

Some Austin police buying suspension insurance

Union looking at group rate with Austin-based company.

By **Tony Plohetski**

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Several Austin police officers, fearful that a misstep on the street will result in an unpaid suspension, demotion or firing, have begun taking out insurance policies to protect themselves from a potential monetary hit.

Police union representatives are discussing extending such coverage to each of its 1,500 members through a program with locally operated Advocate, MD Insurance of the Southwest Inc.

Austin fire union representatives also are in preliminary conversations with the insurance company, which is offering similar policies to firefighters.

"Gone are the days where officers believe they are immune from some kind of discipline that is going to financially devastate their families," police union President Sgt. Wayne Vincent said. "It can happen to any officer."

Advocate received state permission in September to begin selling the policies to police officers, firefighters, state troopers, sheriff's deputies and paramedics, and has since sold several dozen across Texas. Company officials said they began marketing the policies in Austin a couple of months ago and have issued about two dozen here.

More officers have expressed interest in the insurance but said they are waiting to sign up pending any negotiations between the union and the company, officials for both said.

Officers who buy the insurance pay about \$17 a month for a policy that will reimburse them as much as \$10,000 if they are suspended without pay or fired for certain infractions.

The insurance would cover financial losses for more routine suspensions, which result from incidents such as minor patrol car accidents, tardiness or rudeness, but could not be used in situations in which officers' actions injure a person or in which they knowingly violate the law or demonstrate "intentional wrongdoing."

For example, the policies would not cover officers suspended for drunken driving, drug use or excessive use of force, company officials said.

Austin police Detective Anthony Nelson saw a company ad on the Austin police union Web site recently: "Suspension without pay? Are you ready? Don't let a suspension ruin your financial stability!"

Nelson, who has never been suspended, thought briefly about buying a policy and then signed up.

"I decided I needed it," said Nelson, who works in the department's organized crime division. "Even honest mistakes, mistakes of slight judgment, can get you time off. I have to protect my family."

Police Chief Art Acevedo, who has suspended 39 officers and fired five others since taking over in July 2007, said he isn't bothered by officers who want to pursue the coverage.

"When you have a profession such as the law enforcement profession where you are making split-second decisions that are subject to scrutiny, I think it would be prudent for people to look at insurance to ensure their financial survival in the event that they lose their jobs," Acevedo said. "I wouldn't fault them for that."

Fire Chief Rhoda Mae Kerr, who took over the department this month, said, "Who is going to buy the policy unless they know they are troublemakers? They anticipate getting in trouble."

Debbie Russell, president of the Austin chapter of the American Civil Liberties Union of Texas and a frequent police critic, said she thinks officers have a right to protect themselves financially. However, she said, she is concerned about the insurance purchase.

"I'm not sure if that is a good message for them to send, as if they are expecting to be fired or suspended," she said.

Advocate officials, who formed the company in 2003 and have historically specialized in malpractice insurance, said they began developing an insurance program for public safety workers in 2007 after a former El Paso police officer came to them with the idea. Advocate, which had about \$50 million in assets in 2007, according to a state insurance department Web site, is underwriting the policies.

Chief Operating Officer Steve Loranger said company officials found no other U.S. businesses that offered similar policies — several insurance and law enforcement experts also said they had never heard of such plans — and that they saw the business potential.

Loranger said he thinks the number of clients will increase in coming months, particularly as company officials introduce themselves to unions in major Texas cities. He said contracts with unions would be more lucrative for the company, ensuring a larger pool of clients, many of whom will probably never be suspended.

According to Loranger, officers or other clients who purchase the policy would generally pay a monthly premium of \$17. However, those who belong to a union under contract with Advocate would have their rates calculated using a formula that includes their disciplinary histories and where they work, Loranger said. Those rates would not exceed \$17 a month.

Officers in some cities whose departments have higher suspension rates, including Austin's, would pay slightly more than their counterparts in other cities, Loranger said.

Austin police officer Bryan Pietrowski, who has been an officer for four years and patrols in Central East Austin, said he recently learned about the policies and plans to buy one.

"I work on the street, and I plan on being on the street for a long time," he said. "If I have one little incident and it is perceived that I did something wrong, I am out of a paycheck. I'd like to have that financial safety net to help get me through."

tplohetski@statesman.com; 445-3605