A Message from Our President

By John Mulloy, TSPA President

Two issues I want to talk about are recruiting and our legal protection program. It is very important for us to recruit new members. Our organizational life blood depends on new memberships. The dues taken in from memberships are our primary source of revenue. They enable us to cover our daily operational costs and to be able to provide a legal defense fund. We will be working on new legislation in about one year and we need money to make an impact in Austin. This is a very expensive process. As most of you already know we have made more of an impact on educational peace officer retirements than any other group in Texas history. Our work with Senator Lucio of Brownsville, CLEAT, and TMPA enabled us to lead the way in getting legislation passed that now put peace officers in TRS categorized in a group all their own. This was the first step in the process.

Our next step is to work at getting the 20 year pension approved. This is going to be a fight and we need to be ready for it. I ask that each of you find one new member to join TSPA. This will solve the problem by increasing our numbers and revenue. When someone says to you, I cannot afford the $7.00, a month to belong, tell them you don't think they can afford not to belong. If you cannot afford $7.00, now while you are working full time just think what the value of that $7.00, will be worth when you are retired and your income is about one-half it is now. We are working to get educational peace officer pensions increased to an amount equal to that of a DPS Trooper. The average Trooper pension is about $10,000 dollars more that the average educational peace officers pension. Why are we working a life time just to spend our old age in poverty?

On another note, I want to thank our law firm Lyon, Gorsky, Haring, Gilbert & Livingston, L.L.P. Their assistance to our members achieves results.

If anyone has any questions about TSPA please call me at 972-268-4827. Take care and be safe.

More Changes at UT System Police

By Michael J. Heidingsfield, UTSP Director of Police

Your President, John Mulloy, was kind enough to invite me to submit an article for this newsletter. With six months under my belt, it seemed important to highlight what we have been able to do together since April. The up side is that, in my mind, we have made significant progress. The down side is that what we have done to date only serves to reveal how much else there remains to do. But that is okay my perspective, looking in the rear view mirror for more than a glance to see where you have been is not time well spent. As I tell the staff at ODOP every day, the pace will remain high, we will continue to accelerate, we have only begun to launch the change that is necessary and everybody has to step up. So what do we have to show for the past six months?

1. Change to navy blue uniforms with accompanying change in patch; these bold new uniforms will also feature hash marks to reflect your length of service in law enforcement; the patch reflects our being one University of Texas System Police agency and your statutory standing as “State of Texas Peace Officer” and the shape of the state to depict jurisdictional responsibility.
2. Standardization of weapons and equipment
3. Support for local acquisition of command vans, expansion of canine programs and introduction of motors
4. Standing up the System Rapid Response Team and acquiring the weapon systems, gear and technology necessary
5. Negotiation with the Federal Law Enforcement Training Center and TX DPS for high speed SRRT training at no cost
6. Revision and release of critical policy guidelines: Uniforms, Pursuits, Weapons, Authority/Jurisdiction, Lateral Entry (with many more to come. We will not rest until every ODOP policy has been examined); the focus—simplicity, relying on the law for boundaries, common-sense, reflective of national best practices and designed to support you, not hinder you
7. Re-engineering of the UTSP Academy—shaping the new leadership, combining all training activities at the Academy, shortening the basic peace officer course from 23 weeks to 19 weeks (starting Jan 1st), introducing 15 day lateral entry immer
More Changes at UTSP....(cont. from pg.1)

sion course, building in-service training program, adding assault rifle training, going from two BPOCs annually to one
8. Building a Major Crime Team (underway)
9. Building an intelligence capacity across the System; specialized intelligence training coordinated for every Intelligence Officer from subject matter experts in Oklahoma City
10. Supporting and advocating for assault rifles for every officer; supporting and advocating for tactical contact teams at every component
11. Having a seat at the Texas Fusion Center
12. Strong focus on border security; unprecedented flow of intelligence on the drug cartels and related drug trafficking
tice
13. Reintroducing special skill sets at ODOP including hostage negotiation, major crime investigations, special protection programs, special weapons and tactics
14. $375,000 rehabilitation of Academy range
15. Expanded ODOP Police Inspector staff from 5 to 7.5 (as of Jan 1—we are indeed lucky to have Inspector Raff return to us part time as the Academy’s Chief Instructor and Cadet Counselor)
16. Establishing regional Inspector responsibilities
17. Acquiring priority status for use of UT System aircraft if SRRT is mobilized and deployed; exercise that movement (Inspectors Harper and Ferrero)
18. Added administrative support at ODOP
19. Expanded ODOP office space by 25%
20. Expanded ODOP police fleet from four to nine vehicles, with seven vehicles equipped with gun vaults and M-4 assault rifles, including a Suburban to deploy SRRT and ALERRT equipment
21. Began on call program for ODOP Inspectors; there is a designated ODOP Inspector available 24/7 one week at a time
22. Re-worded UTSP police credential to include statutory wording “State Peace Officer”
23. Working in support of Chief Medders to successfully build their own communications center at UTT PD
24. Establishing much more aggressive approach to Inspector/ODOP support to the field in the event of major incidents or complex investigations
25. Acquired software program for firearms qualification record keeping across the System
26. Have a sufficient inventory of M-4 assault rifles on hand at the Academy for cadet instruction
27. 100% ALERRT training across UTSP by 12/31 (Thanks to Inspectors Ferrero, Koen and Harper and their counterparts at the components)
28. Add surveillance/technology at UTB PD courtesy of UTD PD.

Don’t Be Complacent
By Michael Seale, TSPA Vice President

Throughout my career while attending training classes, one of the topics that is almost always discussed no matter what type of class is officer safety. It has been my experience that when talking about officer safety it always involves suspect behavior, such as having a hidden weapon or being in a fight stance with their hands clinched ready to fight. Not very often is the mind set of the officer brought up. What I am talking about is being complacent while we are on patrol. Whether we want to admit it or not, we have all at some point in our careers, no matter how long or short, become complacent at one time or another. The cause for each of us may not be the same; for some it might be the years on the job, a false sense of security because nothing really bad has ever happened. It might be because we work on a campus, or it might be because we think it could never happen to us. Whatever the case, may we cannot be complacent in our jobs.

We face the same dangers that any other law enforcement officer encounters in any municipal, county, state, or federal agency. Just because we work in campus law enforcement, does not mean we can be lulled into a false sense of security. We all have heard about and seen the school shootings that have occurred across the country within the last few years. While some in our association have not had to deal with an incident like that, some have.

A dangerous situation does not have to be a school shooting. It could be a traffic stop. For example, you are on patrol, it is getting toward the end of your shift, and it is your last shift of the week. You see a car with a brake light out and decide to pull the car over to let them know of the equipment violation. You might be thinking this will be the same traffic stop you have done multiple times without any problem and approach the car with the mind set of just letting this person know of the equipment violation and then going on with your patrol so you can finish your shift and enjoy your days off. However, little do you know, this person just robbed the bank down the street. He believes you are pulling him over because of the robbery, and he gets out of the car and begins firing at you. Because you are not thinking about the dangers of a traffic stop, you are caught off guard.

As I said earlier, at some point we will all become complacent. It happens for many various reasons. However, we must be aware when we are becoming complacent and not doing the things we were trained to do and bring our mindset back to the dangers associated with the profession we have chosen in order to stay safe.

TSPA Regional Directors Needed !!!

TSPA is looking for Regional Directors. A Regional Director is appointed by the Board of Directors and the current terms expire on August 31, 2013. The duties are recruiting and fund raising. Regional Directors also make recommendations to the Board of Directors and will have direct involvement in working on new legislation. Please send an email to Johnmulloy@hotmail.com if you are interested in applying for one of these positions.
University of North Texas’s “At Will” Employment Issue

TSPA was contacted by some of our members at UNT recently about the Chancellor’s desire to re-interpret their personnel policies based on the state’s “at will” employment doctrine. Under this model, any employee can be terminated without cause at any time. Our President John Mulloy wrote the following letter to UNT Chancellor Lee Jackson.

Dear Mr. Jackson,

I am writing you on behalf of the members of the Texas System Police Association that work for the University of North Texas Police Department. The Texas System Police Association is composed of University, College, and Independent School District Police Officers, Guards, Dispatchers, and Administrative Personnel throughout the State of Texas. Our goals are to support and be an advocate for all police employees when they are not being heard, provide legal assistance to our members, create better working environments, and to foster fellowship and cooperation between the individual departments.

The major concern of our members is the lack of due process in the “at will” employment model and lack of a progressive discipline system. The adoption of “at will” will allow supervisors to terminate without notice, without cause, and severely limit an alternate solution to performance/disciplinary actions. It puts the burden of defending your performance and maintaining employment on the employee themselves and virtually eliminates supervisory responsibility. If a minor performance issue arises, an unskilled supervisor/manager can just recommend termination instead of seeking solutions and enhancing worker performance. Currently your police department holds its employees to a high standard and supervisors to a higher standard, as it relates to the welfare and performance of their subordinates. The “at will” system could also allow, although unintentionally, outside influence in the operation of the PD. This could affect employees from the top down and may make officers think twice before acting on a situation. It is hard enough to do the job safely and officers should not be “immediately” concerned with political ramifications, only in obtaining a lawful and safe objective.

The University of North Texas Police Department is a nationally accredited agency and expects its employees to provide outstanding service to the University community and surrounding area. In the course or their duties, they sometimes have to do things that are not popular, but must be done. The community not only expects, but it demands the objective, non-biased, and consistent delivery of law enforcement services. That being said, people make mistakes that must be addressed by either discipline and/or unfortunately termination. Your employees are ultimately responsible for their own actions, work performance, and value to the department. If they are wrong, they must face the consequence and pay the price. Management does have the right to expect good work performance in exchange for stable employment. The current system is very cumbersome and in need of serious “reworking”. Your police department currently works within the system and takes a proactive role in the discipline and development of its officers. They use an employee early warning system to address concerns and utilize a progressive discipline system to correct work performance. If the administration decides to change, consideration should be given to exempt sworn law enforcement from “at will” and to utilize a system similar to that of the UT System policies related to law enforcement. It would be beneficial if a law enforcement representative was allowed to participate in any policy development. I have attached some web links to policies used by the University of Texas at Arlington and the University of Texas System Police that may help in this situation.

Please call me if you have any questions.

Sincerely,
John Mulloy,
President
Texas System Police Association

Assistant Director of UT System Police and TSPA member Mike Tacker will be moving from the UTSP ODOP office and to The University of Texas Health Science Center at San Antonio. Mike has accepted the position of assistant chief of police at UTHSCSA. He will begin his duties there on December 1, 2011. We wish Mike the best and thank him for all the great work he did at UTSP ODOP!

Former UT Tyler sergeant and current TSPA vice president Heath Cariker assumed the role of assistant chief of police at the San Jacinto College District on October 3rd. Good luck Heath and thanks for your service at UT Tyler!

TSPA vice president Michael Seale has been appointed to the rank of sergeant at UT Tyler. Michael has served at UT Tyler for many years and he will be a very good sergeant. Good luck Michael—UT Tyler is lucky to have you!
TEXAS SYSTEM POLICE ASSOCIATION

Protect your honor and protect your rights. The Texas System Police Association promises to aggressively protect you.

All University, College, and Independent School District Police Officers, Guards, Dispatchers, and Administrative Personnel are encouraged to belong to the Texas System Police Association. Contact any member listed below to learn about this great opportunity and have your questions answered.

The mission of the Texas System Police Association is to encourage esprit de corps and cooperation within all University, College, and Independent School District Police Departments, promote professionalism and training, enhance benefits, support the mission of Texas campus law enforcement, and give a voice to its members.

TSPA project goals:

- Changing campus police officer retirement within the Teachers Retirement System, thus allowing officers to retire at a reasonable age with more money. **Currently an officer in TRS will retire with an annual income about 10% lower than an officer in ERS.**
- Better pay for all employees of campus police departments.

TSPA ongoing goals:

- Support and be an advocate for all police employees when they are not being heard.
- Provide legal assistance to members.
- Create better working environments for police employees.
- Foster fellowship and cooperation between the individual departments.

TSPA and its members are represented by the law firm of LYON, GORSKY, HARING, GILBERT & LIVINGSTON, L.L.P., of Dallas, TX. They have agreed to represent our association and our members. TSPA and our attorneys will represent any member involved in an employer/employee dispute in which the employee faces a developmental counseling or written reprimand that they feel is unfair. TSPA pays up to $500 in legal fees. **NOTE: TSPA is not a replacement for TMPA or CLEAT.**

Any employee of a University, College, or Independent School District Police Department may be a member of this organization. The cost of membership is $7.00 per month using credit card draft or 2 payments of $42.00 per year or an annual payment of $84.00.

TSPA offers its members a $500 death benefit effective after one year of membership, in the advent they were to die for any reason. This check will be delivered A.S.A.P. upon confirmation from the member's Chief or Assistant Chief of Police.

TSPA is a young organization that is growing quickly. There are many areas in which our members can assist in our development, and we encourage all members to take an active role in this organization. Thanks for your interest in TSPA. Take care and be safe.

**If you have any questions contact one of the TSPA officers listed below.**

<table>
<thead>
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<th>John Mulloy</th>
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**JOIN TODAY!**
Texas System Police Association Application

Mail Application To: TSPA, 105 Hanover Ave., Palmer, TX 75152

☐ New Member  ☐ Re-activating previous membership  ☐ Renewing current membership

☐ Status Change (See new rates below)  ☐ Address Change

Name: ________________________________________ Date: __________________________

Mailing Address: ________________________________________________________________

City: __________________ State: ___________ ZIP: __________________________

Date of Birth: _________________ ☐ Male ☐ Female

Agency: ______________________ County of Employment: _______________________

Position: _____________________ Home Phone: _________________________________

Work Phone: __________________ Pager: _________________________________

Cell Phone: __________________ E Mail Address: ________________________________

I was referred to TSPA by: __________________ Of (Agency): _______________________

Paying by check:  ☐ 1 payment of $84.00, Annual Membership

☐ 2 payment of $42.00, Bi-annual Membership

Or

☐ Paying by credit card:  Choose one:  ☐ VISA  ☐ MASTERCARD

☐ Charged on the 5th of each month $7.00

☐ Charge one payment of $84.00

☐ Charge two payments of $42.00 every 6 months automatically

☐ Debit or ☐ Credit

Name of cardholder: __________________________ Signature: _________________________

Card Number: ___________________________ Expiration Date: ______________________

Beneficiary of $500.00 TSPA member death benefit, effective after one year of membership.

Beneficiary Name: __________________________

Member Signature: __________________________ Date: __________________________

Revised 9-28-2011, JM
LYON, GORSKY, HARING, GILBERT & LIVINGSTON, L.L.P.
A Partnership Including a Professional Corporation

Bob Gorsky has been representing law enforcement officers for over 32 years. Firm attorneys have over 100 years of collective experience representing law enforcement officers and their families. In addition to our representation of law enforcement officers in all types of employment cases, we also represent law enforcement officers and their families in the following legal matters:

- automobile accidents
- defective products
- trucking accidents
- criminal defense
- wrongful death
- family law
- wills

Contact: Bob Gorsky
214-965-0090 | Toll free 888-711-2583 | Emergency pager 214-332-0424


Bob Gorsky, Mark Gilbert and John Haring have been named as Texas Super Lawyers and Christopher Livingston has been named as a Texas Super Lawyer Rising Star by Law & Politics magazine!!

NO consultation fee for TSPA members and their families.

CONTACT THE TSPA
If you have any questions about the TSPA or our newsletter, feel free to contact either John or Heath.

John Mulloy
johnmulloy@hotmail.com
972-268-4827

Heath Cariker
hcariker@yahoo.com
903-724-4447

GET IN TOUCH WITH TSPA!
TSPA would like you find out what’s happening on your campus. If you would like to submit an article or other items for the newsletter, contact Heath Cariker - hcariker@yahoo.com.