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**Erie Times-News (PA)**

**Injured police officer retires, reaches settlement with city**

January 11, 2008

Tag: 0c875305

Section: News Page: 1 GEORGE MILLER

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An Erie police officer who was severely injured in an on-duty motorcycle accident more than five years ago retired this week after he settled his claims with the city for \$150,000.

The officer, Daniel R. Rossman, has applied for a disability police pension that will pay him 75 percent of his regular salary.

Rossman, 43, was injured Sept. 9, 2002, when a motorist pulled into his path as he was pursuing a pickup truck that had sped through a school zone near Blessed Sacrament Grade School.

His body flew 30 feet in the air and rolled another 75 feet, causing life-threatening injuries that included a pelvic fracture, severely broken wrist, a fractured ankle, a deep groin wound, a concussion and dislocated jaw.

Rossman was in the hospital for about 100 days and eventually recovered, but he has not been able to return to work because of the injuries.

The settlement will cover Heart and Lung Act claims and potential workers'-compensation claims, City Solicitor Greg Karle said.

Rossman will also have health insurance coverage, which is provided to police retirees.

Mayor Joe Sinnott said the settlement was "fair," given Rossman's injuries, his age and service that began in 1990.

"Dan's injuries were substantial," he said. "It impaired his ability to work. It's a tragic thing when our officers are hurt in the line of duty like that. I'm happy that Dan is going to be OK."

Police Chief Steve Franklin said it was appropriate for Rossman to retire.

"It's a tragedy he had to retire under those conditions," he said. "I'm glad he made it out of that."

The money for the payment will come from the city's self-insured worker's compensation fund, city officials said.

Since the accident, Rossman had received temporary disability benefits under the state Heart and Lung Act in which he received his full pay without tax deductions.

The city and Rossman had recently been involved in two separate court disputes over his status.

In one, he had gone to county court through his lawyer, **William P. Weichler**, to enforce a \$175,000 settlement that had been reached with the city in September 2006. The city withdrew that settlement after finding that the settlement wasn't covered by insurance and the city itself didn't have the money at that time to pay it.

In the other dispute, the city had challenged Rossman's Heart and Lung Act benefits, saying his injuries were no longer temporary. With permanent injuries, he would go on workers' compensation, under which he would receive two-thirds of his salary.

An adjudicator, Thomas Talarico, ruled on Sept. 14 that Rossman was permanently disabled from performing the normal duties of a police officer and no longer qualified for Heart and Lung Act benefits.

Rossman, who could not be reached for comment, appealed that decision to county court.

With the settlement, both lawsuits have been discontinued.

"Dan is satisfied with the terms that have been reached," **Weichler** said.

The driver of the vehicle that struck him, Daneene Krupinski, pleaded guilty to aggravated assault by vehicle while driving under the influence in 2003 and was sentenced to six to 23 months in Erie County Jail. She was paroled after serving about three months.

GEORGE MILLER can be reached at 870-1724 or by e-mail.

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