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Publisher: The Police Shield Inc. SUBSIDIARY OF THE TOLEDO POLICE PATROLMEN'S ASSN. INC.

Volume 4 - No. 3

Regular Subscription: \$3.00 Per Year

TOLEDO, OHIO,

March 1975

25¢ PER COPY

As We See It

By Ken Perry, President
Toledo Police
Patrolmen's Assn.



Sometimes well-meaning people and organizations, in their zeal to accomplish a good purpose, do not realize that the programs they push could have disastrous effects. A case in point is the "Anti-Dart-Out" Program of the National Safety Council, which proposes to teach children in the school system how to "properly" cross streets at a point other than intersections or marked crosswalks.

The Toledo Police Patrolmen's Association is now on record of being totally opposed to the program for the simple reason that it would be teaching children to violate the law.

We cite the section of the Toledo City Code which reads "Between adjacent intersections at which traffic control signals are in operation, pedestrians shall not cross at any place except in a marked crosswalk." We of the T.P.P.A. oppose the program which has been drafted by the National

Safety Council as being totally against the original concept of the council.

Accordingly, it is a violation of the City Code for a child to cross the street as the program proposes to teach them. This program has already been scrubbed by order in the Dade County, Florida area and we also have asked similar action in the Toledo area.

On Feb. 21, I represented the Toledo Police Patrolmen's Association at the installation dinner of the Cleveland Police Patrolmen's Association, in Cleveland. The program was excellent and it was gratifying to see the tremendous strength of the Cleveland Police union. Cleveland has some 1,200 patrolmen's members in the C.P.P.A., and also represents those of Cuyahoga County and surrounding municipalities with an additional membership of 800.

(Cont. on Page 9)

Kiernan Notes Ohio House Bill 75 in Cleveland P.P.A. Speech

International Conference of Police Association's President Edward J. Kiernan urged Ohio Patrolmen to give support to Ohio House Bill No. 75, as he spoke before the installation dinner of the Cleveland Police Patrolmen's Association on Feb. 21.

Kiernan said that House Bill 75 is a major start in eliminating the Ferguson Act which prohibits cities and other political echelons from entering closed shop agreements, strikes and prohibits binding mediation or arbitration.

House Bill No. 75 is now before the special House of Representatives subcommittee in the Ohio State Legislature, and is one of five bills introduced toward providing better collective bargaining for public employees. H.B. 75 was sponsored by Toledo Representative Art Wilkowski, who is one of the major spearheads in directing passage of the bill, at the request of the O.U.P.A.

It is anticipated that the bill will be merged and a combined bill will come out of the

subcommittee. The Democratic majority in the Ohio State Legislature is expected to act favorably on the combined measure. Governor James Rhodes has indicated to public employees spokesmen that he will sign the bill if passed through the House and Senate.

Ohio union patrolmen are urged to individually and collectively write letters to subcommittee members urging full support of H.B. 75. Members of the subcommittee are Rep. Luken, (D. Cincinnati); Rep. Orlett, (D. Dayton); Rep. Camera, (D. Lorain); Rep. Turner, (R. Mt. Vernon), and Rep. Brandeberg, (R. Cincinnati).

The bill would provide specifically for recognition of public employees unions by cities; contract and other balloting by secret ballot; require good faith bargaining with mediation, and permit strikes by all, but police and firemen, and strike out the Ferguson Act.

In an interview with President Kiernan, Toledo Police

Shield reporters were told that similar legislation has been presented by the International Conference of Police Associations before Congress.

Kiernan said that the I.C.P.A., as the youngest international union in the country, has registered the fastest rate of growth of any labor organization in the nation. He pointed out that the entire Illinois State Patrol has now affiliated with the I.C.P.A.

Harry Broadway, former Toledo T.P.P.A. president, now president of the Ohio Union of Patrolmen's Associations and vice president of the I.C.P.A., said the O.U.P.A. is in the process of urging all Ohio Union of Patrolmen's Association affiliates in the State of Ohio to get behind House Bill 75.

Broadway said that the growth of the O.U.P.A., Ohio state affiliate of I.C.P.A., also is increasing with more and more requests for information and assistance in helping local community police organizations form a Police Patrolmen's local union.



Win Physical Fitness Awards

Awards for participation and performance in the Toledo Police Physical Training program were presented to officers by Chief Corrin McGrath. Left to right, awards recipients are Lt. Arthur Pasadny, and Patrolmen Terry Schroeder and Tom Purcel.

TPPA Members in Traffic Bureau Object to Filling Other Shortages

Several members of the Toledo Police Patrolmen's Association now serving in the Traffic Bureau of the Toledo Police Department have announced objections to members of the traffic bureau being pulled away to fill temporary shift shortages in records, jail and communications.

T.P.P.A. officials said the situation, whereby for the past several months, as many as three or four patrolmen per shift have been drawn from the Traffic Bureau to fill vacancies in records, jail and communication, again points up the need for offering overtime in divisions where shortages of manpower exist.

Traffic Bureau patrolmen's association members point out

that the public is being short-changed by drawing more units from the streets, when there are already shortages on virtually every shift of traffic bureau and district units.

The Toledo Police Shield in the past three editions has pointed up the fact that the public is losing units on the street during crucial periods and when crime is at an all-time high due to unemployment. The Toledo Police Department currently has a shortage of about 42 men with no new police class scheduled. It has also been pointed out by Toledo Police Patrolmen's Association officers that a new training class must spend about fourteen weeks in the Police Academy before they can be placed out on the street.

Patrolmen's union officials have urged the city administration to request that vacancies be filled by overtime offered to patrolmen in those respective divisions to keep a full complement of officers in all divisions on all shifts.

Toledo Police Department regulations specify that "personnel assigned to the Traffic Section shall enforce the street traffic regulations of the city and the State vehicle laws applicable to street traffic in the City of Toledo, make arrests for traffic violations, investigate accidents, maintain records and carry out those duties specifically upon said section XX by law."

(Cont. on Page 2)

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Members Object

(Cont. from Page 1)

One of the main trusts of duties performed by the Traffic Section personnel is the enforcement of traffic violations. With this in mind, they are waging an all-out effort on the reduction of traffic fatalities both as part of regular patrol duty and under a federally funded project by the National Highway Traffic Safety Department termed F.A.R.E. which is an acronym for Fatal Accident Reduction through Enforcement.

The combined program of enforcement resulted in a reduction of traffic fatalities from 50 traffic deaths in 1973, to 33 in 1974.

The federal F.A.R.E. grant of \$81,000 is under a program which allows reimbursement to the city for employment of qualified traffic enforcement officers to work overtime hours to patrol geographic areas which have experienced or are expected to experience a high frequency of traffic fatalities. A total of \$56,000 has been used with more than \$20,000 to go for a period of five more weeks.

Toledo Patrolmen's Association officials question the legality of using funds from the federal F.A.R.E. grant to hire patrolmen for overtime work on Fridays, Saturday, and Sundays from 8 p.m. until 4 a.m., and then draw patrolmen from the Traffic Bureau during these hours to work in other divisions.

Traffic Bureau T.P.P.A. members also note that the drawing of traffic bureau personnel to fill shortages in other units of the Toledo Police Division is seriously curtailing the traffic bureau functions.

A pilot grievance on the issue was filed by Patrolman Frank Calipetro, contending that the Traffic Section is a bid assignment and that drawing from the Section violates the T.P.P.A. contract with the city administration. His grievance contends that the function as traffic control officers on patrol duty is equally important to the public in reducing property damage, loss of life and deterring crime through routine patrol functions.

The grievance was answered by Chief Corrin McGrath as being denied, with the notation that he found the grievance not to be well taken.

In the meantime, it is the public who bears the brunt of the shortage of patrolmen on Toledo's streets.

Patrolmen and Polygraph Tests

By
George Royer, Attorney

Part two
(Continued from
February Shield)

On appeal, Roux's attorney argued on his behalf that a polygraph examination is not reliable or accurate, and this was inadmissible evidence. Roux further indicated a fear of the polygraph test results on the basis that anticipated "inaccurate" results could jeopardize his career. He also stated he was in a state of quandary as to whether he should take the test and risk failure of it, or risk the discharge threat for not taking it.

Moreover, Roux maintained that he had a constitutional right to refuse to take the polygraph test under the circumstances. In this latter respect he cited the police manual which referred to the rights of arrested citizens who could not be compelled to take such tests. Roux stated that no superior on the New Orleans police force had a right to suspect his honesty or dishonesty. The Louisiana Court of Appeals rejected all of these contentions. The court referred to a quotation from an earlier Louisiana Court of Appeals case which also involved the dismissal of a New Orleans policeman who failed to answer questions about job activities in the course of an official investigation:

"A police officer who refuses to cooperate with the proper authority of the city in which he is employed; who refuses to give information within his knowledge; or who impedes or hinders the inquiry by the proper authorities into violations of the law which he has sworn to uphold and defend, is no longer of any value to the city as a police officer. Any law which declares and renders such officer disqualified from continuation in public service is within the limits of the reasonable exercise of the police power of the state and not violative of due process (Callahan v. New Orleans Police Dept., 171 So. 2d, 730, La, 1965)."

The Louisiana Court of Appeals also rendered the view that no one has absolute and inalienable right to employment as a policeman. Furthermore, it was held that Roux's failure to take the test constituted an impediment to the inquiry being conducted, and thus was an act of misconduct. The order to take the polygraph examination was not unreasonable, the court concludes. Roux's appeals to the Supreme Court of Louisiana (Cert. denied, 254 La. 815, 227, So. 2d 148, 1969) and the Supreme Court of the United States (Cert. denied, 397 U.S. 1008) were turned down, thus leaving intact the ruling of the Louisiana Court of Appeals. Many other Courts have made similar decisions when confronted with this issue in similar contexts (McCain v. Sheridan, 160 Cal. App. 2d 174, 324P. 2d 923, 1958; Frazer v. Civil Service Board of Oakland, 170 Cal. App. 2d 333, 338 P. 2d 943, 1959; Fichera v. State Personnel

Board, 217 Cal. App. 2d 613, 32 Cal. Rptr. 159, 1963; Coursey v. Board of Fire and Police Commissioners, 90 Ill. App. 2d 31, 234 N.E. 2d 339, 1967).

In brief, most courts have not provided a guarantee to police officers of the right to have legal counsel present while a polygraph examination is being administered. Many police associations have altered this situation somewhat by collective bargaining contract, as discussed in the final portion of this article.

D. Admissibility of polygraph examinations

As of the middle sixties, scarcely any appellate court in the United States admitted polygraph evidence into courtroom proceedings without stipulation. However, most, but not all courts will admit polygraph evidence upon stipulation between the prosecution and defense (some courts have denied admissibility of polygraph evidence upon stipulation, where the stipulation is later withdrawn; see State v. Hill; 40 Ohio Appeals 2d 26).

Most courts require that if such evidence is admitted upon stipulation or otherwise, the polygraph examiner must be subject to cross examination. The one central reason for denying admissibility without stipulation was the lack of any scientific indication of accuracy and infallibility. In many decisions, the reality of the accuracy of such tests was recognized to reside in the qualifications and relative

Cont. on Page 11



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'It Takes All Kinds' Recruiting Plan Draws Over 200 Applicants

The Toledo Police Department program to attract more recruits, particularly in the minority communities has drawn over 250 applicants through its "It Takes All Kinds" promotional program, utilizing billboards, brochures and contact of representatives throughout the area.

The program, established in agreement with the Toledo Police Patrolmen's Association, is aimed at up - grading the number of minority applicants on the force. A civil service test is being scheduled for

the applicants and will be announced shortly.

No definite plans have been announced to place the group in the Academy but plans are

being formulated at the present time according to a administration spokesmen. The program is for applicants 21 to 31 years of age.

IT TAKES ALL KINDS AND YOU MAY JUST BE ONE OF THEM



Models for Recruiting Poster

Familiar faces adorn the billboards in the Toledo area advertising for police recruits in Toledo from minority groups. Left to right are: Ken Perry, President, Toledo Police Patrolmen's Association; Carol Buettner, Manuel Soto and Ronald Jackson.

Is Police 'Profession' A Myth?

By William Metzger Former Sheriff Lucas County

Over the past many years, police referred to themselves as professionals or para - professionals. To be a professional belonging to a specific profession, there usually is an established criteria that must be fulfilled. What criteria has actually been established for police so that it may be recognized as a profession?

As in most professions, a "Code of Ethics" and the "Cannons of Police Ethics" have been adopted, but what about the people who will be living and working within the guidelines of these ethics?

Recruitment standards for police candidates all over the country are being challenged

because there has not been uniform standards established on a national basis. Each village, town and city establishes their own recruitment standards relative to age, height, weight and prior residence in the community; rather than the moral character and the intellectual and emotional stability of the police candidate. To delete the traditional standards from the recruiting processes and incorporate stringent moral, character, educational, and emotional fitness standards would produce high quality personnel who would out-perform personnel selected by the traditional standards.

There is no question that it will take many years to reform the old standards and implement the ones mentioned above. It never will be implemented if a strong movement towards it does not begin at once. Some police administrations will think it odd to suggest raising recruitment standards at a time when so many departments are below authorized strength. Yet, it has been found that most of those departments that have already instituted high recruitment standards have had little trouble remaining at au-

(Cont. on Page 10)

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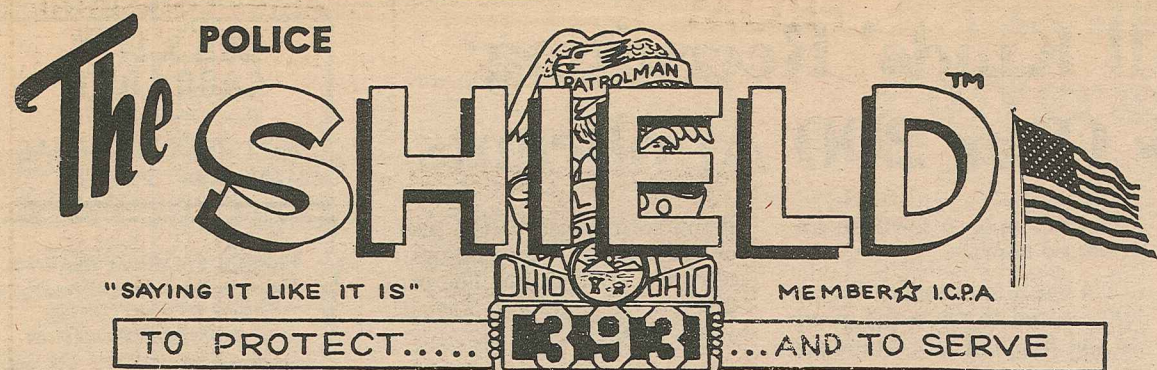
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Editorial Page

False Alarms Keep Police on the Run

"Toledo's finest" spend considerable time making that proverbial "wild goose chase" with their cruiser lights flashing and sirens bellowing.

Those chases are responses to an increasing number of false alarms occurring in banks, commercial establishments and homes in Toledo.

The proliferation of alarm systems, of course, can serve as a crime deterrent — but they also can cause headaches for police officers.

Policemen regard alarm runs as a somewhat annoying and frustrating task, but never the less part of the routine.

"The biggest problem is that they take us away from street crime and other situations where we might be needed." "It's hard to keep up with them and still maintain our other work at the same time."

There have been 12 or 15 accidents which resulted from speeding to an alarm that proved to be false. Recently several car loads of policemen screamed to a distributing company of North Fearing Blvd. One of the cars was driven up on the loading dock to check out rear doors of the warehouse. The driver was unable to tell that the dock ramp made a sharp right turn and the car plunged off into a railroad siding injuring two policemen. The alarm turned out to be false.

In Toledo, Lt. Phillip J. Moore, reports that over 500 alarms were set off during the last 2 months. Less than 50 of those alarms proved valid.

Moore believes more sound detection systems might be the eventual answer to reducing the number of false alarms.

The Sound Systems, unlike other alarm systems, he said, can tell the difference between mice or men before calling the police.

Another man who naturally enough is high on sound detection systems is Frank Venti, head of Sonitrol Security Systems, here in Toledo.

The Sonitrol Systems actually "listen - in" and determine the source of the alert, even to the point of indicating to police communications that several burglars are involved.

Venti maintains the sound system reduces the false alarms factor to about eight percent of the calls.

The false alarm factor on sophisticated motion systems generally runs around 95%, law enforcement officials report.

The alarm industry projects a nine - million - dollar - a - year savings to taxpayers through arrests made as a result of alarm systems. It does not, however, mention the loss to taxpayers through the chasing of false alarms. According to Lt. Moore, "The city of Toledo spends well over \$18,000 per year chasing false alarms." Spread this across the nation and you will find the loss to the public considerably in excess of the nine million dollars allegedly saved.

The facts clearly show that faster police response time results in more on - the - spot arrests and convictions.

"The crime against small business 91st Congress Document 91-14 indicates an apprehension rate of 90% with one minute, response time, 75% with two minutes, 50% with 4 minutes, and 20% with 10 minutes.

If the police didn't have to respond to hundreds of false alarms, they might be able to respond faster!

Low Police Morale Costly To Public

By TED BARTON, Associate Editor

As a civilian editor of The Toledo Police Shield, one glaring cause of concern among several divisions within the Toledo Police Department has been observed by the writer over the past several months. Morale within the T.P.D. is at a dangerously low level and the upper command and city administration seem oblivious to its existence.

We witnessed a fine talk by Chief Corrin McGrath before the class graduating from leadership and planning courses at the University of Toledo last October, in which the Chief told the class the grassroots patrolmen were wise to be schooled in such courses because the Police command would be tapping their knowledge in re - programming the up - grading of the department.

So far, there has been no evidence that the patrolmen have been consulted in the department programming and even worse, have not even been given consideration in having their opinions or suggestions implemented in the department structure. The resultant lack of consideration at the patrolman's level has deteriorated the morale within the department to a dangerously low ebb.

Examples include the actions of City Council when a pressure group attempted to bring charges on a patrolman involved

in an obviously necessary shooting incident in responding to a call.

Another blow to the morale came when after insistence of the city administration to "tighten the belt" and accept a pay increase of 1%, whopping increases were given the Mayor, City Manager, and other high administration officials.

Another issue of contention is the "processing" of grown men being treated by the command like young children attending military school.

Working short - handed, drawing men from already under - staffed traffic division ranks, and refusing to move to an overtime system to make up shortages have all drawn flack from patrolmen on the force.

Discontent in the patrolmen's ranks range from small issues such as being required to wear hats while in shirtsleeves awaiting to testify in court cases, to more major problems of anxiety in possible legal actions resulting from serious split - second judgments that are necessary as part of the job.

Several patrolmen have pointed out the fact that a recent order calls for no police vehicles to be parked adjacent to the police station, while council, mayor, prosecutors and visitors are given that right. The pa-

(Cont. on Page 6)



MORRISSEY'S CORNER By Patrolman Bob Morrissey

Do we really have our freedom?

Last month I had the occasion to travel through two large cities. Driving in the downtown district I noticed that every home and business establishment had large bars, or screens over the windows. These were put there to keep burglars, and muggers from intruding and committing their crimes. I thought to myself, "these people have made prisoners of themselves in their own homes."

It looked more like a large penitentiary, than a city in the home of the free. These people's rights have been violated since they do not have the right to be safe in their own homes.

After dark fell in these two large cities no one was walking on the side walks. They feared to come out and have the freedom to go and come as they please.

In my work I come in contact daily with children who are hooked on drugs. These kids are forced through their habit to steal, prostitute, or any other means to support the craving for the drugs. They are virtually slaves in the Home of the free where our whole concept is based on freedom.

Almost daily I see where the Federal Government is buying the rights of our cities, and states through the money grants they offer. We are literally selling the rights which were placed in the Constitution many years ago by our fore fathers for state sovereignty, and the right to be govern by the people whether it be Municipal, or State.

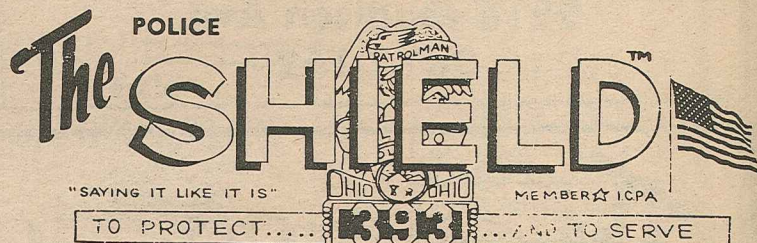
I would like just once to see a Mayor, or a Governor, stand up to the Federal Government and tell them, "I am suppose to be telling you what to do." If the Federal Government then told them they were going to stop the money grants. The Governor, or Mayor then would tell the Federal Government they were going to see that their citizens stop paying Federal Taxes till they get their share of Federal monies. I'm sure things would straighten around real quick.

I believe that the citizen should have the right to vote in a Federal Judge. I believe since we have the freedom to vote in a Congressman, and also the President who can declare war. I believe we should have the Freedom to vote in a Judge who is going to make decisions concerning our daily lives. As it stands now the only way we can get rid of a Federal Judge is to impeach him.

I do not like the idea of a President being able to appoint these judges. Could a President who would be power hungry gain control of our country through the Federal court system? Could he take our basic freedoms away through this system? Makes you think.

How much freedom is taken away from the elected officials to make proper decisions. By this I mean the influential power of the news media. There is not a day goes by, when an editorial, is put out pertaining to an important matter coming up for vote by the people I voted in to make an unbiased judgement. I wonder how

(Cont. on Page 10)



Volume 4 - No. 3

March 1975

25¢ Per Copy

Subscriptions \$3.00 Per Year

The Police Shield is published in Toledo, Ohio under sponsorship of the Toledo Police Patrolmen's Association, Inc.

Editor Ken Perry
Associate Editors Ted Barton & Warren R. Schaeffer
Business Manager Ray Huchek

Articles appearing in The Police Shield do not necessarily represent official policy of the Toledo Police Patrolmen's Association unless specifically stipulated. Otherwise, articles represent the opinions of the article authors' only, and the Toledo Police Patrolmen's does not take responsibility for their content.

Toledo Police Patrolmen's Association: Ken Perry, President; Frank Calipetro, 1st Vice President; Robert Morrissey, 2nd Vice President; Robert Mason, Recording Secretary; Thomas Purcel, Financial Secretary; Larry Knannlein, Treasurer, and Ronald Scanlon, Sgt. - at - Arms.

Toledo Police Shield Advisory Council: Ken Perry, Ross Schaeffer, Frank Calipetro, Robert Mason, Robert Morrissey, Thomas Purcel, Larry Knannlein, and Ronald Scanlon.

The Police Shield Editorial and Advertising offices are located in the Toledo Police Patrolmen's Hall, 916 Adams St., Toledo, Ohio 43624. Telephone:

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History of International Conference of Police Assns.

By Harry Broadway,
President
Ohio Union of
Patrolmen's Association

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there was pending before the Congress of the United States legislation which proposed to incorporate the fire and police services under the broad coverage of the Old Age Survivors Insurance Act (Social Security).

• These representatives of the various police departments proceeded to Washington, D.C., where they voiced their disapproval of safety officers of 65 years of age. They so thoroughly convinced the authors of these bills that fire and police officers did not belong in Social Security, that the authors excluded firemen and policemen.

• Later, when their purpose had been accomplished, and the representatives gathered socially, the question was pondered as to why there did not exist an association that could represent all police officers to keep them informed of just such questions?

• In March of 1953, the Detroit Police Officers Association took it upon themselves to try and form such an organization. Letters to all those interested were sent, and representatives from Detroit, Houston, New York City, Milwaukee, Los Angeles, Oakland, San Francisco, Chicago, New Orleans, Cleveland, Min-

(Cont. on Page 8)

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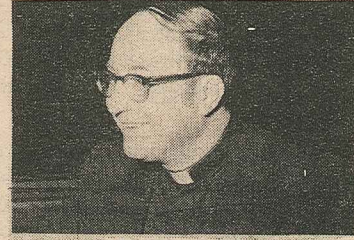
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FROM THE CHAPLAIN'S DESK

Father Al Ceranowski, Chaplain
Toledo Police Patrolmen's Association



Father Al

When someone begins to peel a fresh juicy orange, the whole room begins to fill with the aroma. Our taste buds tempt us into also eating an orange. However, an orange left to rot, gives off a stench that fills the whole refrigerator. The abominable smell turns us off, but there are always certain creatures that thrive on such things.

This same type of action and reaction takes place in society today. When someone begins a good project, his or her enthusiasm can inspire us and turn us on to follow him or her. However, a crooked deal gives off a stench that fills most of us with revulsion. While this filth turns most of us off, there are always certain people who thrive on such things.

The news media is well aware of this mimic psychology. When reporting the news most reporters for newspapers, magazines, radio, and television try to eliminate the juicy details that might become tempting. They try to eliminate touching the heart of anyone to imitate such evil actions. Those of us who wish to reduce crime in our society appreciate this attempt not to tempt.

What is extremely disturbing now is not what is happening but by the common criminal acting. First we were ripped off by the oil industry. They created the "oil crisis" so that their profits could climb from 40% to 50% and even to 60% over the previous year. From the gasoline industry the gas company has learned a lesson. Create a crisis. Allocate amounts of fuel to be used. Cut the supply, increase the demand and profits will also go up 40% to 50% and even 60%. Next the electric company might suddenly find an "energy crisis" and the rip off could continue.

These companies know that the average citizen abides by the law and pays his or her bills. The average criminal knows this also, and this is the exact type of citizen that he or she rips off. The criminal could care less what harm is done just so he or she gets what is wanted. The public utilities apparently could care less what is happening to our children in school or our workers in industry as long as they get what is wanted. This "legal rip off" gives off a stench that turns most of us off, but sadly not all. Desiring to mimic "this success" there are those who are inspired to make equal gains. However, instead of using a computer card or a printed bill, they use a knife or a gun.

Wouldn't it be beautiful if the oil industry and the gas company were to announce that they were willing to make less so that America could gain more? Wouldn't it be wonder-

ful if these companies told us they were going to cut their profits and not our gas? Wouldn't it be possible that this public spirit could cut crime? We don't know or have the answers because it has never been tried. God forbid what is going to happen if they continue as they are now!

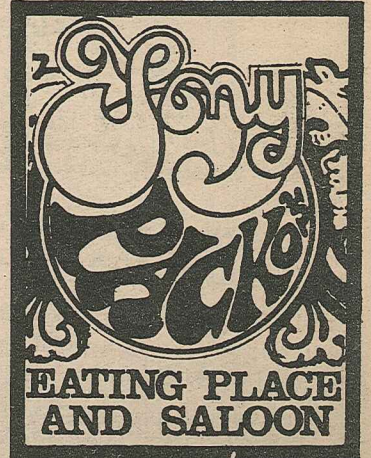
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Low Morale

(Cont. from Page 4)

trolmen have to carry their equipment to the various parking lots which are located over a block away. Some of the radar units weigh almost 40 pounds.

A so-called democratic vote was taken on a proposal to change uniform caps with the result that the majority of patrolmen voted for the change. The decision? Not to change!

Coupled with the court actions of easy bail, shock probation and other items mentioned last month by Prosecutor Posner, and it is easy to see why patrolmen become discouraged with the courts system. In one recent case, a multi-robbery suspect was booked and released on an O.R. bond, and since that time has committed several

additional robberies in the North End and the T.P.D. is currently looking for him for the additional charges. Another suspect was charged with multiple tavern robberies in which some of the victims were beaten. He was released on O.R., shot in the course of another robbery two days later, and is again on the streets, charged with some 10 separate robberies.

It narrows down to the hard, cold fact that the public will carry the brunt of the backwash resulting from the destruction of morale among and throughout the Toledo Police Department.

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Cops Exchange Valentines?

Editor's note: We found this item on our desk with no author credit. We suspect the author works with these mentioned herein and invites a bit of detective work to guess the author's identity.

Who said cops don't have a heart? Jerry Heineman and Charlie Moore (Unit #20) bought Sgt. Szyperski a new set of shaving band aids for his nose on this year's big sweet-heart day.

Officer Dave Swantek and Bill Schaub (Unit #4) bought each other skates and pillows so they can handle the disturbances on the ice at the hockey games with less effort.

Officers Leroy Reasti and Ron Navarro (Unit #6) both wanted stilts to keep up with Unit #4, but were asked to wait until next Xmas by cupid!

Ken Perry asked St. Valentine for a portable polygraph to take into next year's wage negotiations. Ken figures that even if the machines have proved a little less than 18% accurate, they could reduce spurious city allegations and trim months off normal bargaining time. Polygraph manufacturers told Ken to try next February because their stock is depleted and they presently have a heavy back order from "progressive" police command officers who are performing sentry duty at locked roll call room doors, busy checking if all the troops have hats on, and tabulating the crews' moving violation totals.

Poly builders say that even though crime is increasing tremendously, most graphs are being used in conjunction with police disciplinary hearings!

(Cont. on Page 8)

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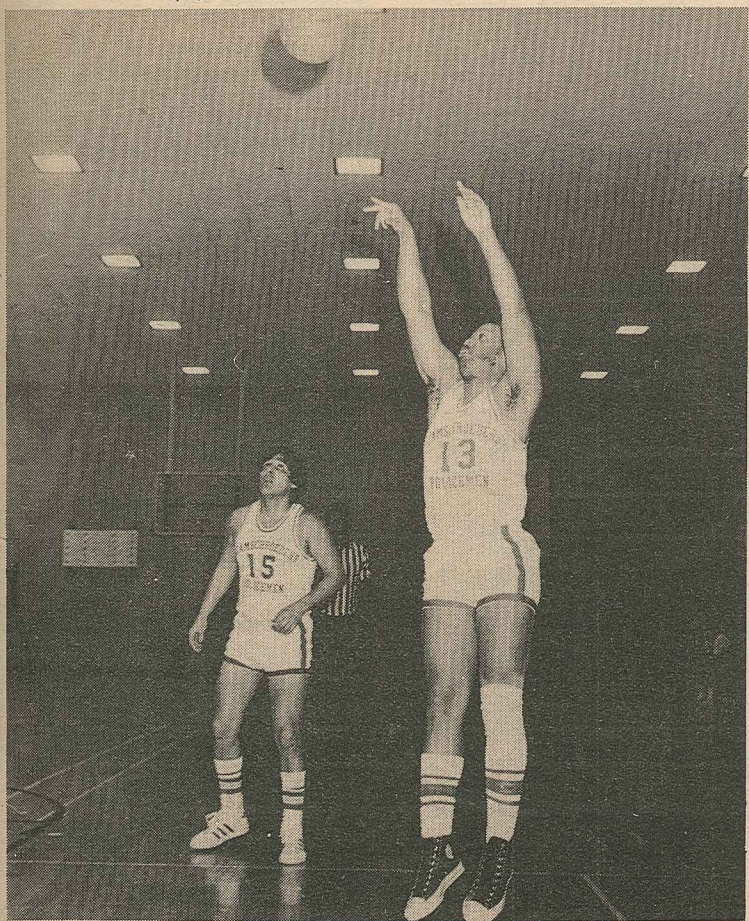
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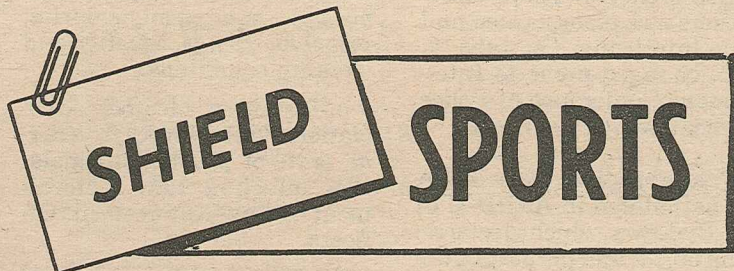
ADVERTISERS

TOLEDO POLICE WIN BASKETBALL FINALE, 69-53



John Preston goes up for two points with team-mate Pete Sifuentes looking on. (Shield Staff Photos.)

The Toledo Police Basketball team concluded their season Thursday, Feb. 20, with a 69-53 victory over Norb Wells. The well balanced team win was witnessed by fans young and old who took time to catch the action.



SIFUENTES BROTHERS IN SEMI-FINALS

By SGT. BUDDY CARR

In what is said to be a tall man's sport, two brothers — Ray and Pete Sifuentes — are in the semi finals in the Police One on One contest. Both brothers are 5'9" tall and have competed with men much taller and have survived a tough schedule. Conditioning has played a key factor in their wins. The two men who face the Sifuentes brothers are two excellent basketball players.

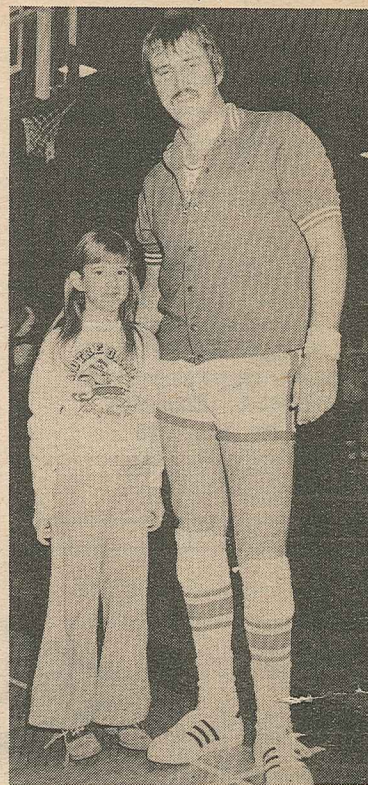
They are Corneel Grant at 6'4" and Larry Moreland at 6'3".

The contests are based on age brackets and these men are in the 21 to 32 year age bracket.

The 33 to 40 year age bracket has Ulysses Howard and Art Walker in the finals.

The 41 to — has Art Posadny and Buddy Carr in the finals.

A great deal of interest has been shown in these contests as some 60 contestants have competed.



Gary Thomas relaxes at halftime to pose with his daughter, Patty.



Posing before the opening tip - off for the Toledo Police from left to right (back row) is Mike Yeager; Gary Thomas; John Phillips; and

Dave Smith. Kneeling in the front row, from left to right, is Denny Rose; Tom VanCamp; John Preston; and Pete Sifuentes.

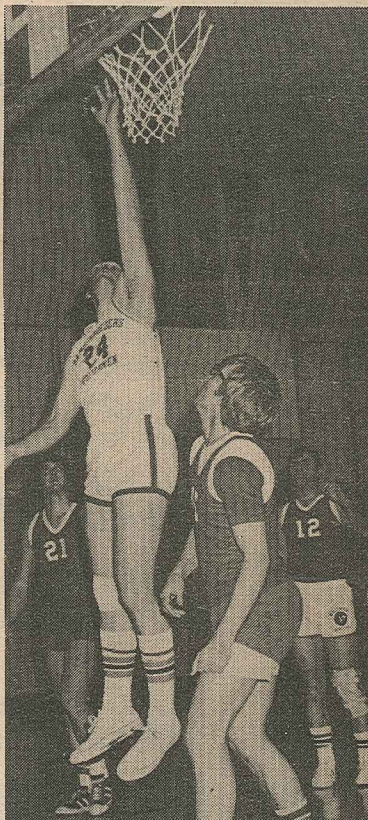
Revolver Club

By Bob Matecki, T.P.R.C. President

The Toledo Police Revolver held a meeting Jan. 29 at the F.O.P. hall with 4 new members present. The new members are; John Stanko, Paul Berning, Bill Palmer, and George Early.

Many questions have been raised as how a match is run and I will give you a little run-down of the procedure.

Any cal .38 or .38 sp or 357 magnum may be used with barrel length not to exceed 6", trigger pull not less than 2½ lb., no magnum or high speed ammo is allowed with wadcutter ammo either hand loaded (Cont. on Page 8)



Two points via the tip-in is accomplished by John Phillips for the Police.



Denny and John Rose watch their father, Dennis, in action for the Toledo Police with mixed emotion as they are embraced by their mother during the first half of activity.

World's Industrial Tournament Is Goal For Police Softball Team

By PATROLMEN GARY THOMAS AND ROGER REESE

Last year the Toledo Police Softball team participated in the Lucas County Industrial Division at the Recreation Center. Our league (Appalachia League) consisted of such teams as LOF, Richards Chevrolet, Libbey Glass, Gas Company, Post Office, Teledyne, and DeVilbiss. Our record was 10 wins and 12 losses, and we finished in a tie with Teledyne for fifth place. Of our 12 losses, five games were by three runs or less. We also participated in several tournaments throughout the season. We went to Dayton, Ohio, in June to participate in the Na-

tional FOP Softball Tournament only to get rained out. Later in the season, we went to a police tournament in South Bend, Ind., and finished with two wins and two losses. We also played in the Metro (Industrial) Tournament at Detwiler Park and we won two and lost two. The highlight of our season was at McCarthy Field when we defeated the Fire Department 19-11 in the first game and 13-12 in the second game. So, our total record was 16 wins and 16 losses.

This year, we have higher hopes in that we have several new players who have indicated that they are going to play with our team. Three of these officers are regarded

among the best in the city. They are: Bill (Gimpy) O'Hair, Dennis (Bogie) Rose, and Gary (Sweet Pea) Dunn. With these players and our last year's team, we feel we have a fine nucleus to represent the Toledo Police. Our dream this year will be going to the world's industrial tournament which was held in Virginia last year.

Last year, our leading hitter was Jim (Serpico) Calipetro with a .449 average. Our only representative on the all-star team was Tom (Beans) Van Camp who played in 21 games and only committed one error. Willie (Cakes) Holmes tied for the home run lead with five

(Cont. on Page 8)

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History

(Cont. from Page 5)

neapolis, Washington, D.C., and the States of New Jersey, New York and California responded.

• In April of 1954, with the above mentioned organizations as a nucleus, the National Conference of Police Associations was incorporated and came into being. On July 12, 1965, changed name to International Conference of Police Associations.

• The objectives of the ICPA are best stated in Article II of the By-Laws which declares: "The object and purpose of the Association shall be to collect, study, standardize, summarize and to disseminate factual

data for the purpose of promoting the professionalization of the police service, and to stimulate mutual cooperation between law enforcement agencies."

a. To elevate the standards of policing throughout North America.

b. To assist Member Associations in achieving the best possible equipment, salaries, pensions, fringe benefits and working conditions.

c. To assist Member Associations with respect to federal, state or provincial legislation affecting Law Enforcement or Law Enforcement Officers.

d. To provide a vehicle through which Law Enforcement Officers may collectively speak on matters affecting Law Enforcement.

• It is our contention that when the standards of recruiting, training, and integrity of the police services, along with the salaries and benefits and working conditions, have advanced to their proper strata in our society, then, and only then, will some of our objectives be realized.

• The attainment of our objectives are only possible through the coordination and cooperation of all participating police organizations, and with the efforts of these organizations properly channeled through a central clearing house, where individual desires will be subjugated, and the wishes of the members will prevail.

Valentines?

(Cont. from Page 6)

Officers Nowak and Pack, Selective Enforcement (Unit #610) completed the holiday gift giving. Chet gave Jim an autographed copy of the latest Polish - English dictionary and Jim gave Chet a confederate gift certificate for 2 boneless Southern fried chicken orders at the plantation of his choice!

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Revolver Club

(Cont. from Page 7)

or factory loads being used. Shoulder, crossdraw or clam shell holsters are not allowed. Loading is done from the competitors pocket, ammo pouch or loop holder.

At the beginning of each stage the gun must be holstered and no part of the shooters hand may be touching it before the signal to fire.

Course of five (Times include reloading):

Stage A - 12 shots time 25 seconds (7 yards) 12 shots double action point aim or below eye level.

Stage B - 18 shots time 90

Tournament

(Cont. from Page 7)

and Bernie (Turtle) Moss finished with five wins and five losses in the pitching department. Some of the other players are: Doug (Taco Kid) Roscoe, Dave (Froggy) Swantek, Bob (Mini) Maxwell, Frank (Polish Prince) Zalewski, Gary (Big Guy) Thomas, Charles (Budweiser) Overmeyer, Tom (Harpo) Gulch, Mike (Midget) Goetz, and Roger (Roadrunner) Reese.

We are now in the process of planning and making decisions for the coming season. We've had several policemen who have indicated they would like to try out for the softball team. Any member of the police department who is interested, just drop a note to either Gary Thomas, Denny Rose, or Roger Reese.

We would like to thank our three faithful supporters for attending many of our games: Chet (The Jet) Wolf, Dale (Put it in - There) Woods, and our most ardent fan Chief Corrin McGrath. And, many thanks to our two coaches Gene (Casey) Holas and Andy (Red Head) Douglas. Finally, thanks to the FOP and the TPPA for their financial support.

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seconds, (50 ft.) 6 shots kneeling double action w/o use of barricade, 6 shots left hand, double action from behind the barricade, 6 shots right hand double action from behind the barricade.

Stage C - 6 shots time 12 seconds (50 ft.) 6 shots standing w/o use of the barricade single or double action one or two hands may be used.

Stage D - 24 shots time 2 min. 45 sec. (50 ft.) 6 shots sitting s/a or d/a, 6 shots prone s/a or d/a, 6 shots left hand from behind the barricade s/a or d/a, 6 shots right hand from behind the barricade s/a or d/a.

In the near future the revolver club will be having some practice shots with the time, date and location to be posted.

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Dear Subscriber:

After you receive your March edition of the Toledo Police Shield, it will require a renewal of your subscription in order to keep you on our mailing list, unless you have already sent in your check after Nov. 30, 1974.

If you are now a paid subscriber and receiving a copy of the Shield through the mail, the Toledo Police Patrolmen's Association asks for your continued support by renewing your subscription for only \$3.00 per year.

Some of you may have questions concerning the renewal program. Please call our Shield office between 9 a.m. - 5 p.m., if you have any questions about your subscription.

The Police Patrolmen's Association and members of the Shield staff thank you for your past support of the Toledo Police Shield and their advertisers.

The Police Shield hopes to make many new friends and readers and we hope to get our community involved by inviting you to send us any inquiries or opinions, you may have concerning the Patrolmen's Association, our current crime situation in the Toledo area, or any topic you may wish to discuss.

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Oregon P.P.A. First With Auxiliary

The Oregon, Ohio Police Patrolmen's Association is the first reported Ohio Union of Patrolmen's Associations to form a ladies auxiliary unit.


The unit has elected officers with Darleen Beals, President; Rosalyn McCawley, Vice President; Pam Beck, Secretary - Treasurer; Helen Mohr, Sgt.-at-arms, and Darlene Steedman as Chaplain.

Barbara Zuelke will be the speaker at the March meeting of the auxiliary.

Several events are being planned by the group, and announcement of an activities schedule is expected to be released by the Oregon Auxiliary in the near future.

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As We See It
(Cont. from Page 1)

One interesting point is that a ballot was passed among the Cleveland Patrolmen to determine whether or not there was a representation election held with the Fraternal Order of Police to determine a bargaining unit once and for all. An overwhelming majority of them answered to the affirmative and a representation election is being sought. Even two officers of the Cleveland F.O.P. who attended the dinner felt that separation of patrolmen and command should be made for negotiating purposes.

The election is now being sought and it should be an interesting one. The entire group of patrolmen that we talked to in Cleveland are predicting a substantial majority in favor of the C.P.P.A. representing the patrolmen of that city.

All members of the Toledo Patrolmen's Association should make every effort to attend the meeting of Thursday, March 20 at the T.P.P.A. Hall. I had the opportunity to discuss a number of issues with Edward J. Kiernan, President of the International Conference of Police Associations, our International Union, and will relay this information to you.

Also attending the Cleveland meeting were Harry Broadway, Ohio Union of Patrolmen's Associations President, and members of the Shield staff.

Political Action Unit Seeks Data

By Tom Purcel

Any officer having first hand knowledge of very positive or extremely negative actions by our trial judges are requested to submit this data to the Political Action Committee via the T.P.P.A. box. Please give a brief description of the facts of the case, the date of the trial, name of the judge, identify the parties involved, and disposition of the case. Carefully note all extenuating circumstances.

The data will help determine our public recommendations for the best qualified personnel for upcoming judicial elections. Extreme cases may even be printed in their entirety in the Shield.

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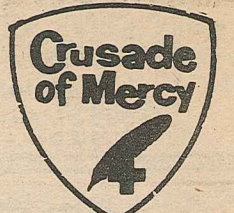
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Morrissey's Corner

(Cont. from Page 4)

much bearing these editorials have on them since these same News Medias will be endorsing candidates in the next elections?

We as policemen have a freedom denied us that is unbelievable. This is the freedom to live any where in America like any other American citizen. We served in the American Armed Forces, we pay American Federal Taxes, and we are called American Citizens when we travel to foreign countries. Why then, can't we live any where in America?

Question

What is a conservative?

Answer:

It's a Liberal that's been mugged.



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Myth

(Cont. from Page 3)

thorized strength because of the attractiveness of working in such departments.

Why not create other levels of entry into a police profession? For example; the medical profession has many levels where all walks of life and minorities can fit themselves in by ability. There is no challenge in the courts as to the system of the medical profession. Presently, there are many different functions in police agencies which are mechanical in nature . . . undemanding duties which consume a large part of the officers time. If progress is to be realized in achieving professional stature, there must be a separating of functions so that those of a purely ministerial nature are performed by persons of lesser talents receiving compensation commensurate with the job. The recruitment requirements in these different levels can be of a lesser degree.

If the police sincerely want professional recognition, they must afford professional status to their sworn officers. They will not stimulate the interest of the college graduate unless the tasks are more rationally separated among different classes of officers and opportunities are provided for the qualified to confront the most difficult law enforcement problems. Although other factors, such as compensation bear heavily on the ability to attract qualified applicants, none bears as heavily as the professional opportunity available to the recruit.

Can law enforcement be recognized as a true profession? The answer is "yes". The task of doing so is catastrophic.

In this geographical area, this was the impossible dream of two dedicated pioneers in law enforcement training; the late Major Charles Roth, of the Toledo Police Department, and Chief Ross Enright, of Perrysburg, O. They knew that education and training was the step toward professionalism; also that it was not enough, but was a step forward. Their impossible dream is possible!

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By Tom Purcel

At present the education committee is busy trying to learn how to make main campus courses more compatible with the police shift work schedule. We are attempting to effect changes in the grad and under grad teaching schedules.

We are also concentrating our efforts on reducing the L.E.E.P. grant waiting list (62 police officers @ last count) and having some input on the subject matter of courses offered in the Law Enforcement field. We will keep you posted on any progress, but in the meantime keep your handcuffs crossed.

Who Was That Guy?

Anybody noticed those dramatic art signs announcing the T.P.P.A. monthly meetings lately? Unless you have a white cane, they're awfully hard to miss. Those graphically descriptive signs done in horrendous colors are taped to the walls and bulletin boards throughout the safety building.

The identity of the mystery painter can, at long last, be revealed. It is none other than our own Officer W.F.P. Rowan (4 initials?), also known lovingly in the police ranks as Will's!

Tom Purcel

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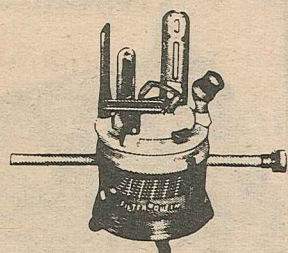
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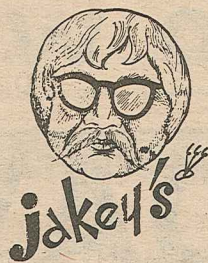
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Polygraph Tests

(Cont. from Page 2)
ability of the examiner, which the cross examination process would reveal.

In the past several years there has been a limited trend in some federal and state courts to allow polygraph evidence to be admitted even without stipulation. (See *United States v. Hart*, 344 F. Supp. 522 (E.D.N.Y. 1971; See also *United States v. Ridling*, 350 F. Supp. 90 E.D. Mich. 1972) (*United States v. Dioguardi*, Crim. No. 71-1102 (E.D.N.Y. 1972) not officially reported; See also the following state court decisions: *State v. Watson*, 115 N.J. Super, 213, 278 A.2d 543; *Hudson Cty. Ct.* 1971; *People v. Cutter*, 12 Crim. L. Rep. 2133 (Cal. Super. Ct., Nov. 6, 1972);

Nonetheless, by and large, most trial courts and appellate courts still adhere to the basic view of not allowing polygraph evidence to be admitted into judicial proceedings. On the other hand, use of such polygraphs in internal police disciplinary hearings has been held to be a different matter. Many police departments, contrary to the general rule of inadmissibility, have allowed polygraph results to be admitted into internal hearings. One court sanctioned such usage in *Chambers v. Board of Fire and Police Commissioners of City of East St. Louis*, 312 N.E. 2d 842, 1974. In this case, the Illinois Appellate Court held that competent polygraph evidence can be admitted as evidence in such an internal hearing. The court conditioned this admissibility on the presence of a qualified examiner who would then be present at the hearing for full cross examination. As an unfortunate consequence of cases like *Chambers*, most police departments appear to overlook the "technical" inadmissibility of polygraph evidence and continue to allow such evidence to impair the total regard for due process of law in departmental hearings.

Many policemen and police associations have fought

vigorously to overcome this due process deficiency and have used some unique safeguards to overcome this problem. One such vehicle of protection has been the use of a Police officers Bill of Rights, this latter protective route is discussed in the final section.

E. Conclusion

The cases discussed in this article lead to a rather finely drawn set of legal guidelines for polygraph usage in police disciplinary action. Summarized below is the substance of these guidelines:

1. A police officer who is ordered to take a polygraph must do so (at risk of losing his job for failure to cooperate) so long as the questions are narrowly drawn and relate only to the matter investigated and so long as he is not required to waive immunity from prosecution.

2. The right to remain silent cannot be invoked when involuntarily confronted with a polygraph examination, however, anything said under such circumstances cannot be used against the officer in a subsequent criminal prosecution, unless immunity is voluntarily waived by the officer.

3. The officer is not generally entitled to have legal counsel present during the polygraph examination process.

4. The results of the polygraph examination are not admissible in court, or administrative hearings. A limited few, but not all, courts allowing such tests results to be admitted in intradepartmental disciplinary hearings.

In order to correct these due process abuses, as seen above, brought about in large part by lie detector usage, many police associations have been successful in having language inserted in their collective bargaining agreements by which the polygraph usage has been significantly limited. A good example of such restriction is seen in the Bill of Rights portion of the contract entered into between the City of Toledo and the Toledo Police Patrolmen's Association, Inc. (Article 6-5-6, subsection L) which provides in part that:

"In the course of an Internal Affairs investigation, substantial corroborative evidence must exist to warrant giving a Patrolman a polygraph examination. If in the course of an internal investigation a Patrolman has been given a polygraph examination, such examination shall not be used in any subsequent criminal court action."

Another example is the Bill of Rights for the Santa Ana, California Police Department, which relative to the polygraph usage reads (Section 3.0):

"No member of this Department shall be compelled to submit to a polygraph examination, on a complaint, without corroborating evidence in a noncriminal matter, unless the complaining party is requested and submits to a poly-

graph examination beforehand. Should the complainant refuse or fail the examination, the member will not be asked or compelled to submit to the examination. If the complaining party passes the examination, showing truth in his complaint, or if there is sufficient corroborating evidence, the Chief of Police may order the member to submit to the examination. Failure to comply can become the basis for termination for insubordination."

The police departments of Providence, Rhode Island and San Francisco have similar such rights in restricting the usage of polygraph tests. It is sufficient to state at this point that much yet has to be done to correct the utter disregard for due process that characterize various police echelons in the disciplinary process. The implementation of the Police officers Bill of Rights has helped correct the problem somewhat.

However, uniform state legislation is necessary at this stage by which any state or governmental organization should be required to follow in precise fashion the rules of evidence that apply to state courts.

By use of legislation in this manner, polygraph evidence would be generally excluded in most administrative hearings, including police department disciplinary hearings.

Legislative reforms of this nature some in effort to stress the very nature and essence of the administrative hearing. Often rights are lost or held in balance in such hearings that far exceed rights that may be lost in a court of law. Rendering this process of administration with more formality will help significantly the due process problem that has all too often plagued most governmental agencies.

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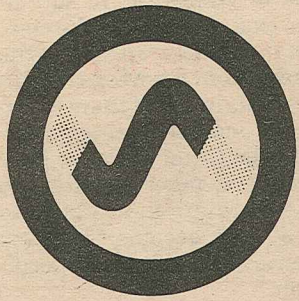
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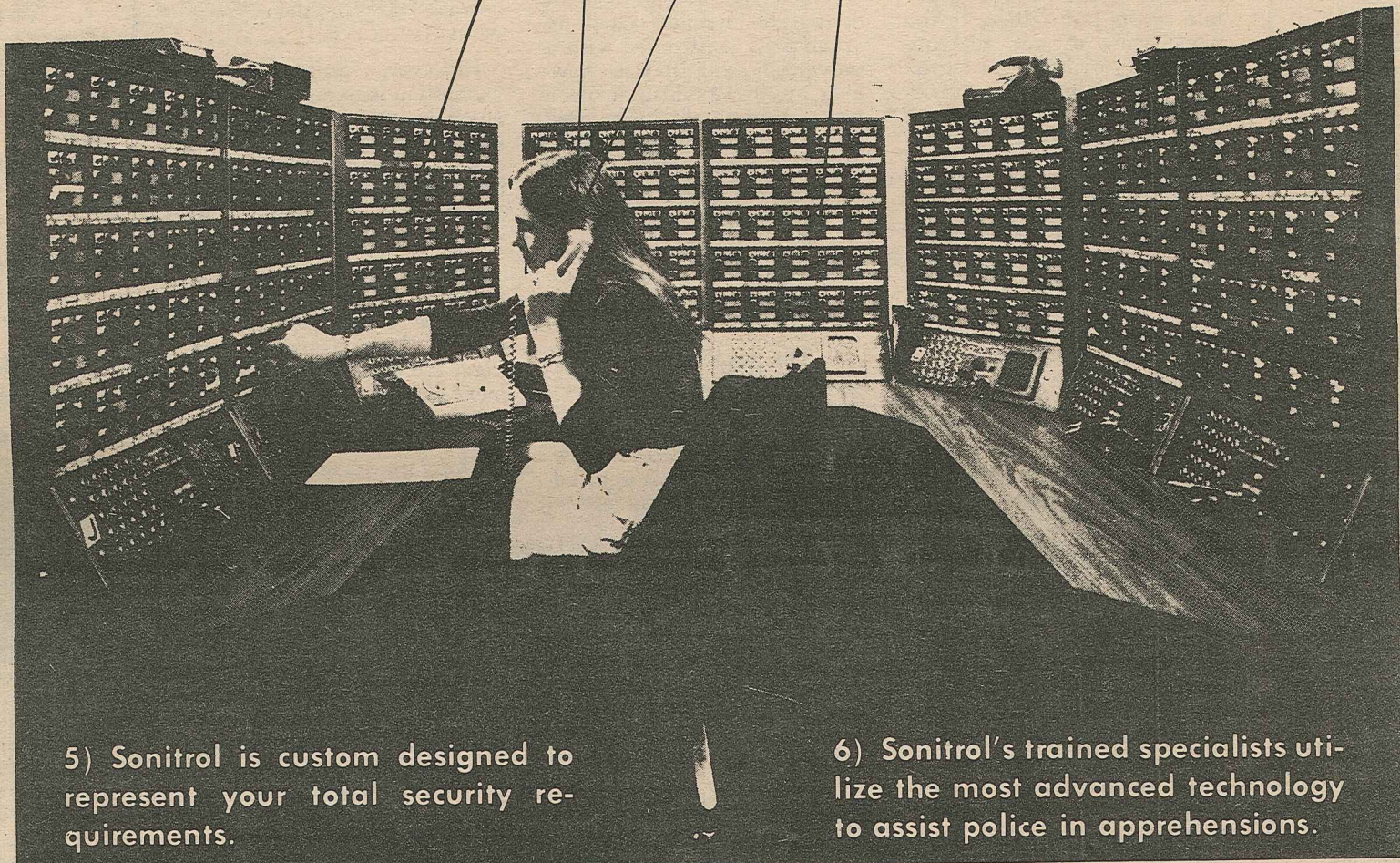
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