



TSPA newsletter

Issue 3 — Spring 2011

President's Message

By John Mulloy, UTSW

Speaking with officers throughout the State of Texas, I am often asked if you have to be a Texas Municipal Police Association (TMPA) member to belong to the Texas System Police Association (TSPA). The answer is **NO!** The Texas System Police Association was established to represent employees of police and security departments working in education. The members of TSPA are all encouraged to belong to a police association that provides legal representation like TMPA, CLEAT, or FOP in the event they are in a use of force incident, sued, or their employer tries to unfairly discipline or terminate them. **It is important to know that you need to have this protection now because after something bad happens it will be too late.** No organization is going to protect you without membership if an event occurs.

TSPA protects you only against unfair Developmental Counseling and Written Reprimands. We do not offer the full coverage provided by TMPA, CLEAT, and FOP. Our coverage enhances your TMPA, CLEAT, or FOP coverage. TSPA also provides its members with a \$500.00 death benefit payable for any reason. The primary purposes of the TSPA is to represent our members in legislative efforts, salary initiatives, workplace issues, and work to improve our respective departments. These achieved goals will improve our professional and personal lives. Currently, we are actively working on legislation in the Texas state legislature, that if approved, will greatly improve retirement for thousands of police officers.

The goal of **OUR** organization needs to be a minimum of 500 members. When our membership achieves this level we will be a force that can move mountains, because we will then have an attorney and political consultant in Austin. We need to model ourselves after the Department of Public Safety Officers Association in Texas. They are the big gorilla in Austin and get almost anything they desire. In the past, they have been able to push legislation through that has greatly benefited their members. They have both the power and money to make good things happen for their members. When we reach this level, we too will have the combined asset of money and voting power to more influence legislative action. These are both needed to be successful in Austin. This is why people need to belong to the TSPA. So, please ask your co-workers to join TSPA and be part of the success. It is only \$7.00 per month. This is the cost of one lunch out. With everyone's help we can make great things happen for our members and their families. If you have any questions about membership please call my cell phone at 972-268-4827.

UT Police Director Heidingsfield Answers Your Questions



Director Michael Heidingsfield

Several weeks ago, the call went out to our membership for questions that they would like to ask our new UT System Police Director Michael Heidingsfield. The response from our membership was outstanding. Many questions came in over that time, but many had similar themes. For the sake of column space, the questions were combined and distilled down to seven. Those questions and the Director's answers are presented below. Also, the Director's answers are unabridged and unedited. The TSPA greatly appreciates the Director's participation.

1. Will the UT System's police functions become more centralized? In your opinion, should the UT police departments shift from local component control to UT System control under the Director of Police?

MH: My immediate focus is to work as an advocate of unity and 'one-ness' among the components in terms of what I call 'the four Ps' which include policy, practices, priorities and

perspective—Centralization and unification are not synonymous terms and my charter is to work diligently toward a sense of unification—Having been a police chief more than once I respect and acknowledge the role of the chiefs to oversee the day to day operations of their departments and to provide leadership to their workforces, which is how the current system is structured—Likewise I respect the experience, stature and credibility that a tenured, skilled chief of police can bring to an organization—

I do believe that I am in a unique position to positively impact the chiefs individually and as a group because my 38 years of experience in policing and the breadth of what I have done has been a lifelong test bed of what works and what doesn't—I am going to make myself available to them 24/7 for consultation, mentorship, constructive dialogue, advice, advocacy on their behalf and leadership—I want much more open lines of communication between ODOP and the departments and the chiefs and a stronger atmosphere of mutual support and consultation—We should be a team and I will work in good faith to get us there—In critical policy areas such as compelling legal issues, life safety, officer safety, use of force, crucial personnel issues and matters of public integrity there can be only one overarching way of doing business that is common to every department and I am committed to that as well—

I know that the issue of centralization is highly sensitive, often polarizing and that even a hypothetical discussion can be traumatic to stakeholders—With only three weeks on the job as the Director I don't think I am in a position to knowledgeably weigh in on the pros and cons of centralization and I don't have the crystal ball necessary to see what the future may bring—You will find that I come to decision points relying on thoughtfulness, strongly researched evidence, best practices and the intuitive judgment which is the product of four decades in the business—Ask me this question again in one year and I will feel much better about the accuracy of my response—

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Director Heidingsfield continued

2. Will the UT police academy continue to exist? If so, will its mission and purpose change? Will components able to use local academies for their basic academies?

MH: We have begun a systematic and comprehensive review of how the Academy currently functions, what models are available to us to consider versus what has been done historically, and overall, what is the best way for the Academy to serve its customers, the customers being you, your organizations, your chiefs and future officers—Virtually nothing is off the table and we have opened discussions already that include the necessity or value of having a dedicated Academy, the impact versus value of the current Academy curriculum and length, how we might employ distance education, the use of a modified curriculum for certified or certifiable officers, increased in-service training, employing regional training teams, etc—

I think it is important and positive to note that those here at ODOP who have the greatest investment and stake in the history of the Academy's development are leading the way in terms of what changes we envision for the future—In particular, I want to commend Assistant Director Mike Tacker, Inspector David Ferrero, Inspector and Academy Director Dan Raff and Inspector Glen Koen for embracing this assessment and weighing in with well-informed thoughts and advice—More to follow on this but I think I can say in confidence that before the end of the calendar year we will have settled on the new model for the Academy--

3. Do you have any plans for a uniform update? Will we finally get rid of the French blue?

MH: In the interest of being completely honest I can tell you that from a strategic perspective and sense of priorities the color of uniforms does not garner the same level of my attention that issues such as those I have spoken about in questions 1 and 2 do—That said, you should know that I have always been a proponent of dark blue uniforms wherever I have worked (other than in Iraq—too hot!), successfully saw two departments (Arlington PD and Scottsdale PD) through transitions from tan to dark blue uniforms and if I were a betting kind of guy would guess that dark blue uniforms are probably more available and less expensive than French blue—Changing the color of the uniforms is not only a cultural issue but a financial one and I want to ensure that precious dollars are spent where it is most important that they be spent—For instance, if you asked me if dollars were better spent on changing uniforms or arming officers with patrol rifles the answer is clear...equipping officers with patrol rifles so that they are less at risk and better able to respond with authority when called upon to do so--

But if this is an issue for officers and departments and there is a clear mandate or call for change and it can be undertaken at a reasonable cost taking into account existing budgets, then I am happy to take it on—

4. What are your plans to standardize salaries, policies, and training throughout the components?

MH: I think most of this question has been answered in my responses to questions 2, 3 and 4 above other than the issue of parity in salaries—To be honest, I haven't had the time to do the research necessary to understand what is at play when one talks about the widely disparate salaries paid to our police officers from campus to campus—But as a matter of philosophy something roughly approaching salary parity, with adjustments up or down for cost of living in particular regions, seems to meet the common sense test—I will take this on as a personal task for me to be better educated about and then work to see

if there are solutions to be developed—

5. So far, what have you seen as major areas of concern within the UT System Police?

MH: I don't think a loosely held together confederation of agencies is the best way to do business and it strikes me that the System Police are best described historically as that loose knit confederation—Streamlining, economies of scale, cultural unification and mutual respect are all positive consequences of our moving diligently to a greater sense of 'one-ness'—We must focus on this immediately and for the foreseeable future—

I am also concerned that System inspections, investigations and policy development have not been accomplished with the appropriate level of consultation with the agencies in the field, with the openness and transparency that is required or with the uniformity that is required for credibility—I am not suggesting there is evil in anyone's heart, only that we here at ODOP can do a better job of communication and coordination and we will—

The security of our border campuses is of great concern to me and I am pushing hard for our Inspectors to ensure we have timely and accurate intelligence, that we are exporting the kind of training that is absolutely necessary and that we work hard to get the required resources, whether those be weapons, technology, physical security enhancements and a well-developed sense of scenarios that could unfold—My plan is to devote more time, energy and resources to this issue immediately—

6. What will be your first steps? What is your 5 year plan for the UT System Police?

MH: I will spend the month of April in the office at ODOP learning the job, getting acquainted with policy and listening, listening, listening—Then beginning in May I will begin my travels to each campus and department in an effort to have seen and visited every agency by the first day of July—and again to listen, listen, listen...

I haven't been here long enough to settle on a five year plan but for the next year at the programmatic level I intend to focus on rolling out the future concept of operations for the Academy, aligning our Police Inspector positions here at ODOP against specific responsibilities and increasing the number of Inspector positions (e.g. intelligence, border security, physical security, technology, internal investigations, criminal investigations, Regent protection, inspections, policy development), developing a coherent and comprehensive border campus security strategy, implement the recommendations of the Police Management Review Task Force, enhance our support of the Board of Regents, implement a records management system at ODOP, review and revise ODOP/UT System Police policies to ensure currency, best practices and uniformity and host a meaningful and substantive Chief's Symposium at Bandera in October—but most importantly will be my focus on unification through consultation, communication and coordination—

Continued Page 3

Director Heidingsfield continued

7. What is one thing you want everyone to know about you?

MH: *I want you to know that this is the capstone opportunity of my career—I come here with no internal agenda to prepare myself to go elsewhere or to burnish my resume; I come here to give back to the organization that launched by civilian law enforcement career—I feel very deeply that the UT System Police should be recognized on a par with TX DPS, TX Parks and Wildlife and TABC, for example, and I am committed to getting us there—I also will be an advocate for and the public face of the UT System Place and will do that tirelessly—*

When I was getting my thoughts together for my first interview for this position, I laid out a list of probable and serious criminal or violent events that you may face at any given time—Just looking at that list reaffirmed for me the necessity of what you do, the noble nature of your commitment and the fact that the UT System Police should be second to none in terms of professionalism and ability—What were those challenges that may manifest themselves on any given day at any given moment?

- Suicidal staff and students
- Hostage taking
- Flash mobs
- Binge drinking
- Civil disorder
- Protests and demonstrations
- Targeted destruction of research facilities
- Drug cartels' incursion onto border campuses and spillover violence
- Radicalization of students
- Infiltration of Al Qaeda cells into the student body
- Active shooters
- Sexual assaults (both drug-induced and otherwise)
- Highly secure research facilities as potential terrorist targets

Thank you for doing what you do—We're going to step up the pace here at ODOP and work to support you in every way possible, providing the leadership and resources that are part of our charter—On a personal note I pledge that I will do my part to contribute to the greater good—

Warm regards, MJH

Member Profile: Officer John Halpin

At the University of Texas Southwestern Medical Center Police Department, Dallas, TX, there is an officer I would like to tell you about. His name is Officer John E. Halpin, a Master Peace Officer of 23 years. Nine of those with the UT Police Department.

In 1966, while working in Washington D.C., Ofc. Halpin was drafted into the United States Marine Corps. He did his basic training at Parris Island, NC, where he graduated a PFC as the Series Honor man. Ofc. Halpin was the only recruit offered the opportunity for Officer Candidate School in Quantico, VA but he turned it down to avoid being in for an additional two years. He served his Infantry Rifle Training at Camp Gigger as acting Platoon Sgt. He was assigned to the 2nd Topographic Department at Camp Gigger. Three months later he received his orders for Vietnam. Ofc. Halpin arrived in country on 12-1-66 and left on 12-24-67. He was with the 2nd Battalion, 9th Marines, 3rd Division, "Hell in a Helmet". During his stay in country he received a field promotion to Sgt. and received some enemy shrapnel during a fire fight; however, he did not receive a Purple Heart due to the fact the wound did not need three or more stitches. He also designed the 2/9 unit patch.

Upon his return to the U.S.A., Ofc. Halpin entered Lamar University in Beaumont, TX to finish his Commercial Art degree. He left Lamar University, moved to Houston and became the Art Director for the Houston Chronicle. When a chance opened up to return to Lamar University two year later he jumped at it and soon received his degree.

Ofc. Halpin moved permanently to the Dallas area and worked for several advertising agencies as Art Director, Production Manager, Assistant Advertising Director, Photographer, Darkroom Technician and trainer.

In 1988 Ofc. Halpin began his law enforcement career with the Dallas County Sheriff's Reserve Department. He soon discovered the Warrant Division and began to put in several hours a week as a Warrant Officer while working as a traveling contract hardware salesman in four states. Ofc. Halpin and a close friend devised a training program for all Reserve Officer interested in the Warrant Division. The program was started soon after it was presented to the Chief of the Warrant Division. Ofc. Halpin was soon promoted to Sergeant. After ten years with the Dallas Sheriff's Department he left and became a Police Officer at the Southern Methodist University, Dallas, TX. Ofc. Halpin was there for four years before going to work at the UT Police Department.

The most outstanding thing about Ofc. Halpin came about on 2-21-2011 when he became 70 years of age.

Ofc. Halpin is always early to arrive to work, sometimes as much as an hour and he will stay later if needed. Nothing seems to slow him down, even with his recent twelve treatments of Chemo, for what he calls a slight internal problem.

Being a U.S. Marine Ofc. Halpin believes in, "Attitude is Everything", "Never Look Back 'cause They Might be Gaining on You" and one he came up with due to his current situation, "Death Smiles at Everyone - Marines Smile Back".

It's Time to Join TSPA!

Only \$7.00 a month. A small amount to pay for your future.

A TSPA application is attached to the final page of this newsletter.

Contact John Mulloy johnmulloy@hotmail.com or

Heath Cariker hcariker@uttyler.edu for more info.

Same Job, Same Standard

By *Cortney Freeman, UTA*

There has been some discussion lately regarding law enforcement and physical fitness. There are some officers who believe that being held to a physical fitness standard is unnecessary and irrelevant or unfair. I would have to disagree, all officers, no matter their position, age, race, gender, or time in the profession, should have a rudimentary level of physical fitness.

In the Law Enforcement profession there are essential functions of the job that require, at minimum, a basic level of physical fitness. Law Enforcement personnel must perform task including anything from chasing a suspect to lifting an object out of a road way. Agencies want their officers to perform those functions at a basic level of competence as well as safety. Being fit not only keeps the officer and the public safe, it also adds longevity to an officer's career. Keeping oneself fit can help to avoid on the job injuries. Critical back injuries are very common in the profession and can arise from everyday activity like wearing a heavy duty belt.

There is also the public view to consider. The old stereotype of an officer that sits in a patrol car and drinks coffee and eats doughnuts all day is still alive. As officers, we are the only ones that can change the public view. An officer that looks fit sends a positive message to the public that officers are well trained and ready to protect the public safety. An officer that looks like he/she may have had one too many doughnuts sends a negative message that officers are lazy and ineffective.

It is up to the individual officer to achieve and maintain their health and physical fitness. However, the officer should never be alone in this endeavor. The Employing agency should offer some form of support to their employees. After all, trying to achieve and maintain a goal without support, while not impossible, is only that much harder. Agencies are tasked with trying to support their officers well being while keeping legal liabilities in mind. Many agencies have a physical fitness standard that tests their employees to ensure that a basic level of fitness is maintained. Some officers argue that those standards should be based on the officer's age and gender.

At a State Police Hiring Summit in San Antonio in 2005, the Department of Justice Section Chief was asked about the absolute versus

relative standards regarding physical fitness. He answered that to be compliant with Title VII of the Civil Rights Act of 1964, an agency must apply the "same job, same standard" approach.

Section 106 of the Civil Rights states "It shall be unlawful employment practice for a respondent, in the connection with the selection or referral of applicants or candidates for employment or promotion, to adjust the scores of, use different cutoff scores for, or otherwise alter the results of, employment related tests on the basis of race, color, religion, sex or national origin." Lowering a standard because an officer is female or an officer is 55 years old violates Section 106. Research has clearly shown that the basic levels of physical fitness necessary to perform fundamental functions of a job are attainable by anyone healthy enough to train, regardless of age or gender.

The general argument had been made in several areas that age and gender matter when fitness is involved. For example, a 50 year old male officer should not be held to the same standard as a 28 year old female officer. The fact that one officer is a male and one is a female, one officer is older and one is younger, should be irrelevant. The argument could be made that a female is biologically weaker than a male and that an older officer may not be in the same shape as a younger officer because of age. Those arguments are valid to a point, but, law enforcement standards do not discriminate with regards to report writing, firearms qualification, handcuffing, baton, driving, etc. Why should physical fitness be any different?

The "same job, same standard" idea is the best way for agencies to ensure that every officer can perform the tasks of the job at a basic level without exception and risk of legal liability. In order to ensure the public safety and ensure that officers can perform the job, every agency should have a physical fitness standard in place for all uniformed officers, no matter what position they hold, how old they are, how long they been on the job, or what gender they are. If you wear the badge, you should meet the standard. Officers should take pride in their profession and strive to achieve and maintain a standard above the public perception. We are only as good as we strive to be but that's just this officer's opinion.

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Email items of interest and news about your departments to hcariker@yahoo.com, and they will be included in the newsletter!

What's In Store For The UT Academy ?

Recently, Director Heidingsfield asked the TSPA Board Members for recommendations regarding the future of the UT Academy.

This was the Board's response:

The TSPA would like to see the UT Academy become more holistic in its approach to training. Historically, it has been an academy for new hire cadets, but we would like to see that mission expanded to include continuing education for police officers already in The System. This model is more in line with what the TX DPS uses, as well as, department run academies and regional police academies. This would become a valuable resource for The System. Also to save money, components who are geographically close could share funds, in-house trainers, and facilities to provide training classes for their officers and guards. They could in effect create their own UT regional continuing education academies.

Trainers could be pulled in from components and other agencies. A predetermined number of students from each component could be brought in for different training classes. Training topics could be developed that would apply to university policing, and this would be a way of sharing ideas and techniques between components and other agencies. Our System has some of the brightest, well trained officers in the state, and we need to put that knowledge to use by letting them train others.

The UT Academy has served The System well for many years and should continue to operate with modifications. However, exclusively using the UT Academy for new hire cadets is not cost effective for all components. The costs associated with housing and feeding a ca-

det are enormous. This poses a real problem for the smaller, less funded components. Many components could use local regional academies and save the costs of room and board. Also, going away to Austin for 4 to 5 months can pose an obstacle for applicants that may have family that needs them to stay closer to home. It is recommended that components be allowed to use local regional academies for new hire cadets, and then after graduation those cadets go to the UT Academy for a 2 to 4 week mini-academy that is focused on training them to be UT police officers. The mini-academy would also be required of officers hired as lateral entries.

On the subject of lateral entries, the TSPA would like to see the policy abolished requiring that a percentage of a UT department's officers be UT Academy graduates. This is an impediment to recruitment. We need the most skilled and well trained folks we can find - no matter where they are trained. If a Chief has an opening and an applicant that fits his needs, he should be able to hire that applicant. Following the current policy, that Chief may have to pass over several great candidates to find a cadet to go to the UT Academy. Most certified officers will go somewhere else rather than go through an academy again.

We appreciate your including us in this policy process and hope you find our comments helpful. The TSPA is more than willing to assist you on any policy matters that may arise.

Thru Every Season

By David Glick, UTSW

As the warm , some would say hot time approaches, let's all get well prepared for the high temp onslaught. Get all of our vehicles --- including personal ones--summerized and frequently check radiator water levels. Carry water in the vehicle in case of a breakdown, and just because we may need it to hydrate.

Next, take care of your most important machinery--yourself! Stay hydrated at all times. By the time that you start feeling parched, you're already dehydrating. Hats and sun screen can protect skin from burning , and despite their additional warmth, light long sleeves and pants also protect against those dangerous UV rays. The heat is fatiguing , so pace yourself accordingly. Try to do the hard work before 11 AM or after 7 PM. Make sure to employ shade whenever possible. Learn the warning signs for heat stroke and heat exhaustion. Check on others frequently. When the effects hit, the sufferer may not be aware and that can be dangerous.

Some things you can do to prepare yourself for the pending long hot summer are; get in the best possible shape you can, learn to eat properly, learn which beverages and foods tend to help and which ones tend to dry us out--such as sodium and sugar. If you're feeling a little under the weather, take immediate action. No department functions well when everyone is loopy from the heat and unable to perform even the most basic of tasks efficiently.

Consider toting a water jug complete with ice and water even though

it may be bulky and inconvenient. It's way more convenient that requiring an IV in the ER!

Pay particular attention to any conditions you may have that could be aggravated by extreme heat and or dehydration. Heart patients, hypertensives, diabetics and many others all need to take steps to keep themselves able bodied. If you need assistance, get it ASAP! We want you back to read the next newsletter!

Happy spring and summer to all!

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
903-972-4827

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

TSPA Board Election

TSPA's election for the TSPA Board of Directors must be held by **August 31, 2011**. The following positions will be voted on in this election: **President, First Vice President, Second Vice President, Secretary, and Treasurer**. If you are interested being a candidate and having your name added to the ballot, please email John Mulloy at johnmulloy@hotmail.com or Heath Cariker at hcariker@yahoo.com by **July 1, 2011**. Please specify which position for which you are a candidate. Remember, to be on the Board you must hold the rank of Lieutenant or lower. Ballots will be mailed out to all members in early **August 2011**.

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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

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NO consultation fee for TSPA members and their families.

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If you would like to place an ad in the TSPA newsletter, contact Heath Cariker or John Mulloy.

Full page \$100

Half page \$50

Quarter page \$25

Business card size \$10

2011 Legislative Update

We are well into the 2011 legislative session, and there are several bills that the TSPA has been watching closely. These bills are highlighted on the next page with a description of each. TSPA board members are in contact with legislators who have introduced these bills, as well as, the committee members who will act on them. Finally, should the bills make it to a full vote, the TSPA will be urging the full legislature to see things our way. At the end of this update, you will find a list of legislators who sit on the Senate Committee on State Affairs and House Committee on Government Efficiency & Reform . These legislators will be the first challenge to these bills. Our membership are encouraged to contact these legislators and convey their thoughts on these bills.

Our members are also encouraged to recruit others to join us in our efforts. Also, if these bills make it to a full vote, then our members are encouraged to let their local legislators know their support or lack of for a bill. We must be sending emails, making phone calls, writing letters, etc. to make ourselves heard. Remember for an association to achieve its goals, its members must become vocal and speak with one accord. It goes without saying that the more members we have working on these goals will make our efforts more successful. Everyone should be on a constant recruitment drive for new members. (*There is a TSPA application at the end of the newsletter.*) The decisions of this legislature and future legislations will affect YOU— in either a positive or negative way.

TSPA Legislative Focus

The TSPA is a small association with few persons to put on legislative tasks and remember the folks who are working in our organization are working shifts just like you. The association is a purely volunteer driven group. That being the case, the TSPA had to focus on very specific legislation that it saw as being the most beneficial to our members—and even those who are not our members.

Retirement became that focus. There has always been disparity between the few law enforcement agencies under the ERS LECOS retirement (*DPS, TABC, Parks and Wildlife game wardens, and TDCJ*) and every other state agency police force. Under their ERS LECOS retirement benefits, they enjoy a 20 year retirement at age 50 and draw retirement at a higher rate than other state employees. *See the additional material on LECOS at the end of this update.*

The media has done numerous exposes and new stories on pensions and benefits of other states. These stories have focused on the excesses and shortfalls of some state pensions and benefits. States are \$1.26 trillion in the hole when it comes to their pension and retiree health obligations, according to the Pew Center on the States. To make matters worse, several stories have portrayed other state pensions as exorbitant. Some reports have shown retirees from other states with 20 years service drawing over \$100,000 per year in pensions. These incidents have hurt the cause of Texas state employees, even though it's a different story here.

Our members pay 6.4% of their salaries into their retirement and the state pays 6.64%. They accrue only 2.3% per year of service based on the highest 60 month average salary. They must meet the Rule of 80 to retire (age plus years of service must equal 80). It is fair to say that Texas System Police Association members do not enjoy exorbitant retirements. Not to mention, the relatively low salaries some of them make.

Once again, this is why it is imperative for us to work hard as an association. We have to change the misconceptions people may have about Texas state employee retirements—specifically public higher education police employees.

2011 Legislative Update

THE BILLS

✓ = GOOD

✗ = BAD

★ = BEST



HOUSE BILL 2954

Author: Erwin Cain

Abolishes Longevity Pay for State Employees

Referred to: **Government Efficiency & Reform Committee**

This bill proposes that Longevity Pay be abolished for state employees. Employees would lose each month \$20 per every two years served. So for instance, an employee with 10 years would lose \$100 a month. This would not affect police officers who draw hazardous duty pay, but it would affect our dispatchers, security officers, and administrative personnel.

TRACK IT: <http://www.legis.state.tx.us/BillLookup/History.aspx?LegSess=82R&Bill=HB2954>



HOUSE BILL 3168

Authors: Bill Callegari & Erwin Cain

Abolishes Longevity Pay for State Employees

Referred to: **Government Efficiency & Reform Committee**

This bill is similar to the one above, and has the same provision of abolishing Longevity Pay for state employees.

TRACK IT: <http://www.legis.state.tx.us/BillLookup/History.aspx?LegSess=82R&Bill=HB3168>



SENATE BILL 1801

Author: Eddie Lucio, Jr.

Moves All State Agency Police Under the ERS LECOS

Referred to: **State Affairs Committee**

This bill proposes shifting all state agency police officers to the ERS LECOS retirement fund. This means that TSPA police officers would receive higher pension rates and be able to retire with 20 years at age 50. According to the Texas Government Code, 658.001, institutions of higher education are state agencies. This would put TSPA police officers under the same retirement as DPS troopers, game wardens, prison correctional officers, and TABC agents.

TRACK IT: <http://www.legis.state.tx.us/BillLookup/History.aspx?LegSess=82R&Bill=SB1801>



SENATE BILL 465

Author: Eddie Lucio, Jr.

Creates A Peace Officer Retirement Under TRS

Referred to: **State Affairs Committee**

This bill proposes creating a 20 years retirement at age 55 under the TRS retirement system. This bill does not provide for an increase in factor, so the rate of pension stays the same as it is now. The idea is, that if this passes, a bill for an increase in factor would come next legislative session. This is more of a piece meal approach to creating a retirement equal to the ERS LECOS.

TRACK IT: <http://www.legis.state.tx.us/BillLookup/History.aspx?LegSess=82R&Bill=SB465>



SENATE BILL 464

Author: Eddie Lucio, Jr.

Tracks Peace Officer Service Time In TRS

Referred to: **State Affairs Committee**

This bill proposes creating a system for tracking and tabulating TRS peace officer service time. This would be a necessary administrative step if either SB 1801 or SB 465 should pass.

TRACK IT: <http://www.legis.state.tx.us/BillLookup/History.aspx?LegSess=82R&Bill=SB464>

2011 Legislative Update

House Committee on Government Efficiency & Reform (C285)

Rep. Bill Callegari

<http://www.house.state.tx.us/members/member-page/?district=132>

Rep. Eddie Lucio III

<http://www.house.state.tx.us/members/member-page/?district=38>

Rep. Erwin Cain

<http://www.house.state.tx.us/members/member-page/?district=3>

Rep. John Frullo

<http://www.house.state.tx.us/members/member-page/?district=84>

Rep. Linda Harper-Brown

<http://www.house.state.tx.us/members/member-page/?district=105>

Rep. Sergio Muñoz, Jr.

<http://www.house.state.tx.us/members/member-page/?district=36>

Rep. Bill Zedler

<http://www.house.state.tx.us/members/member-page/?district=96>

Senate Committee on State Affairs (C570)

Sen. Robert Duncan

<http://www.senate.state.tx.us/75r/senate/members/dist28/dist28.htm>

Sen. Bob Deuell

<http://www.senate.state.tx.us/75r/senate/members/dist2/dist2.htm>

Sen. Rodney Ellis

<http://www.senate.state.tx.us/75r/senate/members/dist13/dist13.htm>

Sen. Troy Fraser

<http://www.senate.state.tx.us/75r/senate/members/dist24/dist24.htm>

Sen. Joan Huffman

<http://www.senate.state.tx.us/75r/senate/members/dist17/dist17.htm>

Sen. Mike Jackson

<http://www.senate.state.tx.us/75r/senate/members/dist11/dist11.htm>

Sen. Eddie Lucio, Jr.

<http://www.senate.state.tx.us/75r/senate/members/dist27/dist27.htm>

Sen. Leticia Van de Putte

<http://www.senate.state.tx.us/75r/senate/members/dist26/dist26.htm>

Sen. Tommy Williams

<http://www.senate.state.tx.us/75r/senate/members/dist4/dist4.htm>

Here is some information on the ERS LECOS retirement system that the TSPA members would transfer to if SB 1801 passes.

THE LAW ENFORCEMENT AND CUSTODIAL OFFICERS SUPPLEMENTAL RETIREMENT FUND

This section explains the additional benefits that the State of Texas provides in recognition of the career services performed by law enforcement such as Commissioned Peace Officers and Custodial Officers. The Texas Legislature created the Law Enforcement and Custodial Officers Supplemental Retirement Fund (LECOSRF) under the provisions of Subtitle 8, Title 8, Texas Government Code. The supplement rewards officers with 20 or more years of CPO/CO service. If you retire with less than 20 years of CPO/CO service, you do not qualify for supplemental benefits. Officers are also members of the state employee retirement program.

LECOSRF contribute 0.5% of their monthly salary pre-tax to the LECOSRF in addition to the 6.5% to the state employees retirement program.

LECOSRF MEMBERSHIP

Three types of membership qualify for supplemental benefits under this program.

You are included in the Supplemental Retirement Program if you are one of the following:

- A "law enforcement officer" who has been commissioned by the Texas Department of Public Safety, Texas Alcoholic Beverage Commission, Texas Parks and Wildlife Department, or the Office of Inspector General at the Texas Youth Commission, and whose commission is recognized by the Texas Commission on Law Enforcement Officers Standards and Education.
- A "custodial officer" for the Texas Department of Criminal Justice – Institutional Division (TDCJ), certified as having normal duties that require you to have direct contact with inmates.
- A "parole officer or caseworker" employed and certified by the Board of Pardons and Paroles or the Texas Department of Criminal Justice (TDCJ).

ELIGIBLE CREDIT

Service credit in the LECOSRF includes all service established in your regular retirement account that has been credited as CPO/CO service. Withdrawn service, service not previously established, and military service may be credited under the LECOSRF with the following provisions:

- As an active employee, your accumulated sick and/or annual leave may be converted into CPO/CO service credit at retirement if you retire from that CPO/CO position.
- Military service will be counted as CPO/CO service if you entered military service within 90 days after leaving CPO/CO employment and returned to CPO/CO employment within 90 days after completing active military duty. This service must be purchased to receive service credit.
- Additional Service Credit (ASC) can also be counted as CPO/CO service if you are contributing as a CPO/CO when the ASC is purchased. You must have 10 years of service credit in the LECOSRF or in combination with regular state service credit to purchase ASC.

Purchase your service as early as possible. You must purchase unestablished service before you apply for retirement.

The cost to purchase any creditable service will be calculated by ERS upon your request. In most cases, on September 1 of each fiscal year, penalty interest amounts increase on service purchases. Payments for creditable service must be received by ERS prior to the due date on the service purchase cost coupon to avoid additional penalty interest cost.

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CPO/CO RETIREMENT ELIGIBILITY

Two factors determine eligibility for retirement: your age and your years of service credit. Several combinations of those two factors could qualify you for retirement as a CPO/CO. Sick and/or annual leave may be used to qualify for eligibility, and they are calculated separately.

RETIREMENT UNDER SUPPLEMENT RETIREMENT PROGRAM

- Full CPO/CO benefits: 20 years CPO/CO service at or over age 50. Benefits are calculated with a multiplier of 2.8% for the Supplemental Retirement Program.
- Full CPO/CO benefits: Meeting the Rule of 80 with 20 years CPO/CO service at any age. Benefits are calculated with a multiplier of 2.8% for the Supplemental Retirement Program.
- Reduced CPO/CO benefits—early retirement: 20 years CPO/CO service before age 50 (annuity is reduced). Benefits are calculated with a multiplier of 2.8% for the Supplemental Retirement Program.

INSURANCE ELIGIBILITY AS A RETIREE

As a CPO/CO, you qualify for group insurance if you have 10 years of creditable CPO/CO service and retire at age 55, or 20 years of creditable CPO/CO service and retire at any age or meet the Rule of 80. If you began work before September 1, 2001, you may be eligible for group insurance benefits if you met retirement qualifications and had at least three years of coverage under the GBP. If you qualify for group insurance benefits, the State will continue to pay the full cost of health insurance premiums for you and half the premium cost for your eligible dependents.

The state employee program funds the largest portion of your annuity, and the LECOSRF increases your annuity.

With 20 or more years CPO/CO service at the time of your retirement, the Supplemental Retirement Program determines the minimum benefits payable for service as a CPO/CO. Benefits will be paid based on a coordination between the LECOSRF and the state employee program. The maximum and minimum percentages allowable under each program are applied so that you receive the highest benefit possible.

REDUCTION PERCENTAGES FOR EARLY RETIREMENT

Age at Retirement	Percentage of Full Benefit
30	19.6%
31	21.2%
32	22.9%
33	24.8%
34	26.9%
35	29.1%
36	31.5%
37	34.1%
38	37.0%
39	40.1%
40	43.4%
41	47.1%
42	51.1%
43	55.5%
44	60.2%
45	65.5%
46	71.2%
47	77.4%
48	84.2%
49	91.7%
50	100.0%

Texas System Police Association Application

State Office: (972) 268-4827 · E Mail: johnmulloy@hotmail.com Web site: www.tspa.name
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

Member Information (please print legibly):

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): _____

Payment Options:

- Paying by check:** 1 payment of \$84.00, Annual Membership
 2 payment of \$42.00, Bi-annual Membership

Or

- Paying by credit card / debit card:** *Choose one:* VISA MASTERCARD
 Charged on the 15th of each month **\$7.00**
 Debit or Credit
Name of cardholder: _____ Signature: _____
Card Number: _____ Expiration Date: _____

Beneficiary of \$500.00 TSPA member death benefit, effective January 1, 2011.

Beneficiary Name: _____

Member Signature: _____ Date: _____