

**POLICE UNION POWER, POLITICS,
AND CONFRONTATION IN THE 21ST
CENTURY**

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POLICE UNION POWER, POLITICS, AND CONFRONTATION IN THE 21ST CENTURY

New Challenges, New Issues

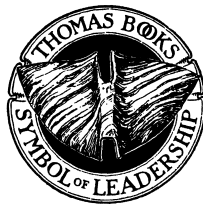
By

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*For Shevy Wright and all the other officers who have dedicated
their lives to the profession and the police labor movement.*

PREFACE

The four co-authors meet once a year in Las Vegas to train police labor leaders on the principles of building and using power, becoming politically active, and when and how to engage in confrontations. On a recent gathering, one of our band of merry wordsmiths suggested that we write a sequel to our 1997 publication *Police Association Power, Politics, and Confrontation*, also published by Charles C Thomas.

The response from the others was, to say as judiciously as possible, underwhelming. Did we really want to again endure the agony of such a draining project? Could we find enough new material so that the end product would not be a rehash of the first book? Had we not said pretty much everything that a police labor leader needed to know about building a strong organization?

The first two questions were ultimately answered in the affirmative. We all agreed to complete the project, notwithstanding the time imposition that goes along with writing a book. Also, there was an abundance of new material that could be used because of our collective new experiences and major changes in the labor movement over the past decade. For example, the reader will find an entire section devoted to the state of police unionism and policing in the United States, and will hopefully come away rethinking many of the assumptions that many police union leaders make that it is just about the money. There is a new chapter on message, a subject of considerable importance that we gave little attention to in the first book. The sections on political action and news media have been reworked and expanded. The section on building power has been completely revamped. While some of the chapters on confrontation have been retained, there have been significant additions as well. Updated case studies have been added to illustrate the principles discussed in the book. In fact, the only resemblance to the first book is Chapter 3 about the principles of Saul Alinsky, Chapter 29 on initiatives and referendums, Chapter 30 on political consultants, and Chapter 31 concerning what happens when a police union loses in a confrontation.

The third question became the greatest hurdle for us. We wanted to believe that the first book was the ultimate word on the subject; and that nothing more needed to be said – the vanity of four large egos hard at work! In the end, however, we recognized that the police labor landscape had changed dramatically since 1997; and that new strategies and tactics have become necessary to deal with challenges that did not exist ten years ago.

The First Challenge: Police Officers Are Well-Paid Compared to Others In Their Community

Two of the co-authors began their law enforcement careers around the time that Richard Nixon began his first term as President. The economic benefits of police officers at the time were, in a word, pitiful. Salaries were meager; overtime was sporadically granted; pensions often given only after 30 years of service; equipment was substandard; and many police administrators practiced coercive policies to keep officers in line.

Leaping ahead almost forty years, the scene has changed dramatically. As a result of collective bargaining rights in all but a few states and increased political activism among police unions, officers are for the most part well-compensated. Salaries in many urban areas exceed \$100,000, where the central department and suburbs must keep up with each other in order to recruit the most qualified candidates.

The wages are only part of the story – officers can look forward to all forms of overtime benefits, quality health care at a relatively low cost, twenty-year and out pensions, longevity pay, specialty pay, education and training incentive pay, out-of-classification pay, and on and on. The majority of officers are now protected from the overzealousness of police administrators through civil service systems, arbitration, and capable union attorneys who protect officer rights at every step of the disciplinary process.

No one should begrudge law enforcement officers these benefits and job protections – it is a tough job and the compensations should be commensurate with the work. The problem is that police officers are well-entrenched in the middle class, outdistancing many other workers in the community who don't receive the array of benefits and protections that officers do.

Police unions must depend on public support for their pursuit of better wages and benefits; and support becomes more difficult when other workers in the community make considerably less in wages; pay high monthly premiums for substandard health insurance; and are struggling for economic survival. As one police labor leader told a co-author recently when discussing the possibility of a public fight with the city over a contract, "I can't do it – we don't want the public to know how much we make."

So the first challenge is: how do police unions keep asking for more, when others in their community are doing with less?

The Second Challenge: Holding on to Active and Retiree Health Care and Pension Benefits

The escalating cost of active and retiree health care and underfunded pensions in the public sector is the five-hundred pound gorilla in the room. The private sector has been wrestling with this issue for years, as labor unions spend much of their time at the bargaining table trying to preserve decent health care for members, and save retiree health care and pension plans. As one national private sector union leader stated at a recent seminar on health care, “All we ever talk about now in bargaining is health care, and we wind up putting more and more money into health care that should be going into wages.”

If any police union leader reading this book believes that this development is only a problem in the private sector and that it will never happen to the cops, then you’re just not paying attention. Every day, somewhere in the country, some public official is talking about how employee health care benefits cost are too generous, premiums are too low, retiree health care is out of control, or the pension plan is underfunded. Public administrators have begun to realize that the costs of employee health care and pensions are no longer sustainable at current levels, and that other options must be explored.

Police officers are not exempt from this move toward cost control. San Diego police retirees lost their health care plan in 2005. The City of San Antonio has made active and retiree health care cost sharing by officers the number one priority in the last two contract negotiations; and caused serious friction not only between the police union and the City, but internally among union members as well. The State of California and some of its cities and counties have been pushing in recent years for pension benefit reductions, including the elimination of defined benefit plans. Police unions and their members have come into the cross-hairs of the national health care crisis and pension underfunding.

The second challenge is: how can police unions tiptoe through the minefield of health care and pension issues without losing great benefits that have been achieved through successful contract negotiations and lobbying over the past forty years?

The Third Challenge: The Police Profession is Rapidly Changing, and Police Unions Are All Too Often Sitting on the Sidelines

The world of policing is fluid, with new issues always coming to the forefront. Some of the issues in recent years have included civilianization of previously sworn positions, staffing, recruitment, new technologies, and career

ladders that will retain officers who would otherwise be peaked out at the top of their salary range. These issues baffle and paralyze some police union leaders. They often sit idly by or mindlessly obstruct management initiatives by police administrators without thinking about how to effectively respond to the rapid changes that are taking place in the police profession.

Staffing levels are an excellent example of how police union leaders often tend to be reactive when more creative solutions should be considered. There is no question that many law enforcement agencies are understaffed, often to the point that even authorized levels can't be maintained; and that these shortages create stress for officers on the street and a risk to public safety.

However, the typical "We need more officers" demand of some union leaders overlooks the more complex reasons why staffing continues to be a problem: too many Generation Y potential applicants disinterested in the police profession; too many police departments competing for a shrinking pool of qualified applicants; and too many competing interests for public resources that would be required to increase the police department's staffing levels, even assuming enough qualified applicants could be found to fill the positions.

The third challenge is: how do police union leaders become an active participant in dealing with professional issues that affect members rather than be an observer on the sidelines?

The Fourth Challenge: You Are Not the Only One Reading This Book!

Our first book and this one have been written as a guide for leaders that will make their police union powerful so they can achieve the goals that will benefit their members. Just remember though that the public officials sitting across the bargaining table have probably read the book too, because they want to be prepared for whatever the union will pull out of its bag of tricks next.

After the publication of our first book, several police contract disputes that the co-authors were involved in became heated to the point that public officials called press conferences and pointed to parts of the book to demonstrate the tactics that the police union was employing. These media events involved considerable condemnation of the co-authors as a bunch of bomb-throwers and rabble-rousers. We were all greatly appreciative of these calls of attention to our book because every time it happened, book sales spiked!

The fourth and final challenge is: in the rough and tumble game of police labor-management relations, how do union leaders stay creative and always one step ahead of management so that their goals can be achieved?

This book is not for every police union leader. Some leaders will be more comfortable with the legalistic approach where you bargain, and then mediate and/or arbitrate – it is a safe, non-confrontational way to do business. Or they might be comfortable with a more recent type of approach where you dazzle management with numbers that show economic comparability relationships between agencies, avoid any type of confrontational tactic, and magically persuade the other side that you are right.

Both of these styles have fatal flaws. In the bargain-mediate-arbitrate system, the police union will never break through with a new benefit or an extra percent or two in wages above the pack – it's all about how your union stacks up comparable cities and the employer's ability to pay. In the "dazzle-them-with-numbers" method, any experienced negotiator knows that management will argue a different set of numbers and then what do you do? As Benjamin Disraeli once said, "There are three kinds of lies: lies, damned lies, and statistics." The "dazzle them with numbers" system is nothing more than the same economic comparability arguments that are made in the legalistic bargain-mediate-arbitrate system.

The co-authors have a completely different view of the world. It is a view grounded in the reality that public officials will only do what they are forced to do. We believe in good faith bargaining, and up to a point, the notion of "getting to yes."

The ultimate question becomes: what happens when good faith bargaining and getting to yes fail to achieve the goals that your police union has set? Do you wilt up and call it a day, or do you take steps that will earn the attention and respect of the public officials you are dealing with? Are you willing to go to the Court of Public Opinion and demand that the mayor, council, and/or city manager do the right thing? These questions will be answered in the pages that follow.

One of the observations that each author occasionally hears is that this book only applies to large, urban police unions and not to smaller groups that have significantly less resources. Nothing could be further from the truth. There is plenty of solid advice for every police union – large, medium, or small. In fact, the principles in this book can be often more readily used in smaller communities because it is much easier to reach out and touch elected officials and citizens than in larger ones. You just have to configure the ideas in this book to suit the culture and dynamics in your own community.

Three final points are in order. First, on the matter of word usage, the term "union" will be used exclusively in this book. We believe the day has come when police union leaders and members are comfortable with the word; and that the term "association" can be finally and gladly discarded from common usage. Any references to the government employer and employees in this

book will normally use the word “city” and “police officers,” even though the principles apply to counties and employees such as deputies and probation officers; and to states and employees such as troopers and correctional officers. We intend no disrespect to county or state law enforcement officers – it is just easier to use one employer and employee designation for matters of writing simplicity.

Second, Jim Spearing is our fourth co-author this time in addition to Mssrs. DeLord, Burpo, and Shannon from the first book. Jim is an experienced Florida political and media consultant who assists police and fire associations; and he is a welcome addition to our group.

Third, we wish to acknowledge the gracious and excellent guidance provided to us by Susan Collins, Senior Director of Administrative Services for the Combined Law Enforcement Associations of Texas on the chapter about money; and Melissa Burpo, scientific and technical writing wizard on the communications chapter.

We hope that every police union leader who reads this book will take something away that benefits the organization and most important, the members. If these goals are achieved, then the pains of authorship will have been well worth it.

Ron DeLord
John Burpo
Michael R. Shannon
Jim Spearing

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**POLICE UNION POWER, POLITICS,
AND CONFRONTATION IN THE 21ST
CENTURY**

Part I

**ABOUT POWERFUL UNIONS,
MESSAGE, AND SAUL ALINSKY**

Chapter 1

ABOUT POWERFUL POLICE UNIONS

This first part of the book will look at three important foundations of a powerful police union. This chapter will identify some general reasons why some police unions become powerful, and others do not. Then the crucial principles of message will be explored – the concept of message underlies just about everything that leaders do and say. Finally, the timeless ideas of Saul Alinsky will be discussed as they were in the first book.

Wha’ Hopp’ned?”

Fred Willard’s great line in the movie *A Mighty Wind* is fitting for the first important point: *Unions are divided into three groups: Those who make things happen; Those who watch things happen; and Those who ask “what happened?”*

If you ask a room full of police union leaders to pick which of the three groups they believe their unions are in, 20 percent would believe they make things happen, 80 percent would believe they watch things happen, and 20 percent would believe they are always asking “what happened?” Those percentages are probably accurate. What they fail to recognize is that unions can move between the three groups at any time.

Even unions who are making things happen can get lazy or start believing that they can live on past accomplishments. This is particularly true when a powerful president has led the union to several victories and then retires. The new president may not have the leadership skills needed or simply does not understand the principles of creating