



Indiana Marshals' Association

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SUBJECT: Press Release

Although most terminations do not result in a brawl as happened in Hymera (Indiana), where one marshal was terminated and another hired, such situations are all too common according to Indiana Marshals' Association President Michael Clark.

You rarely hear of a marshal retiring after 20 years, Clark said. Most quit or are fired after a political event like an election. Unfortunately, this is not supposed to occur because marshals are, in theory, protected by a merit law that requires cause before a termination can occur. The flaw that makes this law so ineffective is that the town council is the entity that hires a marshal, fires a marshal and then prosecutes and hears the case when a marshal appeals his termination. Sometimes, the council is even the complaining witness.

No other police merit system in the state has the same entity file the complaint, fire the officer, and then hear the appeal from the firing. Clark related that in less than a month after this most recent municipal election, eight marshals have already been replaced, and the new town councils have not even taken office yet.

Marshal Clark said that this constant turnover of police personnel in small towns costs the taxpayers substantially just in wages and for the cost of training a new officer at the Indiana Law Enforcement Academy. It also costs citizens in efficiency as it takes any new police officer several years to really learn the job. This is even more so with marshals who must also learn the administrative laws for running a department.

Marshal Clark said that the Indiana Marshals' Association (IMA) has submitted bills for several years to correct these problems, but the towns have some powerful lobbyist. The IMA's first efforts were to actually change the town merit law to require the town council to appoint a separate merit board to hear these discipline issues. These efforts never made it out of committee.

Last year, the IMA modified its approach. If they were not going to be able to change the termination procedure directly, they wanted to have marshals included under at least the civilian PERF (retirement) law. In that way, an officer could go to another town and resume his service. Many marshals presently just quit and leave law enforcement. This bill made it through committee and was passed by the Indiana Senate last year, but could not get out of committee in the House.

Losing officers after years of service is not only expensive for the citizens of Indiana, Clark said, but it is unfair to an officer who has dedicated his life, time and service to his community, sometimes for more than a decade. These people often risk their lives for the citizens of Indiana.

"Serving Law Enforcement Across Indiana"

www.inmarshal.org



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Like the broken merit law in towns, towns are also the only major employer of law enforcement officers in Indiana who are not required to have some type of retirement program for these officers.

On the rare occasions when officers can afford to challenge their firings in court, as was the case with Marshal J. Cook, marshal of Atlanta, it eventually cost the town well over \$100,000.00. No matter how these improper terminations end, it is expensive for the citizens of Indiana, Clark said.

Deputy Director Michael Lindsay from the Indiana Law Enforcement Academy said that when the Academy last calculated these training expenses, which was several years ago, it cost just over \$7,500.00 to train each officer and this does not include things like their law book, uniforms or qualification ammunition.

President Clark believes that we will see another wave of firings immediately after the first of the year when the new town boards (councils) take office. It is a shame as these things never seem to end well, Clark said. The citizens of Indiana deserve better.

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