

September 2013

Sentinel



Chicago Police Lieutenants Association

PRESIDENT'S MESSAGE BY MIKE RYAN

Dear Lieutenant,

CONTRACT

The Negotiating Committee- VP Dean Stone, Treasurer Bob Stasch, and I have had several meetings and are making progress on a variety of operational issues specific to the rank of Lieutenant. The Sgt's DSS grievance arbitration and Sgt's contract arbitration have decisions due shortly (30 Aug & early Sept respectively) that will have an impact on our negotiations. Since many aspects of these decisions will constitute a ground floor for our negotiations (and the City's), we have not seen a financial offer. As can be expected, there has yet to be discussion about pension or healthcare topics as well. We will continue to work diligently to obtain the best deal through negotiation with agents of the City.

BY-LAW CHANGES

Two changes to the existing By-Laws have been made by a majority vote of the CPLA Board of Directors. The first change will eliminate one General Membership meeting from the schedule. Due to the poor attendance of the June meeting, the By-Law has been

amended and only mandates 3 meetings per year. Additionally, the time required before a By-Law change can be voted on after it has been submitted has been reduced from 90 days to 45 days.

EXECUTIVE BOARD

ELECTIONS

My term as President, as well as the terms of the rest of the Executive Board: Vice-President Dean Stone, Treasurer Bob Stasch, Secretary Eve Gushes, and Sgt at Arms Bob Lajewski are expiring



at the end of the year. I thank all of these Board members for their hard work and many hours of dedicated service, and encourage them to continue to serve by seeking another term. Those of you that want to work toward better working conditions, and sacrifice their time for their fellow Lieutenants may want to seek office. The only way to have an impact is to get involved.

Pursuant to CPLA By-laws, the election of Officers shall take place in November of odd numbered years and assume office on January 1st of even numbered years. The nomination period will start on September 1st of each election year. Any active member seeking office must submit their name to the Secretary of the Lieutenants' Association by October 15th or the first business day thereafter. Only active members in good standing shall be eligible to vote or hold office. An election will take place by ballot if a position has more than one eligible candidate. The ballot will be sent to each active member who is in good standing by November 1st and must be returned by December 1st to be counted. The ballots will be counted on the first Saturday of December.

President's Message - cont.

CONVENTION

As a reminder to all, the 2013 Illinois PBPA Convention hosted by the Chicago Sergeants, Lieutenants, and Captains this October is fast approaching and we could use your help. One of the most vital aspects in defraying the cost of this undertaking is the raffle. We are looking for some appropriate gifts to be donated. If anyone has a personal connection with a business (or individual) that would be willing to assist, we have donation request letters with tax IDs available. Please contact Convention Chairman Dean Stone. There are letters for both gifts, and financial donations.

NEXT MEETING

Please join us for the next General Membership (Oktoberfest) meeting at Mirabel Restaurant on 10 September 2013 at 6pm. The Mirabell Restaurant is located at 3454 West Addison Street. Please RSVP at president@cpdlts.com Hope to see you there.

Let's remember that our personnel's mental, physical, and legal well-being is our top priority, make sure we watch out for those getting the job done.

Fraternally,

Mike Ryan
President

From the Secretary

The Executive Board of the Chicago Police Lieutenant's Association meets on a monthly basis to discuss the needs of our membership and the on-going management issues that affect our current contract benefits.

Over the last two years, the Board has paid particular attention to the attendance at our General Membership Meetings that are currently held four times per year. Three of the meetings are always well attended; the March corned beef and cabbage dinner, the September Oktoberfest dinner and the December pizza event that features scholarship awards and gift cards have the highest number of both active and retired members who attend. The June General Membership Meeting routinely has approximately 8-10 retired and active members who attend.

In an effort to cut expenses for our Association and to continue to provide a forum for our members to express their concerns and get information, a By-Law change was recently voted into effect by the Executive Board. Beginning in 2014, the number of General Membership Meetings will be reduced to three per year. They will be held in January, March and September.

The December meeting will be moved to January to allow more members to attend and to stay for the entire meeting. Oftentimes, members are juggling multiple events during the busy month of December. By moving

the meeting to January, our members will hopefully be able to plan a bit more easily to attend. Scholarships and gift cards will be awarded at the January meeting. The Executive Board voted to eliminate the June General Membership Meeting based on historic low attendance. Summer is a busy time for everyone and many of our members are unable to attend the June meeting.

A second By-Law change was also voted on and approved by the Executive Board at the August meeting. This change reduces the amount of time that the board has to vote on any proposed By-Law changes from 90 days to 45 days. This process will still allow for a "cooling-off" period regarding any proposed changes, yet will allow the Association to move forward with the voting process in a more timely fashion.

As always, the President has the authority to call a General Membership Meeting at any time in the event that important news or information must be communicated to our membership. The Executive Board will continue to remain available to our members via email and telephone for any concerns that may arise.

Hope to see you all at the Oktoberfest meeting in September and at the PBPA Convention here in Chicago in October.

Eve Gushes
Secretary

Grievance Chairman - *Dean Stone*

Hello everyone,

The 6th and 7th work day grievance which was decided in our favor by the arbitrator has been the subject of negotiations during our contract talks. We are negotiating because the city has filed a motion in court to overturn the arbitrator's decision. After the city has reviewed the available records for every Lieutenant, 41 current or former Lieutenants are due compensation. I have contacted each of these Lieutenants and documented their preference. If you have not heard from me personally then you are not eligible for compensation. If you feel this is in error please contact me immediately. Hopefully by the time this goes to print the city will have agreed to compensate these Lieutenants. I will send out an email letting them know when they should be receiving their pay or compensatory time. The negotiations are moving forward albeit slowly, but we are making some progress on certain issues. I believe once the Sergeants arbitration is decided we will move forward more rapidly.

The nomination period for officers of your association begins September 1st with letters of intent due to the secretary, Eve Gushes, by October 15th. The positions for election this year are: President, Vice-President, Treasurer, Secretary and Sergeant at Arms. The term is for 2 years starting January 1, 2014.

The Captains, Lieutenants and Sergeants associations are sponsoring the PB&PA Convention in October. We are asking for anyone who is interested in donating or has contacts who might be interested in donating please contact me immediately. We are looking for raffle gifts, welcome bag gifts or donations of refreshments.

The association sends flowers to wakes for the loss of active and retired members and the immediate families of active members. Sometimes we miss the wake because of a short notice then we will send flowers to the home of the member, but we would prefer to send them to the wake. Therefore, if a member in your unit suffers a loss or you are aware of a death of a retired member, **please** call me or send me an email.

Fraternally,

[Dean Stone](#)

Vice-President

Chairman Grievance Committee

But it's MY Cell Phone! By Bob Kero

Cell phones have become a part of our everyday life. Just about everyone has one. We make calls, text, take pictures and videos, go on-line and so much more. We pay the bill so it's our phone, right?? When it comes to police work, that just might not be the case.

In State of New Mexico v Ortiz, the defendant Ortiz was indicted for DWI. The defense claimed that the stop was illegal. The defense subpoenaed the in-car camera video as well as “any and all audio recordings and written logs, including, but not limited to, dispatch records and phone records of any kind which are relevant to the stop and arrest...including any communications between (the officer) and any dispatcher, police officers, and any other persons whatsoever.” The defense claimed that there was a six minute gap in the video and as a result, requested copies and access to evidence of oral, electronic, telephonic or written communications made between the officer and any other person during the incident.

The prosecution strongly objected. The defense went on to state that they were only requesting the phone calls or texts related to the incident. The state objected, citing the 1st, 4th and 14th Amendments on grounds that these amendments protected the officer's privacy to include his cell phone.

The District court decided that the Defendant had met the threshold of discovery in that whatever may be communicated through the officer's cell phone could be relevant to the defense. The state did not produce these records and based on that, the case was dismissed. On appeal, the Appellate Court stated that the District Court did not abuse its right in ordering the turnover of the officer's phone records. The court went on to state that such a search was not unreasonable nor would it be considered an invasion of the officer's privacy.

In a case closer to home, one of our officers is currently involved in a lawsuit stemming from a traffic crash with a motorcycle which was fleeing the scene of a felony incident. At a recent deposition, the officer being sued was shown an in-car camera video clip. This video showed several officers on the scene taking pictures and videos with their personal cell phones. After viewing the video, the officer was instructed to name each of the officers who appeared on the video. These officers are now being called down to give depositions on the case and may eventually have to turn over contents from their phones.

It is incumbent upon us as supervisors to watch out for the well being of our officers. This responsibility includes many things that are part of modern day policing. We now have another potential issue to add to that list. Our officers need to be reminded that just about anything that they do while on duty or related to their official capacity can be scrutinized, criticized, or ordered into court and made public. Although some of the things that we come across in our day to day assignments might seem interesting or unusual at the time, we need to think carefully before we pull out that phone. A quick click or a text sent could come back at a later date to become an embarrassment or put us into a position to defend our seemingly innocuous actions.

Modern day policing is a complicated business. We need to work smart and to remind the officers that work for us to do the same. We face many obstacles and potential pitfalls every day. With lawyers looking for any way of getting their clients off we need to think like a defense attorney and to try to stay one step ahead to avoid those obstacles and pitfalls.

Bob Kero
Area 5 Representative

Perception *By Bob Stasch*

The Chicago PD is said to be suffering from a perception problem, especially in regards to violent crime. Each week the statistics provided through News Affairs is that overall crime is down. Yet perception reveals that most citizens, including the media, see crime as being up. After all, each weekend brings out the murder and shooting totals that are certainly not making anyone feel safer. And then there are the robberies and "apple pickings".

So to give the impression that the city is doing something about the "perception" problem new strategies are developed. For instance CPD started the Violence Reduction Initiative and Operation Impact. Whether these programs work or not is not subject to debate in this article. What is important is that the city can tell the public and the media that something is being done. Just like the extra cops on Michigan Ave. And the citizens in the neighborhoods patrolled by VRI and Impact are happy because they see more police than before.

What we should talk about is the amount of overtime spent for these initiatives, as well as the physical and mental toll on officers averaging 100 plus hours of overtime per month. Sometime soon the burn-out rate will take hold. In many districts, elective time off requests has increased dramatically as these are the days the officers are using to relax and spend time with family. After all, it is more beneficial for them to burn comp time and work for time-and-one-half than not work the overtime initiative. So the districts still suffer manpower shortages.

The point here is that to appease a perception problem the department and the city chose an alternative answer to the problem – pay out the overtime – than to actually solve the problem which would be to increase the overall manpower of the police department back to the 13,500 or more that it should be.

This is important because the city and the state legislature are dealing with the pension crisis in the same way. Crying woe is me, woe is me, they are blaming the retirees and the workers for the problem. Retirees get over exuberant benefits, can retire early, get paid medical – that's the perception anyway – and so they are draining the pension plans. This is hogwash. The real problem is that the city and state has failed time and again to put their "end" of the money into the plans each and every year. That's not perception; that's fact. And the same city and state have written pension programs so that the favored few will benefit greatly from those programs, while the average worker is now struggling to keep what meager benefits he can.

The simple fact is that the pension plans are depleted, need to be modified, and need to address retiree's benefits in a fair and equitable manner *only after the city and state put in the substantial amounts of money needed to bring the plans to their proper funding percentages.*

That's not perception. That's the fact Jack.

Robert H. Stasch
Treasurer-CPLA

SENTINEL

Standing Watch for Chicago Police Lieutenants

Chicago Police
Lieutenants Association

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Chicago, IL 60609



CPD Mail

24 hour Emergency Number
Phone: 312-332-7432

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Dean Stone
Vice-President

Eve Gushes
Secretary

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Contact the Sentinel Newsletter via e-mail at

Sentinal@cpdlts.com

Visit the Chicago Police
Lieutenants web site at

www.cpdltts.com

Join us at the next General Membership Meeting

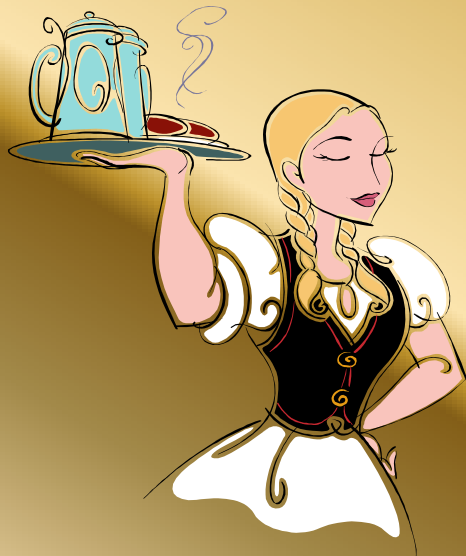
For Oktoberfest

Dinner will be served

10 September 2013

6:00 PM

Mirabell at 3454 W. Addison



Click here to RSVP via mail

RSVP to president@cpdlts.com