

The Utah Peace Officer

PROTECTING THE PEOPLE'S HOUSE



VOLUME 94
WINTER 2017-2018

PHOTO CREDIT: HUNTER RICHARDS

Utah Peace Officers Association Board of Directors

UPOA BOARD OF DIRECTORS		
		Rev. 1-3-18
PRESIDENT/PUB. SAFETY RETIREMENT Arlow Hancock, UHP, Cache Co. SO 801-381-5417 ahancock@utah.gov	REGION B REPRESENTATIVE Vacant	REGION J REPRESENTATIVE Cory Norman, SCI PD 435-705-0795 cbbnorman@hotmail.com
PRESIDENT ELECT Arlow Hancock, UHP, Cache Co. SO 801-381-5417 ahancock@utah.gov	REGION B REPRESENTATIVE Merv Taylor, Weber State Univ. PD 801-549-7434 mtaylor45@comcast.net	REGION K REPRESENTATIVE Jeff Jones, UHP 435-743-6530 jeffrjones@utah.gov
VICE PRESIDENT Damon Orr, San Juan County SO 435-979-2116 dorr@sanjuancounty.org	REGION C REPRESENTATIVE Phil Kirk, Park City PD 435-615-5512 phil.kirk@parkcity.org	UTAH ALARM SYS SEC. LIC. BD Larry Gillett, Retired/Corrections 801-968-9797 l-tgillett@msn.com
IMMEDIATE PAST PRESIDENT Eric Whitehead, Lindon PD 801-769-8600 ewhitehead@lindoncity.org	REGION C REPRESENTATIVE Domonic Adamson, Pleasant Grv PD 801-404-1514 dadamson@pg911.org	ULELC - LEGISLATIVE CHAIR Brian Locke, Cache County SO 435-755-1280 blocke@cashesheriff.org
SECRETARY Mike Galieti, Retired PD 801-707-8610 michael@ivyoaks.com	REGION C REPRESENTATIVE Kirk Folsom, Lehi PD 801-768-7110 zfossum@lehi-ut.gov	PISTOL CHAIR Greg Severson, Sandy PD 801-568-7237 gseverso@sandy.utah.gov
TREASURER & ADMIN. ASST. Kent Curtis, Retired U of U PD 801-560-7367 homeupoa@gmail.com	REGION D REPRESENTATIVE Skyler Jensen, Cache County SO 435-754-4798 sjensen@cashesheriff.org	MULTI GUN CHAIR Jeremy Dunn, Enoch PD 435-704-4344 jeremydunns14@hotmail.com
SERGEANT AT ARMS Shalon Shaver, Iron County SO 435-867-7555 sshaver@ironcounty.net	REGION E REPRESENTATIVE Jeremy Dunn, Enoch PD 435-704-4344 jeremydunns14@hotmail.com	K-9 TRIALS CHAIR Rose Cox, Retired SLC PD 385-229-0742 oquirrhbergkennels@msn.com
LEGAL COUNSEL Blake Hamilton, Durham, Jones & Pinegar 801-415-3000 bhamilton@djplaw.com	REGION F REPRESENTATIVE Jerod Curtis, Emery County SO 435-381-2404 jerod.curtis@ecso.utah.gov	CORRECTIONS REP. Kirk Christensen, Corrections 801-971-0874 kirkchristensen@utah.gov
CHAPLAIN Tyson Pepper, Corrections/AP&P 801-633-9376 tysonpepper@utah.gov	REGION G REPRESENTATIVE Ed Spann 435-789-2511 * Uintah County SO espann@uintah.utah.gov	CORRECTIONS REP. - JAILS Nancy Killian, Utah County SO 801-404-0225 NancyK@utahcounty.gov
REGION A REPRESENTATIVE Michael Millard, SLC PD 801-698-4106 michael.millard@slpa.com	REGION G REPRESENTATIVE Mark Cornaby, Roosevelt PD 801-358-8407 mcornabz57@gmail.com	UTAH CHIEFS REPRESENTATIVE Chief Kevin Thacker, Sandy PD 801-568-7214 kthacker@sandy.utah.gov
REGION A REPRESENTATIVE Sheldon Riches, UHP 435-840-5900 richesseven@gmail.com	REGION H REPRESENTATIVE Gordon Robison, Richfield PD 435-896-8484 gordon_robison@yahoo.com	UTAH SHERIFFS REPRESENTATIVE Sheriff Vance Norton, Uintah Co. SO 435-621-2240 sheriffnorton@uintah.utah.gov
REGION A REPRESENTATIVE Dennis Decker, SL County SO 801-541-3045 ddecker@slc.org	REGION I REPRESENTATIVE Avery Olsen, San Juan County SO 435-459-0840 avery@monticelloutah.org	TRAIL RIDE CHAIR Del Schlosser, Iron County SO 435-590-6921 dschlosser@ironcounty.net


TRAINING COORDINATOR B. L. Smith, Sandy PD 801-568-7240 blsmith@sandy.utah.gov	MEMBERSHIP CHAIR Bruce Champagne, American Fk PD 801-750-5452 bchampagne@afcity.net	HISTORIAN Vacant
ULEM REPRESENTATIVE Todd Griffiths, Unified PD 801-573-9238 griffiths1911@hotmail.com	POST COUNCIL REPRESENTATIVE John Crowley, Duchesne County SO 435-738-0196 jcrowley@duchesne.utah.gov	CONSTITUTION CHAIR Mikel Archibeque, Unified PD 801-710-8135 marchibeque@updsl.org
MAGAZINE EDITOR Janet Thorsted, Federal Government 801-643-9178 janet.thorsted@gmail.com	LOBBYIST Nick Morgan, Retired SL County 801-244-4403 nickmorgan3@hotmail.com	GOLF CHAIR Shawn Nielson, Pleasant Grove PD 801-830-5545
AWARDS CHAIR Mike Berg, Parowan PD 435-590-8525 mikeppd2w3@gmail.com	LEGAL PLAN CHAIR Dan Roberts, West Jordan PD 801-256-2098 danr@wjordan.com	UPOA AUXILIARY PRESIDENT Vacant
PUBLIC INFORMATION OFFICER Jason Nielsen, Sandy PD 801-568-7200 jgnielse@sandy.utah.gov	OFFICER MEMORIAL Toni Gillett 801-968-9797 1-tgillett@msn.com	UPOA AUXILIARY IMMEDIATE PAST PRESIDENT Gayle Roberts 801-232-1427 gayle3210@yahoo.com
WEBMASTER Brett Robinson 435-477-8373 brett@ironcounty.net	ASSISTANT TO THE BOARD OF DIRECTORS Anne Hunsinger 801-728-9037 sgtmaje9hh@aol.com	MAGAZINE BOARD CHAIR Holly Dixon, Cache County SO 435-374-8993 hdixon@cachesheriff.org

There are many of us who enjoy reading publications via an iPad or computer. If you would rather read The Utah Peace Officer on line and not receive a hard copy of future issues of the magazine, please let us know. We will let you know via e-mail when the new issue is available for viewing on <http://www.upoa.org>. And, if you decide in the future that you would rather receive a hard copy of the magazine, just let us know and we'll make sure you are put back on the mailing list. Just make sure we have your correct address. "LIKE" us on Facebook! APBs and the magazine will be available for future enjoyment and references on line at www.upoa.org.

Campbell Scientific Inc.

815 West 1800 North
Logan, Utah

(801) 753-2342

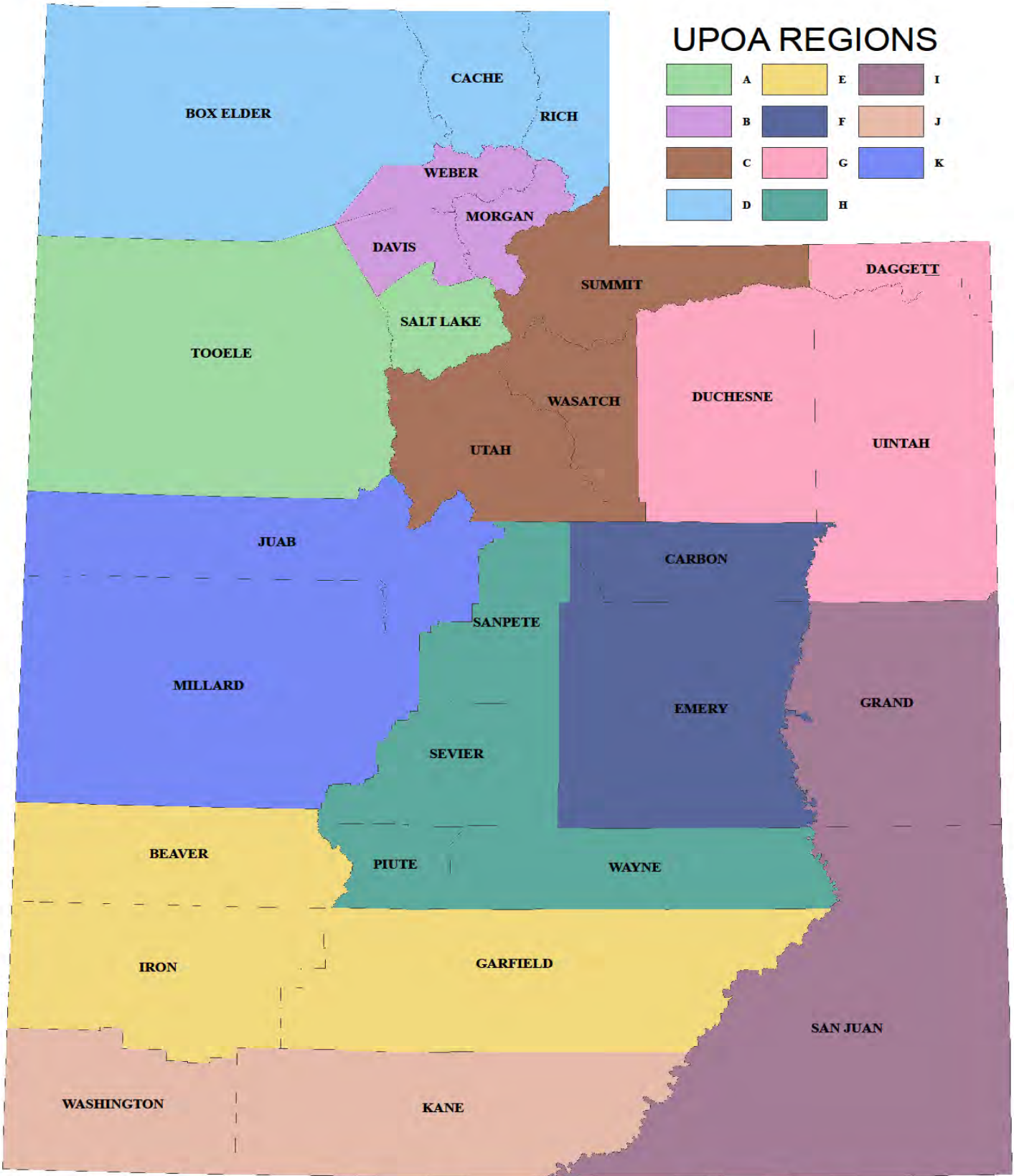






716 South 500 East • American Fork, UT 84003
www.wattsautomotive.com

801.763.0900





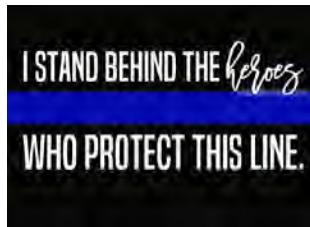
Editor: Janet Thorsted
janet.thorsted@gmail.com

The Utah Peace Officer is the official publication of the Utah Peace Officers Association and is distributed to its entire membership and advertisers. In order to make the Peace Officer as interesting and as informative as it can possibly be for Peace Officers and their families in the State of Utah, we invite your contributions of pictures and articles of general interest to all of us.

It is our sincere desire to make each publication one that will be looked forward to with anticipation.

Please submit all materials or requests for advertising rate sheets to:

Utah Peace Officers Association
5671 South Redwood Rd #19
Taylorsville, UT 84123
Phone - (801) 313-0760
Fax - (801) 313-0761
Toll free: 1-800-968-UPOA
e-mail: homeupoa@gmail.com



Check our website for updated training information and the latest APB's go to <http://www.upoa.org>

TABLE OF CONTENTS

- 1 UPOA Board of Directors
- 3 UPOA Region Map
- 4 Copyright Information, Table of Contents
- 5 UPOA Membership Application
- 6 President's Message, Arlow Hancock
- 7 Chaplain's Message, Tyson Pepper
- 8 6th Annual Peace Officer Trail Ride
- 12 Mile Markers Honoring the Fallen
- 18 2018 UPOA K9 Competition
- 19 Case Law, by BL Smith
- 25 Houston we have a problem with Kristie Beesley, by Janet Thorsted
- 28 Chain Breakers, by Nancy Killian
- 29 Book Briefing, by Michael A. Galieti
- 30 A Little Bit About... Principles and Values, by Michael A, Galieti
- 31 From Capitol Hill-The Utah Law Enforcement Legislative Committee Report, by Lt. Brian Locke UPOA Law Enforcement Legislative Committee Member
- 31 Death Notifications, by BL Smith
- 32 Operation Rio Grande, a day with Commissioner Squires and the Department of Public Safety Team, by Janet Thorsted
- 35 Supreme Court Justice Ruth Bader Ginburg recounts life memories at 2018 Sundance Film Festivals, by Hunter Richards
- 37 UPOA Regional Representative Updates
- 40 ULEM Representative News, by Sol Oberg
- 41 Spotlight, John Englestead
- 42 Honorary Colonel Spotlights: Gail Miller and Wilford Brimley
- 44 Utah Police Chief Representative Report, Chief Kevin Thacker
- 44 Utah Sheriff's Representative Report, Sheriff Vance Norton
- 46 UPOA's Accomplishments – what we do representing ALL law enforcement in Utah since 1922!
- 48 Utah Peace Officer Association Legal Defense Plan

There are many of us who enjoy reading publications via an iPad or computer. If you would rather read *The Utah Peace Officer* on line and not receive a hard copy of future issues of the magazine, please let us know. We will let you know via e-mail when the new issue is available for viewing on <http://www.upoa.org>. And, if you decide in the future that you would rather receive a hard copy of the magazine, just let us know and we'll make sure you are put back on the mailing list. Just make sure we have your correct address. "LIKE" us on Facebook! APBs and the magazine will be available for future enjoyment and references on line at [upoa.org](http://www.upoa.org)

The opinions expressed in this magazine are those of the individual authors, not the Utah Peace Officers Association. Law enforcement officers should consult with their own departments to ascertain if any policies or procedures promulgated herein are consistent with their department policies and constitute good police practices.

MEMBERSHIP APPLICATION –NEW/RENEWAL

UTAH PEACE OFFICERS ASSOCIATION

5671 S. Redwood Road, #19

Taylorsville, UT 84123

- New Member
- Renewal
- Auxiliary
- Personal Information Update
- Other / Purchase



Off: 801-313-0760 **FAX 801-313-0761 **E-Mail: homeupoa@gmail.com

Secure Membership Application available on UPOA's web page: www.upoa.org

Today's Date _____

Name (print) _____ D.O.B. _____
First MI or Name Last

Address _____
Street City State Utah Zip

Home phone _____ Cell _____ Business _____

E-Mail Address _____ Employer _____

Employer Address _____
Street City State Zip

Full Time Part Time Associate Retired (from what department) _____

Insurance Beneficiary (for \$1,000 death benefit, which is part of yearly dues) *See policy UPOA 93-3 for eligibility.

Name _____ Relationship to you _____

** I desire to pay my annual membership dues through payroll deduction. (Only State employees, S. L. County, Unified Police, Salt Lake City, West Jordan, Tooele, Orem, Sandy, Grantsville, St. George and Kane County employees may participate in payroll deductions at this time.) NOTE: **ONLY DUES MAY BE DEDUCTED – NO MERCHANDISE.**

Employee # or SSN _____ Signature: _____

A signed copy of this form must be mailed or emailed to the UPOA office for payroll deduction.

I am paying for – (all items have UPOA logo):

- _____ Lifetime membership @ \$600.00 (May be paid in installments over a one year period.) \$ _____
- _____ Annual dues @ \$35.00 \$ _____
- _____ Auxiliary dues @ \$10.00 (Please complete relationship section above.) \$ _____
- _____ Round window decal @ \$1.00 \$ _____
- _____ T shirts @ \$10.00 \$ _____
- _____ Hats @ \$12.00 (Distressed military hat \$13.....) \$ _____
- _____ Polo Shirt @ \$30.00 (2XL – 4XL @ \$35.00)..... \$ _____
- _____ Business card wallet @ \$10.00..... \$ _____

TOTAL (Postage and handling on multiple items will not exceed \$10.00) \$ _____

(Postage for up to 10 decals only will be free of charge)

Save postage and handling by purchasing items directly at the UPOA Office or having your Regional Board member deliver them to you.

**Call for further information or come by the office.

Please charge the above amount to my VISA, Master Card or American Express account# _____



Expires: _____ Signature authorizing charge: _____

President's Message

Greetings from the new Presidency of the Utah Peace Officers Association. As your new President, Arlow Hancock and President Elect, Damon Orr, we are excited to serve you. 2018 has started us off with a "hit the ground running" pace. There are so many things going on. Mid-Winter Convention coming up in February and the Legislative Session already going. The Fallen Peace Officer Trail Ride is also right around the corner in April.

One of the things that has always struck me about UPOA is how much is going on and all that we are doing on behalf of our members. What, you haven't heard everything that we are doing? Let me touch on a few of the latest. Did you know that we are involved with the Legislature? Lt. Brian Locke from Cache County Sheriff's Office is our Legislative Chair and attends meetings with the Utah Legislative Law Enforcement Committee. We have a say in supporting or opposing bills on the hill. As the President, I have also had the opportunity to meet with Representatives and discuss pending legislation. We have a representative on the POST Counsel as well as the Advisory Board for Utah Retirement Systems. We have a Chaplain, a Multi-gun chair, a K-9 Trials chair and so much more. One of the things that I have discovered, is that many of our members don't know everything that we do. Did you know that we offer a very affordable legal plan? How about, we will also work with you to get training out to your areas?



These are all exciting things to me, however, what touches me the most, are the times I have been able to stand beside the brave families of our fallen officers, high on a desert bluff north of Moab. I have been able to look at the 14 signs each with a picture of their loved one. It has been a tender experience to talk with the families who are so thankful they have not been forgotten. Some are recent losses, some are from long ago when the state was young. Every year we honor 14 of these heroes. These are times we get to truly serve our members. January 13th was another time for us. Damon and I attended a long time UPOA member, Sgt. Sanford Randall's funeral in Monticello. He was taken from us unexpectedly and far too soon. At the graveside, Damon and I had the honor of representing you and presenting Laurie with a check from UPOA.

As I drove back to my home in Cache Valley, I had a lot of time to think about all that I had heard at the funeral. They spoke of the things that Sanford had done with his family and in his community. There was no doubt in the minds of his family that he loved them deeply. How did they know, because he told them and he showed them. I reflected on my own family and wondered have I told them enough, have I shown them? It made me think about my communication.

Communication is such an important thing in life. Nowadays, we do it so fast, text, Tweet, Facebook and so much more. Are we affective communicators? I have a goal during my term as President of UPOA to increase the effectiveness of the communication in UPOA. We will strive to get more information out regarding what is going on in the organization. Information is a very powerful thing and can get a lot done.

I work to learn about relevant issues that affect our members. I take opportunities to talk with people who can help us. We are very lucky here in Utah to have so much support from those we serve. Recently, I spoke with the Mayor of a small town in Northern Utah. We talked about law enforcement's ongoing effort to recruit new officers and to retain those officers once they are hired. I had the opportunity to explain how the Tier II Retirement is affecting Public Safety. He was very interested and supportive of us.

How can we get help if we don't ask for it? I encourage each of you to learn about the issues and help to solve them. Maybe that means approaching that friend who would make a great addition to our profession and encouraging them to think about joining our ranks. Maybe that means talking with your local elected officials and tell them what we need, to do our jobs in a safe manner. Even, just thanking those that do support us goes a long way.

Maybe this comes a little more easily for me. My friends say they never have to guess what I think, they knew. My children used to tease that no matter where we went, Dad always found someone that he knew or someone he just had to stop and talk to.

I want to ask all of you to help us have better communication. Another of my goals, is to build UPOA's email list. Send us your email address so we can better inform you. If you change departments update us, or give us a personal email that goes with you. This will enable us to send out minutes of our monthly meeting. We will be able to tell you what is going on with Training in your area, as well as things being considered at the Legislature. Twice a year we will send out the UPOA "APB". It is an electronic version of our magazine. Simply send your email to homeupoa@gmail.com and we can include you on our list. We can also make sure your membership is up-to-date. Don't forget to check out our website at www.upoa.org, and see who are the latest Multi-gun champions and come learn from or challenge them at the next shoot. We invite you to sign up for Convention or register for the Trail Ride.

I am humbled and honored to be part of this great organization. I will work hard as your President to grow the organization and keep you informed of what is going on. Get to know who your local representative is. I will be challenging each of them to reach out and make contact with the members in their respective regions. This magazine has a map of the regions and who those representatives are. We look forward to a new year and the opportunities it affords us.

I will end with the sage advice of our brother, Sanford Randall, "Don't fall in a ditch".

Chaplain's Message, by Chaplain Tyson Pepper

THE DESERVING ONE

When Lawrence of Arabia was in Paris with some of his Arab friends after World War I, he took them to see the sights of the city. His friends showed little interest in the Louvre, the Arch of Triumph, or Napoleon's tomb. The thing that really interested them was the faucet in their bathtub. They spent much time turning it on and off; they thought it was wonderful. All they had to do was turn the handle and they could get all the water they wanted.

Then they were leaving Paris, Lawrence found them in the bathroom with wrenches, trying to get the faucet off so they could take it with them. "You see," they said, "it is very dry in Arabia. What we need are faucets. If we have them, we will have all the water we want." Lawrence had to explain to them that the effectiveness of the faucet depended on the water system to which it was attached.

Our study of worship reminds us that the effectiveness of all that we do in the church is not to be found in outward activity or service, but in the One who stands behind it. The One we serve. The One deserving of our worship.

The hour is coming, and now is, when the true worshipers will worship the Father in spirit and truth; for the Father is seeking such to worship Him. John 4:23





UTAH PEACE OFFICERS ASSOCIATION

6TH ANNUAL RIDE — SATURDAY APRIL 21, 2018

9:00 A.M. — MOAB, UTAH

Online Registration ends on April 13th 2018 at 11:59 P.M.

When registering for this year's Fallen Peace Officers Trail Ride, you will be given the option to select two preferred ride times. The times that you select are only a preference and you are not guaranteed that time slot. Please make sure to give us a correct email that you check often. We need a correct email because you will be notified no later than one week before the Fallen Peace Officers Trail Ride of your assigned ride time. After you submit your information you will be sent to PayPal to pay your registration fees (please note that you **do not** need a PayPal account to complete payment). You should also receive a registration confirmation email, if your payment was successful. If for whatever reason, you do not make payment at the same time as filling out the registration form, you must start over and fill out the registration form again.

Motorcycle / ATV / UTV

Ride times start at 11:00 A.M. with 30 vehicles per time slot. This will continue every 30 minutes until 2:30 P.M.

Additional Passengers are free again this year, however you need to make sure to put a count of passengers per vehicle.

- Motorcycle \$20.00 each
- ATV \$30.00 each
- UTV \$40.00 each
- Additional Passengers \$0.00 each

Jeeps & Related Vehicles

Beginning at 4:00 P.M. there will be 15 vehicle slots for Jeeps and related vehicles. This continues every 30 minutes until 4:30 P.M. Additional Passengers are free again this year, however you need to make sure to put a count of passengers per vehicle.

- Jeep or Similar Vehicle \$50.00 each
- Additional Passengers \$0.00 each

Register online at <http://www.upoa.org/fallen-trail-ride/>



Utah Peace Officer Association

5671 South Redwood Road #19

Taylorsville, Utah 84123

801 313-0760

homeupoa@gmail.com

www.upoa.org

Dear Potential Sponsor,

In 2013 The Utah Peace Officers Association dedicated the Fallen Peace Officer Trail in Moab Utah. This trail is dedicated to the officers who have fallen and those officers who have been injured and gotten back up. This trail is approximately 14 miles long and each year we chose 14 officers to honor for this ride. With the proceeds from the ride we will be providing scholarships to those officers who have been injured and gotten back up and family members of the fallen officer. We are in need of sponsors to further make this ride a success and honor those officers and their families for the ultimate sacrifice they have made.

These families have given the ultimate sacrifice. Many have young children which will never be able to tell their loved ones they love them. Some have passed long ago and their descendants are now much older. This year we are also honoring one officer who died in the line of duty and another which died as a result of a duty related illness which did not make the Utah Law Enforcement Memorial wall criteria. We feel as an organization it is our duty to represent all officers which have died in this state and given their all to the citizens of this state.

We have several types of sponsorships which you may take part in.

Full Sponsorship (**Platinum**) **\$2500.00 and up:**

4 ride passes to the Ride

Full page add in the Utah Peace Officer magazine & On Line APB for one year*

Recognition in the event program

Full sized plaque for your office showing the officers' name and milepost you sponsored

Half sponsorship (**Gold**) **\$1250.00 - \$2499.00:**

2 ride passes to the Ride

Half page add in the Utah Peace Officer magazine & On Line APB for one year*

Recognition in the event program

Half sized plaque for your office showing the officers' name and milepost you sponsored

General Sponsorship (**Bronze**) **\$500.00 - \$1250.00:**

1 ride passes to the Ride

Business card size add in the Utah Peace Officer magazine & On Line APB for one year*

Recognition in the event program

***Note: The Utah Peace Officer magazine is sent out to every Sheriff, Police Chief and legislator in the state of Utah.**

We need you to be part of this great event. Please reply by phone or email as soon as possible so we can start our planning process. Below I have also provided a list of officers which you can chose from if you have one you prefer to honor.

If you have any questions please feel free to contact me at any time.

Respectfully,



Del Schlosser
Trail Ride Coordinator
Utah Peace Officers Association

Contact

Del Schlosser
435 867-7542 work 435 590-6921 Cell
del Schlosser@ironcounty.net Email

thefallenride@gmail.com – Event Email
UPOA Office 801 313-0760 FAX 801 313-0761
www.upoa.org – Registration and signup

- Mile Marker 1 - Detective Brian R. Holdaway / Medical - 2017 - Unified Police Department
- Mile Marker 2 - Carlos M. Hall / Heart Attack - 1965 - San Juan County Sheriff's Office
- Mile Marker 3 - Cody J. Brotherson / Struck by Vehicle - 2016 - West Valley Police Department
- Mile Marker 4 - Jade Pusey / Meth Exposure - 2005 - Utah Attorney General's Office
- Mile Marker 5 - David C. Jones / Shot - 2003 - Garfield County Sheriff's Office
- Mile Marker 6 - Ernest G. Berry / Shot - 1914 - Utah Division of Wildlife Services
- Mile Marker 7 - Eric D. Ellsworth / Struck by Vehicle - 2016 - Utah Highway Patrol
- Mile Marker 8 - Festus Sprague / Shot - 1870 - Grantsville Police Department
- Mile Marker 9 - Harold A. Peterson / Motorcycle Accident - 1954 - Salt Lake City Police Department
- Mile Marker 10 - Sheriff James C. Burns / Shot - 1894 - Sanpete County Sheriff's Office
- Mile Marker 11 - Joseph H. Quigley / Shot - 1935 - Ogden Police Department
- Mile Marker 12 - Rollin R. Tanner / Lion Attack - 1927 - Salt Lake City Police Department
- Mile Marker 13 - Sgt. Wesley Rosette / Vehicle Accident - 1951 - Colorado State Patrol
- Mile Marker 14 - William R. Story / Shot - 1870 - United States Marshals Service

2018 Fallen Officer Trail Ride Saturday April 21, 2018

**Please complete and return the following page
with your donation.**



Utah Peace Officer Association

Sponsor Information Form

ORGANIZATION INFORMATION

Name of Organization

Mailing Address

City

State

Zip Code

Telephone Number

Organization Website

Contact E-mail Address

Name and Title of Contact Person

Contact's Telephone Number

Name to be displayed on program and other event documents

Sponsor Type: Platinum Gold Bronze Amount \$ _____

I understand it is my responsibility to provide the needed artwork for the magazine and APB publication in a timely manner.

FALLEN OFFICER SPONSORED

Due to the number of sponsor letters going out, officers sponsored will be selected based on first come first serve. We will make every attempt to make sure you sponsor your selected officer. Please number at least three officers in the order of preference.

- _____ Detective Brian R. Holdaway - 2017 - Unified Police Department
- _____ Carlos M. Hall / Heart Attack - 1965 - San Juan County Sheriff's Office
- _____ Cody J. Brotherson / Struck by Vehicle - 2016 - West Valley Police Department
- _____ Jade Pusey / Meth Exposure - 2005 - Utah Attorney General's Office
- _____ David C. Jones / Shot - 2003 - Garfield County Sheriff's Office
- _____ Ernest G. Berry / Shot - 1914 - Utah Division of Wildlife Services
- _____ Eric D. Ellsworth / Struck by Vehicle - 2016 - Utah Highway Patrol
- _____ Festus Sprague / Shot - 1870 - Grantsville Police Department
- _____ Harold A. Peterson / Motorcycle Accident - 1954 - Salt Lake City Police Department
- _____ Sheriff James C. Burns / Shot - 1894 - Sanpete County Sheriff's Office
- _____ Joseph H. Quigley / Shot - 1935 - Ogden Police Department
- _____ Rollin R. Tanner / Lion Attack - 1927 - Salt Lake City Police Department
- _____ Sgt. Wesley Rosette / Vehicle Accident - 1951 - Colorado State Patrol
- _____ William R. Story / Shot - 1870 - United States Marshals Service

_____ *We have no preference please select an officer for us.*

MILE MARKERS HONORING THE FALLEN

MILE MARKER 1



DETECTIVE BRIAN R. HOLDAWAY UNIFIED POLICE DEPT.

BRIAN ROGER HOLDAWAY, 50, OF WEST JORDAN, UTAH, PASSED AWAY THURSDAY, FEBRUARY 2, 2017. BRIAN STARTED HIS CAREER AS A POLICE OFFICER WITH MIDVALE CITY. DURING HIS 19 YEARS ON THE FORCE HE DID PATROL, SWAT, AND METRO GANG UNIT. HE THEN BECAME A DETECTIVE WHICH PUT HIM IN THE POSITON OF A SCHOOL RESOURCE OFFICER WITH HILLCREST HIGH SCHOOL AND LATER CONTINUED AS A DETECTIVE IN FRAUD INVESTIGATION. WHEN MIDVALE CITY WAS ANNEXED WITH UNIFIED POLICE DEPARTMENT, HE BECAME A DETECTIVE WITH THE SPECIAL VICTIM'S UNIT WHERE HE ALSO WORKED WITH ICAC. HE DID THAT WORK, THE WORK HE LOVED, UNTIL HE DIED. BRIAN TOUCHED THE LIVES OF EVERYONE HE MET. HE TRULY BELIEVED IN HELPING PEOPLE WHETHER IT WAS AT WORK OR AT HOME. HE WAS VERY PROUD OF AND LOVED HIS BEAUTIFUL WIFE AND CHILDREN. HE MADE THE BEST OF EACH AND EVERY DAY. HE WAS READY TO TRAVEL, LEARN NEW LANGUAGES, AND ENJOY ALL LIFE HAD TO OFFER. ALTHOUGH HE IS GONE TOO SOON, HE WILL BE IN ALL OUR HEARTS FOREVER.

CARLOS M. HALL SAN JUAN COUNTY SHERIFF'S OFFICE

DEPUTY HALL WAS ON DUTY AND ALONE AT THE COUNTY HOLDING CELL IN BLUFF WHEN AN ALTERCATION WITH TWO INTOXICATED FEMALES OCCURRED. ACCORDING TO WITNESSES, THE 55-YEAR-OLD VICTIM STRUGGLED WITH THE SUSPECTS FOR SEVERAL MINUTES. DEPUTY HALL SUFFERED MINOR INJURIES DURING THE INCIDENT AND WAS FORCED TO SIT FOR A TIME IN ORDER TO RECOVER. THE VICTIM THEN DROVE FROM THE JAIL TO HIS HOME, APPROXIMATELY HALF A BLOCK AWAY. UPON ARRIVAL, HE ASKED HIS WIFE TO SUMMON THE AMBULANCE. DEPUTY HALL SUFFERED CHEST PAINS FOLLOWED BY A MASSIVE HEART ATTACK. ATTEMPTS TO REVIVE HIM DURING THE AMBULANCE RUN FROM BLUFF TO MONTICELLO WERE UNSUCCESSFUL. HE WAS PRONOUNCED DEAD AT SAN JUAN COUNTY HOSPITAL. DEPUTY HALL WAS MARRIED AND THE FATHER OF EIGHT CHILDREN. HE IS BURIED IN DOVE CREEK CEMETERY, COLORADO.

MILE MARKER 2



MILE MARKER 3

CODY J. BROTHERSON WEST VALLEY CITY POLICE DEPT.

WEST VALLEY CITY POLICE OFFICER CODY BROTHERSON, 25, WAS STRUCK AND KILLED DURING A POLICE PURSUIT OF A STOLEN CAR. THE THREE-YEAR VETERAN OF LAW ENFORCEMENT WAS PUTTING OUT TIRE SPIKES WHEN THE SUSPECT VEHICLE STRUCK HIM NEAR 4100 SOUTH AND 2200 WEST. OFFICER BROTHERSON IS SURVIVED BY HIS FIANCÉ, PARENTS, AND TWO BROTHERS. HIS DEATH MARKS THE FIRST WEST VALLEY OFFICER KILLED IN THE LINE OF DUTY SINCE THE CITY'S INCEPTION IN 1980.



MILE MARKER 4



JADE PUSEY UTAH ATTORNEY GENERAL'S OFFICE

JADE PUSEY ENDED HIS MORTAL JOURNEY ON 29 JANUARY 2005 DUE TO A TWO YEAR BATTLE WITH DSRCT (SARCOMA). HE IS THE TENDER HUSBAND OF TANYA AND THE ADORING FATHER OF GARRETT. JADE JOKED THAT HE JUST COULDN'T FACE ANOTHER LEGISLATIVE SESSION. AFTER HIRING ON AT THE SALT LAKE COUNTY SHERIFF'S OFFICE THEY MOVED TO RIVERTON IN 1998. JADE WAS EMPLOYED WITH THE SLCSO WITH VARIOUS ASSIGNMENTS FROM 1997 - 2000. HE THEN BECAME THE CHIEF OF CRIMINAL INVESTIGATIONS DIVISION FOR THE ATTORNEY GENERAL'S OFFICE FROM 2001 TO PRESENT. JADE ALSO PARTICIPATED ON THE LAW ENFORCEMENT LEGISLATIVE COMMITTEE FOR EIGHT YEARS.

DAVID C JONES GARFIELD COUNTY SHERIFF'S OFFICE

DEPUTY JONES LOST HIS LIFE WHILE ATTEMPTING TO ARREST AN INTOXICATED MOTORIST. THE VICTIM HAD STOPPED A TRUCK IN ALVEY WASH, AN ISOLATED LOCATION SIX MILES SOUTH OF ESCALANTE. AFTER ARRESTING THE DRIVER, DEPUTY JONES WAS CONFRONTED BY THE PASSENGER ARMED WITH A HIGH-POWERED RIFLE. IN THE EXCHANGE OF SHOTS, DEPUTY JONES WAS KILLED AND THE PASSENGER WOUNDED. THE TWO SUSPECTS THEN FLED THE SCENE. THEY WERE APPREHENDED SEVERAL HOURS LATER AT A POLICE ROADBLOCK NEAR THE ARIZONA BORDER. BOTH WERE CONVICTED AND SENTENCED TO PRISON. THE DRIVER DIED OF NATURAL CAUSES IN 2008 WHILE STILL IN PRISON. THE KILLER REMAINS INCARCERATED. DEPUTY JONES LEFT A WIFE AND FIVE CHILDREN. HE IS BURIED IN OREM CITY CEMETERY.

MILE MARKER 5



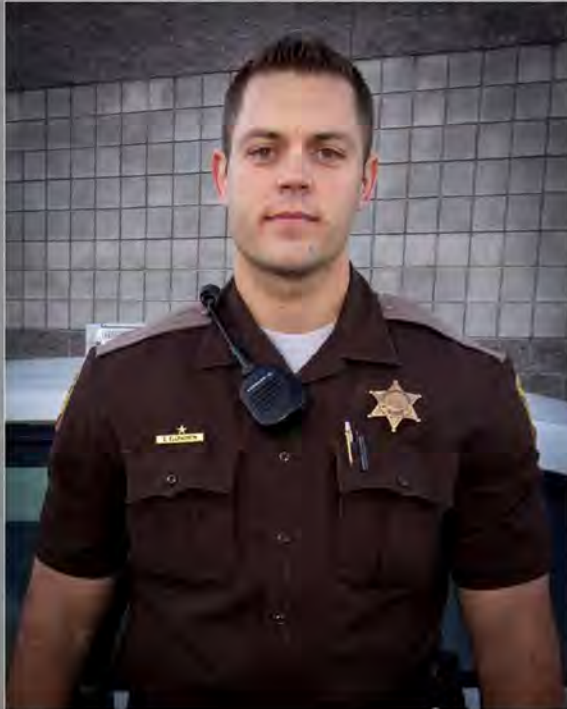
MILE MARKER 6

ERNEST G. BERRY **UTAH DIVISION OF WILDLIFE RESOURCES**

OFFICER BERRY WAS MURDERED WHILE ATTEMPTING TO ENFORCE HUNTING RESTRICTIONS NEAR THE GREAT SALT LAKE. THE 35-YEAR- OLD VICTIM WAS OPERATING A DREDGE ON WILLIAM'S LAKE (NOW SALT LAKE INTERNATIONAL AIRPORT) WHEN HE HEARD SHOOTING COMING FROM A NEARBY SALT MARSH. WITNESSES LAST SAW WARDEN BERRY FOLLOWING AN UNIDENTIFIED MAN WHO WAS CARRYING A GUN. WHEN WARDEN BERRY FAILED TO RETURN HOME, A SEARCH WAS CONDUCTED. HIS BODY WAS LOCATED OCTOBER 2, CONCEALED IN SOME UNDERBRUSH. HE HAD BEEN SHOT TWICE WITH A SHOTGUN. WARDEN BERRY WAS MARRIED AND THE FATHER OF FOUR CHILDREN. HE IS BURIED IN MOUNT OLIVET CEMETERY, SALT LAKE CITY.



MILE MARKER 7



ERIC D. ELLSWORTH **UTAH HIGHWAY PATROL**

UTAH HIGHWAY PATROL TROOPER ERIC ELLSWORTH, 31, DIED TUESDAY, NOVEMBER 22, 2016, FOUR DAYS AFTER BEING STRUCK BY A VEHICLE AND CRITICALLY INJURED WHILE DIRECTING TRAFFIC AROUND A LOW HANGING POWERLINE NEAR GARLAND. A SEVEN-YEAR VETERAN OF THE UHP, AND THE SON OF RETIRED TROOPER RON ELLSWORTH, ERIC IS SURVIVED BY HIS WIFE, JANICA ELLSWORTH, AND THREE CHILDREN, PARENTS, AND MANY FAMILY MEMBERS.

FESTUS SPRAGUE **GRANTSVILLE POLICE DEPT.**

OFFICER SPRAGUE WAS KILLED DURING A GUN BATTLE WITH A HOMICIDE SUSPECT. THE 39-YEAR-OLD VICTIM WAS A MEMBER OF A POSSE PURSUING THE KILLER OF U.S. MARSHAL WILLIAM STORY, WHO WAS SHOT TO DEATH THE DAY BEFORE IN GRANTSVILLE. UPON CORNERING THE SUSPECT IN A CANYON SOUTH OF TOWN, SHOTS WERE EXCHANGED AND BOTH THE SUSPECT AND OFFICER SPRAGUE WERE KILLED. A SECOND POSSE MEMBER WAS WOUNDED. OFFICER SPRAGUE WAS MARRIED AND THE FATHER OF FOUR CHILDREN. HE IS BURIED IN GRANTSVILLE CITY CEMETERY. .

MILE MARKER 8



MILE MARKER 9



HAROLD A. PETERSON SALT LAKE CITY POLICE DEPT.

OFFICER PETERSON WAS KILLED IN A TRAFFIC ACCIDENT. AT APPROXIMATELY 10 A.M., THE 54-YEAR-OLD VICTIM WAS PATROLLING ON HIS THREE-WHEEL MOTORCYCLE. AS HE ENTERED THE INTERSECTION OF 1300 SOUTH AND 1300 EAST, A VEHICLE DRIVEN BY AN ELDERLY MAN TURNED IN FRONT OF HIM. THE COLLISION KNOCKED OFFICER PETERSON FROM HIS MOTORCYCLE, DRAGGED HIM MORE THAN 30 FEET, AND PINNED HIM BENEATH THE VEHICLE. HE DIED OF SEVERE HEAD TRAUMA. OFFICER PETERSON WAS MARRIED AND THE FATHER OF A SON, WHO LATER BECAME A SALT LAKE CITY P.D. OFFICER. HE IS BURIED WASATCH LAWN MEMORIAL PARK.

SHERIFF JAMES C. BURNS SANPETE COUNTY SHERIFF'S OFFICE

THIRTY YEARS AFTER THE MURDER OF HIS FATHER, CASTLE GATE NIGHT MARSHAL BURNS WAS SHOT TO DEATH BY AN UNEMPLOYED MINER. THE 52-YEAR-OLD VICTIM WAS MAKING HIS ROUNDS WHEN HE ENCOUNTERED A SUSPECT FROM WHOM HE HAD PREVIOUSLY TAKEN A PISTOL. MARSHAL BURNS WAS UNAWARE THAT THE SUSPECT HAD REARMED HIMSELF. WITHOUT WARNING, THE SUSPECT SHOT THE OFFICER, ROBBED HIM, AND FLED INTO THE MOUNTAINS ABOVE CASTLE GATE. OFFICER BURNS DIED WITHIN AN HOUR. THE SUSPECT, AN AFRICAN-AMERICAN, WAS APPREHENDED SEVERAL DAYS LATER. TAKEN TO PRICE, HE WAS SEIZED AND LYNCHED BY A LARGE GROUP OF MEN IDENTIFIED AS MEMBERS OF THE CARBON COUNTY KU KLUX KLAN. INDICTMENTS WERE BROUGHT AGAINST SEVERAL OF THE PERPETRATORS BUT NO ONE WAS EVER PROSECUTED. MARRIED AND THE FATHER OF SIX GROWN CHILDREN, MARSHAL BURNS IS BURIED IN MT. PLEASANT CEMETERY.

MILE MARKER 10



MILE MARKER 11



JOSEPH H. QUIGLEY OGDEN POLICE DEPT.

OFFICER QUIGLEY WAS SHOT AND KILLED WHILE ATTEMPTING TO ARREST TWO GASOLINE THIEVES. SHORTLY AFTER MIDNIGHT, THE 35-YEAR-OLD VICTIM AND TWO OTHER OFFICERS OBSERVED TWO MEN IN THE ACT OF SIPHONING GAS FROM A CAR NEAR MONROE BLVD. AND 25TH STREET. IN ACCORDANCE WITH AN ORDER FROM THE MAYOR'S OFFICE, THE OFFICERS WERE DRESSED IN PERIOD FRONTIER COSTUME AS PART OF THE ANNUAL PIONEER DAYS CELEBRATION. AS THE OFFICERS APPROACHED, ONE OF THE MEN DROVE AWAY IN A CONVERTIBLE. WHEN OFFICER QUIGLEY JUMPED INTO THE VEHICLE, HE WAS SHOT THREE TIMES WITH A .380-AUTOMATIC. HIS BODY WAS DUMPED FROM THE VEHICLE SEVERAL BLOCKS FROM THE SCENE. THE TWO SUSPECTS WERE CAPTURED NEAR BRIGHAM CITY THE FOLLOWING DAY. DURING HIS TRIAL, THE MAN WHO SHOT OFFICER QUIGLEY CLAIMED HE DID NOT RECOGNIZE THE VICTIM AS A POLICE OFFICER, AND FEARED HE WAS BEING ATTACKED BY "A COWBOY." AT A JURY TRIAL THREE MONTHS LATER, BOTH SUSPECTS WERE ACQUITTED. HOWEVER, EACH SERVED A PRISON SENTENCE FOR A CAR THEY STOLE AFTER THE MURDER. OFFICER QUIGLEY WAS MARRIED AND THE FATHER OF FIVE CHILDREN. HE IS BURIED IN OGDEN CITY

ROLLIN R. TANNER
SALT LAKE CITY POLICE DEPT.

MILE MARKER 12

ON SATURDAY, SEPTEMBER 3, 1927, OFFICER ROLLIN TANNER WAS ON DUTY IN LIBERTY PARK DURING THE VISITATION OF FAMED AVIATOR CHARLES LINDBERGH. DURING THE AFTERNOON, THOUSANDS OF VISITORS PACKED THE PARK TO CATCH A GLIMPSE OF LINDBERGH. THIS CREATED UNACCUSTOMED PRESSURE ON MANY ANIMALS IN THE PARK'S ZOO. AS OFFICER TANNER WAS PASSING THE LIONS' CAGE, HE REACHED IN TO TOUCH THE ANIMALS AS HE HAD DONE NUMEROUS TIMES BEFORE. IT IS BELIEVED THAT THE UNFAMILIAR PRESENCE OF SO MANY PEOPLE CAUSED ONE OF THE LIONS TO SEIZE THE OFFICER'S HAND IN HIS MOUTH, AND THEN USED ITS CLAW TO DRAW THE OFFICER TO THE BARS. ANOTHER LION JOINED THE ATTACKS. THE ANIMALS WERE DRIVEN BACK BY AN UNKNOWN BYSTANDER WIELDING A METAL BAR. OFFICER ROLLINS WAS TAKEN TO THE EMERGENCY HOSPITAL WHERE HIS SERIOUS WOUNDS WERE DRESSED AND HE RETURNED HOME TO RECOVER. IT WAS NOT BELIEVED THAT OFFICER ROLLINS WAS IN ANY DANGER, HOWEVER BLOOD POISONING SET IN AND HE DIED ON SEPTEMBER 10, 1927.

OFFICER TANNER WAS PREVIOUSLY THE SHERIFF AND COUNTY ATTORNEY OF BEAVER COUNTY, AS WELL AS A UNITED STATES MARSHAL FOR THE SECOND JUDICIAL DISTRICT OF UTAH IN 1894 AND 1895. TANNER IS REFERRED TO AS AN "OFFICER" OR "SPECIAL OFFICER" IN VARIOUS NEWSPAPERS, AND A "PARK WATCHMAN" IN OTHERS. HE WAS ALSO A PRIOR UTAH STATE SENATOR FROM THE ELEVENTH SENATORIAL DISTRICT. ON MAY 1, 1924, HE WAS APPOINTED A SPECIAL OFFICER BY THE SALT LAKE CITY COMMISSION.



SGT. WESLEY ROSETTE
COLORADO STATE PATROL

TROOPER ROSETTE WAS KILLED IN A TRAFFIC ACCIDENT WHILE ON A PRISONER EXTRADITION IN UTAH. THE 45-YEAR-OLD VICTIM AND MESA COUNTY (COLORADO) SHERIFF E.E. REDMON WERE TRAVELING TO PRICE TO PICK UP A PRISONER. TROOPER ROSETTE WAS A PASSENGER IN THE MESA COUNTY POLICE VEHICLE. AT THE INCIDENT LOCATION, A LARGE EASTBOUND TRUCK PAUSED TO ALLOW THE OFFICERS' VEHICLE TO PASS BEFORE MAKING A LEFT TURN. THE TRUCK WAS STRUCK FROM BEHIND BY A SEMI TRACTOR-TRAILER. THE COLLISION FORCED THE FIRST TRUCK INTO THE PATH OF THE ONCOMING POLICE VEHICLE. TROOPER ROSETTE SUFFERED BLUNT FORCE TRAUMA TO HIS CHEST AND WAS KILLED INSTANTLY. SHERIFF REDMON SUFFERED CRITICAL INJURIES BUT SURVIVED. AN INQUEST CONDUCTED TWO WEEKS LATER FOUND THE DRIVER OF THE SEMI-TRUCK NEGLIGENT. TROOPER ROSETTE IS BURIED IN COLORADO.

MILE MARKER 13

WILLIAM R. STORY
UNITED STATES MARSHAL SERVICE

U.S. MARSHAL STORY WAS SHOT AND KILLED WHILE ATTEMPTING TO ARREST A MURDER SUSPECT. THE 31-YEAR-OLD VICTIM WENT TO GRANTSVILLE WITH A NEVADA DEPUTY SHERIFF TO SERVE A WARRANT FROM THAT STATE. DURING THE ARREST, THE SUSPECT SEIZED THE DEPUTY'S PISTOL AND USED IT TO SHOOT MARSHAL STORY. THE DEPUTY ESCAPED AND ALERTED THE CITY MARSHAL. A POSSE TRACKED THE SUSPECT TO A NEARBY CANYON THE FOLLOWING DAY. A GUN BATTLE RESULTED IN THE DEATHS OF THE SUSPECT AND A MEMBER OF THE GRANTSVILLE POSSE, FESTUS SPRAGUE. MARSHAL STORY WAS UNMARRIED. HE IS BURIED IN FORT DOUGLAS CEMETERY.

MILE MARKER 14



CIVIL RIGHTS DEFENSE



Our civil rights defense group is committed to providing the highest quality legal representation to law enforcement agencies in Utah.

When your integrity as an officer is being attacked rely on us. We have been on your side for decades. Whether it's a first amendment issue, police liability, or other civil rights matter, our experienced team is well versed in every aspect of civil rights defense.

Our extensive knowledge of the complicated rules and regulations involved in civil rights cases can mean the difference in getting a successful outcome. With our experience, we work to resolve cases early by revealing weaknesses in the plaintiff's case and narrowing the issues into a highly defensible position.

SNOW
CHRISTENSEN
& MARTINEAU

2018 UPOA K9 Competition

SPONSORED BY:

For more information contact:



Rose Cox

Oquirrhbergkennels@msn.com

Oquirrhbergkennels.com

(385)229-0742

April 12-15

DESERET PEAK COMPLEX IN TOOELE, UTAH

Thursday April 12th *Who can compete? Anyone*

Search and Rescue Live: Area search for a live find

Search and Rescue Cadaver: Area search for deceased remains

Explosive Detection: Threat scenario detection search

Friday April 13th *Who can compete? Active Police K9 Units*

Building Narcotic Detection: interior area search for hidden illegal substances

Vehicle Narcotic Detection: exterior area search for hidden illegal substances, primarily on vehicles

Saturday April 14th *Who can compete? Active Police K9 Units*

Building Search and Apprehension: Exterior and interior search of a building, resulting in apprehension of one or more suspects

Area Search and Apprehension: Exterior search of an area, resulting in apprehension of one or more suspects

Agility and Obedience: Set agility and obedience routine

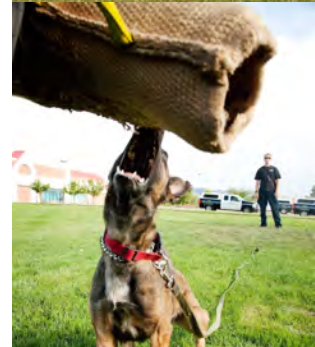
Sunday April 15th *Who can compete? Active Police K9 Units*

Tactical Obedience: Set tactical obedience routine

Technical Apprehension: Apprehension with technical difficulties such as: call offs, bark and hold, ect

AWARDS AND PRIZES WILL BE GIVEN IN ALL CLASSES. SPECTATORS WELCOMED AND ENCOURAGED ALL DAYS OF THE COMPETITION!

Registration will be available March 1, 2018 at oquirrhbergkennels.com. Please contact Rose Cox for more information



Not From Utah? We welcome all SAR, Explosive and Active Police K9 Teams from all states!



May 13-19, 2018

Strong Volkswagen

We Offer No Hagggle Pricing on Every New VW in Stock!

1070 South Main Street
Salt Lake City, UT 84101
801.596.2200
www.strongvw.com

spillman
technologies, inc.
reliable innovation

**Single solution,
better decisions**

Integrated public safety software

www.spillman.com



Case Law Updates, by Training Coordinator BL Smith

TOPIC: VEHICLE STOP OFFICER SAFETY

SCENARIO: Around midnight an employee of a bar called police about a man that had flashed a gun to other patrons claiming to be a Crips gang member. The employee watched him get into a blue Cadillac and drive away. Officers responding to the car spotted a blue Cadillac in the vicinity of the bar and conducted a high-risk stop in which the officers ordered the occupant out of the car at gunpoint. When Windom, the driver, exited the car he fit the description of the suspect at the bar. Frisking Windom a revolver was located in his pocket. He was arrested for disorderly conduct based on his actions at the bar.

The government charged Windom with being a felon in possession of a firearm.

Windom filed a motion to suppress the firearm. Although police had reasonable suspicion to support the stop he argued the stop transformed into an unlawful arrest without probable cause when the officers drew their weapons and ordered him out of the car at gunpoint.

Was Windom right? Was this an arrest when officers ordered him out of the car at gunpoint?

ANSWER:

The Federal Law Enforcement Training Center monthly legal publication THE INFORMER August 2017. United States v. Windom 10th Cir. Colo. July 24, 2017

No it did not become an arrest. The court commented that the use of guns does not automatically turn a Terry stop into an arrest. When police feel it is necessary for their protection the use of weapons on a stop is reasonable.

The court found that the stop was conducted around midnight in a high crime area, the driver of the car was suspected of flashing a firearm while claiming to be a member of a 'notoriously dangerous' street gang. Consequently, the court concluded that ordering Windom out of the car at gunpoint was reasonable and did not turn the stop into a de facto arrest.

TOPIC: VEHICLE STOP

SCENARIO: Cone was stopped by police for operating a vehicle without a functioning license plate light. The stop was made in a hotel parking lot where the officer had made numerous arrests for drug trafficking and firearms violations. After obtaining license information and advising Cone as to why he was stopped he was asked if he had ever been in trouble before. Cone answered yes. He was asked if he had been to prison before. Cone answered yes, for money laundering. This was a lie. The officer said in the vast majority of stops he makes he questions the driver to determine if they have a violent history in their past that may pose a safety risk to him.

The officer directed Cone to exit his vehicle while he ran a warrant check on him. Upon exiting the vehicle the officer spotted the butt of a pistol under the center console. Cone ran but was soon caught. Cone's backpack, when searched had marijuana, methamphetamine, and drug paraphernalia.

The government charged Cone with drug and firearm offenses.

Cone filed a motion to suppress the evidence. Cone's argument was the officer's questions about his criminal history and travel plans violated the Fourth Amendment because they were unrelated to the reason for the stop thereby prolonging the duration of the stop.

Was Cone right?

ANSWER:

The Federal Law Enforcement Training Center monthly legal publication THE INFORMER September 2017. United States v. Cone 10th Cir. Okla. August 24, 2017

No he was not right. The court recognized that an officer's mission during a stop is not limited to determining whether to issue a ticket. Because traffic stops are potentially dangerous, the 10th Circuit Court of Appeals has held that officers may run computer checks for warrants and a motorist's criminal history. The court reasoned that if running a computer check of a driver's criminal history is justified, then simply asking the driver about that history is not unreasonable under the Fourth Amendment.

The court went further saying the officer asking questions about being at the hotel did not violate the Fourth Amendment. The contraband found in Cone's car had no connection to the questions about the hotel. The weapon was found in plain view. All evidence was lawfully seized.

TOPIC: POLICE DETAIN SUBJECTS WHO IS AUDIO-VIDEOTAPING

SCENARIO: July 18 there was a 6-minute training on this subject. This is another to reinforce this high risk, low frequency issue.

Amanda Geraci, a member of the police watchdog group "Up Against the Law," attended a protest at the Philadelphia Convention Center. She carried a camera, wore a pink bandana that identified her as a legal observer. When police started to arrest non a compliant protestor Geraci moved to a better vantage point to record the arrest. She did this without interfering with the police. An officer abruptly pushed her up to and pinned her to a pillar from one to three minutes which prevented her from recording the arrest. She was released without an arrest or citation.

Richard Fields, a sophomore at Temple University was on a public sidewalk where he observed police breaking up a house party across the street. The nearest officer was over 15 feet away. Using his iPhone he took a photograph of the scene. An officer approached after seeing him taking a photo and asked him whether he "liked taking pictures of grown men" and ordered him to leave. Fields refused and was arrested. The officer confiscated his phone. Fields phone was opened, searched and several videos and other photos were viewed. Fields was issued a citation for "Obstructing Highway and Other Public Passages." The charges were dropped when the officer did not show up for court.

Were either of these actions taken by the officers lawful?

ANSWERS: LLRMI E-Newsletter November 2017 Brian S. Batteron J.D., Legal & Liability Risk Management Institute. Third Circuit Court of Appeals July 7, 2017 Fields v. City of Philadelphia and Geraci v. City of Philadelphia.

No, neither of these police actions were lawful. The City's Police Department's official policies recognized the citizens First Amendment right.

1. In 2011 the Department published a memorandum advising officers not to interfere with a private citizen's recording of police activity because it was protected by the First amendment. In 2012 it published an official directive reiterating that this right existed. Both the memorandum and directive were read to police offices during roll call for three straight days.
2. In 2014 when both of these cases were going through the courts the Department instituted a formal training program to ensure that officers ceased retaliating against bystanders who recorded their activities.

This training is to raise awareness that we will be held accountable for the training that comes with reviewing each 6-minute training. Hence your signature on the roster. Here *The City of Philadelphia* own policy, memorandum and training were used in court and held against them. We would not want to see a Utah court opinion come out titled "The City of (insert your city/county here)."

TOPIC: ARMED AND DANGEROUS

SCENARIO: US Marshalls were watching an apartment for a wanted felon who was also a gang member. Around 1500 hours an individual left that apartment who was not the wanted individual. A description of this person, on foot, was sent out to assisting officers.

Officer Cody Austin promptly spotted this individual walking along a drainage culvert. Austin got out of his vehicle and yelled at this individual trying to get his attention. He did so after which Austin asked if he could speak with him. Coca, the defendant in this case, turned around and began to walk to Austin which was several yards away. As Coca got closer to Austin he recognized him from past dealings. After notifying the Marshalls

that he was with Coca, who had just left the apartment they were watching, he asked Coca where he was coming from. Coca lied to Austin saying he was coming from a different apartment complex, across the freeway. Knowing Coca had lied he told him to have a seat on the ground. Moments later a gang detective and a K-9 arrived as backup. Austin was now running a want check on Coca.

While waiting for the want check to come back Austin noticed a new gang tattoo (on Coca) and asked if they could take photos of it. Asking Coca to stand for additional photo's Austin spotted a handgun behind a folded T-shirt tucked in Coca's waistband. He was arrested and federal weapons charges were filed.

There was a motion to suppress that Coca was detained without reasonable suspicion and the unlawful detention lead to the discovery of the firearm.

1. Was this a Level 1 police citizen contact?
2. If it was a Level 1 when did it turn into a Level 2 investigatory stop?
3. Was there enough reasonable suspicion for Coca's detention?

ANSWERS: Legal & Liability Risk Management Institute Brian S. Batterton, J.D., E-Newsletter December 2017. United States v. Coca August 1, 2017 Tenth Circuit Court of Appeals.

1. Yes the initial contact with Coca was a level 1. Austin ASKED if he could speak with Coca who then voluntarily turned around and came to the officer.
2. It turned into a Level 2 detention when Austin asked him to have a seat. At that time Austin knew Coca had lied to him, had come from an apartment where there was a federal fugitive hiding, and both were gang members.
3. Yes there was. Our Tenth Circuit Court of Appeals went through the three levels of contact in their opinion emphasizing Reasonable Suspicion. "But the standard is not particularly demanding. The circumstances necessary to arouse reasonable suspicion fall considerably short of satisfying a preponderance of the evidence standard.
 - a. The Court went through what Austin knew amounted to reasonable suspicion: U.S. Marshalls had an arrest warrant they were trying to serve, Coca had left that apartment and lied to Austin, both were gang members, there was a 'reasonable inference' to believe that Coca would have known Gutierrez (the wanted person) was wanted.
 - b. The Court cited the Totality of Circumstances was enough that a prudent officer had reasonable suspicion to detain Coca.

TOPIC: COMMUNITY CARETAKING

SCENARIO: Officers Turner and Cloyd were dispatched to an intoxicated women (Lakes) at the Wal-Mart. Upon arriving Lakes was found to be intoxicated. In speaking with her she said she had been taking pain pills for a bad back.

Turner asked Lakes if she was there by herself and she said no she was not. Her boyfriend (Lewis) was outside in their truck waiting for her. Lakes was told that if her boyfriend was OK to drive they would release her to him. If not, she would have to be arrested.

Approaching the truck it was dark and the windows were tinted. Looking through the window Lewis was asleep on the passenger side. Walking around Turner opened the truck's door. The dome light went on. A clear plastic baggie was on Lewis' lap. Lewis awoke with a start, saw Turner and tossed the baggie over the console onto the floor of the back seat.

Illuminating the baggie on the floor after opening the back door the baggie had pills in it. Asking Lewis about the baggie he said he didn't know anything about it and would comment no further.

Lewis was clearly under the influence. Both were arrested.

Lewis filed a motion to suppress the evidence saying the officer's did not have reasonable suspicion and/or probable cause to open the door the first time.

Did officers need reasonable suspicion or probable cause to open the truck's door the first time?

ANSWERS: Legal & Liability Risk Management Institute Brian S. Batterton, J.D., E-Newsletter August 2017. United States v. Lewis August 25, 2017 Sixth Circuit Court of Appeals.

Yes they did. The court said opening the door the first time was clearly a community caretaking function and had nothing to-do with an investigation of any criminal wrongdoing. It was an exception to the Fourth Amendment.

The court said "The community-caretaking exception applies most clearly when the action of the police is totally divorced from the detection, investigation, or acquisition of evidence relating to the violation of a criminal stature."

They continued "The community-caretaking exception is not limited to the least intrusive means of protecting the public."

TOPIC: VEHICLE STOP/REASONABLE SUSPICION

SCERARIO: A police officer stopped Mirabal for a traffic violation after receiving a report that Mirabal, a convicted felon, had placed an assault rifle in the trunk of his car. When the officer opened the trunk to Mirabal's car, he could not see the back of the trunk because of a long speaker box that was blocking his view. To see into the trunk better, the officer entered Mirabal's car and pulled down an armrest in the backseat. When the officer pulled the armrest down, he saw a package that contained cocaine.

The government charged Mirabal with several criminal offenses based on his involvement in a drug distribution ring.

Mirabal filed a motion to suppress the cocaine. *Mirabal conceded that the officer had probable cause to believe there was an assault rifle in the trunk.* However, Mirabel argued that the officer acted unreasonably by entering the back seat of his car and pulling the armrest down to access the trunk.

Did the officer lawfully enter the car when he only had probable cause to search the trunk?

ANSWER:

The Federal Law Enforcement Training Center monthly legal publication THE INFORMER December 2017. United States v. Mirabal 10th Cir. Okla. November 29, 2017

Yes he did. The court said it was reasonable for the officer to enter the backseat and pull the armrest down. The officer testified that when he opened the trunk he could only see the front part of the trunk because a speaker box ran the entire width of the trunk. The officer further testified that he could not see the space behind the speaker box, which was big enough to contain a rifle. At this point, once the officer determined that the speaker box would not move, he went into the backseat to see if he could access the trunk by folding the seats down.

TOPIC: VEHICLE STOP/FRISK

SCERARIO: An officer stopped a vehicle because he suspected the driver to be intoxicated. Upon approaching the driver he noticed three people in the vehicle. Asking the driver for his license and registration the driver gave him his license but not the registration. When the officer asked the driver to check his glove box for the

registration, he refused to do so. While speaking to the driver the officer spotted a large black cylinder item resting between the front passenger's leg and the console. The officer asked the passenger to identify the object. He refused. After repeating the question the passenger uttered profanity to the officer and held up the object to reveal that it was a large flashlight.

The officer requested back up and ordered the driver from the car and for the passenger to put his hands on the dash. Orth (the passenger in the front) shouted profanity at the officer and finally placed his hands on the dashboard after the officer repeated the request several times. The officer frisked the driver and found a large utility knife which the driver said he used for construction work. In the meantime Orth continued to yell at the officer and at one point, reached towards the floorboard of the vehicle.

When backup arrived the rear passenger and Orth were ordered out of the car and frisked. After the frisk the initial officer went to the car to search it. Orth tried to shut the door and eventually pushed the officer in the chest. While officers were trying to handcuff Orth the driver reached into the vehicle, grabbed a jacket from the floorboard near where Orth was sitting, and fled. While fleeing he dropped the jacket which officers recovered finding a loaded pistol, a digital scale, and heroin.

Orth was charged with several drug and firearm related offenses.

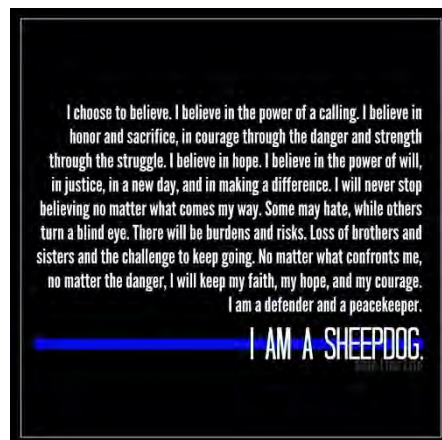
Motions to suppress from Orth for extending the scope of the stop beyond its original purpose of drunk driving when he ordered the occupants out of the vehicle and frisked them.

1. Did the officer extend the scope of the stop without reasonable suspicion?
2. Did the officer have reasonable suspicion to believe the occupants could be armed and dangerous?

ANSWER:

The Federal Law Enforcement Training Center monthly legal publication THE INFORMER November 2017. United States v. Orth First Circuit NH October 13, 2017

1. The court held that the officer reasonably extended the stop beyond its original purpose for drunk driving when he ordered the occupants out of the vehicle and frisked them for weapons.
2. The court held that the officer established reasonable suspicion that the occupants were armed and dangerous; therefore, he was justified in frisking the men. Specifically, the court noted that the driver's reluctance to open the glove box and the presence of the large flashlight, among other factors, justified frisking him. In addition, the officer was justified in frisking Orth because of his argumentative behavior, use of profanity, refusal to keep his hands on the dashboard, and reaching to the floorboard area near his seat.
 - Finally the court held that the officer was justified in attempting to search the car for weapons. The officer's reasonable suspicion that the occupants were armed and dangerous justified a search for weapons that could be easily accessed from the passenger compartment of the vehicle. (as is evident since the driver grabbed the coat from the floorboard with a loaded gun in it and fled)



Contributing Articles

Houston we have a problem with Kristie Beesley, by Janet Thorsted

I met Kristie a couple days after Aaron passed away in 2012. It was a tough visit to offer condolences on behalf of a lot of people. I didn't realize then the connection we would have years later.

We fast forward to 2017 and I have a request to go with Kristie to National Police Week in Washington DC. Kristie and I met and discussed the plan. Her request was well thought out. She is organized, she knew her goal! Our mission is to go back five years after losing Aaron and pay a personal visit for herself.



She didn't want to be in a large party but also needed to be there to support Utah's other families. The request was to go, share a room, be her driver and navigate the week together off the traditional path and arrangements. There were a couple caveats that made the week amusing; church on Sunday, keeping the Sabbath, and let's add a trip to New York if we have time. Wow, I have to buy a dress was my first thought, but I was up for the challenge. I have to admit, the second thought was wondering if I could go a week and not slip saying a curse word. This would be an interesting challenge.

Police week comes and we are greeted with a Utah Highway Patrol drive to the airport, a big thank you Captain Chris Simmons, Utah Highway Patrol. Our first travel day was snarled by a delay at our connecting flight into Houston. Then we went to board the plane and they noticed the engine had an issue. After two delays we are told the plane is just out of service and a new one is in route that nothing was available otherwise. We had another couple hours to wait. This is where I feel I really met "Kristie". Before this point I saw her as reserved, quiet, always dressed up and proper. I hadn't seen her "kick loose" yet. Timing is everything! With the plane in route we knew the time void was more defined and she looks up and starts pointing at the shirt kiosk. Kristie begins grabbing patches out of her backpack and the week really began. A crowded airport, new t-shirts, strangers taking our photos and the fun began.

Washington, DC, our days are packed full of plans but there were many highlights. Of course the National Memorial Service is always humbling and amazing, each year topped by the year before. This year President Trump and Vice President Pence spoke. After years of feeling a lack of support to law enforcement there was ovation after ovation to words being said. President Trump paused the ceremony for a good length of time to shake hands with any fallen family members that wanted to line up to do so. The ceremony itself lasting over five hours. We were lucky enough to have made prior arrangements for VIP seating directly behind current year fallen families. We were also able to get quick VIP approval for Sheriff Potter and Chief Deputy Dale Ward from Box Elder County. It was wonderful to see Sheriff Potter's first awestruck experience at the ceremony. After the ceremony we enjoyed lunch with Sheriff Potter and Chief Ward and drove around a bit chatting and laughing as we got them back to their hotel.

The week continued with visiting sites, an early Mother's Day pizza feast courtesy of Lee Perry for his wife Kathy, Kristie and myself, shopping; for that dress you know. We had a rental car while many other relied on crew vans so we had the opportunity to run some errands for Lee to help the Ellsworth family in particular. We visited the Airbnb house where the crew and spouses were staying to do a shirt delivery and that was nice to meet the team behind honoring Eric. Kristie and I were able to catch up with many people at the C.O.P.S. Hotel. Many names and faces I could finally connect and once they heard we were pulling up to the hotel we were quickly greeted by Utah officers. A heartwarming, loving law enforcement family!

Well, Mother's Day is upon us and church, hmmm. First, I really wanted Kristie honored more than motel sandwiches so I decided to call in a favor. My federal home office is in Washington DC and my first agency boss twenty-seven years ago transferred there before retiring so I picked up the phone. Yes, I basically asked what she was doing for Mother's Day. She, my friend Lorrie Parker, had been following our journey on Facebook. She extended and invite nearly as quick as I inquired if her husband Glen would mind setting two more plates.

Mother's Day morning, well it went down beautifully! I enjoyed church, nice challenge. We then went to Lorrie and Glen Parker's home and spent six hours eating salmon, salads, desserts, rolls, you name it! We visited, played games and thoroughly enjoyed Mother's Day. Many thanks to my friends the Parkers.

Last stop, last day, we need to head to New York City where we will site see and fly home from there. We awake at 2:30 am and glide into NYC early enough to beat all traffic. The view arriving was breathtaking.

After a tired last day in NYC we return home to Utah. Once again the warm greeting of Captain Chris Simmons, great man, we have great people serving us in Utah!

Kristie Beesley you are amazing! There is so much more I could have shared but its best we keep some secrets. Oh we had fun!! Thank you for riding shotgun with me for a week for Police Week 2017.



UPOA's Supporting Advertisers

3 Form, 2300 S 2300 W # B, WV, UT, 84119, 801-649-2500
Atop Auto, 415 E Main St, Castledale, UT, 84513, 801-225-5509
Caesars Motorcycle Empire, 7922 S State St, Midvale, UT, 84047, 255-4466
Clive T Roundy Construction, PO Box 547, Spanish Fork, UT, 84660, 801-368-9156
Craythorne, 601 W 1700 S, Syracuse, UT, 84075, 801-776-4962
Italian Village, 5370 S 900 E, SLC, UT, 84117, 266-4182
Jenkins Oil Co, 1100 W 560 N, Cedar City, UT, 84721, 435-586-6931
KLM Mining, 620 W Center St #7, N SLC, UT, 84054, 971-3736
McArthur Electric, 807 N 1080 E, St George, UT, 84770, 435-628-1103
Park Cafe, 604 E 1300 S, SLC, UT, 84105, 487-1670
Tongs Fire Extinguishers, PO Box 3101, Cedar City, UT, 84721, 435-590-3500
Unique Auto Sales, 510 W billions Rd, SLC, UT, 84115, 520-2146
United Team Mechanical, 151 N 600 W, Kaysville, UT, 84037, 801-544-1811
Vlahos, Walpole + Jacobsen, 2661 Washington Blvd # 203, Ogden, UT, 84401, 801-621-2464
Wing Mortuary, 118 E Main St, Lehi, UT, 84043, 801-768-9514,
Associated Brigham Contractors, 75 N 900 W, Brigham City, UT, 84302, 435-723-8529
Delsco North West, 3020 W 2000 S, Roosevelt, UT, 84066, 435-722-4236
Lehi Block Co, 2303 N 1200 W, Lehi, UT, 84043, 801-768-8401
Lowry & Assoc., 967 E Pioneer Rd, Draper, UT, 84020, 501-8808
Watt & Standard Trucking, PO Box 938, Claresholm, Alberta, Toloto, 800-383-1934



Homes *for* Heroes®

Our way to say Thank You!

Save THOUSANDS

When You Buy, Sell or Refinance a Home



HEROES DESERVE REWARDS



**No Red Tape
No Fine Print
No Hidden Fees
No Catch, Just Rewards**

Call, Text, or Email Barbara and Michelle to Buy or Sell Your Home. We're Your Local Homes for Heroes Affiliates.



MICHELLE HOLLEY

Loan Consultant | NMLS #248411
Cell: 801-680-7941
Michelle.Holley@nafinc.com
www.HolleyHomeLoans.com

BARBARA DILL

Realtor
Cell: 801-602-2902
Barb@TheDillTeam.com
www.DillTeam.com



New American Funding and iPro Realty shared the cost of this advertisement. NMLS ID36606. New American and New American Funding are registered trademarks of Broker Solutions Inc. dba New American Funding. All Rights Reserved. Corporate Office is located at 14511 Myford Road, Suite 100, Tustin, CA 92780. Phone 800-450-2010.

Chain Breakers, by Lt. Nancy Killian UPOA Jail Representative

Each edition we will be highlighting a Sheriff's Office Corrections Bureau. This edition we would like to highlight: Utah County Sheriff's Office Corrections Bureau

The Utah County Sheriff's Office Corrections Bureau is located at 3075 N. Main Street, Spanish Fork, Utah. The building was first opened in 1997 and remodeled in 2008 adding an additional 380 beds. The total capacity that the jail can hold is approximately 1150 inmates.

The Jail Commander for the Utah County Sheriff's Office is Chief Deputy Darin Durfey. He has a staff of 54 civilian classification staff, and 24 medical staff, 130 Deputies, 17 Sergeants, and Four Lieutenants.

Chief Durfey will be promoted to the Under Sheriff in March. As Chief Durfey has worked both in the Law Enforcement Bureau and the Corrections Bureau, he saw the need for programming in jail that would help with the recidivism rate of inmates. Chief Durfey was one of three that were instrumental in starting a program to help with the recidivism rates. That program is called Chain Breakers. Here is an overview of that program.

Chain Breakers

Chain Breakers is a targeted and designed course that addresses addiction and criminality of offenders that are incarcerated in the Utah County Jail. The concept of this program began with three individuals and is the result of discussion related to recidivism, addiction, criminality and overdoses that have been occurring at an alarming rate due to the opioid epidemic.

Chief Deputy Darin Durfey, James Childs (Chain Breakers Program Director) and Deputy Scott Smith have been instrumental in developing a program designed for female inmates incarcerated in the Utah County Jail. After seeing many women released from jail go back to their drug lifestyle, overdose and in some cases die, these three individuals began talking about solutions to this issue. Some of the issues identified were that many of these individuals are involved in relationships that are abusive or non-supportive, there are housing issues, employment issues and lack of any meaningful positivity to allow them to succeed. While all of the women participating in this program are responsible for their actions and criminal offenses, many have also been victims of physical abuse, mental abuse and sexual abuse. While this does not excuse their actions, it is important to understand the factors that have led them to break the law and to be incarcerated.

Chain Breakers gives those who desire to change the tools and opportunities to make effective change during the time of incarceration and then voluntary programming continues once the individual is released from jail. Some of the requirements for participation in the Chain Breakers program is the individual must be an inmate worker, must participate in designed programming, must participate in adult education programs and must participate in one or more self-help or spiritual programming courses offered in jail. During the Chain Breakers programming course participants are asked to identify the obstacles that they will face upon release that may prevent them from maintaining sobriety. They are asked to help design a "discharge plan" that is specific to them and the issues that they will face upon release.

How is this different from other programs? Once a person is released from jail, the Sheriff's Office has no further jurisdiction over an individual. They have at that point, served the sentence imposed by the Court and are free to leave jail, returning to how they chose to live their life. Yes, some individuals are on felony probation and are supervised by Adult Probation and Parole, but the Utah County Sheriff's Office no longer has any control or jurisdiction over the individual released.

Chain Breakers is an ongoing voluntary program that these women released from jail can participate in. Part of the discharge plan is that they can attend voluntary programming on Wednesday nights at the Health and Justice

Building. The instructors who provide the programming in jail and on Wednesday evenings are paid for by the Utah County Sheriff's Office.

Some of the other significant differences in this program is one of community engagement and partnership. Early on issues were identified related to release of offenders and a lack of a positive role model for individuals who have a desire to change. We now have in place mentors that have been through specific training with the Sheriff's Office, who have agreed to be mentors for Chain Breaker participants. These mentors are assigned to specific participants and understand the challenges the women may face upon release and are aware of their discharge plan defining what will help them to be successful. This mentor program has been implemented in partnership with the Church of Jesus Christ of Latter Day Saints. The Stake President, President Bradford, assigned to the Jail and LDS Church Corrections Liaison Chris Raleigh have been very involved and instrumental in a collaborative partnership to make this program successful.

Additional partners in this program include Adult Probation and Parole, Workforce Services and Wasatch Mental Health.

While the program is only nearing one year in full implementation, the preliminary results are promising. We have seen many individuals participate in the program and are finding that those women who have participated in in-patient or out-patient treatment, the mentor program and voluntary programming on Wednesday evenings, have not returned to jail during the past nine months.

By designing individual discharge plans, identifying stressors and obstacles, partnering with mentors and other community groups we are seeing positive results and are putting into place all of the tools and resources to help these women return to their community on the right track to become positive, contributing members. It is only through community partnerships, efforts of many individuals and a desire to make a difference that this program will be successful.

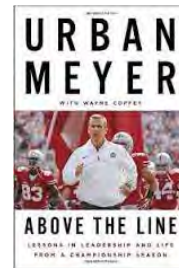
If you would like further information about this program, please feel free to contact me at nancyk@utahcounty.gov. Stay safe out there.

Book Briefing, by Michael A. Galieti

ABOVE THE LINE: Lessons in Leadership and Life from a Championship Season

Author: Urban Meyer

Publisher: Penguin Press, New York, NY



For those who want to lead, this book is a must read. The author, Football Coach Urban Meyer, summed it up this way: "Leadership is a mindset first and a skill set second."

The book itself is a fun, easy read. It is colorful and laced with real-life examples of leadership, championship behavior, and the over-coming of difficult challenges. The book includes a prologue, eleven chapters, and an epilogue: Read it in one sitting, or place it bedside and read one chapter each night before calling it a day.

Urban Meyer describes principles which are applied in the building of strong winning teams and individuals. These principles include leadership training within the organization, the building of a culture of winning, and the power of organizational (that is team) unity. A capstone to these principles is the creation of a belief system which makes the unified application of the principles possible.

For one who may be having just a little trouble getting back into the habit of reading just a little bit every day, this book may be the answer. The book is credible because the author has done what he writes about; the book is comprehensible in easy bite-sized readings; and the book is compelling because it is direct to the point. Buy two copies – buy one copy for you and buy one copy for your best friend.

A Little Bit About... PRINCIPLES AND VALUES, by Michael A. Galieti

Often, the terms principles and values are used inter-changeably. This is true of many words in our language. The problem is that the casual use of words in our language sometimes dilutes the meanings of the words. Let us consider the re-empowerment of these words, principles and values.

Principles are like natural laws in that principles and natural laws are permanent fixtures in our world. Take gravity, for example. Gravity is a natural law. It works no matter what; it works every time. Gravity does not care if you believe in the law of gravity. Gravity does not care if you understand the law of gravity. Gravity does not care if you value the law of gravity. If you step off a five-story building, you will never fall up. That is just the way it is.

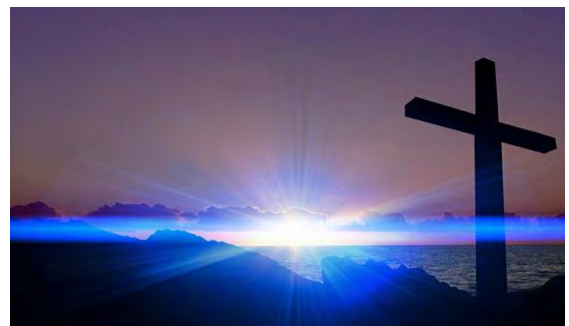
Take honesty as an example of a principle. Honesty is a principle. Just like gravity, it works no matter what. It works every time. Honesty does not care if you believe in the principle of honesty. Honesty does not care if you understand the principle of honesty. Honesty does not care if you value the principle of honesty. If you are honest, in time you will build trust. If you are dishonest, in time you will build mistrust.

However, there are correct principles and there are incorrect principles. They may be in opposition to each other. For example, a correct principle is the golden rule: Do unto others as you would have others do unto you: Treat people well, and help them if they need help. Perhaps you may need help someday, and someone may help you.

Another principle is the law of the jungle: Survival of the fittest. This principle works well for predators in the jungle who only eat if they kill someone, or something, weaker than they are. Most police officers have experience with predators who attempt to take advantage of others when they think they can get away with it. Police officers are charged with making the world less of a jungle and more of a civilized society where children, the elderly, and those less physically capable of defending themselves can be safe.

So, we choose which principles to value. That is where values come in. Values are a choice about which principles we choose to value. Stephen Covey put it this way: “A gang of thieves can share values....” A gang of thieves may choose to value the law of the jungle – steal from the weak; they say, take what you can when you can.

Principles then are natural laws; they are permanent. Values become our choices about which principles we live by. They can, and often do, change over time.



From Capitol Hill-The Utah Law Enforcement Legislative Committee Report, by Lt. Brian Locke UPOA Law Enforcement Legislative Committee Member

The following is a brief history and explanation of the workings of the Utah Law Enforcement Legislative Committee or the ULELC. The ULELC was begun over 25 years ago with the UPOA involved in this committee since its inception. The ULELC is a non-governmental association that consist of eight other organizations which includes the UPOA. These groups represent a large number of Utah Law-Enforcement professionals. The committee is composed of The Utah Chiefs of Police Association, Utah Sheriff's Association, Utah Peace Officers Association, Utah Attorney General, Director of the Utah Department of Corrections, Commissioner of the Utah Department of Public Safety, and Director of Law Enforcement for the Utah Department of Natural Resources and Utah Statewide Association of Prosecutors. This committee meets on a weekly basis for the duration of the State Legislative session. The meetings are held at 1000 hours on Mondays at the State Capitol. These meetings are open to all public safety officers, employees of member organizations and invited guests only.

This committee reviews the presentation of new laws or proposed changes to existing laws. Members of the committee can be found testifying on Capitol Hill during the session or taking part in meetings with legislators who are working on the creation of new laws or revisions of existing laws. The ULELC takes a position on proposed legislation weekly, which can be viewed at ULELC.org. When a position is taken by the committee it is done so by unanimous vote. Input is welcomed by those who are attending the meetings and open discussion is encouraged. This is a great opportunity to hear from a cross section of public safety professionals on a variety of important subjects. Last year we tracked over 190 bills that affected Public Safety one way or another. By the looks of it, this year we will be on schedule to have well over 100 bills to track this session. I would encourage all Public Safety professionals to go to the website and look over the legislation that is up for review. These legislative proposals impact all of us and how our jobs are done. It is a great opportunity to become informed regarding what is going on with your lawmakers on Capitol Hill.



DEATH NOTIFICATIONS, by BL Smith

What a Death Notification Is Not

- A death notification is not therapy.
- A death notification is not spiritual guidance. (In other words, this isn't the place for proselytizing or trying to answer theological or religion-specific questions.)

The checklist for a Death Notification

- Identify as quickly as possible a list of individuals who need to be notified.
- Prioritize the list (wife, husband, son, daughter, father, mother, brother, sister, extended family, close friends).
- Identify the geographically closest priority individual.
- Priority should take precedence over geography whenever possible.
- Get as much detail about the incident as possible (maintaining the balance between the need to be informed and the need to be timely).
- If possible, obtain any information known about the individual you're going to notify through department records, family, or friends (again, maintaining the tension between details and timing).
- Go to the notification with a partner (Chaplain if possible).
- Go in person to the residence or work place.
- Find as private a setting as possible.
- Verify the relationship between the individual who has died and the person you are about to notify.
- Make the notification. "Your () has died." (This statement needs to be brief and to-the-point. Avoid euphemisms like gone, passed on, taken, no longer with us, or expired).

Examples of Proper Notifications:

1. "Your husband was involved in a horrible accident and has died as a result of his injuries sustained from the accident which is currently under investigation."
 2. "Our department responded to a call and upon arrival found that your son had died as a result of a gunshot wound. Our department is currently conducting an investigation."
 3. "I have been contacted by the () police department and been asked to notify you that your daughter has died in a fire. I personally do not have a lot of details, but I do have contact information for the detective in charge of the case and would be happy to help you make contact with him to learn more specific details."
- Ask who else needs to be notified (family, friends, co-workers).
 - Establish some type of support system for the family.
 - This support system needs to be made up of individuals the family needs and trusts. This may or may not include their ecclesiastical leader. Part of the process is to question the family about whose presence they would feel most comforted by during this time. It can be as simple as asking a neighbor to come sit with the family or as complicated as tracking down a specific individual and helping them arrive at the family's location following the notification.
 - Answer any questions honestly, do not speculate. Give them a name and number of someone at the department they may contact.
 - Once you have made the notification and the notified have a support system in place and no further questions, it is time to leave.

Source: Death Notifications. Delivering an offensive message in the least offensive manner. Dean L. Jackson (UPOA Training has 10 of these small pocket books. If you would like one contact blsmith@sandy.utah.gov with your name and agency mailing address.)

Operation Rio Grande, a day with Commissioner Squires and the Department of Public Safety Team, by Janet Thorsted

I recently had a wonderful day today shadowing Department of Public Safety Commissioner Keith Squires. Keith and I had talked for a while about a day shadowing him and had a couple attempts at it with changes to

each of our schedules. Then came the opportunity to come a day that there were meetings and a busy schedule, but also a service project some of his staff was going to be doing. I was IN!

I had been to this area a couple years before on some routine checks with a couple AP&P Agents and boy it was a rough scene. We've all driven past it before and it was a tough site. In all honestly I had found the area to be intimidating, hopeless, saddening and alarming in the past. I wasn't exactly sure how many of us would be there with Keith that day, nor what we would be doing but my expectations were not what I ended up seeing.

The day began at Rio Grande. I was briefed in mobile command and given a tour by Major Brian Redd. Brian began to point out talk about his first day there until the present day and what the difference was from clean up to the effects of the changes. I immediately saw his compassion for the people as we walked the sidewalk and a man was clearly not in a good state. Brian paused our conversation and brought the man alert and verified his wellbeing. I had so many questions on who these people were, how do you identify with them, how was I to address them, and so much more? The first answer that stuck was to talk and treat them how I would want to be treated. "Hey bud, I am Janet, how's your day?" These people are from all walks of life and some just a pay check short from having rent money. The tour continued and the police presence definitely obvious, but more so obvious to me was no intimidation. There was a respect, there was a pride. The homeless would make eye contact and say hello and be greeted back. Another observation was when Brian would say, in one case in particular to a young man, what brings you out here, do you have family? He said, "I do, but I have made some bad choices and I am not bringing that home to them. I am working on it. I'll get back home." Brian wished him well. Having myself worked in a prison years ago and hearing the, I shouldn't be here stories. I expected denials on the street. I didn't hear one. I heard people own their own story. I am sure there are still those who don't but I was very impressed with those making progress.

After the tour our service project was to serve a meal. In this case there was plenty of helpers so I was assigned to "work the crowd". If they are standing, stand with them. If they are sitting, sit down with them. Introduce yourself and ask how they are. Luckily no one was laying on the ground. I actually was into the task so much, I would have laid on the ground though to visit with them. Social workers are one of the biggest shortages for the homeless population. Just visit with them, like I would want a brief conversation that someone cared. This was interesting and fun for me. So many people, so many personalities, reasons to be there, stories to tell and so I worked the crowd. A couple people that stood out, Kari a mother of six who after her third divorce found that she was left with virtually nothing and it dwindled down to being homeless. She was not bitter. She was clean, well spoken, thankful for the services provided, goal oriented and had a plan. She was only there temporarily. There were many stories, many people. There was Peter, now he was funny. It was towards the end of the assignment and I had met a lot of people of which other homeless had witnessed the interactions. I sat next to Peter and said, "Hello, I am Janet, how is your day going?" He replied, "it is going good, I am Peter....." And as fast as he said it he tried to retract it. Then he said, "oh my 'explicit' I have never told a cop my real name." I had to laugh. I got up and patted his back and said, "Well Peter, you still haven't. I am not a cop. I am just hanging out with them today."

This was a great day to see progress for the homeless. To hear about court happening right on site every other week. This revolving door of crime, drugs and jail that can go along with this population and it isn't being solved. Hearing the stories. If they go to court everyone stares, they don't have nice or clean clothes. In fact they have all their belongings in a bag. Where do they leave that for court? They can't lose it. So they don't show up. They wouldn't have the money to pay a fine anyway, so they drown their sorrows in the same bad behavior. Now a judge comes to the Rio Grande. They hold court there. The fines are tickets that can be even service there. There is a growing sense of overcoming being a problem and becoming a better person. This concept is brilliant.

The day continues with Keith and I having a quick private lunch before being whisked off to meetings. We go to a quick sandwich shop and order and before we know it an unnamed man swipes his credit card and pays for our meals. Merely shakes our hands, says thank you for all you do and is on his way. Good people!

We conclude the day with a meeting and Keith is called to an additional one. I am able to then take a ride with Colonel Rapich and we have a great discussion on hiring standards and so much more. My brain was spinning that evening.

I learned so much and am so grateful. At one point during the meal service project Keith said to me, "I see you working the crowd, you are a natural at this." Isn't that ironic, that's how I feel about him. I saw him all day, working with his people, he's a natural at it. He's a true leader, working with his people." Thank you Commission Squires!



Special thanks to Keith's Executive Assistant Emily Smith, Colonel Michael Rapich, Major Brian Redd, these amazing DPS professionals, and to Michael Melville, Director of Homeless Services at Catholic Community Services. I was able to tour mobile command and the Rio Grande area. There is A LOT of great work and progress being accomplished by all of these people daily.

Operation Rio Grande:

Operation Rio Grande launched August 14, 2017 with a three-phase plan. The Department of Public Safety's (DPS) goal was to improve public safety and order in the Rio Grande area. Since August, more than 22 search warrants have been served by DPS agents, 75 targeted drug dealers have been arrested and dozens of pounds of drugs have been seized.

DPS introduced its new K9 team that will patrol and be a part of the Rio Grande district. Trooper Mike Terry and K9 Ike, a Springer Spaniel, will be assigned to Operation Rio Grande and its neighboring community. Ike is a sole purpose dog who will be responsible for sniffing out drugs in the area. More importantly, 'Mike and Ike' will become part of the community. The public can expect to see them at local events like farmers markets, concerts, as well as patrolling the safe space. Ike is the first Springer Spaniel to become a K9 for DPS. DPS has also appointed three outreach officers to engage with members of the Rio Grande community on a more personal level and there to make sure individuals are receiving the services they need; whether that's treatment or job opportunities.

Six Month Rio Grande DPS Task Force Totals - Tuesday February 6, 2018

The Department of Public Safety's (DPS) Operation Rio Grande Task Force and the DPS Criminal Interdiction team has compiled the following narcotics seized since the start of Operation Rio Grande on August 14. Below is a six month update of the seizures by DPS agents:

Operation Rio Grande Task Force Seizures

Spice: 75 jars (10 ounces)	Heroin: 1.5 pounds	MDMA: 1 ounce
Cocaine: 1.6 pounds	Marijuana: 3 pounds	Stolen Vehicles: 20 Vehicles
Methamphetamine: 17.1 pounds	Mushrooms: 2 ounces	Firearms: 12 Firearms

Warrants Served > \$1,000,000.00 Drug Dealers Arrested: 75 Persons

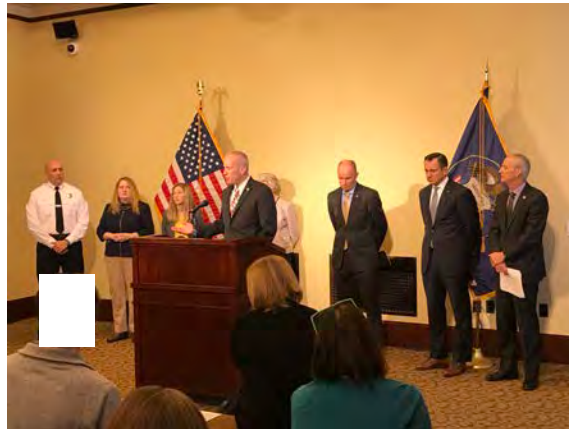
Interdiction related seizures with SL Valley nexus

Cocaine	13.5 pounds	Firearms	2 Firearms
Methamphetamine	5.2 pounds	Currency	\$185,851.00
Heroin	15.5 pounds	Other	Total Seizures 19
Marijuana	32 pounds		

TOTALS

Cocaine: 15 pounds	Spice: 10 ounces	Firearms: 14 Firearms
Methamphetamine: 22.3 pounds	Mushrooms: 2 ounces	Stolen Vehicles: 20 Vehicles
Heroin: 17 pounds	MDMA: 1 ounce	Drug Dealers: 75 Persons
Marijuana: 35 pounds	Ecstasy Pills: 93 Pills	Trafficking Seizures: 19 Seizures

MEDIA CONTACT
Marissa Cote, Public Relations Director
Department of Public Safety
MVILLASENOR@UTAH.GOV

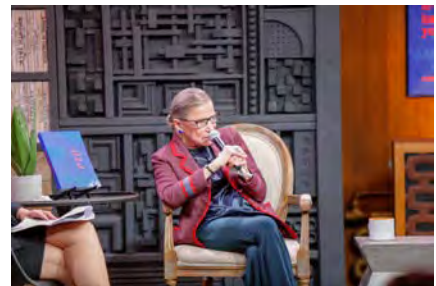


[Supreme Court Justice Ruth Bader Ginsburg recounts life memories at 2018 Sundance Film Festival.](#)

Supreme Court Justice Ruth Bader Ginsburg recounts life memories at 2018 Sundance Film Festival, by Hunter Richards

“As long as I can do the job full-steam, I will be there” Supreme Court Justice Ruth Bader Ginsburg “RBG” stated while closing her speech during the 2018 Sundance Film Festival on Jan. 21 in Park City, Utah.

It was a bitter cold Sunday morning on Main Street as hundreds of festival spectators waited in a line to have the possible opportunity to listen to or catch a glimpse of the infamous “RBG.” Before the 84-year-old icon stepped out of her black Lincoln Navigator onto main street, local, state, and federal law enforcement along with security personnel were ensuring that her arrival to the venue went smoothly and safely.



With security barriers lining the sidewalk, canines patrolling the street, and officers in suits monitoring everyone’s hands and body language, they were finally ready to have Ginsburg exit her vehicle. As the US Marshal began to open the door you would’ve believed that you were at a concert in a stadium as cameras began snapping, flashes radiated from the crowd and people screamed in joy. With little acknowledgment of the crowd, Justice Ginsburg huddled inside her brown puffy coat with her head scarf protecting her from the cold breeze as she began greeting the Venue manager before making her way inside the Film Maker Lodge with her security detail in chase. Once inside, Ginsburg took her place in her chair seated next to NPR’s award winning legal affairs correspondent, Nina Totenberg, in front of the hundred twenty-five-person room. Among

those in attendance for the speech were the board of trustees, reporters, assistant district attorney's, celebrities and many others. With the discussion off to a quick start, we began to learn about the long life of service, dedication and personal struggles for her prior to her service in the black judge's robe. Starting her long life in Brooklyn, New York growing up in a low-income working-class neighborhood. She attended James Madison High School where she excelled in her studies and followed her mother's influence which taught her the value of independence and good education. Ginsburg later furthered her education by obtaining her bachelor's degree in government from Cornell University in 1954 at which time she met/married her soul mate Martin Ginsburg. She later went on to Harvard law school and then achieved her LL.B. from Columbia Law School achieving top of class award. Although having a phenomenal background and academic performance, she continued to encounter gender discrimination throughout her life and years of seeking employment. Clutching the microphone tightly to her mouth with both hands she told the story of riding in the backseat of the car with Judge Edmund Palmieri and "one of the federal judges of all time" Ginsburg stated, while referencing Federal Judge Learned Hand. She listened to Judge Hand in the car rides say whatever came into his mind and she said to him "you won't hire me as a clerk, yet you say in this car you don't inhibit your speech at all" he responded with "young lady I am not looking at you." This showed that even a fantastic judge did not recognize that she was in the backseat and continued to discriminate against her. When Ginsburg began her legal evolution, women were treated differently than men under law. By the time of her appointment to the Supreme Court in 1993 by President Bill Clinton she had already been working on a major legal revolution. While recalling the many moments from her life as a student and teacher where she recalled first hand experiences of harassment and sexism, Ginsburg turned to the crowd stating, "every woman of my vintage knows what sexual harassment is, although we didn't have a name for it." Intriguing the audience she continued with memories about issues on women's rights and gender rights. When confronted with the current question about the women's rights #MeToo movement we are seeing right now Ginsburg stated "It's about time. For so long women were silent, thinking there was nothing you could do about it, but now the law is on the side of women, or men, who encounter harassment and that's a good thing." Justice Ginsburg when asked about her thoughts on potential backlash she advised that she was not concerned about the potential backlash of the #MeToo Movement might cause for women. "Let's see where it goes. So far, it's been great. But when I see women appearing every place, in numbers, I'm less worried about backlash than I might have been twenty years ago."



The life experiences that Justice Ruth Ginsburg has lived throughout her life you would believe them to be something out of fictional story created by a phenomenal author. Although these stories told throughout her speech being true have shown that she lived a struggling life of mistreatment and discrimination but overcame all odds with knowledge of law and determination to grant equal protection. Justice Ginsburg has been known to support American citizens whether it be with speeches or in her chambers as a justice. The experiences and knowledge that Justice Ruth Ginsburg brought to Utah in speech on this beautiful breezy Sunday, may not have been influential to your personal gain but brought you a personal account on the growth of the American Legal System. As every day passes, the six chief justices and five associate justices will continue to examine cases and offer continue interpretation and growth for the U.S. justice system. In closing, I leave you with one of her famous quotes reminding everyone that you and I are the influences that provide change. "We have the oldest written constitution still in force in the world, and it starts out with three words, 'We, the people', - Justice Ruth Bader Ginsburg enforcement and the citizens of Utah.



UPOA Regional Representative Updates

Region A: Introduction of Sheldon Riches:

I began my law enforcement career on January 8, 1990, with the Utah Highway Patrol and retired on July 1, 2017. During my commendable career, I spent 14 years in Field Operations (Traffic, Criminal/Drug/DUI Interdiction, Drug Recognition Expert, Field Trainer, Commercial Motor Vehicles - CVSA, Investigations). The other 13 ½ years in Special Operations (Dignitary Protection, Federal Drug Enforcement Administration, Salt Lake Community College-Investigations, DUI Squad, UHP Training).



During my career with the UHP, I was relied upon as an instructor/trainer for 23 years of multiple disciplines (Physical/Mental Health, Emergency Vehicle Operations, Firearms, Field Training Coordinator and I trained over 250 new troopers, just to name a few).

I was a member of the UHP Honor Guard for 19 ½ years and I had the opportunity to lead the Honor Guard for several years. During the time with the honor guard I participated in 35 LODD funerals (Utah and the Western States), multiple funerals for retired troopers and officials, and other flag/rifle details. I was also the Mountain Bike Patrol commander at the Salt Lake Community College.

Part-Time or Volunteer Service: 3.5 Years Utah Safety Council (Instructor), 4 Years Logan Regional Hospital (Armed Security), 3 Years Volunteer Emergency Medical Technician (EMT), 3 Years Search and Rescue 1 Year Department of Natural Resources (Deputy Park Ranger), and 12 Years Volunteer Fire Fighter.

I have been married to the same wonderful woman for almost 29 years and we have seven wonderful children and two wonderful grandchildren. I enjoy serving others. I am an active member of the Church of Jesus Christ of Latter Day Saints and I serve as much as I can. I have ran 15 marathons, three Ragnar Relays, and multiple other races. I enjoy hiking, camping, hunting big game animals, riding horses, and ATV's. I also own R&R Tree Trimming and Removal in which I employ several of our children and we serve the Tooele, Salt Lake, Davis, and Utah Counties. (Discounts offered to Law Enforcement, EMS, Fire, Senior Citizens, and Military Vets.)

Region B: News from Sheriff Terry Thompson's desk:

WEBER COUNTY SHERIFF'S OFFICE



SHERIFF TERRY L. THOMPSON



Klint D. Anderson
Chief Deputy
Law Enforcement Division

January 16, 2018

Kevin L. Burns
Chief Deputy
Corrections Division

To Our Allied Agencies:

Steffani Ebert
Administration
Support Services
Division

Many of you know that Corrections Division Chief Deputy Kevin Burton has retired after an extremely successful career serving the citizens of Weber County. It has been my honor and my privilege to work with and alongside of Chief Burton for many years.

Law Enforcement Division
(801) 778-6600

Corrections Division
(801) 778-6700

Emergency Management
(801) 778-6680

I am announcing that I have selected Kevin Burns to be my new Chief Deputy assigned to the Corrections Division. Chief Burns has been a trusted friend, mentor, advisor, and has been a highly successful leader in all of his management, supervision, and leadership responsibilities. Moreover, he has proven to be a tremendous liaison of our office with the GOAL Foundation and our partnership on many levels within the community. Lt. Burns has taken the initiative to complete the JCCA certification for Jail Commanders and attend the FBI National Academy. He has been actively involved in the success of this office. He excels in the areas of planning and coordination and is very structured in his direction to staff. Kevin's priority will be ensuring the safety and security of staff and inmates following all appropriate policy, procedure, and process. Kevin will make certain that staff are treated equitably and that all are held accountable to the duties and responsibilities entrusted to them.

Office Hours are
Monday through
Friday
8:00 am to 5:00 pm

I want to thank Kevin for his willingness to accept this new assignment and I encourage all of you to fully support Chief Burns in his efforts to serve you and serve with you. He can be reached at (801)778-6707 (office) or (801)940-7225 (cell). He can also be contacted via email at kburns@co.weber.ut.us.

Sincerely,

721 West 12th Street
Ogden, Utah 84404

Fax (801) 778-6667

Terry Thompson
Sheriff

Stay Strong!

Region G:

Hello I am Officer Cornaby with Roosevelt City Police. I am one of the region G representatives. We have not had a lot happening in our neck of the woods. On December 9th we had Shop with a Cop that turned out to always be a great time. We have gained a few new Officers at the Roosevelt PD. Officer Brett Horrocks who started out at the animal shelter and then to records scanner. She went through and got her SFO and now does our court bailiff and animal control. Detective Brandon Adams who came from Duchesne County Sheriff's Office, and Officer Tim Mellor who is our hospital security Officer. We would like to thank these Officers with the great job they do.

UPOA Awards Chair:

Hello, my name is Mike Berg and I replaced Daren Adams as the awards chair. I am a Sergeant with the Parowan Police Department. In the next couple magazines I would really like to promote what the awards are, how to nominate and try to get information out that we have them. Stay tuned!

Excellence.” The agenda for the conference will be sent out soon.



POLICE MILITARY CIVILIAN

- BED BUG DETECTION**
- NARCOTIC DETECTION**
- EXPLOSIVE DETECTION**
- SAR TRAINING**
- DETECTION TRAINING**
- PATROL TRAINING**
- POST CERTIFICATIONS**

*Book your class or service today. Oquirrhbergkennels.com
Oquirrhbergkennels@msn.com (385)229-0742*

PROUD SPONSOR OF:

2018 UPOA K9 Competition

April 12-15

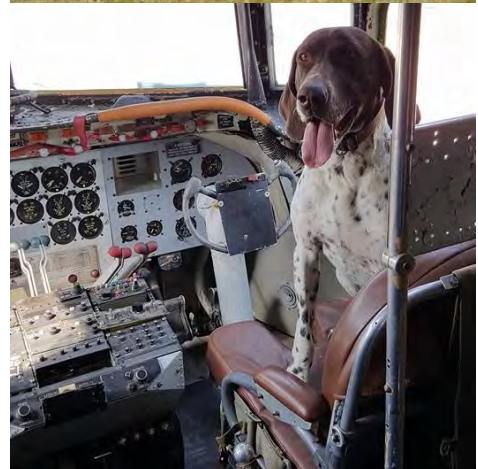
Deseret Peak Complex, Tooele UT

CLASSES

For more information contact Rose Cox at Oquirrhberg

Kennels@msn.com

- | | |
|---------------------|-----------------|
| SEARCH AND RESCUE | BUILDING SEARCH |
| EXPLOSIVE DETECTION | OBEDIENCE |
| NARCOTIC DETECTION | PATROL |





ULEM Representative News, by President Sol Oberg

The Utah Law Enforcement Memorial appreciates the show of support and attendance at the memorial service this past May and the Ride for Fallen Officers last August. This year, the annual memorial service will be held on May 3, 2018, on the west lawn of the Utah State Capital at the law enforcement memorial.

The 12th annual motorcycle Ride for Fallen Officers will be held August 19th. The ride will begin at Timpanogos Harley Davidson in Lindon and end at the law enforcement memorial at the Utah State Capital. The ride is the primary funding mechanism used to maintain and repair the memorial as well as provide immediate emergency aid in the form of financial assistance to the families of recently fallen officers.

We hope to see you at both events and humbly thank you for your ongoing support and dedication to law enforcement and the citizens of Utah.

Spotlight

Here's Johnny!!!

Thank you John Englestead for your time being UPOA's President. Thank you for your leadership and friendship. We will miss your quirky faces, your raised eyebrows, or even the meeting you came with no eyebrows because you somehow burned them off. HEY, we offered to paint them on for you. We have those skills!!

Stay off chairs with wheels in rooms by yourself. Maybe just stay supervised. Stay in touch for sure. Keep that PRIDE! We loved seeing you salute the flag in meetings while we said the pledge. Thank you for your service to our County. Thank you our friend. We know you'll be back.



Thank you John!

UPOA Supportive Advertisers

Oriental Market, 801-972-8440
Independent Funeral Home, 801-486-2688
Jeffrey P Davis Automotive, 801-263-2002
Lagher Auto Repair, 801-266-1155
Lucky Dog Pet Grooming, 801-562-2167
V + L Auto Service + Repair, 801-886-3381
Jenny Xuan LY
M + M Autocare, 435-753-0211
Sky Nails, 801-466-3677
Wildflowers B+B, 801-466-0600

Jose Loayza Law, 801-381-4612
Metro Precision Grinding, 801-264-1188
Alliance Laundry Equipment, 801-266-7086
Anayas Market, 801-567-1520
Baumgartner Dental Lab, 435-723-6512
Dr William Kuentzel M.D., 801-521-9403
Ford Analytical Laboratories, 801-737-1766
Ganesh Indian Cuisine, 801-569-3800
Garkane Energy, 800-747-5403
HK composites, 801-763-0907

Honorary Colonel Spotlights

This edition UPOA spotlights two of our honorary Colonel's:

Gail Miller and Wilford Brimley.

Gail Miller was born Karen Gail Saxton.

On March 25, 1965, she married Larry H. Miller. They had five children.

In 2009, when Larry H. Miller died, Gail Miller assumed 100% ownership of their businesses, consisting of 54 car dealers, a movie theater chain and the Utah Jazz basketball team.

Gail Miller (born 1943) is an American billionaire businesswoman, the widow of Larry H. Miller, and chairwoman of the Larry H. Miller Group of Companies and chairwoman of the Salt Lake Community College. She also is the owner of the Utah Jazz, a National Basketball Association (NBA) franchise based in Salt Lake City, Utah.



UPOA is grateful for Gail's generosity and support to peace officers and specifically to our organization. We are humbled and appreciative to have her as one of our honorary colonels.

Thank you Colonel Gail Miller.



Anthony Wilford Brimley (born September 27, 1934), credited either as A. Wilford Brimley or Wilford Brimley, is an American actor. He has appeared in many notable films including *The China Syndrome* (1979), *The Thing* (1982), *The Natural* (1984), *Cocoon* (1985) and *The Firm* (1993). He had a recurring role on the 1970s television series *The Waltons*.

Brimley has type 2 adult-onset diabetes, and has appeared in related commercials for Liberty Medical. He has also done television advertisements for the Quaker Oats Company.

Early life Brimley was born Anthony Wilford Brimley in Salt Lake City, Utah, on September 27, 1934, where his father worked as a real estate broker. Prior to his career in acting,

Brimley dropped out of high school to serve in the United States Marine Corps, where he served in the Aleutian Islands for three years. He also worked as a bodyguard for Howard Hughes, a ranch hand, a wrangler, and a blacksmith. He then began shoeing horses for film and television. He began acting in the 1960s as a riding extra in Westerns and a stunt man at the urging of his friend, actor Robert Duvall.

Brimley married his first wife, the former Lynne Bagley, on July 6, 1956. They had four sons together (James Charles, John Michael, William Carmen and Lawrence Dean) and several grandchildren. Brimley and Lynne were married until her death in June 2000.

Brimley married Beverly Berry on October 31, 2007. Together they have lived in Greybull, Wyoming and Santa Clara, Utah. In 2009, they founded nonprofit organization Hands Across the Saddle (HATS) in the Big Horn Basin.

UPOA is grateful for Wilford's generosity and support to peace officers and specifically to our organization. We are humbled and appreciative to have her as one of our honorary colonels.

Thank you Colonel Wilford Brimley.



UPOA's Supportive Advertisers

Home Auto Repair, 801-963-4170
Little Scholar Day Care, 801-699-3195
Randal Johnson Towing, 435-529-3600
RM Rubber & Plastic Co, 801-220-0101
Tim Angel Café, 801-328-4155
Victors Tires, 801-878-9595
Western Automatic Sprinkler, 801-484-3531
America's Best Inn & Suites, 435-652-3030
Clinical Dental, 801-746-0782
Dixie Auto Salvage, 435-674-1272
HY & Mike Pawn Shop, 435-674-1272

Ligoris Pizza & Pasta, 801-476-0476
Moss Industrial, 801-292-6846
Walcott Optical, 801-485-4474
Intermountain Lift, 801-489-3652
Cache Title, 435-753-2467
El Rancho Grande Restaurant, 801-966-6822
Gaddis Investments, 801-497-3236
Gunnison Telephone CO, 435-528-7236
Hendricksen Painting, 435-528-7236
Les Schwab Tire Center, 801-562-0450
Gift House, 801-394-8946



2018 UPOA State PPC Championship June 29, 2018

Match Fee: \$25.00

Where: North Springs Shooting Range, 5245 South 8000 West, Price, UT 84501

Time: Sign In 0800 to 0845, Shooters Meeting 0845 to 0900, First Shots 0900.

Sight In: The range will be available on June 28th for sight in and practice.

Contact: Greg Severson
801-330-0636
gseverso@sandy.utah.gov
Sandy City Police Department

Note: This is a Governor's Twenty qualifying match. No prizes or awards will be presented at this match.

Utah Police Chief Representative Report by Chief Kevin Thacker, Sandy City

The annual Utah Chief's Conference dates are March 26-28, 2018 at the St. George Convention Center. The Chief and Sheriff's roundtable will be held March 29th at the Washington County Sheriff's office. Hotel information is forthcoming but you can get your hotel registration now at hotels that offer government rate. The conference will include presentations from the Orlando Pulse shootings, the Dallas shootings, and the Las Vegas shootings, and also a presentation from Brian Polansky on "Leadership and Communication Excellence." The agenda for the conference will be sent out soon.

A.P.B. TO ALL
UPOA MEMBERS:
We'll pay for the first
class of your degree.

As a proud partner of the UPOA, we'll pay for the first undergraduate degree class for you or your spouse or significant other, saving you almost \$900.

Utah Sheriff's Representative Report, by Sheriff Vance Norton, Uintah County

See the newly released conference flyer.



Get started at CCIS.edu/CC-UPOA
or call (801) 281-6677.



UTAH SHERIFFS' ASSOCIATION 23RD ANNUAL LAW ENFORCEMENT AND TRAINING CONFERENCE



SEPTEMBER 23 - 25 2018 ★ ST. GEORGE, UTAH

KEYNOTE SPEAKER

GREEN BERET COMMANDER MARK NUTSCH

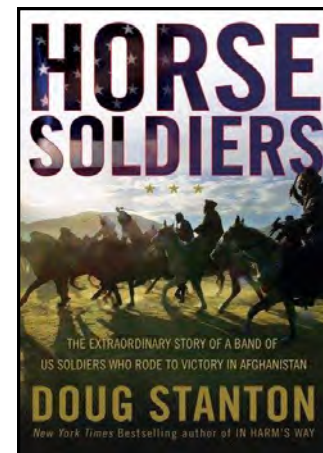
Monday, September 24th 2018



As portrayed by actor Chris Hemsworth in the movie “**12 Strong**”, **Mark Nutsch** (Mitch Nelson in the film) shares lessons learned in the now declassified saga of a U.S. Special Forces team that overcame seeming insurmountable odds to help achieve a historic military victory.

Mark Nutsch shares the real-life story of helping lead what is considered the most successful unconventional warfare campaign in modern history, a victory that changed the course of our country and the world.

In October 2001, following the attacks on 9/11, Nutsch led a heroic 12-man team of U.S. Special Forces on a covert mission to Afghanistan, where they would ride to war on horses to fight the enemy—side by side with their Muslim counterparts—capture the strategic city of Mazar-i-Sharif within 23 days and successfully overthrow the Taliban. Now a consultant to Special Operations Command, he earned a Bronze Star with valor for his bravery. Nutsch, as “Captain Mitch Nelson”, is portrayed by actor Chris Hemsworth in the 2018 film adaptation of the best selling novel “**Horse Soldiers**” by Doug Stanton.



Additional Breakout Training Sessions



- **Chris Grollnek** one of the top, nationally recognized Active Shooter and Domestic Terrorism Prevention Experts for Critical Incident Response.
- Las Vegas Metro Police Department—Active Shooter Debriefing
- Training on Legal Issues in Corrections and Law Enforcement
- Medical Track of Training and much more to come.

Online Registration will be open soon — <https://utahsheriffs.org>

Did you know all of the accomplishments, programs sponsored and supported UPOA and through its members?

During the 1920s

- Actively supported passage of legislation in three sessions of the State Legislature which created the State Bureau of Criminal Identification (BCI).

During the 1930s

- Included pistol competition at the annual convention to increase firearm skills of peace officers.
- Established the Chief's Trophy with emphasis on agency team competition with firearms.
- Adopted and supported a resolution to create a statewide police radiosystem.
- Carried out many education and training programs throughout the state. (Fact: 209 sessions were held totaling 3,596 hours of class work in 1939).

During the 1940s

- Training programs and conferences with special emphasis on subjects that supported the war effort.
- Cooperated with the State Tax Commission and the Motor Vehicle Department regarding uniform accident reporting procedures.

During the 1950s

- Training programs and seminars continued.
- Supported legislation to create civil service status for deputy sheriffs statewide. Enforcing legislation passed by the State Legislature.
- Cooperated in the operation of a policy academy in the Utah Department of Public Safety.

During the 1960s

- Practical pistol course added to annual convention.
- Legislature increased funding for BCI to provide additional services as recommended by a Special Service Committee appointed by the UPOA.
- Adopted a statement recommending minimum standards for Utah law enforcement officers and supported legislation for its passage.
- Instrumental in passing legislation for the creation of Utah Peace Officers Standards and Training (POST).
- At the 1964 UPOA Annual Convention,

the Utah Law Enforcement Teletype Network began operating and joined the National Law Enforcement Teletype Network.

- Supported a bill that passed the Legislature creating a State Medical Examiner.
- Legislative efforts creating a statewide public safety retirement system.
- Utah's Governors Twenty program initiated to recognize shooting proficiency.

During the 1970s

- Began annual UPOA Mid- Winter Conventions.
- UPOA Auxiliary conducted projects to raise money and goods for charitable purposes.
- Supported legislation as follows:
- Improved Public Safety Retirement benefits.
- Established absolute level of blood alcohol content.
- Established a bail bondsman act.
- Established a death penalty law for Utah.
- Denied bail to repeat offending felons.
- Funding for a permanent police academy (POST).
- Established regions and regional representatives.

During the 1980s

- Worked with several organizations for passage of 20-year retirement for law enforcement.
- Established a free library for our members.
- Established a permanent UPOA position on the Utah State Retirement Counsel by Utah Statute.
- Established a permanent UPOA position on POST Council by Utah Statute.
- Helped develop the Law Enforcement Legislative Committee (LELC). UPOA maintains a voting position on the LELC.
- Created the Utah Law Enforcement Memorial at the Utah State Capitol to honor officers killed in the line-of-duty.
- Summer firearms training enhanced for semi- autos.

During the 1990s

- Purchased a permanent building for the UPOA.
- Established the President's Trophy, patterned after the Chief's Trophy of 1935 – with emphasis on agency team competition with firearms.
- Drafted and passed significant

exposure legislation for at-risk public safety officers.

- Legislative efforts enhanced spouse death benefits.
- PPC enhanced to include semi-auto

During the 2000s

- Moved to current location in Taylorsville.
- Continue to provide high quality, low cost training for peace officers.
- Included K-9 training and competition at the UPOA Annual Summer Convention.

During the 2010s so far

- Initiated and supports the construction and funding of a new Utah Law Enforcement Memorial at the Utah State Capitol to honor officers killed in the line-of-duty.
- Providing valuable training dealing with identity theft investigations and other topics relevant to law enforcement.
- On-going legislative involvement to enhance cost-of-living benefits for retired peace officers.
- Established the Utah Fallen Peace Officer Trail in Moab, Utah.
- Established the Utah Peace Officers scholarship program.
- Objectives
 - To promote the best interest and welfare of all persons engaged in law enforcement in the State of Utah.
 - To establish among the members bonds of friendship, confidence and respect.
 - To engage in pursuit of the knowledge of better methods of investigation, apprehension and prosecution of persons who commit crimes.
 - To promote high moral standards, honesty, integrity, courtesy and cooperation in all phases of law enforcement.
 - To safeguard the rights and privileges justly due peace officers.
 - To encourage participation in activities which support the principles of our government.
 - To initiate and carry out programs of public

relations and legislation which will serve the above objectives and promote professional law enforcement.

Training

- During the two conventions held each year, members are instructed on pertinent subjects relating to law enforcement. Firearms competition and other “fun” activities are also fostered at these conventions. Additional POST accredited training is presented throughout the year as published from time to time in UPOA publications.

Publications

- The Utah Peace Officer is the official publication of the UPOA. This quarterly magazine contains information from recent legislation to current trends in law enforcement. The Utah Peace Officer has an annual distribution of 12,000 and is received by every State Legislator, every Chief of Police and Sheriff in Utah, as well as all members of the UPOA. The Utah Peace Officer is also distributed to every advertiser to the magazine. Contributing authors are professional Utah peace officers and other professional authors from throughout the United States.

Legislation

- The Utah Peace Officers Association is a voting member of the Utah Law Enforcement Legislative Committee. The ULELC works to foster beneficial law enforcement legislation. The UPOA has been instrumental in passing key legislation including: Creation of Peace Officer Standards and Training (POST), passage of a Statewide Public Safety Retirement, increased spouse death benefits, and more.

Board of Directors

- The governing body of the UPOA consists of representatives from every region of the State. To have input into the organization, you merely need to contact your regional representative.

Monetary Benefits

- With your \$35.00 annual membership fee you will receive an insurance benefit that will pay your beneficiary in the event of your death.



Utah Peace Officers Association Legal Defense Plan

Sponsored By:

DURHAM
—
JONES &
—
PINEGAR

ATTORNEYS AT LAW

OVERVIEW:

- Self-funded legal defense plan available only to UPOA members
- Owned and operated by the UPOA
- Broad legal defense coverage
- Pays all reasonable and necessary attorney fees when using a Plan Attorney for on-duty claims and certain personal legal services
- Pays up to \$5,000 for off-duty claims
- Plan is excess over all other benefits, including defense provided by member's employer

PLAN STRUCTURE:

Coverage-Reimbursement of Legal Defense Costs

Subject to the terms, conditions, limitations and exclusions specified in the Plan Description, the Plan offers coverage in the following categories:

- **Administrative:** Legal defense or, subject to the absolute discretion of the UPOA and the Benefit Administrator, other appropriate legal challenge to administrative discipline, sanction or proceeding:
 - Involving salary, dismissal, change of assignment, demotion, leave of absence, resignation or other professional rights, duties or responsibilities, as determined by the UPOA, where such discipline, sanction or proceeding arises directly out of the Participant's activities in the scope of law enforcement employment; or
 - Involving the issuance, suspension, cancellation or revocation of any credential, certification or license issued by federal, state or local authorities, which credential the participant is required to have in the scope of law enforcement employment.
- **Civil:** Legal defense of a civil action or proceeding brought against a Participant, arising directly out of the Participant's activities in the scope of law enforcement employment; provided coverage does not extend to counterclaims or cross-claims in actions brought by Participant, unless UPOA approves otherwise.
- **Criminal:** Legal defense of a criminal action or proceeding brought against a Participant, arising directly out of the Participant's activities in the scope of law enforcement employment. Includes traffic citations and grand jury proceedings.
- **Estate Planning:** Legal advising and preparation of Last Wills and Testaments, including yearly updates, Healthcare Power of Attorneys, and Living Wills.
- **Family Law:** Legal representation in uncontested divorces, uncontested separations, uncontested name changes, and uncontested adoptions.
- **Real Estate:** Legal advising and preparation of residential loan documents, limited to one per year for a primary residence.
- **Off-Duty Claims:** Legal defense of a civil, criminal or administrative claim arising from off-duty activity up to a maximum of \$5,000.

The Plan is excess. For example, if your employer defends you in a lawsuit, the Plan will not provide an additional lawyer. If your employer refuses to defend you, the Plan will pay to defend you.

UPOA Plan Attorneys

The UPOA pays in full all reasonable and necessary legal fees and costs for on-duty legal services and certain personal legal services provided through UPOA's Plan Law Firm, Durham Jones & Pinegar; off-duty claims coverage is subject to a \$5,000 limit. There is no deductible to be paid by the Participant. Approved reimbursable costs are also fully paid.

Durham Jones & Pinegar is a full service law firm of over 90 attorneys with offices in Ogden, Salt Lake City, Lehi, St. George, and Las Vegas.

Participant Fees

Individual participants pay \$240.00/year in monthly installments of \$20.00.

Includes all coverage categories listed above

Includes off-duty claims coverage up to \$5,000

Note: All benefits, coverages, terms and conditions are governed by the Plan Description. Interpretation of Plan provision, including coverages and benefits, is vested exclusively in the UPOA, in its absolute discretion. Plan benefits are EXCESS over all other valid collectible benefits and coverages. The Plan is subrogated to all rights to recover attorney's fees against any person or entity and has a right of reimbursement from any such recovery. Attorneys paid by the Plan are neither agents nor employees of the Plan. The plan makes no recommendation or warranty, express or implied, with respect to the skill or expertise of such attorneys, including Plan attorneys.

Coverage is effective the first day after the day the application is approved by UPOA. Applications not fully and accurately completed cannot be processed and may result in ineligibility for and non-payment of benefits. Any person who is subsequently determined not to be eligible to participate or to receive benefits as of the date a claim arises will not receive payments of benefits.

PLAN DESCRIPTION

The Plan is established and operated by Utah Peace Officers Association (“UPOA”) as Plan sponsor for the purpose of paying Legal Defense Costs for covered claims, on the terms and conditions specified in the Plan Description. The Plan covers claims for Legal Defense Costs which a Participant incurs to defend litigation arising in connection with the authorized carrying of a weapon pursuant to and in full accordance with the Law Enforcement Officers Safety Act of 2004 (H.R. 218) (“LEOSA”). UPOA also provides coverage limited to LEOSA claims only under a separate plan description.

Section 1. DEFINITIONS. As used in this Plan Description:

- A. “UPOA” means the Utah Peace Officers Association;
- B. “Plan” means the benefit plan sponsored by UPOA set forth in this Plan Description and any attachments, as amended from time to time;
- C. “Participant” means an active member of the UPOA who has been accepted for participation and who has paid all applicable application fees due under the Plan.
- D. “Legal Defense Costs” means expenses a Participant has incurred for Legal Services and Reimbursable Costs, not to exceed the applicable limits of the Plan’s liability;
- E. “Legal Services” includes advice, consultation and representation rendered by a licensed attorney to a Participant, including usual fees and office charges for paralegal assistance, telephone, mailing, copying, telefaxing, travel and similar office expenses, as well as all other necessary and appropriate costs and expenses, but excluding Reimbursable Costs;
- F. “Reimbursable Costs” means witness fees and expenses, expert fees and expenses including consultation, investigator fees and expenses, filing fees, court costs and transcript costs;
- G. “Plan Attorney” means an attorney with the Plan Law Firm, with whom the Plan has contracted to perform legal services for Participants;
- H. “Plan Law Firm” means Durham Jones & Pinegar, P.C.;
- I. “Coverage Attorney” means an attorney, other than a Plan Attorney, who is recommended by the Plan Law Firm and approved by UPOA when the Plan Law Firm has a conflict of interest that prevents them from representing a Participant.
- J. “Employment” means employment by or service with a federal, state or local government law enforcement agency, whether with or without compensation, or employment by a law enforcement entity operated by a private college/university, private railroad or Native American tribal government;
- K. “in the scope of employment” means all activities of a Participant while on duty in connection with Employment, and all law enforcement activities authorized or required by the Participant’s Employment, whether on duty or technically off duty;
- L. “Notice” means reporting information as required by this Plan Description. Notice to an Administrator shall be effective on the date the Administrator actually receives it. Any notice of claim to the Benefit Administrator must be confirmed in writing on the prescribed claim form;
- M. “Off-Duty” means conduct not in the scope of employment as defined in this Plan Description.
- N. “Retroactive Date” means the starting date after which a Participant’s legal defense coverage has remained in continuous, uninterrupted effect, including renewals, as provided in Section 9; and
- O. “Extended Reporting Period” means an additional period, if any, for reporting claims after Plan participation ends, as provided in this Plan Description.

Section 2. PLAN ADMINISTRATION. UPOA shall employ or contract with an Enrollment Administrator and a Benefit Administrator (collectively hereinafter referred to as the “Administrators”) whose duties on behalf of the Plan in accordance with the Plan Description shall be as follows:

- A. Enrollment Administrator: The Enrollment Administrator shall:
 - 1. Publicize and promote the Plan;

2. Determine eligibility, enroll eligible persons, and provide and distribute enrollment cards and copies of the summary Plan Description;
3. Bill, collect and disburse participation fees as the Board directs;
4. Report and account for receipts and disbursements as the Board directs; and
5. Respond to Participants' and prospective Participants' questions concerning eligibility and enrollment. Questions should be directed to the Enrollment Administrator at:

Dan Roberts
5671 S. Redwood Rd., #19
Taylorsville, UT 84123
Office: (801)313-0760
Cell: (801)870-9098

B. Benefit Administrator. The Benefit Administrator shall:

1. Approve and contract with attorneys and other necessary persons to provide Legal Services under the Plan;
2. Approve Coverage Attorneys as meeting the applicable minimum requirements specified in this Plan Description; the Benefit Administrator shall give written notice to Participants who elect to use Non-Plan Attorneys stating the applicable benefit limits, deductible and lack of malpractice insurance requirements, and shall require the Participant to return a signed copy of the notice acknowledging the same before any benefits are paid;
3. Review, approve or disapprove claims for benefits;
4. Administer and pay claims;
5. Report and account for receipts and disbursements as the UPOA directs; and
6. Respond to Participants' questions, notices and claims relating to benefits. Questions should be directed to the Benefit Administrator at:

Dan Roberts
5671 S. Redwood Rd., #19
Taylorsville, UT 84123
Office: (801)313-0760
Cell: (801)870-9098

Section 3. FINANCIAL. The Plan provides for the payment of Legal Defense Costs as provided in this Plan Description. Participation fees payable by each Participant shall be determined by the UPOA from time to time. Participation fees shall be based on the amounts projected to be needed to pay benefits, administrative costs and premiums for excess insurance, and to establish a fund for overhead and contingencies. Participation fees shall be held in trust for the exclusive benefit of Legal Plan, Inc. and its Participants, deposited in a fund or funds held and invested by the Board until used to pay benefits, administrative costs, premiums, and overhead and contingencies. All benefits shall be paid from and are limited to assets of the Plan and any collectible insurance.

Section 4. CHANGES TO PLAN. UPOA may modify, amend or terminate the Plan at any time. Any change shall become effective for all participation fees due, benefits accruing and claims made to Participants or reported to the Plan on or after the effective date of the change.

Section 5. ELIGIBILITY. All active UPOA members in good standing are eligible under the Plan.

Section 6. PREREQUISITES FOR PARTICIPATION. Participation in, and the right to benefits under the Plan, arises only upon approval by the Enrollment Administrator of an application to participate and payment to the Enrollment Administrator of applicable participation fees.

Section 7. METHOD OF APPLICATION. Applications for participation shall be submitted to the Enrollment Administrator on forms provided by the UPOA. Applications not fully and accurately completed may result in ineligibility for, and non-payment of, benefits.

Section 8. EFFECTIVE DATE OF COVERAGE. The effective date of Plan coverage for any Participant shall be the first day after the day on which the Enrollment Administrator approves the application for participation and receives applicable participation fees for individual applicants or satisfactory payment arrangements for group applicants, as applicable.

Section 9. RETROACTIVE DATE.

- A. A Participant's Retroactive Date is the date the Participant's coverage under the Plan shall be deemed to have started.
- B. A Participant's Retroactive Date is the earliest of the following:
 - 1. The effective date of the Participant's coverage for the risk under the Plan; all coverages may not have the same effective date, including but not limited to off-duty claims coverage; or
 - 2. In the UPOA's absolute discretion at the beginning of coverage, up to one hundred twenty (120) days before the effective date of Plan coverage if the Participant had comparable coverage under another plan or insurance, has reported all claims of which the Participant knew or should have known to the comparable plan or insurance, and coverage under such other plan or insurance was continuous with coverage under the Plan.
- C. Coverage under the Plan shall be deemed continuous with previous coverage pursuant to paragraphs (B) (2) or (3) of this section only if the effective date of the Participant's Plan coverage is not more than thirty (30) days after the termination date of the Participant's previous coverage.
- D. If a Participant's coverage under the Plan is terminated effective a certain date and is subsequently reinstated effective at a later date, the Participant's Retroactive Date following reinstatement shall be changed to the effective date of reinstatement.

Section 10. CERTIFICATE OF PARTICIPATION.

- A. Upon approval of any application for participation, the Enrollment Administrator shall provide the following:
 - 1. A certificate of participation showing:
 - a. The identity and address of the enrolling individual;
 - b. Any applicable deductibles;
 - c. The name of the Participant;
 - d. The Retroactive Date, applicable to the Participant;
 - e. The amount of the annual participation fee applicable to the Participant;
 - f. The dates on which participation takes effect and is scheduled to terminate for the Participant; and
 - 2. A copy of the current Plan Description.
- B. Each Participant shall be issued a participation identification card, which shall contain such information as UPOA shall determine from time to time. The Enrollment Administrator shall issue the identification card no later than thirty (30) days after the Participant's effective date of coverage and shall distribute it to the individual Participant or, in the case of a group, to the group for distribution to each Participant.

Section 11. PLAN COVERAGES.

- A. The Plan shall be offered with all of the following coverage categories:
 - 1. Full Coverage for Reasonable Attorney's Fees and Costs associated with: Administrative, Civil, Criminal, Estate Planning, Family Law, Real Estate representation as defined above; and
 - 2. Off-Duty Claim coverage up to \$5,000.

- B. The UPOA shall retain discretion to refuse coverage at any time if it is apparent that providing coverage for a claim would unduly deplete the reserves of the Plan to such a level that its ability to provide coverage for other members would be diminished.

Section 12. PARTICIPATION FEES – TERMINATION FOR NON-PAYMENT – DEDUCTIBLES.

- A. Applicable participation fees must be timely paid in order for a Participant to be entitled to benefits under the Plan. Participation fees shall be as set forth in the attached Participation Fees Schedule, as supplemented, modified or amended from time to time by the UPOA.
- B. Participation fees shall be payable on an annual basis and such additional bases as the Board shall prescribe from time to time. The initial participation fee payment shall be submitted with the application. Thereafter participation fees shall be paid on or before any scheduled due date in the amounts billed by the Enrollment Administrator. Bills shall be mailed at least thirty (30) and not more than sixty (60) days prior to the applicable due date.
- C. If any payment is not timely made as required in subsection B of this section, the payment shall be delinquent and participation in the Plan shall cease effective as of 12:01 a.m. on the day after the applicable due date. If all delinquent amounts are received by the Enrollment Administrator within thirty (30) days following the due date, participation shall be reinstated automatically, retroactive to the day after the due date; provided, however, that coverage of claims arising during the thirty (30) day reinstatement period of any delinquent payment may be denied following automatic reinstatement, in the UPOA's discretion. If any payment is delinquent thirty-one (31) days or more, participation shall be deemed to have terminated effective as of 12:01 a.m. on the day after the applicable due date, and reapplication shall be required.

Section 13. TERMINATION OF PARTICIPATION AND OF ENTITLEMENT TO BENEFITS.

- A. Except as provided otherwise in subsection B of this section, a Participant's participation in and entitlement to benefits under the Plan shall automatically terminate upon:
 - 1. Non-payment of participation fees when due;
 - 2. Voluntary withdrawal from participation;
 - 3. Termination of the Participant's law enforcement Employment, either voluntary, involuntary, or by retirement pursuant to the retirement rules of the Participant's employer; or
 - 4. Termination of the Participant's membership in the UPOA while the Participant remains employed as a law enforcement officer.
- B. Termination shall not affect any right to benefits which has accrued prior to the date of termination or during any applicable Extended Reporting Period.

Section 14. COVERAGE.

- A. Subject to the exclusions in Section 16, any applicable limits of liability specified in this Plan Description, and any coverage limitations or deductibles stated in this Plan Description or the certificate of participation, the Plan shall reimburse and pay on behalf of a Participant reasonable and necessary Legal Defense Costs which the Participant is legally obligated to pay under the following coverage categories:
 - 1. Administrative: Legal defense or, subject to the absolute discretion of the Benefit Administrator and the UPOA, other appropriate legal challenge to adverse administrative discipline or sanction based on the Participant's individual conduct or misconduct in the scope of employment:
 - a. Involving salary, dismissal, change of assignment, demotion, leave of absence, resignation or other professional rights, duties or responsibilities as determined by the UPOA, where such discipline or sanction arises directly out of the Participant's activities in the scope of employment; or
 - b. Involving the issuance, suspension, cancellation or revocation of any credential, certification or license issued by federal, state or local authorities, which credential

- the Participant is required to have in the scope of employment;
2. Civil: Legal defense of a civil action or proceeding brought against a Participant, arising directly out of the Participant's activities in the scope of employment; provided, coverage does not extend to counterclaims or cross claims in actions brought by a Participant, unless the UPOA approves otherwise;
 3. Criminal: Legal defense of a criminal action or proceeding brought against a Participant, arising directly out of the Participant's activities in the scope of employment, including grand jury proceedings;
 4. Estate Planning: Legal advising and preparation of Last Wills and Testaments, including yearly updates, Healthcare Power of Attorneys, and Living Wills.
 5. Family Law: Legal representation in uncontested divorces, uncontested separations, uncontested name changes, and uncontested adoptions.
 6. Real Estate: Legal advising and preparation of residential loan documents, limited to one per year for a primary residence.
 7. Off-Duty Claims: Legal defense of a civil, criminal or administrative claim arising from off-duty activity up to a maximum of \$5,000.
- B. The UPOA shall retain discretion to refuse coverage at any time if it is apparent that providing coverage for a claim would unduly deplete the reserves of the Plan to such a level that its ability to provide coverage for other members would be diminished.

Section 15. CLAIMS-MADE COVERAGE – DATES – EXTENDED REPORTING PERIOD.

- A. Except as provided in subsection B of this section, this Plan applies only to claims that are first made to the Participant and reported to the Plan on or after the Participant's Retroactive Date, and on or before the date of termination of the applicable coverage with respect to that Participant. In addition, the claim must arise out of an occurrence, acts or events commencing between the same dates. For purposes of determining the respective dates on which a claim is made and reported:
1. A claim shall be deemed made to the Participant when the Participant is first notified by any person of information suggesting the possibility of a claim;
 2. A claim shall be deemed reported to the Plan when Notice of such claim is first received by the Benefit Administrator; and
 3. All claims by a Participant arising out of the same occurrence, acts or events shall be deemed made and reported on the respective dates the first claim is made to the Participant and reported to the Plan.
- B. Claims first reported during an Extended Reporting Period shall be covered only as described in this subsection.
1. An Extended Reporting Period applies only if:
 - a. A Participant's coverage is canceled or terminates other than because a Participant's membership in the UPOA is terminated or suspended; or
 - b. The Plan renews or replaces the applicable certificate of participation with a new plan that:
 - i. Has a retroactive date later than the Participant's Retroactive Date under this Plan; or
 - ii. Does not apply on a claims-made basis.
 2. The Extended Reporting Period commences on the date a Participant's applicable coverage terminates, and extends:
 - a. Five (5) years for any claim arising out of a covered occurrence which took place prior to termination, if such occurrence is reported to the Plan not later than one hundred twenty (120) days after the date of termination; or
 - b. One hundred twenty (120) days for all other claims.
 3. The Extended Reporting Period applies only to claims for occurrences, acts or events that

commence after the Participant's Retroactive Date, and on or before the date of termination of the applicable coverage with respect to that Participant.

4. If the Extended Reporting Period applies, covered claims which are first reported during the Extended Reporting Period shall be deemed made on the last day before the applicable date of termination.
5. The Extended Reporting Period does not reinstate or increase the limits of liability applicable to any claim.

Section 16. EXCLUSIONS – PLAN IS EXCESS.

- A. The coverages and benefits provided under the Plan do not apply to:
 1. Payment exceeding \$5,000 for claims for occurrences involving activities not in the scope of employment, and as provided in subsection A.7. of Section 14;
 2. claims relating to a collective bargaining agreement (other than grievances arising from disciplinary action against a particular individual Participant), workers' compensation, occupational health and safety, unemployment compensation, disability benefits, or similar laws or programs;
 3. payment or indemnification for any loss incurred, including but not limited to loss incurred as a result of any administrative proceeding, action, judgment, award, settlement, fine or penalty of any kind;
 4. claims or matters for which legal defense is available, under your employer's motor vehicle liability insurance policy or any other plan or insurance, as provided in subsection B of this section;
 5. attempts to obtain, protest, preserve or set aside pension or retirement benefits or benefit determinations, including disability retirement benefits, or decisions relating to any of these, under any federal, state or local government system;
 6. the cost of bail bonds, appeal bonds or other bonds; and
 7. as otherwise excluded or limited by this Plan Description.
- B. If any other valid and collectible plan or insurance is obligated to cover and/or is available to the Participant for claims otherwise covered under this Plan, then the coverage provided under such other plan or insurance shall be primary coverage. Coverage under this Plan shall apply only in excess of every other plan or insurance, and shall not be considered as "additional insurance" or contribute with such other plan or insurance in any way except to provide excess coverage after the available limits of all such other plans or insurance have been exhausted.

As used in this section, the term "other plan or insurance" includes but is not limited to insurance or self-insurance coverage or benefits provided by or through a Participant's employer, other groups or associations; insurance coverage or benefits covering and/or provided by a Participant; coverage or benefits provided by self-insurance, trusts, pools, risk retention groups or captive insurance companies; any other insurance or self-insurance plan or agreement of risk assumption; and any obligation to defend, pay or indemnify under any statute, ordinance, regulation or agreement.

Prior to seeking benefits under the Plan, the Participant agrees to:

1. Submit any and all claims otherwise covered by the Plan to all such other plans or insurance and, if requested by UPOA, to undertake and pursue such coverage claims. The Participant's obligation under this paragraph shall exist regardless of whether the claim against the Participant is brought in the Participant's official capacity, individually or is a claim for punitive damages;
2. Execute and deliver instruments and other documents and do whatever else is necessary to pursue such coverage claims; and
3. Do nothing to prejudice the rights of UPOA to recover money or benefits due from the Participant in connection with such coverage claims. UPOA shall pay all expenses for the pursuit of such coverage

claims, and reserves the right to assume the legal representation of the Participant for that purpose.

Section 17. BENEFITS – SALARY REIMBURSEMENT OPTION – DEDUCTIBLES –TEMPORARY AND PROBATIONARY EMPLOYEES.

- A. Plan Attorney Benefits. Subject to subsections B, C, D, and E, Legal Services are covered in full when a Participant uses a Plan Attorney; provided that claims under the off-duty claims coverage pursuant to subsection A.7. of Section 14 are subject to a limit of \$5,000 per occurrence. Reimbursable Costs are also covered in full; provided that expenses for expert witnesses, investigators and transcripts must be approved in advance by the Benefit Administrator.
- B. Deductibles. If a deductible applies, the Plan's obligation to pay benefits applies only to Legal Defense Costs in excess of any applicable deductible(s) unless deductibles are paid to the Plan as provided in this subsection. Deductibles apply to all Legal Defense Costs sustained as the result of any one claim. The Benefit Administrator may require proof of payment or require payment to the Plan of deductibles before the Plan pays benefits.
- C. Salary Reimbursement Option. In lieu of Legal Defense Costs, Participants whose claims involve suspension or other discipline resulting in salary loss may elect to receive reimbursement of up to three days' actual salary loss or \$500, whichever is less. The salary loss must result directly from the matters at issue in the claim, as determined by the Benefit Administrator. Salary loss shall be calculated at the Participants' regular basic salary rate excluding the value of overtime, perquisites (such as use of a vehicle or other equipment, etc.) and employment benefits, as determined by the Benefit Administrator.

The election may not be rescinded or reversed with respect to the claim or other related claims after the reimbursement benefit is paid. This option is not subject to any deductible which would otherwise apply. This option may not be elected nor may benefits be paid for more than one occurrence taking place in any one-year period of time, except as the UPOA in its discretion may approve otherwise. The Participant has the duty to provide satisfactory proof of salary and actual salary loss. The right to elect this option expires 180 days after the first day suspension begins.

- D. Benefit Limit for Termination of Temporary and Probationary Employees. Notwithstanding any other provision of this Plan Description, temporary or probationary employees serving at will who are terminated during or at the end of the temporary employment or probationary period, for any reason or for no stated reason, shall be entitled only to the Legal Defense Costs for one informal Loudermill or similar non-adversarial meeting or hearing.
- E. Change of Attorney. The Plan covers Legal Defense Costs of one attorney from commencement to termination of a claim. If the Participant desires to change to a different Plan Attorney or to use more than one Plan Attorney, the Plan will cover the charges of any such different or additional attorney only if the Benefit Administrator, in its absolute discretion, has determined that there is good cause for doing so and the claimant has agreed to pay the costs, as determined by the Benefit Administrator, of any duplication of services.

Section 18. MISCELLANEOUS TERMS AND CONDITIONS.

- A. Notice of Occurrence. When an occurrence takes place which may result in a claim for benefits, the Participant shall give written or verbal Notice to the Benefit Administrator as soon as practicable. Such Notice shall specify particulars sufficient to identify the Participant, and all reasonably obtainable information respecting the time, place and circumstances of the occurrence. When verbal Notice is given, the Participant shall confirm Notice in writing on the claim form prescribed by the Benefit Administrator.
- B. Assistance and Cooperation of the Participant. The Participant shall assist and cooperate with the Plan toward the resolution of any claim, including assisting with discovery and appearing for depositions, hearings and trial.
- C. Subrogation. In the event of any payment under the Plan, the Plan shall be subrogated, to the extent of the Plan's payment of benefits, to the Participant's right to recover attorney's fees against any person,

agency, organization, political subdivision or any other entity. The Participant shall execute and deliver instruments and other documents, cooperate with the Plan in every way, appear for depositions and hearings, and do whatever else is necessary to secure and pursue such rights. The Participant shall do nothing to prejudice such rights.

In the event that subrogation is not permitted or is unavailable for any reason, and the Participant is entitled to receive or receives payment as the result in part of any such right to recover attorney's fees, Legal Plan, Inc. shall have a right of reimbursement for all amounts paid by the Plan on behalf of the Participant, up to the amount of the Participant's Plan benefits.

- D. Changes and Amendments to Plan only by Written Amendment. Notice to or knowledge possessed by any agent or other person shall not affect a waiver or change in any part of this Plan Description, its attachments or any certificate of participation or estop the Plan from asserting any right under the terms of same. The terms of this Plan Description, its attachments or any certificate of participation shall not be waived or changed, except by written amendment or endorsement approved by the Board and issued to form a part of same.
- E. Cancellation.
1. The participation of an individual Participant may be canceled by the Participant, for any reason by:
 - a. Surrendering the certificate to the Plan or the Enrollment Administrator; or
 - b. Mailing written notice to the Enrollment Administrator stating the date thereafter on which cancellation shall be effective.
 2. A certificate of participation, or the participation of an individual Participant, may be canceled by the Plan only for non-payment of participation fees, discontinuation of the Plan or the Participant's ineligibility. Notice shall be given by mailing written Notice to a canceled group or group Participant, or to a canceled individual Participant, at the last-known address, stating the effective date and time of cancellation. The mailing of Notice shall be sufficient proof of notice. The effective date and time of cancellation stated in the Notice shall be the date and time of termination.
 3. In-person delivery, telefaxing to the last-known telefax number or e-mailing to the last-known e-mail address of such written Notice of cancellation by a group, the Participant or the Plan shall be equivalent to mailing.
 4. If a group cancels a certificate of participation, or an individual Participant cancels participation for any reason other than death, permanent disability or a judgment of incompetency, participation fees shall be deemed earned through the last day of the month in which cancellation is effective. Any prepaid, unearned participation fees in excess of such earned fees shall constitute the refund due the group or individual; provided, if cancellation is effective in any month other than the month of the membership anniversary, an additional amount equal to annual administrative fees incurred by the Plan shall be deducted from the refund. Refunds may be made either on the date cancellation is effective or as soon as practicable.
 5. Other than as provided in paragraph 4 of this subsection, any other participation fee adjustment or refund shall be computed pro rata as of the effective date of cancellation.
- F. Nonrenewal. If the Plan declines to renew a group's certificate of participation or coverage of a group Participant, the Plan shall mail or deliver to the group or group Participant at the address shown in the declarations written Notice of the nonrenewal not less than sixty (60) days before the expiration date of the certificate. If the Plan declines to renew coverage of an individual Participant, the Plan shall mail or deliver to the Participant at the Participant's last-known address written Notice of the nonrenewal not less than sixty (60) days before the expiration of the Participant's coverage. The mailing of Notice shall be sufficient proof of Notice.

- G. Non-Assignment. The interest of any Participant in the Plan and its benefits is not assignable.
- H. Death or Incompetency. If a Participant dies or is adjudged incompetent, the Plan shall terminate on the date of death or incompetency as to that Participant. The Plan shall pay benefits to or on behalf of the Participant's legal representative with respect to covered claims incurred prior to the date of death or incompetency.
- I. Conformity to Statute. Terms of a certificate of participation which are in conflict with applicable statutes are hereby amended to conform to such statutes.

Section 19. PLAN TERRITORY. The benefits afforded by this Plan apply only to Legal Defense Costs for suits, proceedings, or criminal actions brought within the United States of America.

Section 20. PLAN'S LIMITED AUTHORITY OVER COUNSEL. UPOA, acting through the Benefit Administrator, shall have sole authority to contract with Plan Law Firm, and approve Coverage Attorneys recommended by Plan Law Firm, as meeting minimum applicable Plan qualifications, to render Legal Services to Participants.

Participants are free to select counsel other than Plan Attorneys. However, the Plan is not obligated to pay for such representation except on the terms and conditions provided in this Plan Description.

Section 21. MINIMUM ATTORNEY QUALIFICATIONS.

- A. No attorney, including a Coverage Attorney, shall be engaged by the Plan or compensated by the Plan for services rendered to a Participant unless such attorney has attested in writing to the Plan that the attorney:
 - 1. Is properly authorized to practice law in the applicable jurisdiction;
 - 2. Accepts the Plan's hourly fee, expense reimbursement and other compensation arrangements; and
 - 3. Accepts the Plan's required periodic reporting and billing procedures.
- B. No attorney shall be compensated by the Plan for Legal Services rendered to a Participant unless the attorney has provided current proof of coverage under a professional legal malpractice liability insurance policy providing coverage limits of at least \$100,000 per claim/\$300,000 aggregate, or such higher limits as the Benefit Administrator may deem necessary with respect to a particular representation.
- C. Each attorney shall disclose in writing the following information:
 - 1. all attorney disciplinary proceedings to which the attorney or the attorney's firm are currently subject, or state that there are none;
 - 2. all legal actions alleging legal malpractice to which the attorney or the attorney's firm are currently subject, or state that there are none;
 - 3. all rulings by attorney disciplinary authorities or courts during the preceding five years which resulted in sanctions, including formal and informal reprimands, against the attorney or any firm with which the attorney was associated at the time sanctions were imposed, or state that there are none; and
 - 4. all legal actions during the preceding five years in which the attorney or any firm with which the attorney was associated was adjudged guilty of or liable for legal malpractice, or state that there are none.
- D. Each attorney shall agree to give written notice to the Benefit Administrator within ten (10) days following the initiation of any attorney disciplinary proceedings or legal actions alleging legal malpractice, which proceedings or actions involve the attorney or the attorney's firm.
- E. Each attorney shall agree to abide by the Plan's detailed attorney guidelines.
- F. No attorney shall be approved or included on the list of Plan Attorneys until such attorney has complied with subsections A, B, C, D and E of this section. No attorney shall be approved or included on the list of Plan Attorneys if the Board disapproves the attorney's inclusion on the list.
- G. The UPOA may remove Plan Attorneys from their status as Plan Attorneys at any time with or without

cause. Removal shall apply to all claims reported to and accepted by the Plan on and after the effective date of removal.

Section 22. ATTORNEYS NOT PLAN EMPLOYEES OR AGENTS. Attorneys performing Legal Services for Participants under the terms of this Plan are not agents or employees of UPOA. Any attorney rendering Legal Services to Participants under the Plan shall maintain the attorney-client relationship with the Participant and is solely responsible to the Participant for all Legal Services provided. The Plan shall not interfere with or have the right to control performance of the attorney's duties. Information which the attorney receives from the Participant incidental to the attorney-client relationship shall be confidential and, except for use incidental to the administration of the Plan, shall not be disclose without the Participant's consent.

Section 23. INTERPRETATION OF THE PLAN. The construction and interpretation of the Plan provisions are vested with the UPOA in its absolute discretion, including but not limited to the determination of facts, coverage, benefits, eligibility and all other Plan provisions. UPOA shall endeavor to act, whether by general rules or by particular decisions, so as to treat all persons in similar circumstances without discrimination with respect to race, color, religion creed, national origin, or sex. UPOA's constructions, interpretations, determinations and decisions shall be final, conclusive, and binding upon all persons having an interest in the Plan.

Section 24. CLAIMS REPORTING AND APPEALS PROCEDURES.

- A. A Participant shall promptly notify the Benefit Administrator of:
1. Any occurrence the Participant has reason to believe may result in a claim for benefits;
 2. Any communication the Participant receives concerning a pending or threatened claim, action or proceeding which may result in a claim for benefits; and
 3. Any claims for benefits.

Notice must be confirmed in writing on a prescribed claim form provided by the Benefit Administrator.

- B. The Benefit Administrator shall make a decision on any claim for benefits promptly, and not later than ninety (90) days after the Benefit Administrator's receipt of the claim, unless the Benefit Administrator determines special circumstances require an extension of the time for processing. In that case the Benefit Administrator shall notify the claimant in writing or electronically of an extension, not to exceed ninety (90) days, stating the special circumstances and the date by which a decision will be made. If the Benefit Administrator denies a claim, in whole or in part, the Benefit Administrator shall send the Participant a written or electronic notice, prepared in a manner calculated to be understood by the Participant, setting forth:
1. The specific reasons for the denial;
 2. Specific reference to pertinent Plan provisions on which the denial is based;
 3. If applicable, a description of any additional material or information necessary for the Participant to perfect the claim and an explanation of why such material or information is necessary; and
 4. An explanation of the Plan's review and appeal procedure, the time limits applicable to such procedure, and a statement that the claimant has a right to bring a civil action under Section 502(a) of the federal Employment Retirement Income Security Act ("ERISA") following an adverse benefits decision or review.
- C. Within sixty (60) days of the date upon which a Participant is first notified of any decision by the Benefit Administrator to deny the Participant's claim in whole or in part, the Participant may appeal the Benefit Administrator's decision by submitting a written appeal to the Board. As part of the appeal procedure:
1. Participants shall have the opportunity to submit written comments, documents, records and other information relating to their claims;
 2. Participants shall be provided upon request and free of charge reasonable access to and copies of all documents, records and other information relevant to their claims; and

3. All comments, documents, records and other information which the claimant submits shall be taken account of in the claim review, regardless of whether such information was submitted or considered in the initial benefit determination.

The UPOA shall notify the Participant through the Benefit Administrator of its decision in writing or electronically within sixty (60) days of its receipt of the appeal, unless the Benefit Administrator determines special circumstances require an extension. In that case the Benefit Administrator shall notify the claimant in writing or electronically of an extension, not to exceed sixty (60) days, stating the special circumstances and the date by which a decision will be made. The UPOA's decision shall state specific reasons for the decision with references to pertinent Plan provisions and shall state the claimant has the right to be provided upon request and free of charge reasonable access to and copies of all documents, records and other information relevant to the claim and has the right to bring a civil action as specified to paragraph B(4) of this section. The decision of the UPOA on appeal shall be final, and shall not be subject to further appeal or review.

Section 25. SEVERABILITY. If any provision of this Plan Description or attachments is found to be invalid, unlawful or unenforceable, all other provisions shall remain in full force and effect.

Section 26. ERISA RIGHTS.

- A. This Plan Description constitutes the summary Plan Description for purposes of the federal Employment Retirement Income Security Act ("ERISA"). Each Participant shall be entitled to a copy of this summary Plan Description.
- B. Participants in the Plan are entitled to certain rights and protections under ERISA. ERISA provides that all Participants are entitled to:
 1. Receive information about the Plan and benefits;
 2. Examine, without charge, at the UPOA's office or the Enrollment Administrator's office, all Plan documents, including insurance contracts, and a copy of the latest annual report (Form 5500) filed with the U.S. Department of Labor, which is also available at the Public Disclosure Room of the Employment Benefits Security Administration;
 3. Obtain copies upon written request to the UPOA or Enrollment Administrator of all documents governing the operation of the Plan, including insurance contracts, and copies of the latest summary Plan Description and annual report (Form 5500). The UPOA and the Enrollment Administrator may make a reasonable charge for the copies; and
 4. Receive from UPOA a summary of its annual financial report. UPOA is required by law to furnish each Participant with a copy of the summary annual report.
- C. In addition to creating rights for Participants, ERISA imposes duties upon the people who are responsible for operation of the Plan. The people who operate the Plan, called "fiduciaries" of the Plan, have a duty to do so prudently and in the interest of you and other Participants and beneficiaries. No one may fire you or otherwise discriminate against you in any way for purposes of preventing you from obtaining a benefit or exercising your rights under ERISA.

If you make a claim for benefits which is denied or ignored in whole or in part, you have a right to know why this was done, to obtain copies of documents relating to the decision without charge, and to appeal any denial, all within certain time schedules.

There are steps you can take to enforce your rights under ERISA. For instance, if you request a copy of Plan documents or the latest annual report from the Plan and do not receive them within thirty (30) days, you may file suit in Federal court. In such a case, unless the materials were not sent because of reasons beyond the Plan's control, the court may require the UPOA or other Plan Administrator to provide the materials and pay you up to \$110 a day until you receive the materials.

If you have a claim for benefits which is denied or ignored, in whole or in part, you may file suit in a state or Federal court.

If Plan fiduciaries misuse UPOA's money, or if you are discriminated against for asserting your rights, you may seek assistance from the U.S. Department of Labor or file a suit in Federal court. The court will decide who should pay court costs and legal fees. If you are successful, the court may order the person you have sued to pay these costs and fees. If you lose (for example, if the court finds that the claim is frivolous), the court may order you to pay these costs and fees.

If you have any questions about the Plan, you should contact UPOA or the Administrators. If you have any questions about this statement or your rights under ERISA or need assistance in obtaining documents from UPOA or Plan Administrators, you should contact the nearest Office of the Employee Benefits Security Administration, U.S. Department of Labor, listed in your local telephone director, or:

Division of Technical Assistance and Inquiries
Employee Benefits Security Administration U.S. Department of Labor
200 Constitution Ave. N.W.
Washington, D.C. 20210

You may also obtain certain publications about your rights and responsibilities under ERISA by calling the publications hotline of the Employee Benefits Security Administration.

PARTICIPATION FEES SCHEDULE

Participants pay \$240.00 per year in monthly installments of \$20.00 each.

Note: These fees may be modified in the event optional deductibles are approved, as provided in the Plan Description.

Coverage for private university/college, private railway or Native American tribal law enforcement personnel does not include coverage for civil lawsuits.

Utah Peace Officers Association
5671 South Redwood Rd, #19
Taylorsville, UT 84123



CARING FOR THE COMMUNITY

Stepping Up To Keep It Clean

Powered By Eco-friendly
Natural Gas

Meet Our New Natural Gas Concrete Mixer Truck Fleet

Geneva Rock's new natural gas fleet is just one example of how we're being good stewards in the state of Utah. The CNG investment represents the equivalent of taking more than 8,000 cars off the road each year. We're also improving our efficiency while reducing our footprint in Draper, where our new aggregate conveyor system generates enough electricity to power 127 homes annually. For decades we've recycled millions of tons of concrete and asphalt to make new roads, bridges, and pedestrian trails. These are just a few of the ways we're working to **Build a Better Community**.



(801) 765-7800 • 1565 West 400 North, Orem Utah 84057 • www.genevarock.com