

## About the ICOPs Legal Plan

Police Officers all over Illinois have come to rely on the ICOPs Legal Plan — the best protection available when careers and reputations are on the line — a level of legal protection that is not available anywhere else. Hundreds of Illinois Police Officers have been accused, disciplined, suspended or fired for actions taken during their normal police work. You may end up as the one being accused. That's where the ICOPs Legal Plan comes in.

- **ICOPs attorneys are on-call and available 24 hours a day.** They are on the spot, from memorandums all the way up to merit board hearings and higher.
- **ICOPs members get immediate legal backup.** Where other unions may send a business agent to represent the cop on the spot, ICOPs sends one of its attorneys. An ICOPs attorney will be on the case the instant you take any action that may result in accusations against you.
- **The ICOPs Legal Plan's coverage is extensive.** Charges can be brought against a Police Officer for use of excessive force, for failure to follow a direct order or for not dotting i's on a report. The ICOPs Legal Plan applies to all job-related discipline problems — whether they originate from within the police department, from citizen complaints, or from an outside agency.
- **The ICOPs Legal Plan is open to all full- and part-time and other law enforcement personnel in Illinois.**

The ICOPs Legal Plan is available as part of a group membership or an individual membership.

- **ICOPs group membership** covers all members who are in a collective bargaining unit where ICOPs is the official Union representative of Police Officers. ICOPs group membership includes contract negotiations and contract enforcement.
- **ICOPs individual membership** covers members who are not part of an ICOPs collective bargaining unit.

*“When you want a police union that stands up for its members, you want ICOPs.”*

# When You Need a Lawyer to Stand Up for You

## ICOPs Legal Plan Application

**\$15** per month  
Billed in 6 month intervals

\_\_\_\_\_  
Name

\_\_\_\_\_  
Home address

\_\_\_\_\_  
City, state, zip code

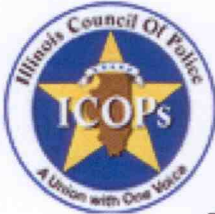
\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Date of birth

\_\_\_\_\_  
Employed by

\_\_\_\_\_  
Your title

\_\_\_\_\_  
Signature



*Mail completed form to:*

**ICOPs 770 N. Church Road, Unit H Elmhurst, IL 60126**

Your membership package and  
auto decals will be mailed to you.

**FOR IMMEDIATE COVERAGE,  
enclose a check for \$90 payable to ICOPs with this application.**

**ILLINOIS COUNCIL OF POLICE**

**800.832.7501 toll-free 24 hours**

- ★ **The ICOPs Legal Plan is the best protection available to police and other law enforcement officers in Illinois.** It covers all job-related discipline problems. You will get immediate backup from an ICOPs attorney the instant you take any action that may result in accusations against you.
- ★ **The ICOPs Legal Plan is open to full-time and part-time** Police Officers, Deputies, Troopers, Correctional Officers, support personnel and anyone in law enforcement.
- ★ **The ICOPs Legal Plan costs \$15 per month.** It is free to ICOPs members who are under an ICOPs contract.

## ICOPs Legal Plan is the best protection available to Police Officers in Illinois.

What makes the Illinois Council Of Police, ICOPs, different from other organizations that have members who are law enforcement officers? ICOPs is a Union of law enforcement professionals, run by law enforcement officers with the experience, know-how and commitment to get the job done.

You get immediate backup with the ICOPs Legal Plan, which is open to all law enforcement personnel whether or not they are under an ICOPs contract. In jurisdictions throughout northern Illinois, hundreds of Police Officers represented by ICOPs attorneys have won successful settlements in job-related disciplinary matters.



**RICHARD F. BLASS, Principal** — Richard F. Blass & Associates, L.L.C. is the ICOPs General Counsel. Mr. Blass has been representing public safety employees for over 10 years. He has extensive experience in law enforcement matters as a Deputy Chief of Police and Commander of Internal Affairs with over 20 years experience. He is a graduate of Northwestern University's School of Police Staff & Command and represents over 1,500 police officers in contract negotiations, disciplinary proceedings, Wage & Payment Act Proceedings, PEDAs, PSEBA and shootings as the General Counsel for the Illinois Council of Police Union. He has been a guest lecturer in Public Employment Law at Lewis University's Graduate School of Criminal/Social Justice and named a Rising Star for Super Lawyers in 2012 and nominated for 2013. He is also authored an article for the ICOPs newsletter entitled *Are You Prepared if You've Been Involved in a Shooting?*

Mr. Blass received his Undergraduate training at Lewis University, an MBA from Dominican University and his Doctor of Juris Prudence at the John Marshall Law School.

**JOHN F. SIMPSON IV, Associate** – Richard F. Blass & Associates, L.L.C. John graduated from Bradley University with a Bachelors of Science degree in Political Science, Criminal Justice, and Sociology. Following graduation John served as a financial crimes intern for the United States Secret Service. He attended the John Marshall Law School in Chicago, where he graduated early in his class. John served as an extern to the Honorable John W. Darrah of the Northern District of Illinois. He has been admitted to the Illinois Bar, Northern District of Illinois, and Central District of Illinois. His areas of practice include criminal defense, public safety labor law, estate planning, probate, and real estate transactions.



### ***Of Counsel to* RICHARD F. BLASS & ASSOCIATES, L.L.C.**

Wayne R. Braverman, Esq.

Jeffrey S. Harris, Esq.

Timothy D. O'Neil, Esq.

# Are you prepared if you're involved in a police shooting?

In our increasingly litigious society, this has become every police officer's nightmare... "What do I do if I get involved in a shooting?" Most police officers have not prepared for what follows after firing their weapons. I had an opportunity to review a great article by Attorney Jeff Chudwin when researching an article I wrote for the ICOPs Bulletin in 2006. This is worth repeating.

**1. Have a qualified attorney prepared and ready to represent you.** The practice of law enforcement officer representation is a very specialized area of the law. You wouldn't want to retain your real estate attorney in the event you are involved in a shooting. Make sure you retain an attorney experienced in the representation of police officers.

It is crucial to protect yourself before you're actually involved in a shooting. As we all know, police-involved shootings occur at all hours of the day and night, more often in the early hours of the morning. Your lawyer must be willing to represent you at any time. This means being physically there to assist you.

With this in mind, have a protocol in place in order to make certain that your attorney is notified immediately. He or she may then be able to represent you at every stage of the process, ensuring that your interests are protected. Many officers make the mistake of not immediately notifying their attorney. This makes it more difficult to undo any errors which may be caused when an officer is unrepresented and under the influence of chemicals which the body produces when under stress. Don't fall for the all too common "just tell me what happened off the record" from a supervisor.

I am not saying this because I want you to hide anything, but because your attorney and you need to discuss the events in detail after you have had time to digest the incident. This is often one or more sleep cycles. Cops are people too. They are affected emotionally by such a traumatic incident and need time to collect their thoughts so that the event can be reconstructed as accurately as possible.

**2. Study your agency's policy and procedure.** Understand what your agency expects in a deadly force encounter and in all other situations, for that

matter. Do not simply sign on the dotted line to acknowledge receiving your agency's SOP and then toss it in your locker. Read it!

If there are policy matters with which you do not agree, discuss those matters through the chain of command and, if necessary, have them changed. The time to voice your disagreement or to clarify a certain policy or procedure is not when you're standing over the body of an offender who tried to take your life or the life of another. If your department does not already have a policy review committee, ask for one. More importantly, ask that the officers have one of their own sit at the table for "real life" input.

**3. Maintain training records.** Inadequate training records, or no training records at all, will hurt you. You should maintain your own records so that there is no question as to the completeness of the file.

Specific "real life under stress" training prepares you for the situations which you may encounter on the street. Make sure to keep records of training which you undergo on your own as well. Engage yourself with more than just the State required firearm qualification.

**4. Limit your comments at the shooting scene.** Keeping quiet at the scene does not mean you are guilty of any wrongdoing. It simply means that you are taking time to allow the side effects of the stressful encounter to wear off. It also allows you time to organize your thoughts and give an accurate rendition of the altercation when it comes time to do so.

There are four essential subjects about which an involved officer should provide information before leaving the shooting scene:

- (1) Known injuries that require immediate intervention;
- (2) The location of the offender(s), because if they are not dead or otherwise visible, they may still be in the area, causing a potential threat;
- (3) Any evidence that needs to be identified and protected from loss, contamination, or destruction; and
- (4) The identification of witnesses who should be isolated and interviewed.

Getting interviewed at the scene, beyond the essential subjects, is not a good idea. Comments may be overheard by other parties, including the media, and may be misconstrued, thereby calling your veracity into question.

If you are a police supervisor, keep respect and dignity in mind when handling the officer. First and foremost, remove him or her from the scene as soon as possible. Put him or her in the front seat of an unmarked or similar vehicle. Also, do not confiscate the officer's firearm at the scene or in front of others. Use tact by waiting until you get to a more private area.

### **5. Request an immediate hospital check.**

As an officer, demand that you be immediately removed from the scene and taken to the emergency room for examination. Just because you do not feel any pain or discomfort, doesn't necessarily mean that you are not injured. The stress chemicals which your body releases may make you insensitive to the symptoms of injury. At the very least, you may be hypertensive, increasing your risk of stroke and other complications.

### **6. Get adequate sleep before giving a statement.**

Unless you are ordered to do so, there is no need to give your statement immediately after the event. The aftermath of an officer-involved shooting produces so many body chemicals and emotions. It is important to give your body a chance to "cool down" before giving a statement. Give yourself a chance to collect your thoughts in order to provide the most accurate description of the events as possible. The human body needs sleep in order to adequately restore correct memory.

Just recently, the Chicago Police Department acknowledged that officers needed time to digest a shooting incident before offering their view of the events. Chicago police officers recently won the right to a 24-hour cooling-off period from the time they are involved in a shooting incident before they must speak to an independent investigator. This is a plus for the officer. Before this ruling, officers were required to speak with an Investigator from the Independent Police Review Authority within two hours of the incident.

### **7. Involve your attorney in preparing your statement.**

Just because you are a police officer does not automatically qualify you to prepare your own statement unaided. Get help!

Remember that the statement you prepare at the time will be a large portion of the framework from which the shooting will be investigated. A review board need not necessarily believe the best of what you say. It can also believe the worst of what you say.

The reconstruction of events leading up to, and including, the shooting is a process involving multiple steps. You should have an experienced attorney involved in this reconstruction in order to make certain that it reflects exactly your memory of the events. Remember, small discrepancies can have a great impact. When you finish the preparation of your statement, you should be intimately aware of everything you are going to say, in chronological order, before delivering the official statement.

Although this article is not intended to be a substitute for legal advice given for a particular situation, I hope that it provides the framework from which to prepare you if you're involved in a police shooting incident. Remember, I am available 24 hours a day, 7 days a week to assist members if they are involved in a shooting. All you have to do is call our toll-free number at **800.832.7501**, and a Representative will return your call immediately. I would also like to thank my colleague, Jeff Chudwin, for giving me permission to use his article, "7 Reminders That Could Save Your Bacon After a Shooting."

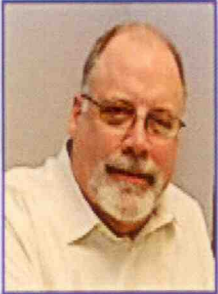
As always, stay safe.



**R. F. Blass**  
Richard F. Blass  
ICOPs Attorney

# ICOPs

Illinois Council of Police



**Norm Frese, ICOPs President** and founder – retired after a distinguished 30-year career with the Cook County Sheriff’s Police. Since 1985, he has been a leader in the labor movement for police union members. Norm is a true innovator and a tough negotiator for ICOPs members.



**T.R. Smith, ICOPs Vice-President** – was known as a “cop’s cop” when he retired from active duty with the Cook County Sheriff’s Police. In addition to his labor relations work with ICOPs, T.R. has served as a Special Investigator with the Kane County State’s Attorney’s Office.



**Sam Stratton, ICOPs Vice-President** – joined the Winthrop Harbor P.D. as community service officer in 2001, became a Police Officer, and is part of the Lake County Major Crimes Task Force. Sam served in the U.S. Army Reserves for 14 years, was activated twice, and received multiple awards including the Purple Heart.




**Juan Mazariegos, ICOPs Secretary-Treasurer** – is President of ICOPs Deerfield Chapter. He has been on the Deerfield police force since 1999, first as a Police Officer and since 2001 as a Detective. He is the first bilingual officer in Deerfield. Prior to 1999, Juan served as a Police Officer in Maywood for three years. (Juan – lower right)



**Rich Bruno, ICOPs Staff Representative** — retired after 29 years with the Village of Berkeley P.D. A highly-effective and respected Police Officer, Rich was promoted to Sergeant in 1986 and later detailed to the Northeast Metro Auto Theft Task Force, where he served as Field Supervisor. In 2006 upon retiring, Rich joined the ICOPs staff.

## ICOPs Officers and Staff



**ICOPs**  
Illinois Council of Police

770 North Church Road, Suite H  
Elmhurst, IL 60126

*toll-free 24 hours*

**1-800-832-7501**

*website*

**[www.icops.org](http://www.icops.org)**

*email*

**[icops@sbcglobal.net](mailto:icops@sbcglobal.net)**

*telephone*

**1-630-832-6772**

*fax*

**1-630-832-6978**



## ICOPs Legal Plan saves careers

Police Officers in Illinois have come to rely on the ICOPs Legal Plan to protect their careers and reputations.

Hundreds of Police Officers have been disciplined, suspended or fired for actions taken during their normal police work. If you overpower a person who comes at you with a weapon, **YOU** may end up the one being accused.

That's where the ICOPs Legal Plan comes in. While we won't be there when you're in pursuit of a suspect, if you are covered by the Legal Plan you will get immediate backup. ICOPs attorneys are on the case whenever you need them.

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### ICOPs Legal Plan

**BEST PROTECTION AVAILABLE  
WHEN YOUR REPUTATION OR  
CAREER IS ON THE LINE**

## You deserve the best representation

**ICOPs Legal Plan** – covers all ICOPs members, whether or not they are under an ICOPs union contract. The Legal Plan offers law enforcement members the very best protection available for job-related discipline problems.

**ICOPs Contracts** – are among the best in the field. ICOPs routinely wins pay raises and improvements in benefits, such as health insurance and vacations. Contracts include comprehensive provisions on job security, seniority, grievances, and health and safety.

**ICOPs Union Officers** – are just like you, from within the ranks of law enforcement. ICOPs is administered by and for working law enforcement professionals.

**ICOPs MEMBERSHIP WORKS  
FOR YOU 24 HOURS A DAY.**



**1.800.832.7501**  
24 hours toll-free



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a police union  
or a lawyer  
to stand up  
for you,  
call ICOPs.**

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## ICOPs Leads the Way

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## The Union for You

### If you're in law enforcement, ICOPs is the Union for you.

If you are a Police Officer who is unhappy with your union legal plan or if you think your union does not represent YOU, call us.

ICOPs is a professional, forward-looking union setting the pace for police-labor relations in Illinois.

#### ICOPs

Illinois Council of Police  
770 North Church Road, Suite H  
Elmhurst, IL 60126

toll-free 24 hours  
**1.800.832.7501**

website  
**www.icops.org**

email  
**icops@sbcglobal.net**

telephone  
**1.630.832.6772**

fax  
**1.630.832.6978**

## Legal Plan Application

\$15 per month billed in 6 month intervals

name \_\_\_\_\_

home address \_\_\_\_\_

city, state, zip code \_\_\_\_\_

email \_\_\_\_\_

telephone \_\_\_\_\_ date of birth \_\_\_\_\_

employed by (name of police department or other employer) \_\_\_\_\_

your title \_\_\_\_\_

signature \_\_\_\_\_ date \_\_\_\_\_

Please mail completed form to ICOPs with a check payable to ICOPs in the amount of \$90 for six months coverage.

Illinois Council of Police  
770 North Church Road, Suite H  
Elmhurst, IL 60126

**YOUR COVERAGE WILL BECOME EFFECTIVE UPON RECEIPT OF YOUR APPLICATION AND PAYMENT.**

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