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TOLEDO, OHIO

OCTOBER-NOVEMBER, 1976



President Ford recently signed H.R. 366, the Public Safety Officers' Benefits Act of 1976, establishing a new Federal program to provide benefits to the survivors of State and local policemen and firemen killed in the line of duty.

Edward J. Kiernan, President ICPA, Robert D. Gordon, Secretary-Treasurer, ICPA, Ordway Burden, 100 Clubs, Jack Hawkonsen, First Vice President, ICPA, President Ford, Honorable Hamilton Fish, N.Y., Arthur Kassal, Joseph Goldring, Vice President, ICPA.

Standing left to right, in front of The White House with the signed bill is:

STATEMENT BY THE PRESIDENT

I have recently signed into law H.R. 366, the Public Safety Officers' Benefits Act of 1976. This law establishes a new pro-

gram providing for the payment by the Federal government of a \$50,000 death benefit to the survivors of any State or local public

safety officer who loses her or his life as a result of injuries sustained in the line of duty.

I fully recognize that no amount of money can fill the void left when these brave officers make the supreme sacrifice in pursuit of their duties. The least the Federal government can do is to assure that their dependents have adequate financial assistance to see them through their difficulties.

The signing into law of this bill is a solemn action by a grateful people and their government. It demonstrates the esteem of a free society for those of its members entrusted with public safety.

While it is important that the survivors of public safety officers who die in the line of duty be provided for, it is infinitely more important that steps be taken to avoid unnecessary death or injury to those who protect our safety. This is why I have pledged that a top priority during the first 100 days of my next Administration will be devoted to rallying the American people behind the legislative proposals I have submitted to the Congress so that the Federal government may better do its part to reduce crime in the United States.

It is with great pride and pleasure that I have signed this act into law.

The new law would:
—Establish within the Law Enforcement Assistance Administration an entirely federally funded death benefits program.
—Authorize payment of a \$50,000 death benefit to the survivors of State and local "public safety officers" who have died "as the direct and proximate result of a personal injury sustained in the line of duty." Eligible "public safety officers" would include all persons serving with or without compensation as law enforcement officers (e.g., police, corrections, probation, parole, and judicial officers), or as firemen.
(Continued on page 3)

NO PROGRESS

Bargaining representatives of the Toledo Police Patrolmen Association met with city negotiators, in a preliminary Labor Management Citizens Committee hearing with Louis Thomson, LMC Executive Director; and Harry E. Weber, Federal Mediation and Conciliation Service. The meeting was held due to the present impasse in bargaining between the city administration and the police union, representing some 500 plus members of the Toledo Police Department.

A full panel hearing of the Labor Management Citizens
(Continued on page 19)

Toledo Patrolman; Prosecutor Persevere in Rape Prosecution

A Toledo patrolman played an integral role in prosecution of a rape case in which the defendant had been ordered released by a municipal judge on the basis that the 10 year old victim of the rape attempt was incompetent to testify.

Toledo Police Patrolmen Association member, Ed Fugate answered a call from a neighbor at a downtown location where a child was at home alone and reportedly "screaming" in the house. Patrolman Fugate answered the call and hearing the noise, broke down the door to apprehend a nude suspect attempting to disrobe the screaming girl on a couch.

The suspect is out on bond from an additional rape charge on a 23-year-

old woman and is awaiting trial on that charge. Judge Carl Gabriel, at the pretrial, dismissed the case saying the ten-year-old girl was an incompetent witness because she at first answered "No" when asked if she knew the difference between the truth and a lie.

Patrolman Fugate, armed with pictures of the girl who had been bitten on the face, the prosecutor and the girl's parents asked to withdraw the charge in the court and went to the grand jury. The girl was questioned along with Patrolman Fugate and a charge of attempted rape was brought against the man, with an increase in bond.

Patrolman Fugate was com-

mended by the prosecutor for his perseverance in correcting what would have been a judicial blunder.

Representatives to meet Daley

CHICAGO—Representatives of eight police organizations met with Mayor Daley to present requests for pay increases and other benefits.

Police representatives are expected to ask pay increases of up to 12 percent.

Again this year police representatives are expected to ask for the right to engage in collective bargaining through union negotiations.

Until recently, Daley adamantly opposed unionization of police, but in the last few weeks he has wavered slightly, leading observers to believe that a police union may be on the way, though perhaps not this year.

Pose as Fences; Fool colleagues

ATLANTA — With \$64,000 in Federal money, Georgia police bought 19 automobiles, six pickup trucks and 1700 other items ranging from diamond rings to a check-writing machine — all of them stolen. They also arrested nearly 100 persons in a "fencing" operation so convincing that even police sometimes couldn't tell cops from crooks.

The arrests came in a rush in the Atlanta and Savannah areas. Another 160 persons were being sought. It was in the two areas that Federal, state and local agents spent six months convincing thieves they were tough, experienced criminals.

The burglars were convinced enough to sell the fences about \$1.5 million worth of stolen merchandise

— for only about two-thirds of the \$100,000 provided by the Federal Law Enforcement Assistance Administration. The burglars weren't the only ones convinced.

When officers of the suburban Atlanta area, DeKalb County police force kicked in the door of one undercover agent's home base, they weren't just trying to make it look good. They arrested the agent and thought they had broken a fencing ring.



TOLEDO POLICE

REVOLVER CLUB HIGHLIGHTS

BY BOB MATECKI, PRESIDENT

At the September meeting held at the Sun Oil Gun Club, new officers were voted in. The officers elected to office are as follows:

President — Robert Matecki (Past President)

Vice-President — Robert Ahrens (Past Vice-President)

Secretary — Don Rodgers

Treasurer — John Sanko

Range Officer — Andy Carrol
Sgt. at Arms — Paul Berning

As President I would like to welcome the new officers to their new positions and will work with all to help our club function.

The Revolver Club New Years Party which will be held at the Local 1058 Union hall at 5255 N. Detroit from 9 p.m. to 2 a.m. will be a huge success. A committee for the party was formed with the following serving on the committee.

Bob Matecki, Bob Ahrens, Don Rodgers and Andy Carrol.

The price of the new years party was set at \$20.00 per couple which includes hats, noise makers, set ups, beer and with a buffet lunch being served. Tickets are being printed and will be passed out to members.

I might mention the New Years Party was a sell out in past years when the Cav Club put them on. A thanks to the members of the Cav

Club for letting the Revolver Club take charge of the function. NO TICKETS WILL BE SOLD AT THE DOOR. Make your plans early.

A good number of T.P.D. officers are taking advantage of some good shooting at the Perrysburg P.D. range (in door). The winter league is now under way with officers from various departments across the state participating. If you missed the first shoot you still can get signed up. We would like to see more TPD cadets take advantage of this in order to improve their shooting at the range. I might add application cards are being printed for the Revolver Club and we hope they will be in our hands soon.

Have A Nice Day
Bob Matecki



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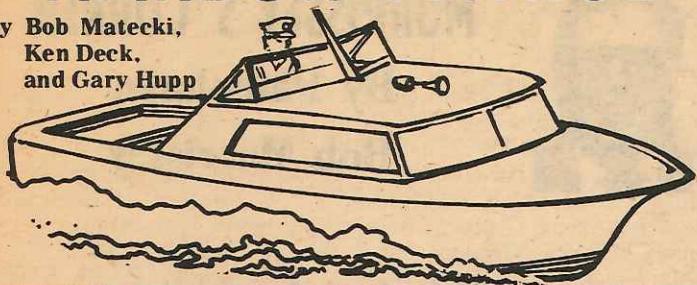
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HARBOR PATROL

By Bob Matecki,
Ken Deck,
and Gary Hupp



As our boating season draws to a close and we cover our various boats preparing for old man winter the officers on the T.P.D. Harbor Patrol would like to say thanks to all who helped make

the summer of 1976 a very safe boating season.

As the colder weather comes upon us we would like to have you, the boater, become aware of the danger of exposure. Each year thousands of boatmen require assistance in some form ranging from a simple mechanical breakdown to the tragic loss of a vessel and all passengers. Such losses or discomfort probably would not have occurred if the boatman had been able to alert someone to his predicament. He did not have a distress signaling device, or he did not know how to make a recognized distress signal.

Do not take distress signals lightly. They may indicate that a craft is out of fuel, that a crew member is sick, or the craft is sinking. Inexperienced boating

enthusiasts and others may see distress signals, but they may fail to recognize them or they ignore them.

Identifying a distress signal is not enough. When you recognize a distress signal, you should act positively and immediately to render help. The distress signal could be a false alarm — or it could be an urgent call for help. Old Albert Albatross, the Coast Guard Search and Rescue prophet, would certainly verify that one "save" is worth all the false alarm efforts. A distress signal of any kind works only if someone is around to see it or hear it. Conserve your signals until you are reasonably sure of being detected. Wait until you see or hear a vessel or aircraft before you ignite a flare or use any "one-time" device.

Some distress signals are using your required orange distress flag, waving your arms, using a mirror on a sunny day the mirror will reflect an equivalent of 8 million candlepower; flashes from a mirror have been seen up to 40 miles away by an aircraft, smoke and dye markers (good for up to 12 miles), flares (with much caution), flying of the American flag inverted (upside down), use of lights (flashing), use of sound devices (horns, guns, etc.), electronic (radio and beacon devices).

When in distress, the idea is to get help and get it quickly. Any means of signaling, if it works, is a good signal. A proper recognized distress signal will improve your chances of early detection. As a last resort in time of distress, the use of any means, device, or equipment is an authorized signal. May you never need to use the various signals but if you do we hope the above information is helpful.

LAW OFFICES OF
MONROE G. MARKS

25350 CHAGRIN BLVD. #104
CLEVELAND, OHIO 44122

October 11, 1976

Chief of the Toledo Police Dept.
Toledo Police Department
Toledo, Ohio

Re: Harbor Patrol

Dear Sir:

It's with a great deal of pleasure, and with deepest gratitude that I write to you saying "Thank You". On Saturday, October 9, 1976, very late in the afternoon, a very, very dense fog settled over the Toledo Harbor and surrounding Lake Erie area. Marvin Elrad (Cleveland), Jerry Goodman (Lorain) and I were bringing Mr. Goodman's boat from Cedar Point for storage at Brenner Marine. We suddenly became enveloped in the most impossible fog.

Without going into detail on the severity of the fog, I wish to advise that the men manning your Harbor Patrol Boat meant the difference between our reaching a port that night and risking a night anchored out until the fog lifted. They were courteous, kind and certainly patient and courageous. Although we never saw their faces or learned their names, please tell them that the three men aboard the Cabin Cruiser "Goodies" said "thank you". It's a pleasure to know we still have men dedicated to their work, as those men obviously are.

Very truly yours,

Monroe G. Marks

MM:JR

HIGHLIGHTS OF H.R. 366

(Continued from page 1)

—Provide that death benefits be in addition to any other benefits to which the decedent's survivors would be entitled, except that they would be reduced by payments made under (1) the Federal Employees Compensation Act (FECA) to State and local law enforcement officers for injury or death resulting from apprehending persons suspected of committing Federal crimes

or (2) the District of Columbia's statutorily authorized death benefits' program for police and firemen.

—Bar payment of the benefit if the public safety officer's death was the result of his or her intentional misconduct, suicidal act, or voluntary intoxication, or the actions of a potential beneficiary.

—Authorize "such sums as may be necessary" for each fiscal year.

The Department of Justice has estimated an annual Federal cost of \$19.3 million.

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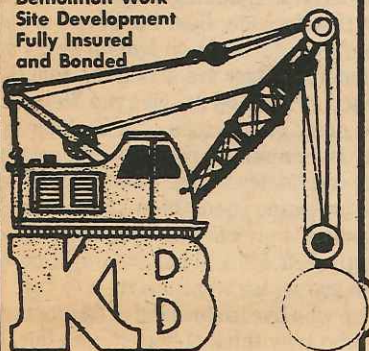
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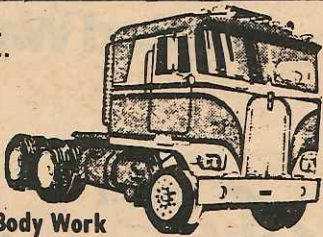
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Wolf Has New Image

The following article appeared in the Detroit Police Patrolmen Association newspaper, the Tuebor.

With the current trend in today's courts favoring the criminal instead of the victim, the story certainly shows a lot of fact and thought.

ONCE UPON A TIME a little girl called Red Riding Hood was taking a basket of fruit to her grandmother, who lived alone in a forest cottage.

A wolf lurking nearby wanted the goodies for himself so he killed and ate grandma, dressed in her nightgown and jumped into bed to await the little girl.

He tried to grab her, but she ran screaming from the cottage.

A woodcutter heard her cries, rushed to the rescue and saved her life by killing the wolf with his axe. The townspeople proclaimed the woodcutter a hero.

But, at the inquest, several facts emerged:

- 1) The wolf had never been advised of his rights.
- 2) The woodcutter had made no warning swings before striking the fatal blow that killed the wolf.

3) The Civil Liberties Union stressed the point that although the act of eating grandma may have been in poor taste, the wolf was, after all, only "doing his own thing."

4) The Students for a Democratic Society contended that the killing of grandma should be regarded as self-defense, since the wolf was trying to make love, not war.

On the basis of these considerations, the woodcutter was indicted for aggravated assault with a deadly weapon.

Several nights later his cottage was burned to the ground.

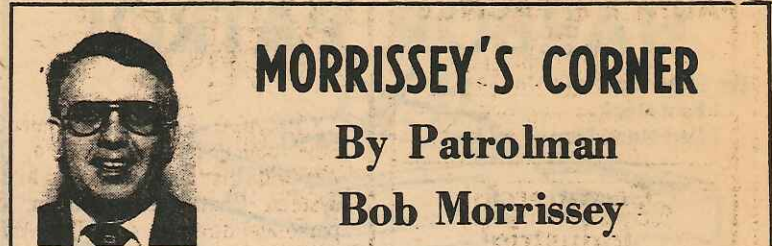
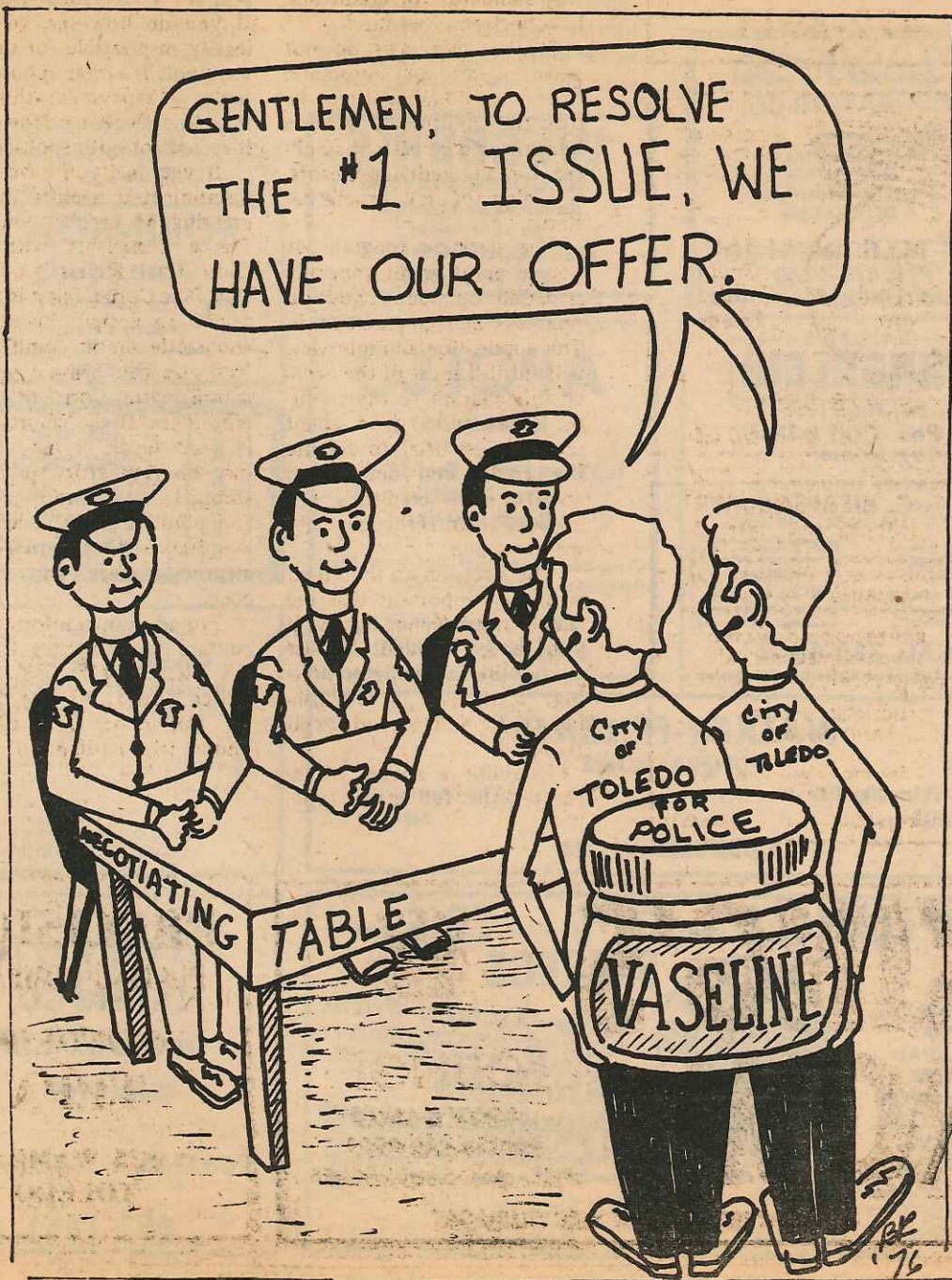
One year from the date of the "incident at grandma's" her cottage was made a shrine for the wolf who had died there.

All the village officials spoke at the dedication, but it was Red Riding Hood who gave the most touching tribute.

She said that, while she had been selfishly grateful for the woodcutter's intervention, she realized in retrospect that he had indeed overreacted.

As she knelt and placed a wreath in honor of the brave wolf, there wasn't a dry eye in the entire forest.

Anonymous



MORRISSEY'S CORNER

By Patrolman
Bob Morrissey

What a shame

November 2nd. Election day. I, unlike millions of other American voters went into a voting booth, pulled the curtain and saw the numerous selections of candidates running for office. There was the Presidency of the United States, a spot for a Congressman, State Representative, State Supreme Judgeship, Common Pleas Judgeship, County Commissioner, and numerous other issues which I was going to have a say in who was going to fill these posts, and how our tax dollars were going to be spent. It gave me a wonderful feeling to see democracy being practiced right before my eyes. This wonderful feeling was short lived when I realized there was no space on that board in front of me with the Office of FEDERAL JUDGE OF THE UNITED STATES on it. I thought to myself I was voting for men who tomorrow could make a decision which could end the world with nuclear war. A judge which could change the laws of the state of Ohio. County Commissioners which would be entrusted with millions of our tax dollars. Common Pleas Judges who would be overburdened with a large work load to be honest and fair in their decisions. As I thought about this, it just could not register in my mind: "WHY WE CAN'T VOTE FOR THE POST OF FEDERAL JUDGE"? If I can vote for a man who would be responsible for making the decision of dropping a Hydrogen bomb and possibly destroying the world with this decision, then I believe I should have the right to vote for a man which makes decisions on federal law. I am under the opinion that some of these federal judges are acting the role of a Judicial Dictator in the land of Democracy. (Please let me give you Webster's description of a Dictator and see if you don't get the idea.) "A Dictator is a person invested with absolute authority and unlimited power over a country or state". I would like to have heard the candidates for the Presidency of the United States say they were going to do something about this matter. It would have been interesting to hear their comments on whether they were for or against Federal Judges being elected into their office. I believe it is time we start writing letters to our congressman stating we want the right to vote in Federal Judges. Let the American citizen, who lives in the land of Democracy, practice his right to place the person, who they think is honest, and fair, to draw judgement on them and their peers. It would be a wonderful sight the next time you go into that voting booth, pull the curtain, and see on the large board in front of you, "FOR FEDERAL JUDGE OF THE 6th DISTRICT," DONALD YOUNG or DAN RUFF. Seeing this I would believe, at this time, America was ONE HUNDRED PERCENT DEMOCRACY. It sure would be a wonderful feeling pulling that little lever down for you know who!

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LOTTERY HIRING

CHICAGO — The city will hire 200 new police officers from a 1975 eligibility list according to a lottery system, Charles A. Pounian, city personnel director, said Wednesday.

Pounian said 550 persons listed as "well qualified" on an eligibility list of 1,091 were ranked from 1 to 550 in June.

The ranking, which means the order in which they will be hired, was done by a lottery of the last six digits of their Social Security numbers, Pounian said.

Permission to hire the 200 police recruits was given when Prentice H. Marshall, federal judge, lifted his

quota hiring order of November, 1974, from the Chicago Police Department.

Under that order, 600 new police officers were hired by the city on a ratio of 42 percent white males, 42 percent black and Spanish-surname males, and 16 percent female.

Marshall said the city now could hire police officers according to the sexual and racial makeup of the 1975 eligibility roster.

That roster is composed of 50.2 percent white males, 25.8 percent black and Spanish-surname males, and 23.9 percent women.

Marshall said the new hiring "should go forward in the ratios that have resulted from the (1975) selection process."

Pounian believes the lottery system of hiring will produce ratios that closely match the 1975 eligibility roster. The names of the first 200 on that list will be posted soon in the city personnel office on the ninth floor of City Hall, he said.

Pounian said all the 550 "well qualified" persons probably would be offered jobs soon, but some city attorneys said it could be three years before all the 1,091 on the list are offered jobs.

Your Ohio Laws by Attorney General William J. Brown



Mary and John had been married for more than 30 years when John died suddenly. In addition to her other problems, Mary's refrigerator suffered a final breakdown. Mary went to the local appliance store and selected a new refrigerator. But when she tried to make credit arrangements to pay for her purchase, she discovered that her credit rating had been buried with her husband because she had failed to establish any credit in her own name.

Unfortunately, Mary's situation is more the rule than the exception. Although many minority groups have experienced discrimination relating to credit, women, particularly those widowed, separated or divorced, seem to be a prime target of this sort of discrimination.

Two new laws are designed to help people, and particularly women, gain their equal rights in regard to credit. The federal Equal Credit Opportunity Act and the Ohio credit law prohibit discrimination on the basis of sex or marital status for all aspects of credit transactions. They further prohibit discrimination in advertising and other dealings with respect to prospective customers, in setting standards for credit and in collection procedures.

While these laws do not make credit an automatic right, they do make it mandatory for creditors to apply a uniform and consistent standard for all credit applicants, regardless of sex or marital status.

The decision to grant or not to grant credit generally is based on sound business practices and credit analysis. The application and interview will furnish most of the needed information to the creditor. However, a good credit rating is essential to acquire the credit you desire. Remember, the creditor's primary concern is that the debt will be repaid.

The decision to use credit is a very important one and should not be made lightly. If you have decided to use credit, the following pointers may assist you in establishing credit and a good credit rating:

*Establish a source of income, either full or part time.

*Request, in writing, that the local credit bureau separate your credit file from that of your spouse. Many women who are widowed, separated or divorced discover that they are unable to obtain credit because their credit history was in the name of their husband.

*Open a checking or savings account in your name, even if you already have a joint account with your spouse. These accounts may help you when applying for other types of credit.

*Apply for a single-purpose credit card, such as gasoline or a department store in your own name. Be sure to have your own account number. If you do not, your payment records may be credited to your spouse's credit file and not yours.

*When using credit, pay your bills promptly to establish a record of reliability in repayment of debts.

*Use an installment plan to pay for the purchase of a car, furniture, or major appliance. You may need a co-signer initially, and you will have to pay an interest charge which would not be incurred on a cash purchase, but this may help you to establish a credit rating for future use.

*You do not have to co-sign for your spouse's debts. If you do however, you are legally responsible for the repayment. If either spouse defaults on repayment, this fact may be reflected on the credit records of both spouses.

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For additional information contact the Attorney General's ERA Law Project, State Office Tower, 30 East Broad St., Columbus, Ohio 43215; phone: (614) 466-8240.

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CONCLUSION of House Bill 1010

Sec. 742.37. The board of trustees of the police and firemen's disability and pension fund shall adopt rules for the management of such funds and for the disbursement of benefits and pensions as set forth in this section.

(A) Persons who were receiving benefit or pension payments from a police relief and pension fund, established under section 741.32 of the Revised Code, or from a firemen's relief and pension fund, established under section 521.02 or 741.02 of the Revised Code, at the time the assets of such fund were transferred to the police and firemen's disability and pension fund, as provided by section 742.26 of the Revised Code, shall receive benefit and pension payments from the police and firemen's disability and pension fund in the same amount and subject to the same conditions as such payments were being made from such fund on the date of such transfer.

(B) A member of the fund who, pursuant to law, elected to receive benefits and pensions from a police relief and pension fund, established under section 741.32 of the Revised Code, or from a firemen's relief and pension fund, established under section 741.02 of the Revised Code, in accordance with the rules of such fund governing the granting of benefits or pensions therefrom in force on April 1, 1947, shall receive benefits and pensions from the police and firemen's disability and pension fund in accordance with such rules, provided that such a member of the fund who is not receiving a benefit or pension from the fund on the effective date of this SECTION may, upon application for a benefit or pension to be received on or after the effective date of this SECTION, elect to receive a benefit or pension in accordance with the provisions of division (C) of this section.

(C) Members of the fund who have not elected to receive benefits and pensions from a police relief and pension fund or a firemen's relief and pension fund in accordance with the rules and regulations of such fund in force on April 1, 1947, shall receive pensions and benefits in accordance with the following provisions:

(1) A member of the fund who has completed twenty-five years of active service in the police or fire department of a municipal corporation or a fire department of a township and has attained fifty-two years of age may, at his election, retire from the police or fire department, and upon notifying the board in writing of such election, shall receive an annual pension, payable in twelve monthly

installments, in an amount equal to two per cent of his average annual salary for the three years during which his total annual salary as a member of said police or fire department was the greatest multiplied by the number of years he was in the active service of such department, or an annual pension of sixteen hundred fifty dollars, whichever amount is the greater. Such annual pension shall not exceed sixty-six per cent of the member's average annual salary for the three years during which his total annual salary as a member of said police or fire department was the greatest.

(2) A member of the fund who is permanently and totally disabled as the result of the performance of his official duties as a member of a police or fire department of a municipal corporation or a fire department of a township, shall be paid annual disability benefits until death, payable in twelve monthly installments, in an amount equal to sixty-six per cent of his annual salary for the last year he was in the active service of such police or fire department.

(Continued on page 11)

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Dear Inspector: I've recently read of the lay-off of police officers in a

number of large cities. My concern is that we are also short of police personnel and that we are also short of police personnel and that our city is not adequately protected. Could you reassure me on this matter?

Answer: Oh gosh, gee whiz. Really for sure. For heavens sakes, of course there is adequate police protection. Why just last night I personally observed the entire midnight shift as they patrolled the city as it slept. What really amazed me was how they were able to fit all 11 of them in both patrol cars.

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Dear Inspector: We are going to visit our nations capital this summer and would like to know what would be the best means of travel. Also, what would you suggest we wear?

Answer: We consulted both our travel authority and our fashion editor for this one. Answer #1--A Brink's armored truck, Answer #2--A bullet proof asbestos suit.

Dear Inspector: It is true that a ring of perverts has been hanging around the entrances of the cities large hospitals attempting to sell pictures of young women in the nude?

Answer: It is a real coincidence that you should ask about this incident. You will be happy to hear that this writer has ordered the immediate arrest of all persons involved in this most fiendish operation. You can imagine my surprise and shock when I opened my plain manila envelope and found that all of the intimate poses were x-ray shots.

Dear Inspector: Do your intelligence sources reach far enough to allow you to have knowledge of the

latest foreign sale of arms by our government? This may stump you. **Answer:** Well, it was rumored around diplomatic circles this week that the Polish Navel Attache was in Wahington during the month of June to negotiate the purchase of a number of ships. He is said to have paid our government an undisclosed sum of money, reported to be in gold, for the following ships: The U.S.S. Arizona, the SS Lusitania, the S.S. Titanic, and the S.S. Abdria Doria.

Dear Inspector: I'm an avid Police Radio listener and the other night I could have sworn I heard the following conversation: "Dispatcher to Unit 99. Wipe off your windshield, someone is stealing your radiator cap." Could you check on this? Signed, Courious.

Answer: We checked our tapes on this day and found that you were, as we expected, mistaken. The tapes revealed the following: "Dispatcher to Unit 98. Wipe off your windshield, someone is stealing your radiator cap."

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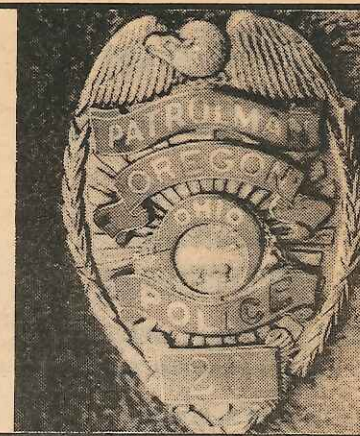
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News from the

Oregon Police Patrolmen's Association

Richard Hackett, President and Editor



THE GOOD GUYS LOSE AGAIN

By John R. Kachenmeister

On January 13, 1976, at 12:05 A.M., a citizen called the Oregon police dispatcher to report that the Clark station near his home was being broken into. According to the police radio log, the call was put out to crews at the same time, 12:05. The first unit arrived on the scene at 12:10, five minutes after the call came in. The culprits were already gone, however.

The investigating officer obtained a description of the suspects and their vehicle: four juveniles in a white over orange Pinto hatchback. He put the description out over the air, in the hope that other units would see the vehicle and apprehend the suspects. This broadcast was at 12:21 A.M.

At 1:13 A.M., 42 minutes after the description was broadcast, another Oregon unit observed a white over orange Pinto operat-

ing on a street about two miles from the Clark station. A second unit, hearing the radio message regarding the stop, moved to assist the officer. The original officer, as he approached the driver, observed the fruits of the crime, several cases of pop and some potato chips, on the rear deck of the Pinto. The driver had no license.

The second unit arrived on the scene, and the two officers, (All units that night were one-man units), separated the suspects and interrogated them individually. All gave at least partial admissions of guilt in the break-in. The suspects, all juveniles, were then taken to the police station where each gave fuller admissions of at least some of the activity, and one suspect confessed fully, giving complete details of the incident.

Two of the four juvenile suspects were transported to CSI and lodged there because even as late as 5:00 A.M. the officers were unable to locate the parents or responsible guardians of the 17-year-old burglars.

So far, it looked like a "good pinch." A description of suspects was quickly put out, an alert officer made an important stop, and others worked well as a team to secure admissions from the suspects, even after the "Miranda Warnings." Some, although not all, of the stolen property was recovered and returned to the owner.

While each of these motions alluded to an important legal principle essential to a free people, in the light of the actual facts of the case to call the challenges "nit-picking" would be too complimentary.

The decision from Chief Juvenile Referee Fulop: Charges against the one defendant who had the public defender were dismissed.

Charges against the other three were disposed of "Unofficially" in separate hearings.

A word here about the record of the juvenile whose case was dismissed. He had prior arrests for, among other things, Carrying a Concealed Weapon, Auto Theft (2 separate cases) and a prior Breaking and Entering. The statement given the police by the co-defendant who confessed fully implicated this suspect as the one who put the others up to the break-in.

Next time you come out of the theatre to find your car window smashed and your CB radio stolen, and the next time your place of business is burglarized, the next time your child's ten-speed bicycle is stolen, the next time your wife's purse is stolen, remember this article, and accept it as a partial explanation of why the same offenders victimize re-

(Continued on page 9)

A Matter Of Justice

By RICHARD HACKETT

Seeing the editorial about the Area Municipal Judges getting around the mandatory sentencing for drunk driving convictions, I was struck by the similarities to the court in which my fellow officers and I work.

There have been many instances when a repeat offender has been brought before the court to be found guilty and then given the minimum sentence or no sentence at all. Persons have been arrested for not appearing in court and the judge sets the appearance bond so low that the subject has no incentive to show up and usually doesn't. In the case of drunk driving, if the breathalyzer test has a result of less than 13 (the amount for being under the influence by state law is defined as anything above .10) the officer no matter what dept. he works for will find it difficult

to get a conviction. Also in a recent case of drunk driving this judge handed down a directed verdict to dismiss it before it even went to the jury and when asked about it later he had no comment. Incidentally when the jurors were polled privately they stated they would have convicted him and the jurors were very surprised and disappointed by the judge's actions.

Being no expert at judicial process, I know the judge is the last person between the criminal and society and he is entrusted to protect the public by keeping these individuals off the street or commit them to some sort of effective rehabilitation. A violation of that trust is a serious breach in the organization of society that has far reaching effects. If an individual cannot live up to that responsibility then he should leave the task to somebody who can.

WATCH YOUR MOUTH

by Bob Kitley, WOHO news

Reading John R. Kachenmeister's "suburban problem" in the September issue of The Police Shield started me thinking about radio procedures and how they are viewed by those outside the police community.

Having been on both sides of the police radio with the past seven years as a reporter listening to the monitors of various agencies I can understand some of the frustration an officer feels when he is cut off by someone wanting to check out a license plate or make a coffee stop.

I, and I'm sure many others in the area, can tell you a great deal about an officer after hearing his radio traffic. I can also tell you a great deal about a department after listening to their daily radio traffic.

Some officers grab the mike the second they arrive at the scene of a call and want the dispatcher to lead them to the problem. Others can take an address (many times only an approximate one) and handle the call without additional radio traffic. Some officers are capable of handling just about anything that is tossed at them while others don't seem to have the ability to handle a dog bite call.

One small community in the area with only two patrol cars is constantly on the air checking out at this location or that one for trivial purposes. Other departments in the area spend a great deal of time checking out at various restaurants, a couple of them using a different code for each place thinking they are fooling someone. And then these same officers take their portable radio inside so they can listen to their dispatcher. That in itself is

a good indication of their intelligence.

Unnecessary radio traffic, in this reporter's estimation, is a sign of weak leadership and poorly trained officers. It is understandable in the small departments where the money and the man-power ratio to the workload is poor.

Kachenmeister complained about a particular incident when the Oregon crew was attempting to get a direction of flight on a subject and were constantly cut off by a Lucas County unit wanting a registration run. I was listening that morning and after some sharp comments by the deputy in the county unit directed at the Oregon officers, my conclusion . . . he is an ass and I would never want that man as a back up on any type of call. A person like that obviously doesn't have an ounce of common sense.

At some point in time, that same deputy may well be in trouble, trying to call for help and be blocked by another unit wanting to check out for coffee. I would smile and say, "serves him right" but for the fact that it could happen to many fine officers before it happens to that jerk.



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GOOD GUYS

(Continued from page 8)
peatedly the taxpayers that pay for their attorneys.

In court, however, it was a different story.

The juvenile's public defender attorney, at our first appearance, made several motions against the wording of the affidavit, that resulted in a continuance to re-file the charges of

breaking and entering. This meant that the gas station owner, the citizen-witness who called, and two officers had come to court for no good reason at all.

At the next appearance, several weeks later, the public defender made three motions:

1. That the stop of the Pinto, which resulted in the arrest of the suspects, was illegal. The defense held that a "general description" that is, without a license number, is not sufficient probable cause to deprive a citizen of his freedom to drive about the streets at night. The philosophical basis for this is that

it is better in a free society to permit a few criminals to escape justice than to sacrifice the freedom of everyone. A noble principle, to be sure, but if the Pinto that night had not been the suspects, and the stolen articles not been in the car, and the operator had had a license, the only freedom that would have been sacrificed would have been five minutes while an explanation was offered. I know of no citizen, even the most liberal and anti-police, who would take offense at that minor delay, after being advised of the circumstances.

2. That the jurisdiction of the Juvenile court had not been established in the affidavit. It is necessary, in any affidavit, to establish that the offense is one that the court has jurisdiction over. In most cases, this is territorial, and you must show that the crime took place within a given court district. In Juvenile court, you must show that the offender was under age 18 at the

time of the offense. The defense's motion in this case was based on the fact that, while the suspect's age, 17, was on the affidavit, his date of birth was not.

3. That the defendant was not properly notified of the charges against him. It stands to reason that a defendant cannot possibly prepare a defense against charges that he is not aware of. Because of this principle of jurisprudence a system of providing formal written notice of charges has been incorporated into law. The defendant, through his attorney, was provided with a copy of the amended affidavit, after it

was re-filed due to defense motions at the first hearing. Unfortunately the juvenile prosecutor's office has a "staff" of only one secretary, who was quite busy at the time; so the prosecutor himself typed the new affidavit. The wording was correct, but he had made a typographical error on the section number, striking the wrong number key. Therefore the wrong section number appeared at the bottom of the complaint. That, according to the defense, constituted "Failure to properly notify" and hampered their ability to competently defend the accused.

Crime In The Streets

By CHARLES E. McCAWLEY

During the past decade crime has soared possibly as much as three hundred per cent. The reason being that crime has become a very profitable profession. The chances of a criminal being apprehended are practically nil and if apprehended the law breaker feels that the chances against him receiving any harsh punishment is in his favor, and he's right.

Politicians and Top Ranking Police Administrators, at all levels of Government, have stressed the importance of removing the mugger, rapist, robber, burglar, and the killer from the streets of our country. These people have been instrumental in appropriating billions of our tax dollars for various programs which were meant to deter crime in the streets, all to no avail. These tax dollars were wasted on sophisticated machines, computers, radios, and even colored coded police reports.

Who is to blame for the lawlessness of today? The citizens feel the Police are not doing their job, the Police feel the Courts are to blame, the Courts feel someone else is to blame, and the blame for increasing crime is

pushed from one group to another.

In all honesty the Citizenry is to blame, you and I have allowed crime to run rampant. We have not made it explicitly clear to our elected officials (National, State, and Local level) that we are sick and tired of the lawlessness in our Cities. We must express our desires upon the Supreme Court Judges that we the honest citizen also have our rights. We must express our desires upon the National and State Politicians that the local government is capable of restoring law and order and we are tired of big government interference.

If Law and Order is to be restored there are at least five steps that will have to be implemented: 1) Adequate Police Personnel, 2) Adequate Police Prosecutors (who will be able to prosecute rather than plea bargain), 3) Elect the Judges who will sentence the criminal so that they will learn to respect the law and the rights of others. 4) Adequate incarcerating facilities, and 5) Adequate Parole & Probation Officers who will not allow the hardened criminal to walk the streets.

These steps can be implemented without further cost to we the tax payers by channeling the monies appropriated to be spent on sophisticated programs by the Federal Government into the local governments who will then be able to effectively put a stop to crime in the streets.

If and when these five steps are implemented Law and Order will be restored. This is not going to happen today or tomorrow but in years to come it will once again be safe to walk the streets unmolested.

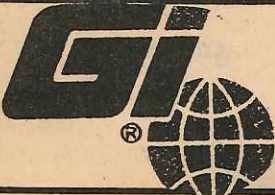


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TOLEDO FIRE DIVISION

BY
LT. H. MIDDLETON

Past issues of THE SHIELD have carried articles written by a former member of the FIRE DIVISION that were both informative and interesting. The Police and Fire divisions have both made many personnel changes including promotions and new employees who might not be aware of some of the lesser duties and routines of our respective divisions. I would like the opportunity to bring to light some of these duties and routines of the Fire Division.

At most fire calls, we of the Fire Division must make decisions and take actions according to the particular situation at hand. This is as much a part of our training as it is with Police Division training. There are still basic actions that must be taken regardless of the situation or the magnitude of the fire incident.

It is no secret that manpower is a determining factor as to how much can be accomplished at a fire and we as firemen realize this fact. It is also a fact that the greater the magnitude of the incident, the greater is the need for additional manpower.

At the majority of fire incidents our greatest need of the police is traffic and crowd control. In years past, the procedure of the responding police crew was to drop one man at the corner of one end of the block with his partner then driving to the corner at the other end of the block thus controlling traffic on the entire block where the building or buildings are involved. This method has proven very satisfactory for our traffic needs.

The problem of crowd control at the actual scene is somewhat more complicated. It is natural for the onlookers to want to get as close as possible not realizing that more equipment may be called in by the Chief in charge of the fire. Besides being endangered by his incoming equipment, there is the possibility of explosions, live electrical wires, fire personnel carrying ladders

and other equipment, and the stretching of hoses. For these reasons it should be apparent that crowd control is of equal importance.

One of the myths believed by the public and also many police officers is that it is alright to drive over a fire hose as long as there is no water in it. The reasoning is understandable although it could not be farther from the truth. The fire hose used by the TFD is a double jacketed fabric fused over a rubber lining. A vehicle passing over this hose will not only break down the rubber lining but can cause the jacket to separate from the rubber, thus causing weak spots in the hose. The danger of a vehicle running over a charged fire hose can not only cause the hose to burst but it can pull apart at couplings. The sudden intermittent surges of pressure can damage pumps, equipment, or injure nozzlemen. There is no doubt that there are occasions when it is imperative that vehicles must pass over fire hoses. When this occasion arises, vehicles should avoid actual contact with hose couplings even if it is necessary to alight from the vehicle and move it. There are numerous occasions on record where hose couplings have caught between dual wheels and shipped or drug fire hoses. The dangers of this situation is readily apparent.

With the permission of THE SHIELD staff, I hope to submit additional articles concerning the duties of the Fire Division with the hope that a framework of cooperation and coordination can be established between our divisions.

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H.B. 1010

(Continued from page 6)

(3) A member of the fund who is partially disabled as the result of the performance of his official duties as a member of a police or fire department of a municipal corporation or a fire department of a township, and such disability prevents him from performing those duties and impairs his earning capacity, shall be paid monthly disability benefits in an amount to be fixed by the board. The board may increase or decrease such monthly benefits whenever the impairment of the member's earning capacity warrants an increase or decrease, but in no event shall a monthly benefit paid to such member exceed fifty per cent of his average monthly salary for the three years during which his total annual salary as a member of said police or fire department was the greatest. Each such member who has completed twenty-five or more years of active service in the department shall receive annual disability benefits, payable in twelve monthly installments, in an amount equal to two per cent of his average annual salary for the three years during which his total annual salary as a member of said police or fire department was the greatest multiplied by the number of years he was in the active service of such department, or an annual disability benefit of sixteen hundred fifty dollars, whichever amount is the greater. Such annual disability benefit shall not exceed sixty-six per cent of the member's average annual salary for the three years during which his total annual salary as a member of said police or fire department was the greatest.

(4) A member of the fund who is disabled as a result of heart disease, which disease or any evidence of which disease was not revealed by the physical examination passed by the member upon entry into the department, is presumed to have incurred the disease while performing his official duties as a member of such department unless the contrary is shown by competent evidence.

If such disability prevents the member from performing his official duties and impairs his earning capacity he shall be paid annual disability payments in accordance with the provisions of division (C) (2) or (3) of this section.

A member of the fund who applies for disability benefits as a result of heart disease not revealed by the physical examination passed by the member upon entry into the department shall be EXAMINED BY THREE PHYSICIANS; ONE OF WHOM SHALL BE designated by the municipal corporation; another of whom shall be designated by the board of trustees of the police and firemen's disability and pension fund and the third who shall be selected by the other two previously designated physicians. Each examining physician shall submit a written report of his findings to the board.

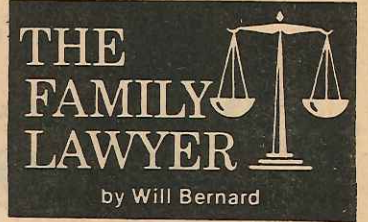
(5) A member of the fund who has completed five or more years of active service in the police or fire department of a municipal corporation or a fire department of a township and has incurred disability not caused or induced by the actual performance of his official duties as a member of such department, or by his own negligence, and such disability prevents him from performing his official duties as a member of the department, and impairs his earning capacity, shall receive monthly benefits in an amount to be fixed by the board. The board may increase or decrease such monthly benefits whenever the impairment in the member's earning capacity warrants an increase or decrease, but in no event shall a monthly benefit paid to such member exceed two per cent of his average monthly salary for the three years during which his total annual salary as a member of said police or fire department was the greatest multiplied by the number of full years he was in the active service of the department, or fifty per cent of such average monthly salary, whichever amount is the smaller.

(6) A member of the fund who has served fifteen or more years as an active member of the police or fire department of a municipal corporation or a fire department of a township and who voluntarily resigns or is discharged from such department for any reason other than dishonesty, cowardice, intemperate habits, or conviction of a felony, shall receive an annual pension, payable in twelve monthly installments, in an amount equal to one and one-half per cent of his average annual salary for the three years during which his total annual salary as a member of said police or fire department was the greatest multiplied by the number of full years he was in the active service of the department. Such pension payments shall not commence until the member has attained the age of fifty-two years and until twenty-five years have elapsed from the date on which he became a full-time regular policeman or fireman in the department.

(7) A member of the fund who has completed fifteen or more years of active service in the police or fire department of a municipal corporation or a fire department of a township, and who has attained sixty-two years of age, may retire from the department and, upon notifying the board in writing of such election to retire, shall receive an annual pension, payable in twelve monthly installments, in an amount equal to two per cent of his average annual salary for the three years during which his total annual salary as a member was the greatest, multiplied by the number of years he was in the active service of such department. Such annual pension shall not exceed sixty-six per cent of the member's average annual salary for the three years during which his total annual salary as a member of the department was the greatest.

(8) A member of the fund who has completed twenty-five years of active service in the police or fire department of a municipal corporation or a fire department of a township and who resigns or is discharged from such service before he attains fifty-two years of age may leave the sum deducted from his salary on deposit

(Continued on page 13)



Privileged Parking

George saw red when he encountered a PARKING BY PERMIT ONLY sign on a county parking lot. Defiantly, he left his car in an empty stall. But sure enough, he got a ticket.



Instead of paying the fine, George carried the matter to court.

"They hand out permits to county employees only," he complained. "How come they rate over the ordinary taxpayer? After all, this lot is publicly owned property. Discrimination against the public is unconstitutional."

However, the court turned down George's argument and ordered him to pay up. The court said convenient parking for county employees was a reasonable means of insuring good service to the community.

This is the usual attitude of the courts—that offstreet parking facilities, owned by the government, may lawfully be limited to government employees only.

Some courts have even upheld privileged parking on the street as well. In another case, only city-owned vehicles were allowed to park on the street alongside the local courthouse. This too was upheld in a court test.

"Efficient operation of the government," said the court, "requires that automobiles be available for the constant use to which they are put by the employees of the city."

On the other hand, favoring one group of private citizens over all others may indeed be unconstitutional. For example:

A new city ordinance provided that parking on residential streets would henceforth be restricted to persons actually living on those streets. This ordinance, when challenged in court, was struck down as invalid.

Finding no governmental needs at stake, the court said this was unfair discrimination, catering to specific homeowners over everyone else in town.

An American Bar Association and Ohio State Bar Association public service feature.

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By Patrolman Bill Kendrick

LET THEM REST IN PEACE

To talk of grave robbing or body snatching in our society is not only distasteful but highly taboo. But like it or not, it has occurred and is still happening in some parts of the world today. And why? Well, for a number of reasons. Superstition, fear, religious beliefs and, of course, profit to name a few. But if we are to be objective and look deeper into this most macabre activity, we will have to step back a few paces.

We are sure that grave robbing was a well established enterprise long before the Egyptians came upon the scene. It would appear that these people were totally obsessed with the subject of death and dying so it is understandable that they should take such elaborate precautions to safeguard the bodies of those who were about to make the big trip to the next world. Some of the pyramids were constructed so as to secret the tombs of the dead. Some had elaborate tunnel systems that were complex in their design. Dead falls, sliding passageway doors, cryptic symbols and dead end pathways were some of the methods used to deceive those that would enter the sacred resting places of the noble ones. It is said that when one of the pharaohs was planning his tomb, he had 500 slaves involved in the construction. After the project was completed, all of the workers were slain so that his resting place would remain a secret. There were other means of guarding against those that would enter the tombs. Poisonous snakes were often placed next to the body. Another method was to lay the personal arms of the deceased with him so he could defend himself against looters and robbers. And, of course, who has not heard of the "curse of the mummy"? It is interesting to note that when anthropologists began to explore the Egyptian Pyramids in the middle 19th cen-

ture, they found extensive looting of both the large and complex pyramids and the simple burial grounds. Evidence revealed that this desecration had dated back 3000 years and as recently as a few months before they had begun their investigations.

It was inevitable that the "con" man would somehow get into the act and try to make a buck in this business. Take for the example the most enterprising of individuals who was the original medician show entrepreneur. Bitumen, or mineral pitch, was once used by the early Egyptians in the process of embalming. Vital organs were removed and bitumen took their place. These mummies lie undisturbed for many centuries until about 1300 A.D. It was then found that the bitumen was a healing agent for wounds and bruises. "Mummy", as it was called, was prescribed by many physicians. After a time, for various reasons, the supply of "mummy" ran out.

This gave a group of unscrupulous persons the opportunity to make a fast buck by manufacturing "Mummy". Bodies of criminals who had been sent to the gallows were purchased from all the prisons; and those who had died from the most loathsome diseases were taken from the cellars of the hospitals.

Vital organs were removed from the bodies and bitumen was stuffed into the head, trunk, and limbs. This done, the bodies were bound up tight and placed in the heat of the desert sun. After a few weeks, the body took on a tanned

leather appearance of an old mummy. It didn't take long for the local governor to hear of this unethical practice. These sharpies were quickly thrown in prison and fined 300 pieces of gold. This greatly hampered the "Mummy" trade and it soon died out completely.

Although it was people like this that gave grave robbing a bad name, there were still those who were doing a service to mankind and, of course, making a buck on the side. One example would be the people who were mentioned in Mary Shelley's classic, "Frankenstein". In order to create his "being", the good doctor had to depend on the grave robbers to supply him with the necessary parts. These spare parts or "choice cuts" as the supplier had referred to them, were graciously obtained and delivered at a price. Although it was common knowledge that this type of transaction was taking place to supply medical students with cadavers, it was officially ignored. It is certain that Shelly's book did more than expose a ghoulish if not profitable activity. It might also be mentioned that her book may have awakened medical authorities to a more practical method of physiological and anatomical examination.

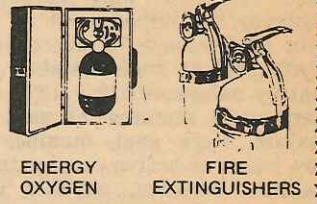
Over the centuries a variety of methods have been devised to protect the bodies of the dead from unnecessary abuse. Some cultures used cremation while others buried at sea. As was common with the Egyptians, the bodies were mummified. There have been cultures that preserved the bodies and kept them in their homes. The most well

known of the methods of protection of the dead are the catacombs. This practice was common in the U.S. until the middle of the 19th century. Many churches in New York City had their own catacombs where the dead were kept. This practice was discontinued for obvious reasons. Even today in Sicily, the dead are buried in caverns and visited regularly by devoted relatives.

As previously stated, religious beliefs, ignorance, and fear have been strong motivators in burial practices. It should be noted that modern day laws are on the books that protect the dignity and sovereignty of those who have

passed on to another world. However, strong superstitions and beliefs have been brought into our society and will be with us for many years to come.

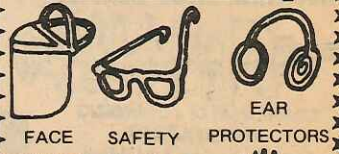
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INTERVIEW

by Ray Samberg

EXCLUSIVE INTERVIEW with a Water Dept. employee who recently was a guest for 10 days at the L.C.J. Ranch located on Jackson and Spielbusch in downtown Toledo. All expenses paid for by Lucas County citizens.

Interviewer: Mr. S., what can you tell us about your accommodations at our Toledo landmark?

Mr. S.: Since I enjoy antiques, I liked it. Did you know that the building is 102 yrs. old?

Int.: Very interesting. Is there anything you can say about the decor there?

Mr. S.: Well... as closely as I can describe it, I would say it might be classified as early Bastille.

Int.: I see. What can you say about the security there?

Mr. S.: Excellent! Did you know that for my protection, the security people insisted that I stay within the confines of the building, so as not to expose myself to the crime that goes on in our streets?

Int.: Very thoughtful of them. How did you relate to the other guests?

Mr. S.: Some of the language was atrocious! For some reason

they continually referred to each other as perpetrators of maternal incest.

Int.: I understand. But surely, you must have heard some pleasant language.

Mr. S.: The words that seemed to cause the most joy were "Bunk and Junk".

Int.: Can you tell us about some of the activities you used to pass away the time?

Mr. S.: I didn't wish to be thought of as a snob, so I did my share of sweeping, mopping, and delivering food. For some reason, the social director, called "counselor", evidently did not like my work and wanted me to leave a day early. But luckily, a thoughtful judge from the domestic relations court intervened and insisted I be allowed to remain the full 10 days.

Int.: Are there any other people that you feel grateful to for this obviously rich experience?

Mr. S.: Yes. I am most thankful to my ex-wife and her attorney. I thought they would be mad at me for not having paid my alimony; but obviously all is forgiven if they and the courts allowed me the opportunity to enjoy this "slice of life".

Dear Reader: Yours truly would welcome any informative, interesting, or humorous news concerning city employees. Please address to:

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H.B. 1010

(Continued from page 11)

to his credit in the pension fund, and upon his attaining fifty-two years of age shall be entitled to receive a service pension, which shall be computed and paid under division (C) (1) of this section. If such member dies prior to the time he has received a pension payment and leaves a widow or dependent child, such widow or dependent child shall receive a pension under division (D) or (E) of this section.

(D) A surviving spouse of a deceased member of the fund shall receive a pension of one hundred sixty dollars per month during the natural life of the surviving spouse or until such surviving spouse remarries, EXCEPT THAT NO PERSON RECEIVING A BENEFIT UNDER SECTION 742.63 OF THE REVISED CODE SHALL AT THE SAME TIME RECEIVE A PENSION UNDER THIS DIVISION.

(E) Each surviving child of a deceased member of the fund shall receive a pension of fifty-five dollars per month until such child attains the age of eighteen years, or marries, whichever event occurs first, EXCEPT THAT NO PERSON RECEIVING A BENEFIT UNDER SECTION 742.63 OF THE REVISED CODE SHALL AT THE SAME TIME RECEIVE A PENSION UNDER THIS DIVISION. Benefits under this division, however, shall continue to be payable to a child under age twenty-two who is a student in and attending an institution of learning or training pursuant to a program designed to complete in each school year the equivalent of at least two-thirds of the full-time curriculum requirements of such institution, as determined by the pension board. If any surviving child, regardless of his age at the time of the member's death, because of physical or mental disability, is totally dependent upon such deceased member for support at the time of his decease, he shall receive a pension of fifty-five dollars per month during his natural life or until he has recovered from such disability.

(F) If a deceased member of the fund leaves no surviving spouse or surviving children, but leaves two parents dependent upon him for support, each parent shall be paid a monthly pension of seventy-five dollars. If there is only one parent dependent upon such member for support, such parent shall be paid a monthly pension of one hundred fifty dollars. The pensions provided for in this division shall be paid during the natural life of the surviving parents or until dependency ceases, or until remarriage, whichever event occurs first.

(G) A member of the fund who voluntarily resigns or is removed from active service in a police or fire department of a municipal corporation or a fire department of a township is entitled to receive an amount equal to the sums deducted from his salary and credited to his account in the police and firemen's disability and pension fund.

(H) On and after January 1, 1970, all pensions shall be increased in accordance with the following provisions:

(1) A member of the fund who retired prior to January 1, 1967, has attained age sixty-five on January 1, 1970, and was receiving a pension on December 31, 1969, pursuant to division (B) or subdivisions DIVISIONS (C) (1), (2), (3), (4), and (5) of this section shall have such pension increased by ten per cent.

(2) The monthly pension payable to eligible widows under division (D) of this section shall be increased by forty dollars for each widow receiving a pension on December 31, 1969.

(3) The monthly pension payable to each eligible child under division (E) of this section shall be increased by ten dollars for each child receiving a pension on December 31, 1969.

(4) The monthly pension payable to each eligible dependent

(Continued on page 16)

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FROM THE CHAPLAIN'S DESK

Father Al Ceranowski, Chaplain
Toledo Police Patrolmen's Association



The Chamber of Commerce could paint a beautiful picture of Toledo. The Toledo Patrolman could paint an ugly picture of our city. The former is called upon to sell our city to the public. The patrolman is usually called only when there is trouble to protect and serve the public.

We should never sell our city short. We have a great city. However, we must look at our metropolitan area with both eyes, that which the Chamber of Commerce sees and that which our Patrolmen see.

This is especially true of those running for office. Sorry to say this is not the case. Those seeking to return to political office show us the beauty. Those seeking a new position in office give us the ugliness. What is even sadder this is the way they act after they are elected. We need more people in public office who have both of their eyes open.

If the apathy, that we talked about last month is to be overcome, our leaders need to be awakened and removed from their beds. Let them see the city from a public relations point of view. Let them see the city from the patrolmen's point of view.

Our patrolmen have a great deal of wisdom and common sense to offer anyone who wishes to be a leader in our city. When was the last time a politician met with a group of patrolmen to really seek their advice and viewpoint? One who travels our streets day and night, one who responds to problems day and night ought to be given a chance to express his opinion.

At the present there is no revolution of the masses in our city. With things as they are a revolu-

tion will take place. Fortunately we still have a choice. We can reform things from the top down or we can wait till the pressure boils over from the bottom up.

My prayer this month is that more people running for political office would open their eyes, that we would wake up and stop voting for people with one-eyed vision, that those we elect would keep their eyes open to see our city as it really is.

May God help us all to see clearly and completely.

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LEAA Grant

Ordinance No. 750-76 was recently passed by Council authorizing the City Manager and the Commissioner of purchases and supplies to contract for an evaluation of the district Patrol Plan at a total cost not to exceed \$8,000, and declaring an emergency.

The ordinance reads:

WHEREAS, the City of Toledo has received \$350,000 from the Law Enforcement Assistance Administration for the federal grant known as the "District Patrol Plan", and

WHEREAS, the Law Enforcement Assistance Administration Regional Office has directed that, as part of the District Patrol Plan, an independent, college-based consultant be hired to develop the final evaluation and report, and

WHEREAS, the Toledo Police Division informally requested and received a proposal from faculty members of the University of Toledo, which proposal meets with the approval of the Law Enforcement Assistance Administration, and

WHEREAS, the Law Enforcement Assistance Administration has authorized an expenditure of grant funds, not to exceed

\$8,000.00, for this purpose, and WHEREAS, these funds are presently available, and

WHEREAS, grant funds must be encumbered as of November 30, 1976, or said funds revert to the Law Enforcement Assistance Administration, NOW, THEREFORE,

Be it ordained by the Council of the City of Toledo

SECTION 1. That the City Manager and the Commissioner of Purchases and Supplies be and they are hereby authorized and directed to contract, without advertising, for the aforementioned consultant services as proposed, at a total cost not to exceed \$8,000.00.

SECTION 2. That the City Auditor be and he is hereby authorized and directed to draw his warrant or warrants against Account No. 775-360 in payment of the obligation hereinabove authorized upon presentation of

proper voucher or vouchers therefor.

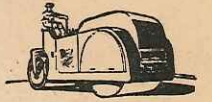
SECTION 3. That this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately from and after its passage. The reason for the emergency lies in the fact that this ordinance is necessary for the immediate preservation of public safety and welfare.

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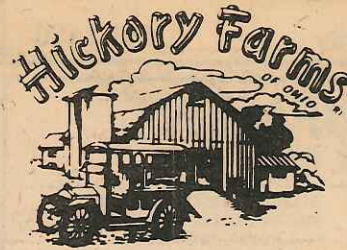
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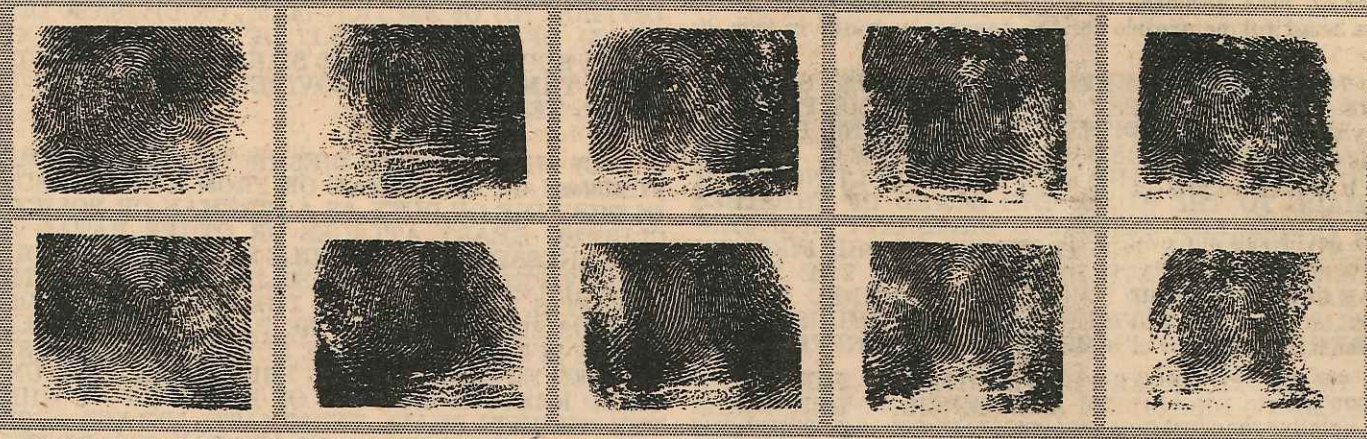
FBI No. 4,734,627

Entered
NCIC
I. O. 4688
2-10-76

ALIASES: Patrick Adams, "Pat"

NCIC: D0161615P01610131413

16 0 1 U 000
M 21 U 000 13



Photographs taken 1974



Patrick Huston

DESCRIPTION

AGE: 45, born March 5, 1930, Queens, New York
HEIGHT: 5'10"
WEIGHT: 225 pounds
BUILD: stocky
HAIR: black
OCCUPATIONS: laborer, roofer
SCARS AND MARKS: appendectomy scar, scar on right knee, surgical scars from bullet wounds under upper left arm, middle of abdomen, area of left knee, left side small of back; tattoo: "In Memory of Mom" upper right arm
SOCIAL SECURITY NUMBER USED: 121-22-4022

CRIMINAL RECORD

Huston has been convicted of burglary and robbery.

CAUTION

HUSTON IS BEING SOUGHT FOR ESCAPE AND A BANK ROBBERY IN WHICH HANDGUNS AND A CARBINE WERE USED, HE HAS RESISTED ARREST IN THE PAST WHICH INVOLVED A GUN BATTLE WITH POLICE. CONSIDER ARMED AND VERY DANGEROUS.

A Federal warrant was issued on March 19, 1975, at Brooklyn, New York, charging Huston with bank robbery and conspiracy (Title 18, U. S. Code, Sections 2113a, 2113d, 2 and 371). Huston is also being sought as an escaped Federal prisoner as a result of his escape from the Federal House of Detention, New York, New York, on March 16, 1975.

IF YOU HAVE INFORMATION CONCERNING THIS PERSON, PLEASE CONTACT YOUR LOCAL FBI OFFICE.

Identification Order 4688

C. Kelley
Director
Federal Bureau of Investigation
Washington, D. C. 20535

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H.B. 1010

(Continued from page 13)

parent under division (F) of this section shall be increased by thirty dollars for each parent receiving a pension on December 31, 1969.

(5) A member of the fund, including a survivor of a member, who is receiving a pension in accordance with the rules governing the granting of pensions and benefits in force on April 1, 1947, which provide him with an increase in the original pension from time to time pursuant to changes in the salaries of active members, shall not be eligible for the benefits provided in this division.

Sec. 742.61. THE FIREMEN AND POLICEMEN'S DEATH BENEFIT FUND IS HEREBY CREATED AS THE FUND TO WHICH SHALL BE CREDITED CONTRIBUTIONS PAID BY THE STATE, AS REQUIRED BY SECTION 742.62 OF THE REVISED CODE, AND ANY MONEYS RESULTING FROM GIFTS MADE TO THE FUND. THE BOARD OF TRUSTEES OF THE POLICE AND FIREMEN'S DISABILITY AND PENSION FUND SHALL BE THE TRUSTEES OF THE FIREMEN AND POLICEMEN'S DEATH BENEFIT FUND. THE BOARD SHALL HAVE THE SAME POWERS AS PROVIDED IN SECTION 742.10 OF THE REVISED CODE, IN ADMINISTERING THE FIREMEN AND POLICEMEN'S DEATH BENEFIT FUND.

Sec. 742.63. THE BOARD OF TRUSTEES OF THE POLICE AND FIREMEN'S DISABILITY AND PENSION FUND SHALL ADOPT RULES FOR THE MANAGEMENT OF THE FIREMEN AND POLICEMEN'S DEATH BENEFIT FUND AND FOR DISBURSEMENTS OF BENEFITS AS SET FORTH IN THIS SECTION.

(A) AS USED IN THIS SECTION:

(1) "MEMBER" MEANS A MEMBER OF THE POLICE AND FIREMEN'S DISABILITY AND PENSION FUND OR THE STATE HIGHWAY PATROL RETIREMENT SYSTEM, OR A MEMBER OF THE PUBLIC EMPLOYEES RETIREMENT SYSTEM WHO AT THE TIME OF HIS DEATH WAS A COUNTY SHERIFF OR DEPUTY SHERIFF OR WAS A CORRECTION OFFICER AT AN INSTITUTION UNDER THE CONTROL OF THE DEPARTMENT OF REHABILITATION AND CORRECTION OR WAS A STATE UNIVERSITY LAW ENFORCEMENT OFFICER.

(2) "FIRE OR POLICE DEPARTMENT" INCLUDES THE STATE HIGHWAY PATROL, A COUNTY SHERIFF'S OFFICE, THE SECURITY FORCE OF AN INSTITUTION UNDER THE CONTROL OF THE DEPARTMENT OF REHABILITATION AND CORRECTION, AND THE FIRE OR POLICE DEPARTMENT OF A TOWNSHIP OR MUNICIPAL CORPORATION AND THE POLICE FORCE OF A STATE UNIVERSITY.

(3) "FIREMAN OR POLICEMAN" INCLUDES A STATE HIGHWAY PATROLMAN, A COUNTY SHERIFF OR DEPUTY SHERIFF, A CORRECTION OFFICER AT AN INSTITUTION UNDER THE CONTROL OF THE DEPARTMENT OF REHABILITATION AND CORRECTION, A FIREMAN OR POLICEMAN EMPLOYED BY A TOWNSHIP OR MUNICIPAL CORPORATION FIRE OR POLICE DEPARTMENT AND A LAW ENFORCEMENT OFFICER EMPLOYED BY A STATE UNIVERSITY.

(4) "CORRECTION OFFICER" INCLUDES, IN ADDITION TO ANY CORRECTION OFFICER, ANY CORRECTION CORPORAL, SERGEANT, LIEUTENANT, OR CAPTAIN.

(B) A SPOUSE OF A DECEASED MEMBER SHALL RECEIVE A DEATH BENEFIT EACH MONTH EQUAL TO THE FULL MONTHLY SALARY RECEIVED BY THE DECEASED MEMBER PRIOR TO THE MEMBER'S DEATH, AND SHALL ALSO RECEIVE ANY INCREASES IN SALARY WHICH WOULD HAVE BEEN GRANTED TO THE DECEASED, PROVIDED THE SPOUSE WAS MARRIED TO THE DECEASED MEMBER WHILE THE DECEASED MEMBER WAS IN THE ACTIVE SERVICE OF A FIRE OR POLICE DEPARTMENT AND THE DECEASED

MEMBER WAS A FIREMAN OR POLICEMAN KILLED IN THE LINE OF DUTY OR WHO DIED OF INJURIES SUSTAINED IN THE LINE OF DUTY. THE SPOUSE OF SUCH A DECEASED MEMBER SHALL RECEIVE THIS BENEFIT DURING THE SPOUSES NATURAL LIFE, UNTIL SUCH TIME AS THE DECEASED MEMBER WOULD HAVE BEEN ELIGIBLE, IF THE MEMBER HAD LIVED, FOR THE RETIREMENT PENSION PROVIDED UNDER SECTION 145.33, DIVISION (C) (1) OF SECTION 742.37, OR DIVISION (A) (1) OF SECTION 5505.17 OF THE REVISED CODE, AT WHICH TIME THE BENEFIT SHALL TERMINATE. THE SPOUSE SHALL THEN RECEIVE THE BENEFIT OR PENSION PROVIDED FOR BY SECTION 145.45, DIVISION (D) OF SECTION 742.37, OR DIVISION (A) (3), (4), OR (5) OF SECTION 5505.17 OF THE REVISED CODE, OR UNTIL SUCH TIME AS THE SPOUSE REMARRIES IN WHICH CASE THE BENEFIT PROVIDED UNDER THIS DIVISION SHALL TERMINATE.

(C) IF A MEMBER DIES IN THE LINE OF DUTY AS A FIREMAN OR POLICEMAN OR FROM INJURIES SUSTAINED IN THE LINE OF DUTY AS A FIREMAN OR POLICEMAN INCLUDING HEART ATTACKS OR OTHER FATAL INJURIES OR ILLNESSES CAUSED WHILE IN THE LINE OF DUTY, AND IS SURVIVED ONLY BY A CHILD OR CHILDREN, THEN THE BENEFITS PROVIDED FOR THE SPOUSE IN DIVISION (B) OF THIS SECTION SHALL BE PAID TO THE CHILD, OR, IF THERE IS MORE THAN ONE SURVIVING CHILD, SHALL BE DIVIDED EQUALLY AMONG THESE CHILDREN, UNTIL THE CHILD REACHES THE AGE OF EIGHTEEN AT WHICH TIME THE BENEFIT SHALL TERMINATE, UNLESS SUCH CHILD, BECAUSE OF PHYSICAL OR MENTAL DISABILITY, IS UNABLE TO SUPPORT HIMSELF, THEN UNTIL SUCH DISABILITY IS REMOVED. BENEFITS UNDER THIS DIVISION, HOWEVER, SHALL CONTINUE TO BE PAID TO AN UNMARRIED CHILD UNDER AGE TWENTY-TWO WHO IS A STUDENT IN AND ATTENDING AN INSTITUTION OF LEARNING OR TRAINING PURSUANT TO A PROGRAM DESIGNED TO COMPLETE IN EACH SCHOOL YEAR THE EQUIVALENT OF AT LEAST TWO-THIRDS OF THE FULL-TIME CURRICULUM REQUIREMENTS OF SUCH INSTITUTION, AS DETERMINED BY THE PENSION BOARD.

(D) IF A MEMBER DIES IN THE LINE OF DUTY AS A FIREMAN OR POLICEMAN OR FROM INJURIES SUSTAINED IN THE LINE OF DUTY AS A FIREMAN OR POLICEMAN,

(Continued on page 17)

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Two Drugs Widely Abused

The largest study ever made of drug abuse in this country shows that two widely available legal drugs - alcohol and the tranquilizer Valium - are responsible for the greatest amount of drug-related illness, the government reported.

Both barbiturates and drugs derived from morphine - mostly heroin - are implicated in 45% of drug-related deaths in the country, reports from medical examiners showed.

This is the first time the government has collected, in one study, information on the ill effects of both legal and illegal drugs. Dr. Robert L. DuPont, director of the National Institute of Drug Abuse (NIDA), predicted it "will have a profound impact on the way the nation thinks of its drug abuse problem. It broadens the focus for drug abuse."

The information comes from the \$7 million national Drug Abuse Warning Network (DAWN) established in 1972 by the institute and the Justice

Department's Drug Enforcement Administration.

Included in the report are almost 200,000 cases of illness or deaths related to drug abuse that were reported to 2,300 emergency rooms, drug crisis centers, hospitals and medical examiners' offices in 23 metropolitan areas of the country.

They show that the big three in terms of drug abuse problems - accounting for almost one-third of them - are alcohol, Valium and heroin.

Marijuana is fourth on the list, accounting for 4% of the illness, and aspirin, used mostly in suicide attempts, ranked fifth.

Marijuana use, concentrated among persons under 19, "does not show up as an acute, severe problem compared with the other drugs," said DuPont.

As a result of DAWN data, DuPont said, federal drug enforcement priorities have shifted. He said greater emphasis has been placed on controlling heroin and barbiturates and less on marijuana.

H.B. 1010

(Continued from page 16)

AND IS SURVIVED BY BOTH A SPOUSE AND A CHILD OR CHILDREN, THEN THE BENEFIT PROVIDED FOR IN DIVISION (B) OF THIS SECTION SHALL BE APPORTIONED AS FOLLOWS:

(1) IF THERE IS A SURVIVING SPOUSE AND ONE SURVIVING CHILD, ONE-HALF OF THE BENEFIT TO EACH;

(2) IF THERE IS A SURVIVING SPOUSE AND MORE THAN ONE CHILD, ONE-THIRD OF THE BENEFIT TO THE SPOUSE AND TWO-THIRDS OF THE BENEFIT TO THE CHILDREN PER CAPITA.

(E) ACCEPTANCE OF ANY DEATH BENEFIT UNDER THIS SECTION CONSTITUTES WAIVER FOR AS LONG AS THE BENEFIT IS ACCEPTED OF ANY PENSION TO WHICH SUCH SPOUSE OR CHILD IS ENTITLED UNDER SECTION 145.45, DIVISION (D) OR (E) OF SECTION 742.37, OR DIVISION (A) (3), (4), (5), (6), OR (7) OF SECTION 5505.17 OF THE REVISED CODE, BUT DOES NOT PROHIBIT SUCH SPOUSE OR CHILD FROM RECEIVING OTHER BENEFITS PROVIDED UNDER THE POLICE AND FIREMEN'S DISABILITY AND PENSION FUND, THE STATE HIGHWAY PATROL RETIREMENT SYSTEM, OR THE PUBLIC EMPLOYEES RETIREMENT SYSTEM.

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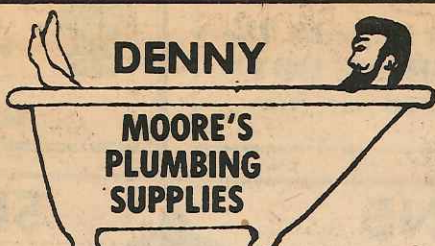


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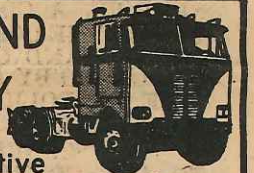
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Missouri police excluded from bargaining

The U.S. Supreme Court has affirmed without comment a three-judge federal district court ruling upholding a Missouri law excluding police officers from the state's public employee collective bargaining statute.

Missouri's public employment relations act grants organizing and bargaining rights to most public employees but exempts police, deputy sheriffs, Missouri state highway patrolmen, Missouri national guard,

and all teachers in Missouri schools, colleges and universities.

It is not believed that the case will have any great impact on public sector bargaining, except perhaps in those states that do not have a collective bargaining statute. This decision does not rule that collective bargaining is unconstitutional, but merely holds that under Missouri law the police do not have the constitutional right to collective bargaining.



ICPA HAPPENINGS

by
EDWARD KIERNAN-PRESIDENT
ROBERT GORDON-SEC.-TREAS.

TO ALL MEMBER ASSOCIATIONS:

I think this article from the Daily News, a New York newspaper, will be of interest to you. It concerns the controversy over Social Security coverage.

Fraternally,
Robert D. Gordon
Secretary-Treasurer
10/22/76 Daily News - New York

Give Warning Over Pensions

Washington (UPI) — Many state and local government employees — the greatest number in New York — are playing "Russian roulette" with the future by allowing themselves to be removed from federal Social Security coverage, a Senate report warned yesterday.

A staff working paper issued by the Senate Special Committee on Aging said many retirement plans which local governments are substituting for Social Security for their own employees look good at first glance but may not be when all the benefits are added up.

A Look at the Setup

"In a very real sense some workers are playing a dangerous game of Russian roulette with their future economic security as well as their families' well-being," chairman Frank Church (D-Idaho) said.

Although Social Security coverage is mandatory for most Americans, the law allows state and local govern-

ments to pull their employees out of it on two years' notice. The law says that once a local government removes its employees from the federal program, they cannot be allowed back in.

About 70% of the nation's 12 million state and local government employees are covered by Social Security.

The committee said that 30,532 had been pulled out by mid-1975 and notice has been given by localities to remove another 468,992 by April, 1978, mostly in New York, California, Louisiana and Alaska, New York City, which gave notice in March, has the largest proposed withdrawal.

Chief, 21 years old

A 21-year veteran of the Los Angeles Police Department was named police chief in Compton. Capt. Joseph Rouzan, 44, will become the only black police chief in the state. He said his goal is to substantially reduce street crime in Compton, which, according to FBI statistics, had a crime rate in 1975 three times the national average.

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CRIME RATE UP 10%

WASHINGTON — The serious crime rate is increasing at a faster pace in rural America and the nation's smaller communities than in the big cities, according to the latest FBI statistics.

Overall, the serious crime rate jumped 10 percent in one year, based

on the latest of the agency's annual Uniform Crime Reports, issued yesterday.

The FBI's final figures for 1975 said there were nearly 11.3 million serious crimes committed last year, but police only were able to make arrests in one of every five cases.

Crime has been rising at a slightly faster rate outside major urban areas. Serious crimes — such as murder, robbery and burglary — rose by 10 percent in the suburbs last year and 8 percent in rural areas. The rate was 7 percent for the nation's 56 cities with more than 250,000 residents.

"Law enforcement agencies do not clear or solve most crimes," said the report issued by FBI Director Clarence M. Kelley. "Only one-fifth of the serious crimes committed during 1975 were solved by arrest."

Walden Kennedy, of the agency's

Uniform Crime Reports section, said the study indicates "that the biggest volume of crime is in the mass of middle America, the average sized towns and cities."

He said the crime rates in the city and rural areas were offset by the volume of crime in suburban areas, which were considered those with large populations that fell below 250,000.

Nationally, there was an average of 21 serious crimes committed every minutes last year, including a violent crime every 31 seconds.

It also broke down to a larceny-theft every five seconds; a burglary each 10 seconds; a motor vehicle theft every 32 seconds; a rape every five minutes; and a murder every 26 minutes, the study said.

The study also found that murder increased by 4 percent in rural areas and remained virtually the same in the suburbs. It declined by 1 percent in the cities.

"In 1975, firearms again predominated as the weapon most often used in homicide in the nation," the report said. It found that 66 percent of all homicides in the United States last year were committed with firearms, and that 51 percent were handguns.

Young people made up a large percentage of those charged with murder last year. Forty-five percent of those arrested were under the age of 25, and one-quarter of them were between 20 and 24.

NO PROGRESS

(Continued from page 1)

Committee was expected to be held shortly for presentation of the facts. Ken Perry, President of the Toledo Police Patrolmens Association said that some nine economic issues remain unresolved in the present negotiations.

The contract deadline for the agreement between the Toledo Police Patrolmen and the city expired last June 30th but the groups have been negotiating on an extended basis by mutual agreement. Perry said the initial LMC hearing, a requirement as a final step in negotiations, was in compliance with the collective bargaining agreement. The meeting lasted some five hours in which both sided presented their initial arguments.

The TPPA, following the LMC session, forwarded a letter to the Rev. Frank Musgrave, Chairman of the LMC to enter the dispute and call the full panel session of the organization immediately.

Rank and file members of the police union have been making requests to the union bargaining committee to begin more drastic action on behalf of the patrolmen to bring about a satisfactory agreement.



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Police out of shape!

There is a critical need for police agencies in the nation to begin physical fitness programs, according to researchers in a new fitness project.

They said many police officers are overweight. Many eat the wrong food, drink too much coffee, smoke too many cigarettes and fail to exercise.

Officers who are out of shape endanger their lives and those of their colleagues because they can't perform suitably in a crisis, concluded the researchers.

These and other preliminary findings were announced by the International Association of Chiefs of Police.

Researchers conducted two nationwide police surveys and a number of experimental fitness training programs for Texas police.

The survey of 291 law enforcement agencies found that 5,579 officers left those agencies last year and that 782 — 14 percent — of the officers retired early because of medical or physical disabilities.

The most frequent cause was heart-related — heart attacks, high blood pressure, and circulatory diseases. The second was back trouble and the third was permanent injury received on duty.

Other data showed that of 1,075 officers in 279 agencies assigned to limited duty last year, a third of the officers received the reduced assignments because of back trouble.

Project officials note that a person's physical fitness can affect his or her accuracy in firing a gun and unfit persons are more subject to on-the-job injuries. Nor are the unfit as mentally alert.

POLICE HAVE ALLY IN CRIME FIGHTING

The Police have an ally in crime fighting. It is the United Way campaign.

The United Way supported agencies work to prevent crime. For example, every United Way youth agency works to develop in children the idea that they are responsible for their own behavior. The agencies try, through sporting events, personal counseling and other approaches to build character in the children they serve. Many times, they are doing so in the absence of parental support. This makes the job of the United Way agencies more difficult and yet more important.

Your United Way pledge also works with the elderly through Mobile Meals, the Visiting Nurses and numerous neighborhood houses. And your pledge also helps the handicapped through Goodwill Industries, the Luther Home of Mercy and the Society for the Blind. All in all, your pledge works to prevent

crime and reduce welfare costs through 85 Community Chest and Red Cross service centers in Lucas, Wood and Ottawa Counties.

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