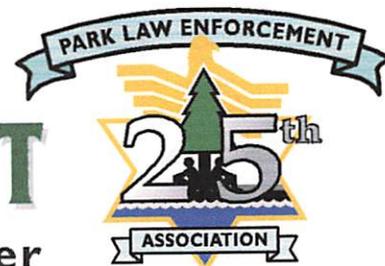


NOVEMBER 2004

PARK LAW ENFORCEMENT ASSOCIATION

Newsletter



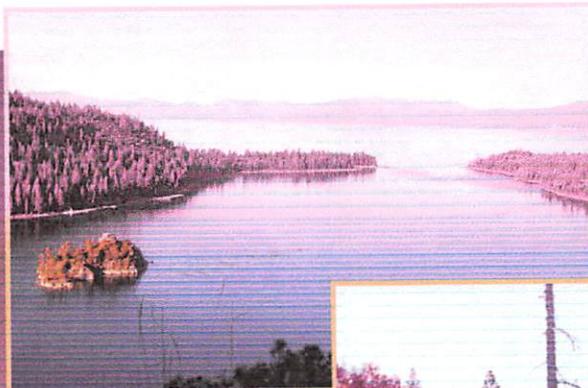
SUPPORTING THE THOUSANDS OF PEOPLE KEEPING OUR PARKS & WILDLIFE AREAS SAFE

PLEA MEETS AT 2004 NRPA CONGRESS IN RENO, NEVADA

By Stuart Foland, PLEA Editor

What a beautiful time to visit Reno, Nevada and nearby Lake Tahoe with the chill in the air and changing of the seasons where you can take a short drive and see the aspens in full color, ponderosa pines and redwoods. As most of you know Reno is referred to as the "Biggest Little City in the World" and you can see these words from an illuminating sign downtown.

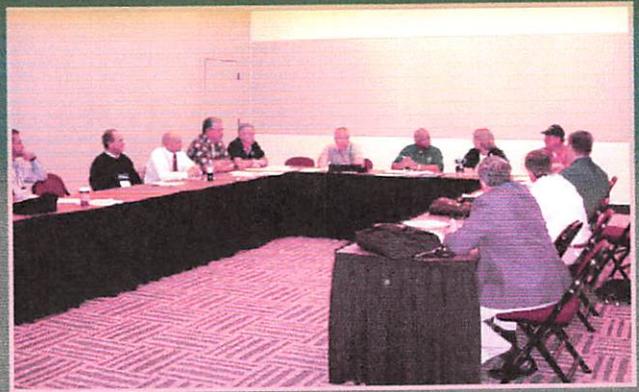
Reno is surrounded by the beautiful high desert and Sierra Mountain landscape that drapes around the city. It seems like almost yesterday that we held our 14th Annual PLEA Conference here in Reno titled "Resource Protection Law Enforcement" eleven plus years ago in 1993. Chief Ralph Hays with our Department, the Johnson County Park Police Department was President of PLEA at that time and we have reminisced many times throughout the years to present about that conference we attended. We even lodged at the same hotel, the Peppermill. I remember the law enforcement training sessions that covered our conference topic well from such presenters with the U.S. Fish and Wildlife Service, National Park Service, U.S. Forest Service, Bureau of Land Management and who could ever forget Chief Ranger Dan Johnson with Oklahoma State Parks that gave an outstanding presentation on "Resource Protection Enforcement and the Unwitting Violator". In 1993, we also experienced fine dining and the surrounding beauty made for a very successful conference. We even took a few vacation days prior to the conference to ski at nearby famous ski resorts such as Alpine Meadows, Heavenly and Squaw Valley, site of the 1965 Olympic Games. I guess I will quite rambling for now, but had to reminisce once again what a wonderful PLEA Conference.



The Beauty of Fall in Reno and Lake Tahoe

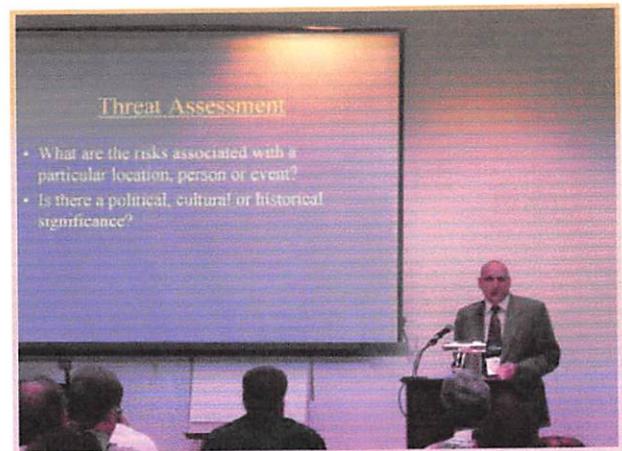
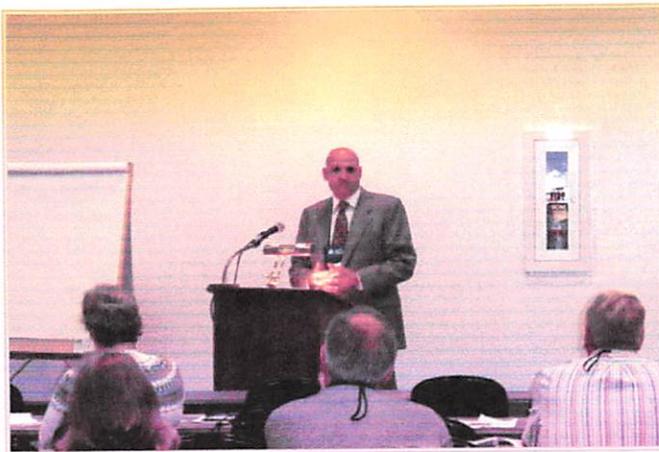


This year's NRPA 2004 Congress and Exposition in Reno, October 12 -16 was outstanding and enjoyed by all conference attendees from the time of arrival to the time all had left the conference. As you see in the NRPA Registration and Exposition photo's above many people attended this year's conference and as stated by NRPA's Executive Director, John Thorner " it was a resounding success".



PLEA Mid-Year Board Meeting

PLEA also held its Mid-Year Board meeting at the NRPA Congress on Friday, October 15th with nine Board members present and six other special guests as agency administrators, park police, park rangers from DNR and others. NRPA President-Elect Lori Daniel attended and spoke briefly during the first part of the Board Meeting which we appreciated her comments and support at this year's meeting.

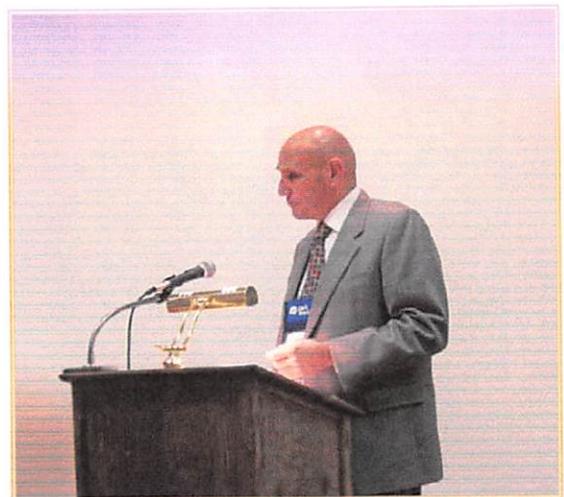


Ralph Hays talk about Homeland Security in Parks.

PLEA also sponsored two outstanding educational sessions at this year's NRPA Conference. The first session was titled "Homeland Security Issues for Parks and Events" by Chief of Police, Ralph Hays with the Johnson County Park and Recreation District in Shawnee Mission, Kansas. This early Friday morning session was well attended with approximately 60 participants. At this session Chief Hays discussed how Homeland Security issues may affect park and recreation areas and special events, in particular, ways to address homeland security issues during event planning.

Chief Hays provided participants with information on the types of groups and activities that are of concern to law enforcement officials as well as all citizens around the world. Chief Hays talked about threat assessments, potential threats, and most likely threats to parks, buildings and security in planning of events. Chief Hays also provided a copy to attendees his Agency's "Operations Plan" for law enforcement, fire and parking personnel at a special event. Chief Hays also talked at length about security planning around buildings within park and recreation areas and at special events.

A special thanks goes to Chief Hays for his time and preparation in delivering a dynamic, informative presentation that is so important to us all.



The second PLEA session offered was titled "When Your Employee Threatens To Shoot You" presented by Captain William Jacobs J.D. retired from the Minneapolis Park Police Department in Minneapolis, Minnesota as the Chief Law Enforcement Officer from 1972-2001.

Co-presenter was Jonathan Bundt, M.A. in Counseling and Psychotherapy and President, MASA Consulting Inc.

This session advised attendees the most frequent signs and clues of workplace violence prior to an incident happening, recognize the resources needed to establish a workplace violence program that will enable supervisors and employees to respond quickly and decisively in the event of threats of violence by other employee(s) and to understand the importance of maintaining employee well-ness or assistance programs in the aftermath of threats or incidents of violence in the workplace.

At least six different examples of actual workplace violence incidents were presented by attendees at the session and volunteered information what violent acts or threat occurred in their workplace.

After hearing the incidents from session attendees, presenters talked about many issues such as: the most common characteristics of violence in the workplace, the ripple effect among the workplace and its employees, barriers to reporting, guidelines for developing effective programs, policy, critical incident response by employees and supervisors and benefit programs.

At the conclusion of the session Jacobs and Bundt conducted a "learner assessment" by summarizing the training presented and then went back and reviewed the actual incidents presented by attendees on their violent events. Discussions included common characteristics of workplace violence that were present and the lessons learned in each incident. Class participants stated the presenters were "right on" with their actual situations and now know what to look for and react to accordingly if workplace violence occurs within their agency in the future.

Our hats are off to Bill Jacobs and Jonathan Bundt for preparing and presenting this session which is becoming more and more prevalent in our society. Thanks also for sharing your expertise and case study experiences you have been involved with over your years in the profession.

In closing, Reno definitely left a lasting impression on us all and to some memories from the past. We all left Reno enjoying the PLEA Conference sessions and networking with other PLEA members and other guests that attended the Mid-Year Board Meeting.

We can't wait to attend the 26th Annual PLEA Conference in Minneapolis, Minnesota in March 2-5, 2005, hosted by Minneapolis Park Police Department.

SEE YOU THERE!!!!!!!!!!!!!!!!!!!!



Captain William Jacobs, J.D.



"When Your Employee Threatens to Shoot You"



Jonathan Bundt, Co-Presenter

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AT WWW.PARKRANGER.COM
DISCUSSION BOARD, JOB LISTINGS
AND P.L.E.A. NEWS**

STATE AFFILIATE NEWS

KANSAS P.L.E.A. NEWS

The annual conference will be held in Manhattan Jan. 23-26th, 2005. On Jan 24th Capt.. Troy Lane (KSU Campus Police) will speak on Basic Law for Law Enforcement Officers and Brenda Jordan (Riley County Assistant DA) will speak on Sex Crimes. On Jan 25th Dr. Jerry Jaax (Assistant Provost at KSU on Bio/Ag Terrorism) will speak on Bio/Ag Terrorism and Dect. Pete Edlund (Platte County Sheriff's Department) will speak on Crisis Intervention when dealing with suicidal persons.

The conference agenda:

Monday 1/24/2005

10:15 to 11:30- Sex Crimes Investigations and Prosecution

Speaker: Manhattan Assistant County Attorney Brenda Jordan

11:30 to 1:30- KPLEA Branch Meeting

Topic: Election of new Officers

1:30 to 4:15- Patrol Officer Law 101

Speaker: Captain Troy Lane, Kansas State University Police Department

5:00 to 8:00- Trade Show

Tuesday 1/25/2005

8:30 to 11:15- Overviewing a Bioterrorist Threat

Speaker: Dr. Jerry P. Jaax, Associate Vice Provost for Research, Kansas State University

2:00 to 4:45- Crisis Intervention: Dealing with a suicidal person

Speaker: Detective Pete Edlund, Platte County Sheriff's Department

ILLINOIS P.L.E.A. 2004 FALL CONFERENCE A SUCCESS

The Illinois Park Law Enforcement Association (IPLEA) and PDRMA held their annual 2004 Fall Conference and Awards Program. They had excellent quality national and regional speakers, educational sessions, and an awards ceremony that granted recognition to some of our colleagues serving the community. It was attended by many Law Enforcement Officers, Rangers, Police, Supervisory Staff, Administrators and non-sworn staff interested in networking, information sharing and learning up to date law enforcement information.

The event was held at the Four Points Sheraton Hotel in Oakbrook Terrace, Illinois on September 12, 13, 14, and 15th. The conference started Sunday with an IPLEA business meeting followed by fellowship at the Sheraton Hospitality suite providing for some great networking opportunities.

Monday, September 13th, was registration followed by an overview of the Traffic Stop Statistics Act presented by Alexander Weiss, Director, Northwestern University Center for Public Safety. Last year, Illinois passed the Traffic Stop Statistics Act which requires police officers to fill out extended "stop sheets" which include questions about the race and gender of any person stopped for a traffic violation. Mr. Weiss will review the intent of the act and the recording requirements. In the afternoon Robert Munson, NEMRT, MTU #3 addressed Ethnic and Cultural Awareness for Police Officers. This certified course was designed to assist officers in understanding the changing ethnic and cultural groups within their community and improve communication skills. Various cultures, ethnic, and religious groups were discussed. The course assisted officers and departments in expanding community relations as well as minimizing liability.

Tuesday, September 14th, Jack Enter, Ph. D. at the Suburban Law Enforcement Academy College of DuPage, spoke about developing, motivating and retaining good leaders to become the strength of any organization. Veteran officers often serve as "unofficial" on the scene supervisors and serve as role models, coaches, mentors for other staff. The course was designed to stimulate thought process and encourage self reflection. It will also provide opportunities for participants to share experiences and promote self evaluation of careers and personal growth. Course topics addressed included: leadership, professional demeanor, and generation differences, stress management, physical and mental wellness, ethics, morals and values. This course is geared specifically for law enforcement. It has been presented to the Illinois State Police and various other law enforcement departments.

Tuesday evening the awards banquet was held with Thomas Wakolbinger, Director of Law Enforcement, Forest Preserve District of DuPage County as the keynote speaker.

Wednesday, September 15th, was an Information Sharing, Networking and Roundtable Discussion which gave rise to some great discussions and new ideas. The conference was a huge success and provided everyone with a renewed sense of enthusiasm and commitment to serving the community.

NEW PROCESS FOR SUBMITTING NRPA PROPOSALS

Greetings to current and recent PLEA Board Members:

Every year we rely on the PLEA membership, current and former board members in particular, for submitting proposals for educational sessions at the annual NRPA Congress. Next year the Congress will be in San Antonio, TX from October 19-23, 2005.

There is a new process for submitting proposals this year. All submissions must now be done on the NRPA web site, and must be submitted by December 6th, 2004. After that date, the on-line form will be turned off. The on-line form can be accessed at:

<http://www.nrpa.org/CEUForm/default.aspx>

and is now available. They are planning to have a sample filled out form available for review soon. I'm not sure where on their web site it will be, but you can go to <http://www.nrpa.org> and click on "Training and Development" (on the left side) and then click on "Congress and Exposition".

Click to Download - Blank Proposal Form

Click to Download - Suggestions on filling out form

I have prepared two downloadable documents to help you prepare a proposal. One is a blank proposal form that I have modified from the form (that could be mailed in) used in earlier years. You can use the form for preparing your rough draft. Once you have a rough draft, I recommend that you use your word processing software to enter your proposal onto the sample form or a blank word document, then enter that information into the on-line form using 'cut & paste' [that way - if something happens while you are uploading and you lose the on-line form before submitting it - you won't have to retype everything.]

The second document is some suggestions on how to fill out the form - gathered from a few years of preparing these proposals and also from participating on the NRPA Program committee reading and rating all the proposals from around the country. Dr. Bruce Wicks, our PLEA representative on the Program committee, also provided valuable input to the suggestions.

If you would like me to review your proposal before you submit it, I would be glad to do so. Please enter it into the sample form attached above and e-mail it to me at captainwaj@juno.com

In any event, if you do submit a proposal, would you please let me know and send me a copy if possible. I will be sure that Dr. Wicks is aware of all PLEA proposals before he attends the Program committee meeting in January. You can also e-mail him directly at bew@uiuc.edu

Many thanks for all your efforts.

Bill Jacobs
PLEA Program Committee

UTAH STATE PARK OFFICERS ASSOCIATION NEWS

It was my pleasure as the President to present the Utah State Park Officers Association Ranger of the Year Award this year to Drew Patterson. Drew was selected from a field of some other very deserving nominees.



Drew Patterson- USPOA Ranger of the Year

In the nomination for Drew it states: I would like to nominate Drew Patterson for the ranger of the year award. Drew does an outstanding job for state parks. Drew has been doing the job of two rangers at Wasatch since Laurie received the coordinators job for the Northeast Region. Drew always does his job in a professional manner, and he does the major bulk of law enforcement at Wasatch State Park. Drew is highly respected by his fellow law enforcement officers and he has an excellent working relationship with other local law enforcement agencies in the Heber area. Drew is an excellent ranger and deserves the ranger of the year award for his hard work and dedication to his job. I believe that he meets the exceptional performance criteria set forth. I have had the privilege of working on a number of details with Drew and he always does an exceptional job.

Utah State Parks and Recreation has seen a tremendous amount of rangers retire this past year. As a result, we have had an open application process for new rangers. Also, during this past year the Association has been successful in a number of endeavors to improve the pay and equipment for its rangers. All law enforcement rangers received between a 5.5% and 11% increase in pay despite the failure of the legislature to fund any increases.

We will be starting physical testing of all our rangers this year. The testing will consist of a mile and half run, sit-ups, push-ups and flexibility. This is mandatory for all LE Rangers and encouraged for all other employees. We are also in the process of working with the University of Utah in an extensive survey of LE Rangers to get an idea of job satisfaction levels, concerns over administration, what direction they would like to see the Association go, and a number of other items.

We are also pushing our administration pretty hard to reinstate the Chief of Law Enforcement position that was eliminated shortly after the 2002 Salt Lake Olympic Games. We will also be supporting the concept of a week-long, yearly Ranger School.

That's about it from Utah - hope to see you all soon.

Roland M. Bringham, Park Manager
Willard Bay State Park
rolandbringham@utah.gov

EMPATHY FOR THE FIELD TRAINING OFFICER

by Billie Thompson

Community Relations Officer
Johnson County Park Police Department

Over two decades ago I had the honor in being selected to fill a vacant Park Police Officer position with the Johnson County Park Police Department in Lenexa, Kansas. I can still recall just how excited I was when notified that I had the job. The excitement lasted throughout the Johnson County Regional Police Academy and quickly turned to anxiety on the first day on the job when I was presented with a set of vehicle keys and told by another officer, "Here, you drive and I'll observe."

There I was, strange vehicle, strange park, and oh yeah, strange companion. For the next week I fought more anxiety than I did crime. Still unfamiliar with the parks and the patrol vehicle itself the bomb got dropped from that strange voice beside me, "Tomorrow you're on your own." That was one night I didn't need coffee to stay awake.

Some of us have entered into law enforcement prior to any Field Training Program and this was probably the norm. A norm that induced more anxiety into an officer than the proper learning environment. A norm which in today's law enforcement profession has been replaced by Field Training Programs where trainees are provided with a proper learning foundation.

As a Field Training Officer (FTO) for the Johnson County Park Police Department I have noticed that most trainees learn via different methods and learning rates, but most have a similar zone of comfort. I have found that outside of their zone of comfort trainees are less receptive to learning. As a Field Training Officer I feel it is paramount to establish a trainee's zone of comfort through the organization of requirements in the Field Training Program.

I also found that the best method in determining a trainee's zone of comfort is to recall my very own experience as a new officer. You could say I follow an empathetic approach. What I have found is that what made me anxious back then makes a trainee anxious today. If a trainee feels unfamiliar, unorganized, or unprepared they are likely to become more anxious and tends to hinder their learning capability. So, as a Field Training Officer I stress the trainee's familiarization and organization skills associated with the duties of a Park Police Officer, during the initial week of field training and to maintain this throughout the Field Training Process.

To familiarize, organize, and prepare a trainee I follow an established task list which notes specific tasks associated with the profession of a park police officer. This task list is broken down into to time segments such as first week, sec-

ond week, and so on. The tasks on the list range from completion of their time sheet to the procedures of an arrest. As each task is performed, whether under actual conditions or testing conditions, the task list is marked and an explanation provided. This task list should be shared with the trainee so that they know what is expected of them during the Field Training Program.

During the first five days, Limbo period, the trainee is just an observer. This is an acclimation period where the trainee begins to find their comfort zone. During that time I emphasize familiarizing the trainee with a basic orientation of our department with a Pre-Program Orientation Meeting. The trainee and I discuss the expectations of the trainee while in the Field Training Program which they sign. I include proper completion of time sheets, leave of absence forms, and report forms they will be required to have available on patrol duty. We then review the patrol vehicle and the equipment maintained inside. I attempt to cover even basic procedures such as where and how to fuel the vehicle to operation of emergency lights, siren, and vehicle radio. The trainee is provided with maps of our parks within our jurisdiction and are requested to note locations on the map when visited during field training. After the first five days I have found that trainees are eager to take over the driving and begin fulfilling their responsibility as a Park Police Officer.

So, just how do you know when your trainee is in their comfort zone? Don't forget your basic interrogation training and notice their body language. Is the trainee voice cracking or mumbling, is their attention focused more on you than the situation they are trying to handle, or is there silence and the apparent "deer in the headlight", look? These are all good indicators, but if you really want to know just ask them. So, what do you do if they tell you they were not comfortable? Take the time to relate with them that you have experienced a similar incident and how you handled it. Most of all relate your true feelings even if at that time you felt uncertain or scared. You will find that showing a little empathy the training in the future will be more open towards your direction and guidance.

As you proceed through your Field Training Program, know being prepared and organized will assist the trainee greatly, but if you find your trainee in a situation where they appear uncomfortable, recall to take time and share with them that not only are they human, but so are you.

Overall, what I have found is that the time I initially spend during the first week familiarizing and organizing a trainee the less time I have to spend on remedial training throughout the entire Field Training Program. So, next time you find yourself as a Field Training Officer with a trainee, have some empathy instead of reliving some "war story". Take the time to recall when you were in that same situation and how you found your comfort zone and help your trainee find theirs. Hopefully you will obtain similar results that I have and that is a confident Park Police Officer at the completion of their Field Training Program.

A LESSON IN TRAINING

by Assistant Chief Park Ranger John I. Nesbit
St. Louis County Department of Parks and Recreation

It did not take too long after I returned from the 2004 PLEA Conference in Oklahoma this spring that I realized I was glad I attended. A series of pipe bombs was being placed and detonated in some of our parks and then on the TV news one evening was a report of a meth lab that had been found by a citizen walking his dog and had called police who had then called reporters. Of course the Parks Department was being asked questions about the safety of visitors in our parks. I realized quickly that we needed some help in addressing these problems.

Operations (maintenance) personnel had already recovered one of the suspicious devices and moved it (frustrating many of us) and did not seem to understand the risks involved in what was going on. The safety of both our employees and visitors was being threatened. Then it came to me... one of the Oklahoma Park Ranger's presenting at the PLEA conference had said, "You need to educate other park employees and enlist their help." I realized there was need to brief our staff about the importance of crime scenes, personal safety and reporting of unusual circumstances.

I quickly went through my conference notebook and reviewed notes and handouts that I had received. Then I researched some other sources from our County Police Drug Unit and on the Internet. I put together a brief agenda for our operations and recreation staff so that they could assist us and protect themselves at the same time. A date was picked and class was held at one of our Recreation Centers in the Community room. The agenda for the 2 hour instruction included:

Meth Labs on Public Lands

Field Safety:

***If you don't know, ask someone
or leave it alone.***

Do not touch, smell or taste!

- ◆ **First on the Scene**
- ◆ **Actions**

Safety Rules

- ◆ Prevent unauthorized entry
- ◆ Stay upwind and up grade
- ◆ Avoid areas of odor, discoloration
- ◆ Leave if conditions change

Suspected Meth Lab Protocol

- ◆ Protect personal safety first
- ◆ Avoid exposure to chemicals/area (stay upwind at a safe location)
- ◆ Report the location to Park Rangers or Police of jurisdiction
- ◆ Isolate the area and evacuate as needed (400' guideline)
- ◆ Wait until assist units arrive

I also arranged to show a couple of brief "Roll Call" type videos on Meth Labs and explosive device protocols for first responders. A flier was also designed for distribution to park staff to assist them in recognizing suspicious devices.

Training was well received by our operations staff. They became an asset to us and other agencies instead of a hindrance. As more devices were found they followed the protocols outlined and no visitors or employees were hurt throughout the rest of the summer. The investigation into these incidents is still ongoing.

Perhaps you are in a similar situation. Your park staff may not be familiar with what needs to be done and why when they encounter suspicious activity or circumstances. Probably the odds of them finding something like a Meth Lab are greater than the parks' law enforcement unit or Police of jurisdiction. Instead of becoming frustrated over what is happening take some advice from a wise PLEA instructor who once told me... "You need to educate other park employees and enlist their help."

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P.L.E.A. LEGISLATIVE UPDATE

By Mike Burko

Legislative: **Passed**

HR218 Title: **Law Enforcement Officers Safety Act of 2003**

Sponsor: Rep Cunningham (R-CA)

Summary:

A bill to amend title 18, United States Code, to exempt qualified current and former law enforcement officers from State laws prohibiting the carrying of concealed handguns.

Status: Became Public Law 7/22/04

Sec. 926B. Carrying of concealed firearms by qualified law enforcement officers

(a) Notwithstanding any other provision of the law of any State or any political subdivision thereof, an individual who is a qualified law enforcement officer and who is carrying the identification required by subsection (d) may carry a concealed firearm that has been shipped or transported in interstate or foreign commerce, subject to subsection (b).

(b) This section shall not be construed to supersede or limit the laws of any State that--

(1) permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or
(2) prohibit or restrict the possession of firearms on any State or local government property, installation, building, base, or park.

(c) As used in this section, the term 'qualified law enforcement officer' means an employee of a governmental agency who--

(1) is authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and has statutory powers of arrest;

(2) is authorized by the agency to carry a firearm;

(3) is not the subject of any disciplinary action by the agency;

(4) meets standards, if any, established by the agency which require the employee to regularly qualify in the use of a firearm; and

(5) is not prohibited by Federal law from receiving a firearm.

(d) The identification required by this subsection is the photographic identification issued by the governmental agency for which the individual is, or was, employed as a law enforcement officer.

Legislative: **Pending**

SB2329 Title: **Victims' Rights Bill**

Sponsor: Sen. Kyl (R-AZ)

Sec. 3771. Crime victims' rights

(a) RIGHTS OF CRIME VICTIMS--A crime victim has the following rights:

(1) The right to be reasonably protected from the accused.

(2) The right to reasonable, accurate, and timely notice of any public proceeding involving the crime or of any release or escape of the accused.

(3) The right not to be excluded from any such public proceeding.

(4) The right to be reasonably heard at any public proceeding involving release, plea, or sentencing.

(5) The right to confer with the attorney for the Government in the case.

(6) The right to full and timely restitution as provided in law.

(7) The right to proceedings free from unreasonable delay.

(8) The right to be treated with fairness and with respect for the victim's dignity and privacy.

SB2696 Title: **U.S. Homeland Security Signal Act of 2004**

Sponsor: Sen. Schumer (D-NY)

Summary:

A bill to establish the United States Homeland Security Signal Corps to ensure proper communications between law enforcement agencies. NATIONAL SIGNAL CORPS STANDARDS--The Signal Corps shall establish a set of standard operating procedures, to be followed by signal corps throughout the United States, that will ensure that first responders from each Federal, State, and local agency have the methods and means to communicate with, or substitute for, first responders from other agencies in the event of a multi-state terrorist attack or a national crisis.

SB1736 Title: **Gang Prevention and Effective Deterrence Act**
Sponsor: Sen. Hatch (R-UT)

Summary:

A bill to increase and enhance law enforcement resources committed to investigation and prosecution of violent gangs, to deter and punish violent gang crime, to protect law abiding citizens and communities from violent criminals, to revise and enhance criminal penalties for violent crimes, to reform and facilitate prosecution of juvenile gang members who commit violent crimes, to expand and improve gang prevention programs, and for other purposes.

SB2632 Title: **First Responders Homeland Defense Act of 2004**
Sponsor: Sen. Boxer (D-CA)

Summary:

A bill to establish a first responder and terrorism preparedness grant information hotline, and for other purposes.

Judicial: U.S. Supreme Court

Court Rules Keeping Name Private Can Be a Crime: In a 5-4 vote, the U.S. Supreme Court ruled that people do not have a constitutional right to refuse to tell the police their names. The decision was a defeat for privacy rights advocates who argued that the government could use this power to force people who have done nothing wrong to submit to fingerprinting or divulge more personal information. Police, meanwhile, argue that identification requests are a routine part of detective work, including efforts to get information about terrorists. The justices upheld a Nevada cattle rancher's misdemeanor conviction, who was arrested after he told a deputy that he didn't have to re-veal his name or show an ID during an encounter on a rural road in 2000. The case is *Hiibel v. Sixth Judicial District*

Administrative:

First Responders and the Part 541 Exemptions Under the Fair Labor Standards Act (FLSA)

The FLSA requires that most employees in the United States be paid at least the federal minimum wage for all hours worked and overtime pay at time and one-half the regular rate of pay for all hours worked over 40 in a workweek. However, Section 13(a)(1) of the FLSA provides an exemption from both minimum wage and overtime pay for employees employed as bona fide executive, administrative, professional and outside sales employees. Section 13(a)(1) and Section 13(a)(17) also exempts certain computer employees. To qualify for exemption, employees must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 per week.

Police Officers, Fire Fighters and Other First Responders

Police officers, detectives, deputy sheriffs, state troopers, highway patrol officers, investigators, inspectors, correctional officers, parole or probation officers, park rangers, fire fighters, paramedics, emergency medical technicians, ambulance personnel, rescue workers, hazardous materials workers and similar employees ("first responders") who perform work such as preventing, controlling or extinguishing fires of any type; rescuing fire, crime or accident victims; preventing or detecting crimes; conducting investigations or inspections for violations of law; performing surveillance; pursuing, restraining and apprehending suspects; detaining or supervising suspected and convicted criminals, including those on probation or parole; interviewing witnesses; interrogating and fingerprinting suspects; preparing investigative reports; and other similar work are not exempt under Section 13(a)(1) or the regulations and thus are protected by the minimum wage and overtime provisions of the FLSA.

First responders generally do not qualify as exempt executives because their primary duty is not management. They are not exempt administrative employees because their primary duty is not the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers. Similarly, they are not exempt learned professionals because their primary duty is not the performance of work requiring knowledge of an advanced type in a field or learning customarily acquired by a prolonged course of specialized intellectual instruction. Although some first responders have college degrees, a specialized academic degree is not a standard prerequisite for employment.

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PLEA CALENDAR OF EVENTS

**March 1 - March 4, 2005
P.L.E.A. Conference 2005**

**Conference site: DoubleTree Hotel
1500 Park Place Blvd.
Minneapolis, MN 55416
(952) 542-8600**

**website: www.doubletreeminneapolis.com
Online registration will be available.**

Tuesday, March 1st- Executive Board Meeting at 1:00 pm.
The evening will be a registration and welcoming ceremony.

Wednesday, March 2nd - Opening ceremonies and workshops, the afternoon will involve a onsite workshop at the Mall of America, afterwards we plan a fun evening at the Mall of America.

Thursday, March 3rd- Morning workshops followed with onsite workshops, tour of the Riverfront including Mill City. This is Mill ruins uncovered recently and restored, there is a museum tour planned as well. The evening will feature a banquet at Baker Park hosted by Three Rivers Park District.

Friday, March 4th- Morning Board meeting followed by a workshop at the hotel. Conference will wrap up in the afternoon. Visitors are welcome to stay the weekend and see more of all that Minneapolis has to offer. Park Police will offer ride along and guided tours.

For a link to Greater Minneapolis Convention & Visitors Association click on minneapolismeetings.org.

**Questions on the conference please contact:
dmccormick@minneapolisparcs.org**