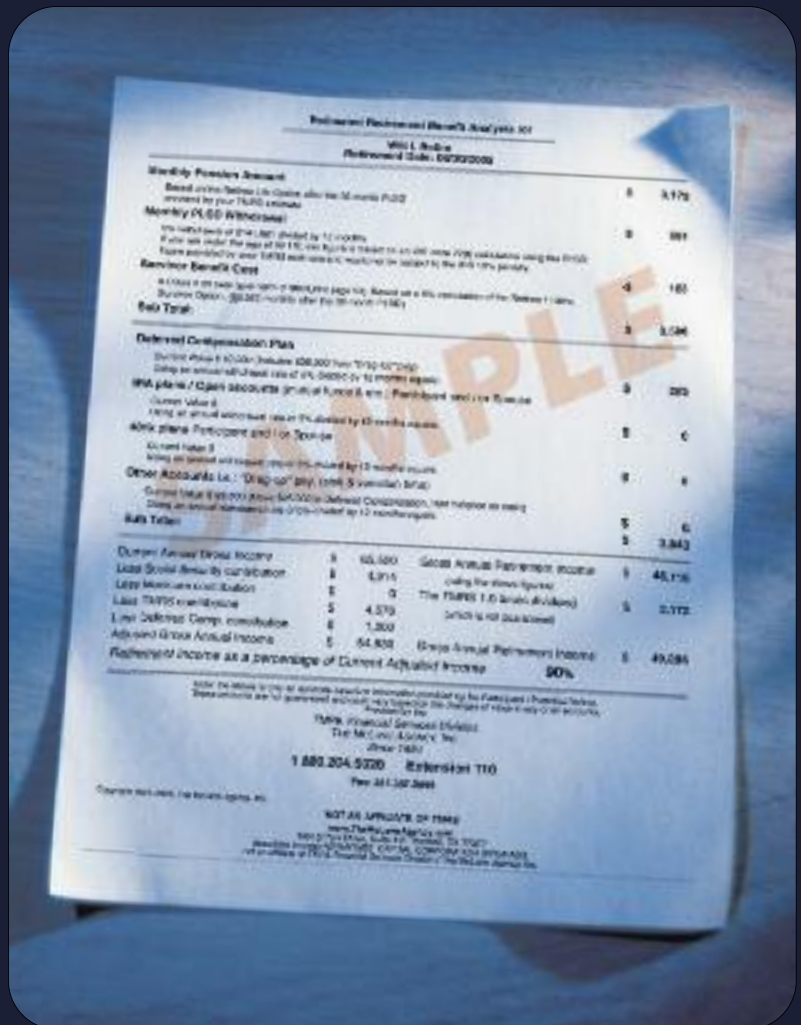
Do you have questions like these?

- What are my options with my Partial Lump Sum Distribution (PLSD)?
- How do I defer taxation of my sick time/vacation time (drag-up) at the time of my retirement?
- How can I pass some of my retirement benefits on to a second generation?

To learn the answers to these questions and more, obtain your complimentary Benefit Analysis today by contacting the TMPA Financial Services Division.



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Message from the Executive Director

Chris Heaton, Executive Director [✉ chris@tmpa.org](mailto:chris@tmpa.org)

Remembering Our Fallen

During this time of year, we look forward to summer, baseball and vacation, but the month of May holds a solemn place for law enforcement because it is during May that we honor our fallen during state and national police week activities. The national and state memorials for peace officers are magnificent structures and unfortunately, there are far too many names on both. We honor those who paid the ultimate sacrifice and we continue to pray for the safety of all who go out every day and put their life on the line for the safety of others.

Conference Update

I would like to extend a personal invitation for you to attend our 61st annual conference, which will be held at the beautiful Sheraton Gunter hotel in San Antonio's historic river walk. You may now register on-line (just visit our website at www.tmpa.org and look for the conference registration banner) or send your registration in by mail or fax with the forms included in this newsletter. We expect a large crowd, and as I mentioned in the last issue, the earlier you register the better your odds of getting a room at the Sheraton, and not in an overflow hotel. So, get those registrations in. Also, the rates will go up soon so don't delay and be forced to pay more.

Responding to New Misinformation Campaigns

Historically we have ignored baseless rhetoric from competitors who seek to gain an advantage over TMPA with misinformation campaigns. And, I guess it should be a surprise to no one that as soon as re-unification discussions with CLEAT broke down that some would start renewed campaigns of misinformation about TMPA. From here forward we at TMPA will view the attacks as opportunities to get out our message. We will be bold and we will be honest. We will respond in a manner that is consistent with our approach in all that we do: professional, precise, and transpar-

ent. Recently, we did respond to one such attack on TMPA and we will continue to do so whenever and wherever our integrity as an organization is maligned.

We will not bother the vast majority of our members who are spared from seeing or reading these tracts, but we have decided that we will no longer ignore the distribution of disingenuous or malicious propaganda.

Web Site Receives Subtle Makeover

You may have noticed, if you are a regular visitor to our web site, that it has a slightly different look and feel. We are going through the process of updating our menus and generally making it easier to navigate around to where you want to go. You will also notice that we have opened an on-line Store where you may purchase TMPA logo products. There is a link to our Facebook page, and in the near future, we will have a sophisticated career center for those who want to find 'greener pastures' in law enforcement. I am very excited about some of these updates because I recognize that the web site is one of the primary sources people use to learn about TMPA, and it is through this venue that we attract hundreds of new members every year.

What is Up With the Economy and Your Retirement?

Since the vast majority of our members are participants in the Texas Municipal Retirement System, we probably keep closer tabs on its latest issues, but similar circumstances surround all the major state and local retirement systems in Texas including TRS, ERS, and TDCRS. The stagnant markets and flawed actuary assumptions (a fancy term for forecasting future costs of benefits) have blown a hole in the cash reserves of almost all retirement systems. How these problems could impact you and your retirement will vary from system to system and from one local jurisdiction

to another. On an overall scale, TMPA is closely monitoring the potential legislation, and we will continue to work with our locals to ensure that employers fulfill their obligations and are honest about their finances. Our range of services from compensation studies to in-depth financial analyses of a local government's annual financial reports is unsurpassed in their quality and professionalism. Where others have to 'hire' outside experts and pay exorbitant fees, we have had qualified personnel performing these analyses as a benefit of TMPA membership for almost 10 years. This will be a significant benefit for TMPA members over the next few months as we address the challenges facing cities, counties, and school districts trying to find ways to save money at their employees' expense.

On a positive note, TMRS did experience a positive gain due to changes made in its investment policy, which was made possible by the passage

of HB 360 in the last legislative session, so some prior losses were recouped and the system now has a very solid plan for the future. These positives have not eliminated the difficulties that still face many cities, but it is a step in the right direction.

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The TMPA In Service Publication is distributed bimonthly, free of charge, as a resource to more than 18,000 Texas peace officers, public safety professionals and their executive administrators (Chiefs, Sheriffs, Constables, Marshals). In addition TMPA In Service is sent to every member of the Texas Legislature, the Governor, Lt. Governor and Attorney General's office, and all members of the Texas delegation to the United States Congress. TMPA is Texas' oldest full-service association for law enforcement officers.

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For editorial

If you have a letter to the editor, announcement (employment and special events), news item or story idea that would be of interest to the Texas law enforcement community, you can reach us in any of the ways listed above. We treat all communications as letters to the editor unless otherwise instructed, and we reserve the right to edit for length, style, or clarity.

About the Texas Municipal Police Association

TMPA was formed in June of 1950 by officers representing all ranks and agency sizes. TMPA began as a lobbying group of municipal officers with the objective of promoting professionalism in Texas law enforcement as well as improving job conditions and enhancing communication among Texas peace officers.

In recent years, TMPA has evolved into a full-service law enforcement organization. In addition to administering the most comprehensive professional legal protection program for Texas law enforcement officers and public safety professionals, we also have a successful legislative program, provide local representation, TCLEOSE-approved training, a scholarship program and a comprehensive package of membership services and benefits. TMPA also provides management and evaluation support for Police Traffic Safety programs (STEP, Click It Or Ticket, FRIDAY and CRASH programs) funded through the Texas Department of Transportation and advanced Sexual Assault and Family

Violence Investigations Course (SAFVIC), funded through the Office of the Governor, Criminal Justice Division.

How to join TMPA

Membership in TMPA is open to anyone in a law enforcement or public safety occupation in the State of Texas. For more information on membership in TMPA and any other TMPA program, call the State Office at (800) 848-2088 or contact us by e-mail, membership@tmpa.org.

JOIN on-line by visiting
our Website:
WWW.TMPA.ORG

We Welcome The Opportunity...

The TMPA staff and our Board of Directors welcome the opportunity to visit with you. Please contact us with your questions, problems, or to arrange a time for a representative to speak to a group of officers from your department about the benefits of joining TMPA.

Other TMPA-related Websites:

Buckle Up, Texas:
www.buckleuptexas.com

Sexual Assault and Family
Violence Investigators Course:
www.safvic.org

Law Enforcement Advanced
DUI/DWI Reporting System:
www.leadrs.org

FRIDAY
Underage Drinking:
www.texasfriday.org



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Attorney General Warns Teens, Parents About Sexting Dangers

Greg Abbott, Attorney General of Texas

During a recent visit to the National Teen Dating Abuse Helpline (NTDAH), the Office of the Attorney General warned Texas teens and parents about the dangers of sexting. Sexting is the practice of teens sending sexually explicit messages or images electronically, primarily between mobile phones.

Embarrassing or explicit messages can spread like wildfire through a school or across the country – or even get posted on public websites. Before they know it, teens find that what started as a bit of fun starts to have severe consequences – humiliation, suspension from school or athletic participation, and loss of jobs or college scholarships.

When they encounter peer pressure to participate in sexting, teens should contact NTDAH online at www.loveisrespect.org or call NTDAH at (866) 331-9474. NTDAH provides the only 24-hour help line in the country where trained teen advocates counsel fellow teens about digital harassment. The advocates do not tell teens what to do, but guide them on how to handle sexting peer pressure, regret, embarrassment, or other sexting issues they are encountering.

NTDAH counselors also provide guidance to concerned parents who call the Helpline. Parents must have frank conversations with their children about the potential for embarrassment and the legal ramifications of sexting. If teens do not want a photo or text message to fall into the wrong hands – including strangers, potential employers, teachers, or college admission officers – they should not send it.

By talking with their teenage children and staying aware of developments in their child's life, parents can show that they care and are approachable when problems arise. Setting boundaries and simultaneously entrusting kids to conduct themselves responsibly may feel like a balancing act, but it can really help protect teens from an instance of bad judgment that can haunt them for life.

Teens, parents, and law enforcement authorities must keep an open line of communication to combat sexting. For additional advice, teens should turn to the trained advocates at NTDAH. Every teen's decision to avoid sexting helps build a much brighter future for our great state.



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Successful Benefit for CSPD Officer Tracy!

The College Station Police Officer's Association and TMPA teamed up to host a benefit for CSPD officer Tracy Sheets. Officer Sheets was hit head on by a drunk driver while on routine patrol. The woman was driving a Maserati she'd borrowed for a joy ride. Officer Sheets sustained significant injuries and is currently undergoing extensive rehabilitation. "We served over 1,500 plates of BBQ and raised almost \$18,000 dollars for Tracy. The turnout from the community was amazing," said Sgt. Thomas Brown, TMPA Regional Director and fellow College Station officer.



TMPA Remembers Fallen Officers

*Meredith McKinney, M.S.
Public Affairs*

It is with a somber heart that TMPA acknowledges Texas peace officers who have recently lost their lives:

In 2009 Texas Lost 11 Peace Officers:



Bridgeport Sergeant Randy White, an officer of 5 years, died when his patrol car was struck by a stolen vehicle being perused by other officers. Sergeant White was 32 years old and is survived by his wife and 5 year old daughter.



Dallas Police Department Senior Corporal Norman Smith, an officer of 18 years, died after being shot while trying to serve an arrest warrant. Corporal Smith was 43 years old and is survived by

his wife, who also serves at the Dallas Police Department, and two children.

Burnet County Deputy Sheriff Francis David Blake, an officer of 5 years, died in an automobile accident after his patrol car struck a deer. Deputy Sheriff Blake was 42 years old and is survived by his wife and four children.



El Paso County Sheriff Detention Officer Cesar Arreola, an officer for just over a year, died after becoming ill during department training. Officer Arreola died after being transported to the hospital. Arreola was 37 years old and is survived by his wife and two children.



Chambers County Deputy Sheriff Shane Thomas Detwiler, an officer of 6 years, died after being shot while responding to the scene of a shooting. Deputy Detwiler served in Iraq with U.S.

Military Intelligence, and also served as a game warden with Texas Parks and Wildlife before coming to Chambers County Sheriff's Office. He served with Chambers County only 2 months before his death. Deputy Detwiler was 31 years old and is survived by his wife, 3 children, parents, and sister.



Harris County Sheriff's Department Detention Officer Dionicio Camacho, an officer for only 4 months, died after suffering a heart attack while conducting defensive tactics training at the agency's academy. Officer Camacho was 51 years old and is survived by his wife and son.

Corpus Christi Lieutenant Stuart J. Alexander, an officer of 20 years, died after being struck and killed by a suspect while attempting to deploy stop sticks on the street. Lieutenant Alexander was 47 years old, and is survived by his wife and son.



Houston Police Officer Henry Canales, an officer for 16 years, died after being shot while conducting an undercover investigation. Officer Canales was 42 years old and is survived by his wife and two children.





Lubbock County Deputy Sheriff D. Robert Harvey, an officer over 7 years, died in a car accident while responding to a call for service. Deputy Sheriff Harvey was a member of the Texas Tactical Peace Officers

Association and volunteered as a little league coach in his community. Harvey was 29 years old and is survived by his wife and two sons.

Pasadena Police Officer and TMPA member Jesse Hamilton, an officer of 4 years, died after being shot while responding to a domestic disturbance call. Officer Hamilton was 29 years old and is survived by his wife and two daughters.



Victoria Sheriff's Office Sergeant Timothy Olsovsky, an officer of 24 years, died after suffering a heart attack while conducting night qualifications at the departments shooting range. Sergeant

Olsovsky previously served with the Hallettsville Police Department, was 51 years old and is survived by his wife and daughter.



Forest Hill Police Officer Timothy Joseph Zurovetz Officer Timothy Zurovetz succumbed to injuries sustained in an automobile accident on June 12, 1981, while responding to an emergency call. His

vehicle struck a utility pole after he swerved to avoid another motorist.

He suffered severe trauma in the accident that caused him to slip into a coma. After emerging from the coma, he remained partially paralyzed and continued to suffer from brain damage. He passed away on March 24, 2010, after suffering a pulmonary embolism caused by the brain trauma.

Officer Zurovetz had previously served with the Tarrant County Sheriff's Office before joining the Forest Hill Police Department. He is survived by his daughter and mother.

Reeves County Deputy Jacob Rene Rayos was killed in a motor vehicle accident when his vehicle left the roadway and rolled several times. He was attempting to locate a suspect at the time of the accident. He was 32 years old.



In 2010 Texas has Lost Three Peace Officers

Arlington Police Officer and TMPA member Craig Story, an officer of 7 years, died in a motorcycle accident while conducting a traffic stop. Officer Story was 34 years



old and is survived by his expectant wife and son.



TMPA would like to extend a special thank you to the Officer Down Memorial Page, Inc. for providing important information on fallen officers across the nation. For more information, please visit: <http://www.odmp.org>



All TMPA Nominees for State of Texas Law Enforcement Valor Awards are Now Recipients



Meredith McKinney, M.S. Public Affairs

TMPA recently received letters from Timothy A Braaten,

Executive Director of TCLEOSE, informing us that after officer nominees were rated by the Achievement Awards Judging Panel and approved by the TCLEOSE Board of Commissioners during their March 4th meeting, all five officers nominated by TMPA for state recognition will receive their much deserved Awards of Valor. We are very pleased with the outcome of this process, and look forward to hosting these officers when they make their journey to the State Capitol on June 4th.

In order to be considered for the Award of Valor, an officer must have exhibited the following characteristics:

An act of personal heroism or bravery which exceeds the normal expectations of job performance, such as placing one's own life in jeopardy to save another person's life, prevent serious bodily injury to another, or prevent the consequences of a criminal act.

The following officers will be receiving the prestigious State of Texas Law Enforcement Achievement Award of Valor:

- Officer **James G. Putman, II** of the Graham Police Department

- Officer **Roberto Barrionuevo** of the Pasadena Police Department
- Officer **Joshua Ridings** of the Pasadena Police Department
- Officer **Craig T. Davis** of the Waller County Sheriff's Office
- Officer **Dustin R. Shechter** of the Pasadena Police Department

If you are interested in the incidents involving these officers, please visit our new website at www.tmpa.org. You will see a link for *In Service Magazine Archives* in the Quick Links section. The March-April 2010 article entitled, "TMPA Recognizes Exceptional Officers Across the State," provides details on each nominee.

We would like to extend our most sincere thank you to those on the Achievement Awards Judging Panel, and to the members of the TCLEOSE Board of Commissioners for their assistance in this process.

Lastly, if you know of an officer that meets the criteria above, or the criteria for Public Service or Professional Achievement (as defined by TCLEOSE) please take a moment to contact Meredith McKinney (meredith.mckinney@tmpa.org or 512-454-8900) so these officers receive the nominations and recognition they deserve. Thank you and be safe out there.

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Attorney General Opinions



Opinion No. GA-0760

Re: Authority of a sheriff to accept a fee from a private organization that contracts with the sheriff's county to operate the county jail

Summary: Neither the Texas Constitution nor Texas statutes authorize the person holding the office of county sheriff to be paid an administrative fee by a private organization.

Opinion No. GA-0765

Re: Concerning a possible defense to prosecution under section 43.24, Penal Code

Summary: A district attorney's prosecutorial determination regarding the initiation of criminal proceedings is within the prosecutor's substantial discretion.

Amarillo Hosts 25th Annual Make A Wish Car Show

Bill Schwettmann, Law Enforcement Liaison

The Make A Wish Foundation of the Texas Plains hosts an annual car show at the Amarillo Civic Center wherein over 300 cars of current and vintage models are displayed for attendees to view. Proceeds netted from the show go to the Make A Wish Foundation. Last year over \$73,000 was raised. Over 13,000 visitors attended the event. The foundation enables wishes to be granted by children suffering life threatening diseases.

This year was a really special year for *Oscar*. Oscar suffers from a rare blood disorder resulting in having to have his spleen removed. Oscar had a wish that a 1979 Cadillac owned by the family be fixed up and restored to running condition. He referred to the Cadillac as his car.

The Make A Wish Foundation saw an opportunity to make Oscar's wish come true. Over 20 companies joined forces and contributed to the

restoration of the Cadillac. On March 6, 2010, the car was finished and displayed at the car show. Oscar had been separated from the car for a year. Oscar was brought to the car show where he opened his eyes to see the dream he had come true. The black '79 Cadillac stood before Oscar with a fresh paint job, a refurbished interior, and many other restored details. Oscar wept as he viewed his car in all its splendor. I don't believe there was a dry eye in the crowd of onlookers and media representatives present for the event.

TMPA Law Enforcement Liaison Mike Earney and I were fortunate to have witnessed this awesome event through the courtesy of Tracy Tellman, Traffic Safety Specialist with The Texas Department of Transportation, Amarillo District. Tracy invited us to attend and assist in presenting a traffic safety table, where we presented public information material concerning driver safety and awareness, and demonstrations regarding the proper use of child safety seats and restraints.

The Make A Wish Foundation deserves a special round of applause for allowing children such as Oscar to have a dream, and ultimately see their dream become a reality.



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Senior Field Representative Noel Johnson congratulates Officer of the Year Mike Hoyt (left) and Officer of the Year Runner Up Stephen Goodrich (right) at the Annual Rockdale Police Banquet on 01/30/10





TMPA PAC Report

Lon Craft, Past President and Chairman of TMPA-PAC

The Texas primaries are behind us now and the TMPA backed candidates did very well. We endorse and contribute, via the TMPA PAC, to candidates and elected officials who support the needs of law enforcement professionals. Our continued support of officials who share a like mind has allowed TMPA to develop powerful alliances with some of the most dynamic and successful leaders of our state. One such alliance is with our Governor, Rick Perry.

TMPA and the TMPA PAC have endorsed the Governor for years and we have been fortunate to help in his campaigns for re-election. Governor Perry has demonstrated time and again his commitment to law enforcement and we have likewise shown our commitment to his leadership. We were proud to be in attendance at his primary victory party on March 2, 2010. It was an incredible event and I wish to thank the Governor and his competent staff for the invitation, and making the event a truly special occasion.

I know some of you will start to think by now that I have forgotten to ask for money—I have not, I just wanted to ease into it. TMPA PAC, your PAC, needs your support and help. You see, here is how it works: The 2011 Session is right around the corner, and your TMPA Public Affairs Team is already working extremely hard to set an agenda for the legislative session that will start in January. The legislators who will take office in January are up for election right now. We've done some exhausting research on the candidates, and we have identified which ones we believe most support our mission of professional and strong law enforcement, and we've endorsed their candidacy. Now, here's the rub: Running election campaigns takes money, like it or not. And that money comes from people like you and me who are interested in seeing our issues addressed by government. When you contribute to TMPA PAC you can be well assured that your money is going toward a good cause—improving your job. What better investment could you make? TMPA uses your PAC dollars to support candidates who have made it very clear to us that they support Texas law enforcement and TMPA. When we help get those people elected, it ensures that we have people in the right place to work for Texas cops.

For those of you who don't know, TMPA was founded in 1950 by several different agencies for the purpose of creating a legislative team for cops in order to get some bills passed, make our jobs safer, and make cops more effective. TMPA is still doing just that. Your PAC dollars help us fulfill our mission.

Just last session, TMPA and our friends in the capitol defeated efforts by:

- anti-cop groups who tried to prohibit consent searches during traffic stops and require video and audio tape of every confession;
- jailers who wanted to flood the extra-job market by opening a gaping hole in the private security exemption that's provided to full-time peace officers; and,
- Specialized agencies who wanted to create specialized police forces instead of using existing cops or agencies to provide support, which might have eliminated current law enforcement jobs.

TMPA also worked with our friends in the legislature to pass a few bills such as:

- mandatory blood draw for all felony DWI arrests;
- increased accountability for state funds that are set aside for law enforcement training, while removing language that allowed funds to be swept into other accounts;
- increased awareness of and interdiction efforts against human trafficking and human exploitation;
- removed the repetitive mandatory training for anyone holding an intermediate certificate or higher;
- improved TMRS stability and investments strategies to allow for continued retirement security;
- corrected the definition of a police vehicle; and,
- provided an enhancement for family violence assault involving strangulation.

For next session, we know we'll be working on a few issues including, but not limited to:

- excluding the lead investigator in a criminal case from "the rule";

- the peace officer professionalism act;
- improving county civil service statutes;
- providing for cost of living increases for TMRS retirees; and
- Putting a stop to the unscrupulous law enforcement telemarketing that plays on the hearts of good Texas citizens.

As you can see, we are busy and effective. Your PAC contribution supports candidates that support Texas cops. We encourage you to visit the new and improved TMPA web site today, www.tmpa.org, and make a contribution. You can make a one-time contribution of as little as \$24 or sign up for a monthly contribution of \$2/month or more. While you are there, check out all the law enforcement related information. You may also use the web site to contact TMPA regarding fundraising events hosted by your local association, make legislative recommendations, ask legal questions, and catch up on the latest news.

Legislative success does not just happen. Celebrating a primary victory with the highest elected office holder in Texas does not just happen—it takes dedication, perseverance, quality employees, and your TMPA PAC. There are 181 more members of the Texas Legislature who can help law enforcement—so please help us help you!

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www.nlpoacentex.org

LEADRS

Law Enforcement Advanced DUI/DWI Reporting System



Curt Willson, National LEADRS Manager

Texas LEADRS has just released LEADRS 4.4. A new Statistical Reporting Section has been added. Statistical reports are now available based on the user's role in the system. Reports cover all

cases within the "jurisdiction" of the logged in user. Each report typically returns statistical data across a user selected date range with options to download the results to PDF or Excel. This is a reporting framework in which new report requests may be submitted for inclusion in future releases based on steering committee feedback and priority. Along with the new reporting feature, LEADRS also implemented other modifications making

LEADRS more effective and user friendly. We are constantly looking for ways to upgrade the program. All releases, new features, and upgrades added to LEADRS are listed in the link "Release Notes" on the LEADRS homepage.

Texas LEADRS is in the process of continuing the integration with CRIMES (RMS) based out of Sam Houston State University. We are also in talks with Crime COG and Tyler Incode about possible integrations. If you are interested in integrating LEADRS with your current RMS system please contact your vendor and express your interest in integration. This will ensure the RMS company that it is worth their time to integrate with Texas LEADRS. TMPA will complete all work on our side free of charge to the RMS vendor. There will either be no charge or reduction in charges from the RMS vendor to the agency.

If you have any questions or feedback please email us at dwhelp@tmpa.org or call (800) 848-2088 and ask for a LEADRS representative. For more information visit our website; <http://texas.public.leadrs.org>.

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Senior Field Representative Noel Johnson and TMPA Board Member Tommy Smith meet with Kountze PD to provide input on local political support to strengthen the voice of officers in their local communities. Kountze PD has 100% membership in TMPA as a result of this meeting, with 8 new members joining TMPA from the department.

Field Representative Leighton Guarnere and Board Member Tommy Smith meet with TMPA March Law Enforcement Professional of the Month, Marie Dempsey of Orange County SO. Marie has served her county agencies and has been a go to resource in dispatch and local association needs. Marie is one of our strongest recruiters in the east Texas area.



TMPA supported the Brownsville POA by providing food to the officers during Charro Days.

Update From Your North Texas Field Representative

Jaclyn Kerbow, Field Representative



I cannot express how much I enjoy being the North Texas Field Representative. I have great members and incredibly active local association presidents in my region, and feel very blessed to work with these individuals on a daily basis. One of my main personal goals, in my work at TMPA, is to strengthen the voice of officers in their local communities. This work goes so much better with responsive, charismatic, and reasoned local presidents who build a large base of support among their members.

The McKinney Police Association President, Joe Ellenburg, has proven to be an outstanding advocate for his members during the meet and confer process with the city. It has been difficult to overcome some of the barriers presented by certain city administrators, but we are prevailing and finally getting through to the city council that some changes need to be made. With TMPA's assistance, the local hopes to move forward on a plan that would give officers a better sick leave policy.

In Van Zandt County, Sam Mayer, the Van Zandt County Sheriff's Department Employee's Association President, has been very energetic and is willing to help wherever he can. We managed to put together four legislative update courses in the area; teaching over 100 law enforcement personnel about the many changes from the 81st Legislative Session. This is a mandatory TCLEOSE course and we were able to bring it to Van Zandt County at no cost— this is just one example of TMPA comprehensive training provided in agencies around the state. We also assisted Mayer in conducting a successful forum that included all candidates for District Attorney, County Court at Law, and County Treasurer. During our downtime, in between classes and forum planning, Mayer and I went to the Treasurer's office and set up payroll deduction for our members at Van Zandt Sherriff's Department.

As most of you already know, Garland is the most recent local who made the switch to TMPA. President Tony Godwin has been the driving force in the progress that has taken place in Garland, and we are looking forward to building

and maintaining the momentum. Aside from being exceedingly helpful and responsive, he is also very knowledgeable about what the Association needs and how to go about getting it. We have already begun setting up an approach to gather information to determine what and how to make improvements. Darlene Lanham, Meredith McKinney, and I will be setting up focus groups with our Garland members and will assist the department in building community relationships.

I would also like to express gratitude to DFW attorneys, Bob Gorsky and Lance Wyatt, for providing our new regional TMPA offices. Many TMPA members request to meet about local issues, but do not feel comfortable meeting in the city where they serve. These centrally located spaces allow us much more flexibility in scheduling. If you would like to meet with me at one of these great locations, please call (512) 608-3552 or email me at Jaclyn.Kerbow@tmpa.org.

Bob Gorsky
Lyon, Gorsky, Haring & Gilbert, L.L.P.
3131 McKinney Avenue, Suite 100
Dallas, Texas 75204

Lance Wyatt
Lance Wyatt Law Office
2201 North Collins Street
Arlington, TX 76011-2653



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Texas Department of Motor Vehicles



Hears the Voice of Texas Law Enforcement

*Tom Gaylor, Deputy Executive Director
of Public Affairs* ✉ tom@tmpa.org

I began receiving complaints about the new 7-digit license plate design the first day they appeared on cars. The new design limits readability because it lacks raised numerals and reflectivity and the choice of color and fonts make it hard for officers to differentiate between “8” and “B”. After posting a call to action on our Facebook page, www.facebook.com/tmpa.cops, we received numerous comments and complaints from officers all of which were forwarded to the Texas DMV for their review. Finally, DMV responded with the following statement from Rebecca Davio, Director of Vehicle Titles and Registration Division Texas Department of Motor Vehicles. In addition, she included a link where you can sign up for periodic emails about what’s going on in the DMV include proposed plate design.

We appreciate receiving your recent letter and the opportunity to respond to concerns you expressed about the new general issue license plate.

The Texas Department of Motor Vehicles (TxDMV) shares your concerns regarding license plate legibility issues. We have been monitoring feedback over the past several months and have already addressed a background issue on the current design by lightening up the upper right corner of the license plate. However, the revised design will not appear until the current inventory is depleted.

For the current plate, Texas Department of Transportation (TxDOT) put selection of the new design to a public vote. In 2007, five designs were voted on by Texans and the current design was the overwhelming favorite, receiving over a million votes.

Working with the Texas Department of Public Safety and the state’s toll authorities, the TxDOT developed a software package to test and measure license plate legibility and reflectivity. Using this package TxDOT, and now the TxDMV, has tested the legibility and safety reflectivity of all new plate designs since 2007.

In the case of the plate in question, it was determined

that the problem was caused by using a graphic image rather than an actual plate for the test. We have adjusted our test requirements to ensure that only a manufactured sample of a license plate is tested in the future.

We invite everyone in your department to take advantage of our free electronic mailing list that we use to periodically communicate registration, title and license plate information of particular interest to law enforcement. This communication method provides, for example, timely notice of new policies and procedures, color graphics of new license plate designs and links to other information on our Web site.

Please share this invitation with your colleagues and employees.

*You may sign up by going to:
http://extlists.dot.state.tx.us/mailman/listinfo/vtr-law_enf.*

We appreciate you taking the time to provide feedback on the new plate design. If you have any questions or need additional information please contact me at (512) 465-7570.

*—Rebecca Davio,
Director Vehicle Titles and Registration Division
Texas Department of Motor Vehicles*



TMPA 61st Annual Conference

Hosted at Sheraton Gunter Hotel in San Antonio, Texas on July 21st-24th



Register Early!

Registration costs will increase starting May 15th

This year's Conference will be held at the Sheraton Gunter Hotel in San Antonio. The registration fee includes three nights lodging, Wednesday evening's food and entertainment, Thursday and Friday lunches, and the Awards Banquet Dinner on Friday evening. Free time is allotted on Thursday evening to allow for sight seeing. Register online at www.tmpa.org.

The Conference Agenda:

Tuesday, July 20th: Executive Director Chris Heaton will host a reception for Board Members at 7 p.m.

Wednesday, July 21st: Lunch on your own. Registration is 9 a.m.-6 p.m. General Session meeting held from 5 p.m.-6:30 p.m. Food and entertainment to immediately follow.

Thursday, July 22nd: Business Session from 8 a.m.-12 p.m. Lunch provided. Meeting resumes from 1 p.m.-5 p.m. The rest of the day is free to enjoy surrounding attractions. Dinner is on your own.

Friday, July 23rd: Business Session continues from 8 a.m.-12 p.m. Lunch provided. Business meeting resumes from 1 p.m.-5 p.m. Social hour from 5 p.m.-6 p.m. Awards Banquet will be held from 6 p.m.-7:30 p.m. Fundraiser immediately follows from 7:30 p.m.-10:00 p.m.

Saturday, July 24th: Board meeting at 8:30 a.m.-? Check out time for everyone else.

TMPA's 61st Annual Conference Registration Form

Name: _____ Date: _____

Guest name: _____

Children(s) name: _____

Address: _____

City: _____ State _____ Zip Code _____

Agency: _____

Local Association (if applicable): _____

Cell #: _____ Work #: _____

Alternate Contact #: _____

E-mail: _____

Pre-registration rates

(starting **March 1st**— room available on a first come basis):

I will be attending the conference as a:

- Board Member Past President (year) _____
 Delegate (\$300) Spouse/Guest (\$200)
 Non-delegate (\$500) Child (\$75 each)
 Locals only—no hotel room (\$100)

**(Child payment is for Wednesday night event, Thursday and Friday luncheons only. Guest payment is for all events.)*

**(Children 6 and under are free)*

Registration rates

(starting **May 15th**— no room guarantee)

LAST day to register is June 15th

- Delegate (\$450) Spouse/Guest (\$350)
 Non-delegate (\$500) Child (\$75 each)
 Locals only—no hotel room (\$250)

What type of room would you like? (No guarantee):

- King Bed Double Beds No preference

***Hotel is a non-smoking facility.**

Special Needs: _____

****Reservations through TMPA state office only. You MUST check in by 6 p.m. on Thursday to avoid CANCELLATION of your room. Call state office if you should have any changes, 800-848-2088.**

Paying by check:

Make checks payable to **TMPA 2010 Conference**, attach this form and mail to **P.O. Box 2294, Austin, Texas 78768**, or you may bill your credit card.

Paying by credit card:

- MC Visa Discover American Express

Name on card: _____

Credit card #: _____

Expiration Date: _____ Total \$: _____

Signature: _____

C.O.P.S. Plans for Survivors' Participation in National Police Week 2010



Brooke McKay, C.O.P.S. Marketing Coordinator

"When you read articles written about National Police Week, they focus on the events that honor and remember the supreme sacrifices of our officers. While there will be scores of photos of survivors expressing their emotions, very little is written about the first step the survivors will take on their road to hope....the National Police Survivors' Conference," said National President of C.O.P.S., Jennifer Thacker. "Back in 1999, that's where I found the first group of people who truly understood my grief and where I began my healing."

National Police Week in 2010 will be observed from May 9-15, 2010. Thousands of America's law enforcement officers and law enforcement surviving families across the nation will gather in Washington, to remember and honor America's fallen officers. It is the responsibility of Concerns of Police Survivors to coordinate efforts for the survivors' participation in the major activities of the week.

On Wednesday, May 12th, Law Enforcement United and PoliceHotels.com will arrive at the Pentagon as the Road to Hope completes their joint trek to raise awareness of officer deaths in 2009 and the healing work provided by Concerns of Police Survivors. Law Enforcement United, a new organization of law enforcement officers who are bicycling enthusiasts, will make a 250-mile journey from Chesapeake, Virginia, to the Capital area. Representatives of PoliceHotels.com will be making a 5,000-mile drive across the U.S. in a Hummer displaying the names of every officer killed in the line of duty in 2009. The two organizations will raise funds for Concerns of Police Survivors and Officer Down Memorial Page.

The first event to kick off National activities is the Annual Candlelight Vigil held at 8:00 p.m. on Thursday, May 13th, at the National Law Enforcement Officers Memorial. The newly-engraved names on the Wall of Remembrance will be read to the thousands in attendance. The event is sponsored by the National Law Enforcement Officers Memorial Fund.

On Friday, May 14th, and Sunday, May 16th, Concerns of Police Survivors (C.O.P.S.) will hold the National Police Survivors' Conference, where family survivors and affected co-workers will attend seminars to address coping with loss, dealing with anger, and rebuilding lives after tragedy. While the adults are in seminar sessions, the surviving children will attend C.O.P.S. Kids/Teens activities at local law enforcement academies. Concerns of Police Survivors plans to host all of their National Police Week activities under the theme *Road to Hope*. The theme symbolizes the journey law enforcement survivors must make after the loss of their officer. Through the National Police Survivors' Conference, held each year during National Police Week, and weekend grief retreats where survivors find outstanding peer support from other survivors, C.O.P.S. pro-

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vides hope to the surviving families to overcome the debilitating grief that often accompanies sudden, often violent death.

On Saturday, May 15th, the National Peace Officers' Memorial Service, sponsored by the Fraternal Order of Police and its Auxiliary, will be held on the West Front of the US Capitol. At the event, the names of officers who have died in the line of duty during the previous year will be read, and families will place a flower in a memory wreath when their loved one's name is called.

To round out the activities, during the evening of Sunday, May 16th, following the National Police Survivors' Conference activities and the completion of all the National activities, C.O.P.S. will sponsor a bar-b-cue dinner for survivors at the Hilton Alexandria Mark Center Hotel. It will provide the opportunity for attendees to unwind from an emotional week with other survivors.

While honoring and remembering our fallen officers is vitally important, helping the surviving family members make their grief journey in as healthy a way as possible is just as important. C.O.P.S. is the organization that provides healing, love, and life renewed to thousands of law enforcement survivors and that support helps survivors rebuild shattered lives. C.O.P.S. is a national non-profit organization comprised of 15,000 law enforcement families, all of whom have lost a loved one in the line of duty while serving the law enforcement profession. There are no dues for organization's members; the price paid is already too high. C.O.P.S. was organized in 1984 by 110 law enforcement survivors at the second National Police Survivors' Conference.

For more information on the activities that help to build that *Road to Hope*, visit C.O.P.S. website www.nationalcops.org.

McLennan County Update

Ray Wilkinson, TMPA Field Representative

On Sunday February 28, 2010 the Sheriff's Law Enforcement Association of McLennan County had their second annual pancake fundraiser. A good crowd filed in between 8:00 a.m. and 3:00 p.m. to get their fill of pancakes and sausage. Over \$1,300 was raised for the local association. Several local political candidates showed up to lend their support with the election just two days away. This was the first year for the Sheriff's Law Enforcement Association of McLennan County's Political Action Committee to endorse candidates. TMPA was honored to be invited back for a second year to help provide local political support to strengthen the voice of officers in their local community. A good group of members spent the day preparing food and visiting with the local citizens. The food was great and judging from the laughter everyone appeared to have a good time. TMPA is honored that the Sheriff's Law Enforcement Association of McLennan County has chosen to affiliate with us and we will work hard to retain their trust as they work toward attaining their goals.

15



Back Row, Left to Right: TMPA Field Representative Ray Wilkinson, James Neyland, Jennifer Howell, Mike Garrett, Jody Wilson, Bob Summers, Dwayne Montigny, Kevin Ferguson, Michael Graham. **Front Row, Left to Right:** Joe Williford, Brad Stovall, Sam Blanco.

Letters to TMPA

It has been a while since I have had a chance to really speak with both of you and I felt compelled to send this email directly to the both of you after last night.

Jaclyn Kerbow set up a TMPA meeting in which the local FOP President also attended the meeting.

Jaclyn and Kevin Lawrence did a tremendous job in their representation, and honestly I think the FOP President helped them out, but I will let Kevin and Jaclyn tell you that side of things.

In y'all's busy schedules I don't know if you know much about our little Association, but once Dick Brock helped us get organized and documented, we went from 9 members to 55 members in just 6 months. This year, myself and the Board of Directors have no intention of slowing down and have several public events already in the works. I will keep Jaclyn posted on these events at her request.

Thank you for all the help TMPA has provided us and all the times they have been there for our men and women on a moment's notice. I honestly do not feel that we would be where we are today if it wasn't for the people you have working for you.

A personal thanks to Kevin, Jaclyn, and Mr. Wyatt, and Mrs. Bishkin for taking time out of their busy schedules to come up and speak to the few members that were able to attend. While the numbers may have been small, TMPA's message made a huge impact on our new employees in all divisions.

Sincerely,

—Jeff Haines
President, Hunt County Sheriff's Association



Mr. Lawrence,

My name is Chris Trusty and I am an officer with Garland PD. I was involved with a lawsuit against the Lieutenant's promotional exam our department had last summer. I sought legal advice from Lyon, Gorsky, Haring & Gilbert, L.L.P., and Chris Livingston was assigned to my case. Even though I was not an actual party to the lawsuit, the results could have had an adverse effect on my promotion, and Mr. Livingston requested that TMPA provide legal representation on this matter. I am very

pleased that even though my situation probably didn't fall within the normal guidelines of what legal coverage is provided for, TMPA stepped up and offered to help me out.

The lawsuit was resolved before it went to court and the legal services were not needed, however, I was very confident with the representation that I received from Mr. Livingston provided by TMPA, so again, thank you for what you do.

—Chris Trusty, Garland PD



Mr. Heaton,

I just wanted to take a minute out of my day to say "thank you" for the eye opening article you wrote in the March, 2010 TMPA In Service magazine entitled "My Hero Did Come---His Name is Daddy."

While many of us think that we'll trudge along doing the same job until we have our 25 or 30 years in until retirement, we need to be aware that not all of us make it to retirement. Whether by illness or, as in the story outlined in your article, sudden tragedy.... we may be taken from this earth much earlier than we'd anticipated or planned for. Thus, we need to be ready financially, emotionally, and spiritually. A lot of financial planners will come talk to law enforcement agencies; and we may even have motivational speakers come to make sure we're emotionally sound; but rarely (if ever) do we get that "spiritual readiness" encouragement unless an officer happens to have the police chaplain riding shotgun with them that day!! Thank you for being courageous enough to write this article and raise awareness to not only officers, but civilians as well so that we can make informed decisions about our future "readiness."

—Carol J. Scott
Crime Victim Liaison, La Porte Police Department



Last night another officer and I were represented by Mr. John Snider with Lyon, Gorsky, Haring & Gilbert, L.L.P. in a wrongful disciplinary and termination dispute at the Kemp City Council Meeting. With Mr. Snider's help, all disciplinary actions were overturned and all matters removed from my personnel file, and the officer was reinstated and got his job back! TMPA truly has the best legal defense team in the country and a big thanks for all his hard work. I believe this is just

the beginning, but with the help of TMPA and its legal defense team, we can accomplish anything!

Again, Thank You!

—Officer Steven D. Crawley,
Kemp Police Department



I, Daniel Duran, am a peace officer with the Raymondville Police Department located in Raymondville, Texas.

On the early morning of December 25, 2009 I was involved in a shooting while on duty after locating a suspect vehicle that had been previously involved in an incident.

After properly notifying criminal investigations division I contacted a TMPA training co-ordinator, Mike Gomez. Within minutes of speaking with Mr. Gomez, I had already received a phone call from my appointed attorney, Frank Zabarta.

Through my conversations with Mr. Zabarta on the morning of the 25th and the throughout the weeks that followed, he assured me I had done what was necessary to ensure my safety. With that being said he put my mind at ease, which allowed me to enjoy the holidays with my family, and not focus on the outcome of the pending investigation.

I also received numerous phone calls from other members of TMPA, ranging from former directors, current directors, and many others. Much to my disbelief these calls were received throughout

Christmas day. I am grateful for everyone who took the time away from their families simply to let me know everything would be ok.

I would also like to express gratitude to Mr. Zabarta, for his commitment to my case, and to everyone involved in the Texas Municipal Police Association.

Respectfully,

—Daniel Duran Jr.



TMPA Board,

I would like to take this opportunity to thank TMPA for the recent representation in my civil case. TMPA assigned the law firm of David McCreary to represent me in this action. Although the City of McKinney also had representation for me, McCreary was instrumental in closely following all briefs, request and responses filed in this case. McCreary law firm was present during my deposition and kept me abreast of all rulings and motions. The case went all the way to the Supreme Court and the court ruled in my favor, dismissing all charges that had been brought against me.

I feel fortunate and relieve that I chose TMPA as the association to back me in my career. Thanks to all who helped me through this.

Respectfully,

—Jose' M. Quiles, McKinney Police Dept.



Click It Or Ticket & IDM Incentive Award Programs

The Texas Department of Transportation will be conducting the Memorial Day STEP Wave beginning May 18th through June 1st. Many TxDOT funded law enforcement agencies are participating. Any law enforcement agency who is not receiving STEP TxDOT funding will be able to participate in the “Click It or Ticket STEP Incentive” program with the possibility of receiving a \$4,000 grant incentive award if your agency is chosen. The Click It or Ticket incentive dates are May 24th-June 6th. There will be an “Impaired Driving Mobilization STEP Incentive” program taking place from August 20th-September 6th. We encourage your agency’s participation, in an effort to increase the Texas safety belt usage rates and reduce the number of alcohol related fatalities during the Memorial Day holiday period. You may view information and register at: www.buckleuptexas.com or contact your Law Enforcement Liaison (LEL) for further details.

Ben Gorby with TMPA will also be available to answer questions: 512-454-8900.

Message from Region 5 Director

Mitch Slaymaker, Region 5 Director



The importance of a local. That sentence by itself, while sounding simple, is actually quite complex. Your local Association is your voice. It is how you sway local politics. It is how you get pay and benefit increases. It is how you alter state legislation that effects how you do your job. It is the single most important thing that you can be a part of in relation to your position as a law enforcement officer. It is also one of the easiest ways that you can be a part of a larger picture. You've experienced it, everyone wants to be able to say they are friends with a cop. Politicians realize this and want to be able to say they have the support of their local law enforcement. It is probably one of the biggest endorsements they can say they have. I have heard it time and again from local officers... "I get the Association organized and no one participates." Of course they don't. It is that simple. The majority of effort will be put forth by the minority of those who are willing. This is not new... not some concept that I came up with in a flash of brilliance. This is a time honored and tested reality. Those who are willing to put forth the effort, change with time and circumstance. The Presidents of locals that fail have failed to realize this fact and have become frustrated. Once frustration with your local takes root you have dissention. Once dissention takes root you are no longer an Association. Once you are no longer an Association held together by a focused leader you see factions. Factions are a play on words of fraction. A fraction of the strength you could have were you to stay focused and maintain the principles as set forth in your Constitution and mission statement. Factions get nowhere. Sometimes this frustration comes from the perceived lack of participation. This may be ill placed as an officer can participate without attending every function or even any function. So long as the officer believes in the mission statement and the goal. As long as that is in place then you shall be successful. It is the officer that attends the functions and pays his/her dues, but talks against the Association that does the damage. Remain united in cause with a clarity of purpose. Talk about it often and with each repose ensure that the message remains pure to the Constitution of your Association as related to the

current event. As I say to my fellow members when faced with adversity, "We shall walk the high road." The high road is simply following that which our

Constitution laid forth. We had the distinct honor of achieving historic pay raises for our guys by following the above mentioned simple rules and becoming politically active.

I chuckle when I here officers say, "we don't need to be involved in Politics." Are you kidding me? We are politics. There is never a Legislative session where law enforcement authority is not under attack for something. Never. Local politics are on a smaller scale but differ very little. You need to be involved. Being involved does not mean you MUST choose a candidate to endorse, it can mean that you won't oppose one in the race. It can be something as simple as holding a forum where you just host the event and ask questions. The media coverage is free and worth its weight in gold.

Once you become active locally, and it works to your advantage, take a look at the bigger picture. TMPA has a loud and proud voice at the Capitol, as we believe in creating and protecting the law enforcement environment that sponsors professionalism in law enforcement. This takes investment in both time and cash reserves. Once you see that being political works and is important, I ask that you look to contributing to the TMPA PAC. It can be as little as 4 bucks a month and can make a huge impact on how we protect your ability to do your job in the field.

So after reading this missive, try to be loyal to your local, embrace being political, and support TMPA political endeavors through the PAC. If you ever need help developing your local, devising strategy, or would like to discuss TMPA PAC, do not hesitate to call. Remember to always hold our standard high, wave it proudly, and most importantly promote the professional standard of a Texas Peace Officer.

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On Top of Training

Mike Gomez, Training Coordinator

I am excited to announce the latest addition to the TMPA web site: a comprehensive guide to statewide training. The additions to the web site have been a gradual progress. But by the time it's fully functioning, TMPA members and the general law enforcement population will be able to view available classes, register, and pay with the click of their mouse. The site will be equipped to set up purchase order payments, payments by credit card, or arrange payment on-site. An automatic e-mail confirmation, along with a printable receipt will be sent to you when you register online. Our new system even recognizes members and applies the correct member rate for the course.

The web site will not only feature class descriptions, but will link to instructor bios, so you may preview our quality instructors. As the Training Coordinator, I have been adding classes to our repertoire on a daily basis. Not just state mandated classes, but classes requested by departments around Texas. We want to cater to your needs by offering courses from Officer Involved Shooting Investigation to In-Custody Death; also offering Instructor Schools and Leadership classes.

I am thrilled about how quickly this division of TMPA is developing, and am dedicated to serving you through comprehensive training. Remember, TMPA believes in professionalism in law enforcement through education and representation. I fully believe the advances in the Training Division's online site will better serve you and carry-out the TMPA mission.

Schedule

TABC Law-Patrol/CID

TMPA State Office
5/10/10 9 a.m. – 5 p.m. \$50/\$60

Intermediate Use of Force

TMPA State Office
5/13 – 5/14 9 a.m. – 5 p.m. \$80/\$100

Interview and Interrogation

Bryan PD
5/17 – 5/18 9 a.m. – 5 p.m. \$100/\$150

Advanced Internal Affairs

Bexar County S.O. Academy
5/18 – 5/19 9 a.m. – 5 p.m. \$150/\$175

Search Warrant

Somerset PD
5/22/10 9 a.m. – 5 p.m. \$25/\$35

Comprehensive Combating Terrorism Course

Bexar County S.O. Academy
6/9/10 9 a.m. – 5 p.m. \$50/\$60

Comprehensive Combating Terrorism Course

TMPA State Office
6/10/10 9 a.m. – 5 p.m. \$50/\$60

Legislative Update

Sealy High School
6/11/10 8 a.m. – 12 p.m. Free

Federal and State Law Update

Sealy High School
6/11/10 1 p.m. – 5 p.m. Free

Field Training Instructor

Seabrook Fire Department
6/15 – 6/17 9 a.m. – 5 p.m. \$50/\$100

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6/18/10 2 p.m. – 10 p.m. \$25/\$35

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Lyon, Gorsky, Haring & Gilbert, L.L.P. is Proud to Announce the Addition of John Snider and Nick Manousos to our Practice

Bob Gorsky, Founding Partner Lyon, Gorsky, Haring & Gilbert, L.L.P.

John Snider has joined our labor, employment, and personal injury practice. John graduated from Texas Wesleyan University School of Law in 2008. Prior to entering law school, John spent fourteen years in law enforcement, with most of his law enforcement career spent in the Houston area with the Pasadena Police Department and the Oak Ridge North Police Department. After he and his wife, Dr. Martha Wills, moved to North Texas, John worked for the Irving Police Department and Tarrant County Sheriff's Office.

Nick Manousos will head our family law practice. Since 1997, Nick has focused his practice almost exclusively handling all different types of family law matters including divorces, simple and complex custody matters, adoptions, child support issues, property disputes and custody/possession modifications. Nick is a member of the College of the State Bar, admitted to practice in the Federal Courts of the Northern District and the United States Supreme Court.



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A list of our instructors is available at our website, www.texasfriday.org. Please feel free to contact the instructors directly about holding a class in your area. Don't see an instructor in your area? Many of our instructors are available to travel.

For more information or assistance in locating an instructor, please contact any of the FRIDAY staff at 1-800-848-2088 x207 or by email at fridayinfo@tmpa.org. www.texasfriday.org

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John Haring has been named as Texas Super Lawyer for 2009 and Christopher Livingston has been named Texas Super Lawyer Rising Star for 2009 by Law & Politics magazine!!

Robert C. Lyon, Bob Gorsky and Mark Gilbert have been named as Texas Super Lawyers again for 2009 by Law & Politics magazine!

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Robert C. Lyon is a member of Robert Lyon & Associates, P.C. and is Board Certified in Personal Injury Trial Law and John Haring is Board Certified in Criminal Law by the Texas Board of Legal Specialization.

All other lawyers in the firm are not certified by the Texas Board of Legal Specialization.