

# CODE THREE

A Palm Beach County P.B.A. Official Publication

VOLUME 29, NUMBER 3

**PUBLISHED QUARTERLY FOR MEMBERS** 

**OCTOBER 2013** 

# CHECK OUT THE PBA BANQUET HALL FOR YOUR NEXT EVENT





## President's Message

John Kazanjian

can't count the number of times I have told Law Enforcement and Correctional Officers about the importance of joining the PBA. Just recently, a Jupiter Police Officer was arrested for aggravated battery. Without getting into all the details, I will give you the "Reader's Digest" condensed version: On June 6, 2013, the Officer was responding to a suspicious person call. When confronted, the suspect ran from the Officer. While apprehending the individual, the suspect resisted the Officer which resulted in the Officer getting kicked and having to go to the hospital for medical treatment. The Officer used only that force necessary in order to control the individual. The individual was arrested for battery on LEO, resisting arrest with violence. The incident was captured on a dash cam video camera. The Agency sent it straight to the State Attorney's Office Anti-Corruption Unit. The decision was made to charge the Officer with aggravated battery. Oh, I forgot to tell you, the suspect has a lengthy criminal record and is definitely no stranger to law enforcement. Now, the Jupiter Police Officer has to fight for his life in order to stay out of jail, for just doing his job. An important part of this tragedy is that the Jupiter Officer is not a PBA member.

We all go through life taking on many commitments. Most of us will start a family, own a home and purchase many vehicles in our lifetimes. We buy insurance whether it is for our home, our health, our life, our vehicles because we need it. But, why in the world would someone not seek to secure their career, their job, the same way? Without a job, you wouldn't have a home or cars and all the nice things you enjoy in life. For a small amount of money per month, you can at least have some comfort in protecting your job and your family. None of us are bullet proof. It can happen to anyone, regardless of your rank, from patrolman or deputy to chief or sheriff. Don't be stupid—protect yourself and your family. Be a PBA member! Consider it like "insurance." Be safe.

# We want our members to be the first to know...

There's a great new way to stay up-to-date with the PBA on up-to-the-minute breaking news, events, money-saving specials and much, much more by receiving PBA e-mails! Visit <a href="https://www.pbcpba.org">www.pbcpba.org</a> to sign-up today!\*

\*Be sure to add mail@pbcpba.com to your approved sender list.

## **STAY UP TO DATE!**

Have you gotten married or divorced?

Working for a new agency?

Changed phone numbers or address?

Changed your personal e-mail address?

Please contact Wendy at the PBA Office

(561) 689-3745

to update your information.

The PBA is **NOT** notified of changes made within your department.



# Show your support for Palm Beach County PBA!

See the list of PBA wearables and collectibles on page 17.

## Palm Beach Shores News

After 33 years of service to the citizens of Palm Beach Shores, Chief Steven Kniffin retired in July. Congratulations and enjoy your retirement Steve!

We are pleased to announce the hiring of our new Chief of Police, Duncan W. Young.

Chief Young was born in Oceanside, New York and came to South Florida when he was six months old after his father retired from show business. When he was 20 years old, he began his law enforcement career as a Reserve Officer for the City of Fort Lauderdale. He joined the Air Force at age 22 and worked as an Intelligence Analyst and Law Enforcement Specialist. After his enlistment ended, Duncan worked for the North Myrtle Beach Public Safety Department as a police officer and firefighter. Chief Young returned to South Florida in 1987 and was hired by the Bay Harbor Islands Police Department in Miami-Dade County. He progressed through the ranks and was promoted to Sergeant in 1990, Assistant Chief in 2002, and Chief of Police from 2007 to 2013. He attended the FBI National Academy in 2006 and has a BA in Criminal Justice from the Union Institute and University. Chief Young brings over 30 years of law enforcement experience to our agency.

We anticipate coming to the bargaining table soon.

Officer Steve Coe resigned and went to FHP.

Officer Sean Alex resigned and went to PBC School Board Police.

Respectfully, Officer Charlie Hoeffer, PBA Rep

## <u> Ten Thirty Three</u>

# Last Chance Agreements "LCA's" — A port in a storm or merely a request for a modest continuance of your recommended discipline?

Submitted by Larry Fagan, Legal Counsel



oes a last chance agreement really mean *last chance?* If the new alleged misconduct is substantially the same or similar to the prior sustained misconduct (the conduct that resulted in the LCA) then (usually), "Yes." But, for a new unrelated, different offense then perhaps the answer is, "No."

The concurring opinion by the First District Court of Appeals in one of our recent matters mentioned that last chance agreements (typically) are enforceable if they are correctly and precisely drafted. If they are not precisely drafted, there may be a path left open for more than one challenge in the future. See, Martinez vs. Fla Water Mgnt. Dist., 705 So.2d 611, 612 (Fla.4th DCA 1997); Confessor Tony Ramirez v. Amalgamated Transit Union, 33 F.P.E.R. 209 (207).

When met with the prospects of termination, most of us may agree to practically anything to avoid that fate. But, the specific verbiage of the Last Chance Agreement is important. Precisely what is it that you would be agreeing "not to do" in the future?

The very fact that a Last Chance Agreement exists should not mean that if you sneeze "offensively" to management you deserve to lose your Due Process rights and go directly to Termination. It is, therefore, important that Last Chance Agreements be drafted (and agreed to, if at all) to only narrowly cover prohibitions against repeating precisely the same conduct, not merely any unrelated conduct (on or off duty), regardless of the title of the policy that was violated. Even the most diligent officer can make a reasonable human error. The intent of agreeing to LCAs should not be to cover if any subsequent violation in the universe of potential violations is committed. The intent should be to give the member a "true" second chance, not just a time delayed version at the original recommended discipline. The agreement should simple be not to commit the same conduct again.

Part of the problem is that LCA's (no matter what they actually say) are so tempting to agree to and they are somewhat "resuscitating" – however temporarily it may be. They breathe life directly back into your career upon the very signing of them. Just sign on the dotted line and you get another chance. But it just doesn't seem reasonable that the very next time you are charged with an Internal Violation (after signing the LCA) or the next time you simply come to work, the Agency can say you looked at them the wrong way and you are again summarily terminated, just that fast, with no standard right of redress. The moral here is to know exactly what you are agreeing to in the LCA and to let us review it before you sign it. The LCA should be there to give you a real second chance – not simply a 24-hour (or less in some cases) delay of your original discipline.

Keep informed on PBA news via e-mail! Sign up for E-PBA at <u>www.flpba.org</u>

# THE CODE THREE

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(561) 689-3745
Ernie George - Editor
Gail Seldomridge - Assistant Editor

Code Three is dedicated to the advancement of the law enforcement profession through better and stronger community relations. The opinions expressed in this publication are not necessarily the opinions of the Palm Beach County Police Benevolent Association.

Members or readers submitting letters to the editor or articles for publication are requested to adhere to the following: Submit letters or articles to: Palm Beach County PBA, Code Three, 2100 N. Florida Mango Road, West Palm Beach, FL 33409-6400. Letters and articles must be accompanied by the writer's true name and address. The name, but not the address, will be published with the article. All articles submitted for re-publication must be accompanied by a statement giving permission for the Code Three to republish the article. Unsigned letters and articles will not be used. The editor reserves the right to add an editor's comment to any article or letter submitted.

Disclaimer: \$12.00 of your dues per year is used for Political Committee/Committee of Continuous Existence Funds. The PBA opened a Justice PAC and active, individually billed members will contribute \$15.00 out of their dues to this PAC. IF YOU CHOOSE NOT TO GIVE THIS AMOUNT, PLEASE NOTIFY THE PBA IN WRITING.

# West Palm Beach Officers Rade Momirovich and Covelle Padgett Receive Officer of the Month Awards

**Washington, DC**—The National Law Enforcement Officers Memorial Fund has announced the selection of Officers Rade Momirovich and Covelle Padgett of the West Palm Beach (FL) Police Department, as the recipient of its Officers of the Month Award for July 2013.



Located in the nation's capital, the National Law Enforcement Officers Memorial Fund is a nonprofit organization dedicated to honoring the service and sacrifice of America's law enforcement officers. The Memorial Fund's Officer of the Month Program began in 1996 and recognizes federal, state, and local officers who distinguish themselves through exemplary law enforcement service and devotion to duty.

Officers Momirovich and Padgett, along with the other Officers of the Month Award recipients for 2013, will be honored at a special awards luncheon in Washington, DC, in May 2014, during National Police Week. In addition, their stories of heroism and service will be featured in the Memorial Fund's annual calendar.

#### **Key Facts**

- On the evening of March 5, 2012, officers from the West Palm Beach (FL) Police Department were dispatched to a reported shooting at a local gas station. When they arrived, the initial responding officers found a man who was shot in the face and leg. The victim said he fled from the Springbrook Commons apartment complex down the street after being shot, and that the assailant was still in the area. The officers heard the sound of gunfire coming from the same direction in which the victim had reportedly been shot.
- Driving in separate marked vehicles, Officers Covelle Padgett and Rade Momirovich were the first to arrive at the scene of the shooting. Just as their vehicles came to a stop, dispatch radioed that the suspect was in front of Building 5560. Due to poor lighting in the area, the officers didn't realize they had pulled up to the exact location where the suspect lay in wait to ambush responding officers.
- As Officer Momirovich opened the door of his vehicle, the gunman opened fire. Trapped in the front seat, Officer

Momirovich fired back at the gunman. Meanwhile, Officer Padgett took a defensive position behind his vehicle. Once the magazine in the gunman's 9mm semiautomatic was empty, he dropped the weapon and fled.

- As Officer Momirovich ran from his vehicle to find cover, the suspect emerged and chased Officer Momirovich with a large "samurai" style sword. Officer Momirovich simultaneously tried to reload his weapon while running from the swordwielding assailant. Just as the assailant closed in to strike Officer Momirovich, Officer Padgett fired and fatally struck the assailant. Once this happened, Officer Momirovich realized that he had been hit.
- A round from the assailant's weapon had hit the steel cross bar inside Officer Momirovich's police vehicle, and then fragmented, striking Officer Momirovich in the shoulder. Another bullet fragment struck him in the left side of his protective vest near his rib cage. Medical personnel recognized Officer Momirovich was suffering from shock in addition to his gunshot wounds. He was transported to a nearby hospital.
- Today, both officers are back to full duty and continue to serve the citizens of West Palm Beach. Officers Padgett and Momirovich are members of the Fraternal Order of Police and the Police Benevolent Association, and collectively have served with the department for nine years.

#### **Supporting Quote**

"The National Law Enforcement Officers Memorial Fund is honored to present Officers Rade Momirovich and Covelle Padgett, of the West Palm Beach (FL) Police Department with our Officer of the Month Awards for July 2013. Both officers demonstrated extraordinary heroism that evening. There is no doubt that, had it not been for Officer Padgett's actions that evening, the assailant would most likely have killed Officer Momirovich," said Craig W. Floyd, Memorial Fund Chairman & CEO. "They are most deserving of this month's Officer of the Month Awards."

For more information about the National Law Enforcement Officers Memorial Fund's Officer of the Month Award, visit www.LawMemorial.org/OTM.

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About the National Law Enforcement Officers Memorial Fund—Founded in 1984, the National Law Enforcement Officers Memorial Fund is a private non-profit [501(c)(3)] organization dedicated to honoring the service and sacrifice of America's law enforcement officers and to promoting officer safety. The Memorial Fund maintains the National Law Enforcement Officers Memorial in Washington, DC, which contains the names of 19,981 officers who have died in the line of duty throughout U.S. history. The Memorial Fund is now working to create the first-ever National Law Enforcement Museum, which will tell the story of American law enforcement through high-tech, interactive exhibits, comprehensive collection of historical and contemporary artifacts, extensive resources for research, and diverse educational programming. For more information, visit <a href="https://www.lawMemorial.org">www.lawMemorial.org</a>.

## PALM BEACH COUNTY PBA

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Effective Jan. 1, 2011 - Dec. 31, 2014

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#### **BOYNTON BEACH**

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#### **DELRAY BEACH**

Vinnie Gray Shannon Sniffen Rod Stevenson Gary Ferreri Andrew Arena, Alt. Joe Hart, Alt.

#### **DELRAY BEACH LTS.**

John Palermo Scott Privitera, Alt.

#### <u>FAU</u>

William Hernandez

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#### GREENACRES LTS.

Brandon Aultman Harry Grosser, Alt.

#### **JUPITER**

Jay Levinstein Jason VanSteenburgh Jason Alexandre Mike Lilienfeld Adam Hirsch, Alt.

## JUPITER ISLAND

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## LANTANA

Chris Decker

#### **MANALAPAN**

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William Weiss
Darryl Stokes
Karl Nelson
Richard Parks
Donald Knott, Alt.
Jake Sirmans, Alt.
James Holloran, Alt.

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Kevin O'Sullivan Alex Lopez Brian Qualters, Appt. Ronnie Williams, Appt.

#### PALM BEACH CO. SO

Paul Vrchota
Dan Burrows
Mike Antonopoulos
Mike Kletzky
Terry Maguire
Butch Altonen, Alt.
Ray Griffith, Alt.
Billy Gray, Appt.
Grant Henderson, Appt.
Kevin Igo, Appt.
John McGuire, Appt.
Alex Nunes, Appt.
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Patrice Quinn, Alt.
DJ Dowling, Appt.
Thomas Jordan, Appt.
Reginald Napier, Appt.
Napoleon Taylor, Appt.

#### PBSO Corrections Site Rep

Willie Blackmon Will Twigg

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Mark Gish
John Costello
Catherine Adriance
Heidi Grob
Kristen Lassinger, Alt.
Kim Wilson, Alt.
Kara Bannon, Appt.
Maritza Fundora, Appt.
Tequesta McKinney,
Appt.

### **PBSO Civilian Site Reps**

Kayai Graham Dawn Harris Richara Simmons

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Bob Odell Randall Anderson Randy Buntin Greg Allen, Alt. Robert Wilson, Alt.

#### PALM BEACH SHORES

Charlie Hoeffer Mike Simmons, Appt.

#### PALM SPRINGS

Sean Grant
Darrell Diez, Alt.

#### PALM SPRINGS SGTS.

Louis Collura Michele Vazquez, Alt.

#### **PORT ST. LUCIE**

Paul Grohowski Carmine Izzo Ron Caudell

#### **RIVIERA BEACH**

Nancy Aspenleiter Peter Modica Nir Mordechay, Alt. Frank LaPorta, Alt. Jeremy Campbell, Appt.

#### **SOUTH PALM BEACH**

Mark McKirchy Jason LaForte, Alt.

#### **STUART**

David Duran George McLain, Alt.

#### **TEQUESTA**

Charlie Weinblatt

#### **WEST PALM BEACH**

Troy Marchese
Ed Thomas
Roy Bevell
Joseph Herb
Brian Gaudette, Alt.
Mike Leas, Alt.
Jay Donde, Appt.



# **Board of Directors Meeting Attendance - June, 2013**

At	tendance - June, 20	<b>013</b>
EXECUTIVE BOARD	Manalapan	PBSO-Corr
Island Kanana ii aa	Paul WilliamsYes	Willie Powell, AltYes
John KazanjianYes	Chris Filippelli, ApptExcused	Patrice Quinn, AltExcused
Ernie GeorgeYes Rick McAfeeYes	MCCO IF	DJ Dowling, ApptYes
Lou PenqueYes	MCSO - LE	Thomas Jordan, ApptExcused
Kevin IgoYes	Carlo SciandraYes William WeissYes	Reginald Napier, ApptYes
Greg AllenYes	Darryl StokesYes	Napoleon Taylor, ApptUnexcused
Greg / menres	Karl NelsonYes	PBSO - Civilians
REPRESENTATIVES	Richard ParksYes	Susan ThorntonYes
Boynton Beach	Donald Knott, AltYes	Mark GishYes
Toby AtholYes	Jake Sirmans, AltYes	John CostelloYes
R. Doc DavisYes		Catherine AdrianceYes
Kelly HarrisYes	MCSO - Corr	Heidi GrobYes
Brian GoldfussExcused	Thomas RandazzoYes	Kristen Lassinger, AltYes
Douglas Gilbert, AltExcused	Lawrence LutrinYes	Kim Wilson, AltExcused
Cory Gray, ApptYes	Rui Dutra, AltExcused	Kara Bannon, ApptUnexcused
	Chris Gorham, AltYes	Maritza Fundora, ApptYes
Delray Beach	North Palm Beach	Tequesta McKinney, ApptYes
Vinnie GrayYes	Joseph YungkUnexcused	Palm Beach Shores
Shannon SniffenExcused	Javier Ortiz, AltYes	Stephan CoeYes
Rodney StevensonYes	•	Charlie Hoeffer, AltExcused
Gary FerreriYes Andrew Arena, AltYes	Ocean Ridge	Charlie Hoeriel, AltLxcuseu
Joe Hart, AltExcused	Steven WohlfielExcused	Palm Springs
Joe Hart, ArtLxcuseu	Mario Galluscio, AltUnexcused	Sean GrantUnexcused
Delray Beach Lts.	PB School Police	Darrell Diez, AltYes
John PalermoExcused	Kevin O'SullivanExcused	
Scott Privitera, AltYes	Alex LopezUnexcused	Palm Springs Sgts.
	Brian Qualters, ApptExcused	Louis ColluraYes
FAU	Ronnie Williams, ApptExcused	MicheleVazquez, AltUnexcused
William HernandezYes	•	Port St. Lucie
Darren Courtney, ApptYes	Palm Beach Gardens	Paul GrohowskiYes
Greenacres	Bob OdellUnexcused	Carmine IzzoExcused
Matt DeJoyYes	Randall AndersonUnexcused	Carrille 1220Excused
Phillip KonzYes	Randy BuntinUnexcused	South Palm Beach
Teak Adams, ApptExcused	Greg Allen, AltYes Robert Wilson, AltUnexcused	Mark McKirchyYes
Josh Leheny, ApptYes	Robert Wilson, ArtOrlexcused	Jason LaForte, AltExcused
27 11	PBSO - LE	
Greenacres - Lts.	Paul VrchotaYes	Stuart
Brandon AultmanExcused	Dan BurrowsYes	David DuranYes
Harry Grosser, AltUnexcused	Mike AntonopoulosYes	George McLain, AltYes
	Michael KletzkyUnexcused	Tequesta
Juno Beach	Terry MaguireYes	David CooperUnexcused
No PBA Reps	Butch Altonen, AltYes	Charles Weinblatt, AltExcused
Jupiter	Ray Griffith, AltYes	
Jason LevinsteinExcused	Billy Gray, ApptExcused	West Palm Beach
Jason VansteenburghExcused	Grant Henderson, ApptYes Kevin Igo, ApptYes	Lou PenqueYes
Jason AlexandreExcused	John McGuire, ApptYes	Troy MarcheseExcused
Michael Lilienfeld, AltExcused	Charlie Nicastro, ApptYes	Edward ThomasYes
Adam Hirsch, AltYes	Alex Nunes, ApptYes	Roy BevellYes
	Carlos Ugalde, ApptYes	Joseph HerbYes
Jupiter Island		Brian Gaudette, AltYes
Alex Dobek	PBSO - Corr	Mike Leas, AltExcused
Matt PotskoYes	Tammy BusseyYes	Jay Donde, ApptYes
Lantana	Jerry SneedYes	
Chris DeckerYes	Jeff JacksonYes	
Ciril Decker163	Pete TartaglioneYes	
	William PintoYes	

# **Board of Directors Meeting Attendance - August, 2013**

Atte	endance - August, i	2013
EXECUTIVE BOARD	MCSO - LE	PBSO-Corr (continued)
	Carlo SciandraExcused	DJ Dowling, ApptYes
John KazanjianYes	William WeissExcused	Thomas Jordan, ApptYes
Ernie GeorgeYes	Darryl StokesYes	Reginald Napier, ApptYes
Rick McAfeeYes	Karl NelsonYes	Napoleon Taylor, ApptUnexcused
Lou PenqueYes	Richard ParksYes	
Kevin IgoYes	Donald Knott, AltYes	PBSO - Civilians
Greg AllenYes	Jake Sirmans, AltExcused	Susan ThorntonExcused
DEDDECENTATIVES	Jake Jillians, 7 tteriminininininininininininininininininini	Mark GishYes
REPRESENTATIVES	MCSO - Corr	John CostelloYes
Boynton Beach	Thomas RandazzoYes	Catherine AdrianceYes
Toby AtholYes	Lawrence LutrinYes	Heidi GrobExcused
R. "Doc" DavisYes	Rui Dutra, AltYes	Kristen Lassinger, AltExcused
Kelly HarrisExcused	Chris Gorham, AltExcused	Kim Wilson, AltExcused
Brian GoldfussYes		Kara Bannon, ApptYes
Douglas Gilbert, AltYes	North Palm Beach	Maritza Fundora, ApptUnexcused
Cory Gray, ApptExcused	Joseph YungkExcused	Tequesta McKinney, ApptYes
	Javier Ortiz, AltExcused	
Delray Beach		Palm Beach Shores
Vinnie GrayYes	Ocean Ridge	Charlie HoefferYes
Shannon SniffenUnexcused	Steven WohlfielExcused	
Rodney StevensonUnexcused	Mario Galluscio, AltExcused	Palm Springs
Gary FerreriYes		Sean GrantExcused
Andrew Arena, AltYes	PB School Police	Darrell Diez, AltYes
Joe Hart, AltUnexcused	Kevin O'SullivanExcused	
	Alex LopezExcused	Palm Springs Sgts.
Delray Beach Lts.	Brian Qualters, ApptExcused	Louis ColluraYes
John PalermoYes	Ronnie Williams, ApptExcused	MicheleVazquez, AltUnexcused
Scott Privitera, AltExcused		
	Palm Beach Gardens	Port St. Lucie
FAU	Bob OdellUnexcused	Paul GrohowskiYes
William HernandezExcused	Randall AndersonExcused	Carmine IzzoYes
C	Randy BuntinUnexcused	Ron Caudell, ApptYes
Greenacres	Greg Allen, AltYes	
Matt DeJoyYes	Robert Wilson, AltUnexcused	Riviera Beach
Phillip KonzExcused		Nancy AspenleiterExcused
Josh Leheny, ApptExcused	PBSO - LE	Peter ModicaYes
Cuannaguas Ita	Paul VrchotaExcused	Nir Mordechay, AltExcused
Greenacres - Lts.	Dan BurrowsExcused	Frank LaPorta, AltExcused
Brandon AultmanYes	Mike AntonopoulosExcused	Jeremy Campbell, ApptYes
Harry Grosser, AltExcused	Michael KletzkyYes	
Juno Beach	Terry MaguireExcused	South Palm Beach
No PBA Reps	Butch Altonen, AltYes	Mark McKirchyExcused
No FBA Reps	Ray Griffith, AltYes	Jason LaForte, AltYes
Jupiter	Billy Gray, ApptUnexcused	
Jason LevinsteinYes	Grant Henderson, ApptUnexcused	Stuart
Jason VansteenburghExcused	Kevin Igo, ApptYes	David DuranExcused
Jason AlexandreYes	John McGuire, ApptYes	George McLain, AltYes
Michael Lilienfeld, AltYes	Alex Nunes, ApptYes	_
Adam Hirsch, AltYes	Carlos Ugalde, ApptYes	Tequesta
Addit Hillself, Arcres		Charles WeinblattExcused
Jupiter Island	PBSO - Corr	
Alex DobekExcused	Tammy BusseyExcused	West Palm Beach
Matt PotskoYes	Jerry SneedUnexcused	Lou PenqueYes
	Jeff JacksonExcused	Troy MarcheseUnexcused
Lantana	Pete TartaglioneYes	Edward ThomasExcused
Chris DeckerExcused	William PintoYes	Roy BevellExcused
		Joseph HerbYes
Manalapan	PBSO-Corr	Brian Gaudette, AltYes
Paul WilliamsYes	Willie Powell, AltExcused	Mike Leas, AltYes
Chric Filippelli Appt Vec	Patrice Ouinn Alt Yes	lay Donde Appt Unexcused

Patrice Quinn, Alt. .....Yes

Jay Donde, Appt. .....Unexcused

Chris Filippelli, Appt. .....Yes

# Descome New Members!!!

JUNE, 2013		JULY, 2013 (Continued)	
JOSEPH MAHER	LANTANA	WORRELL RAMSEY	RIV BCH
DALE SMITH, III	PBSO	DERRICK JACKSON	RIV BCH
GREGORY WILLIAMSON	RIV BCH	CORINNA SANTACROCE	TEQUESTA
AMANDA ROMINE	BOYNTON	QUENTON JACOBS	RIV BCH
ANDREW HAASE	BOYNTON	BRIAN ARMOUR	RIV BCH
NICKOLAS BRANDT	JUPITER	GRANT HOMA	PBSO
BRIAN JACKSON	RIV BCH	DELIEA ROBINSON	RIV BCH
JOSEPH HOFFMAN	RIV BCH	LOWANDA GORDON	PBSO
MICHAEL LIBERTA	DELRAY	LAVIN PRICE	RIV BCH
JENNIFER NUBIN	RIV BCH	MARTA RODRIGUEZ	PBSO
CORNELIUS MCGRIFF	RIV BCH	JANET CID	PBSO
RANDY EDWARDS	RIV BCH		
JOSEPH MELCARSKI	MCSO	AUGUST, 2013	
CHARLES KANE	RETIRED	LEONARD MITCHELL	RIV BCH
OBED COLON	RIV BCH	ALISIA WRIGHT	
MELVIN MENARD	RIV BCH	KATHERINE FIGUEROA	
RAPLH BRAU		DIEGO SILVA	
CHARLES BAHRUTH		TERRY BROWN	
CEDRICK EDWARDS		CHRISTINA RESCH	
KENNETH THOMAS		STEVEN BURDELSKI	
JENNIFER DIAZ		LISA BENSON	
RAFAEL CONDE		AMBER NIMMO	
GARRY WILSON		ROBERT HARVEY	
BRIAN DESANTIS		KEVIN SMITH	
JOHN TOOMBS		JOHN DERBY	
SEAN BREWSTER			
MICHELE DAZA		CHARLES CHEESEMAN LEE SCHNEIDER	
CHERLINE CORNELIUS			
ANDREW NEWTON		RYAN COOK	
JOHN MAMMINO		TANZY VASSELL	
ANDREW HINDS		CHRISTOPHER CABRERA	
TONEY WILLIAMS		JOSHUA FAIRCLOTH	
JIVANET RIVERA		JANET CHANG	
JOHN VANDERLAAN		COLLEEN FRANKIEWICZ	
RYAN SORIANO		CHRISTOPHER PROSCIA	
ROBERT AYALA		ALEIDA CARVAJAL	
CHRISTOPHER FREEMAN		STEPHEN KIRKPATRICK	
KENNETH PATTERSON		TARA STEAKIN	•••••
KENNETH PATTERSON	KIV BCH	GREENACRES	
HHW		SCOTT DUQUETTE	
JULY, 2013		CHRISTOPER BEESLEY	
ROBERT OREGERO		MITCHELL CONNERTON	
EVERTON MORGAN		PETER ADORNO	
ASHLEY PUCKETT		DIANA RANDOLPH	
TENECIA SPROULL		JOEY MAX JOSEPH	
MICHELLE SCHRIVER		AUXILIADORA PERDOMO	
BRUCE WARZOHA		PIERRE JEAUTILUS	
WALTER TERELL		JAMES CARNEY	SCHOOL
ED OLIVENCIA	PBSO		

## Florida PBA Mandates Increase to Legal Defense Dues

By Ernest W. George, Executive Director

uring the summer meeting of the Florida PBA Board of Directors, there was a discussion regarding the drastic increase of officers being arrested on criminal charges for actions in their official performance of their duties. Due to this, expenditures for legal representation drastically increased and exceeded the dues taken in each month. There was much discussion regarding how to keep the Legal Defense Fund solvent, and the Board voted to keep the same benefit, (unlimited payment for attorney fees and costs during the defense) and increase the dues to the fund.

Due to the changing times, the Board voted to require a modest increase in Legal Defense dues to assure funds are there for the vigorous defense of our members. Therefore, the **Board** voted to increase the legal defense dues \$1.00 per week. Hopefully, this small increase will not financially burden any of our members. Rest assured having to pay \$40,000 or \$50,000 to an attorney for a criminal defense would be far more of a burden than the additional \$52.00 per year.

## **Dues Increase**

Submitted by Terry Maguire, PBSO PBA Rep

t an 'Emergency' Board of Directors meeting on August 27, 2013, the Palm Beach County PBA Board of Directors voted to increase the monthly dues of each member, civilian, non-sworn, and sworn. This vote, in 'Emergency Session', was held as the Florida PBA Defense Fund faces a huge deficit and needs shoring up immediately. The monies collected allow the PBA to continue to represent YOU in case of Internal Affairs investigations, duty related criminal charges, federal charges (both civil and criminal), and state civil law suits.

Much has been made about the 'Emergency' session. Realize, the 'Emergency' was that this meeting was outside the normal quarterly business meeting, was about a single item, and needed to be acted on. I understand that when we think 'emergency', we think life altering/changing moments. In the business world, 'emergency' can mean lots of things, most benign. In this case, it was simply time sensitive.

The Palm Beach County PBA encompasses almost every law enforcement agency from the Palm Beach/Broward County line north to Indian River County, over 3,600 members! We are a big draw on the state PBA Defense Fund, and as such, need to pay our share to replenish the Fund. Do not read anything untoward into this dues increase.

## **Side-By-Side Comparisons**

Submitted by Lt. M. Rispoli, P.B.G.P.D. Retired

e all have the ability to make comparisons and judgments based on what we see. Actually, research shows that the human brain is designed to make the best choice when given two alternatives. This goes back thousands of years. This capability is what kept our ancestors alive and able to make the right choices when faced with different circumstances.

Fast forward to our time, we do this every day. The best example would be in the grocery store, we all do this comparing one product with another. Comparisons could be based on price, quantity, or quality, or all of the above. We do this with food, clothing, automobiles, and yes even our homes.

The best way to measure our choices is when the items we are considering are side by side. This makes comparisons much easier because the differences are more evident and clear.

In the realm of Law Enforcement, this concept is also known as "Sizing Things Up," or assessing a situation. We do this on all service calls and the "bad guys" do it equally as often when they see us arrive. This could mean the difference between a routine call or a confrontation based on the "bad guys" comparison.

Recently, I had the opportunity to observe the CEO's of two separate but similar law enforcement agencies side by side, this made the differences quite obvious. The first CEO seemed physically fit and the uniform and equipment worn seemed very modern and progressive. This person seemed very alert and almost looked eager to take on the challenges of modern law enforcement.

In comparison, the other CEO looked old fashioned, not so alert, and the stature much different, less confident, and worn out. Given this description, which one would you want in charge of the agency policing the neighborhood where you live? I know your answer because, as Law Enforcement, we make choices and decisions like this all the time.

The most important point here is this concept goes on each and every day and on both sides of the law. This skill can keep you safe in addition to your other training and experience. Take the time to hone all these skills and remain alert, both on and off duty.

Wherever you work, make a difference.



Submit the names of your nominees before the end of every month.

Send your submissions to Gail@pbcpba.org

# Signal - 14 for You! Are Police Unions Really Needed?

## Submitted by Delray Beach Sergeant Vinnie Gray

"Collective

bargaining

has valuable

by-products

relationships

between the

two parties."

relevant to

Police unions in this country have changed the work environments through collective bargaining and, in doing so, have given managers insight into future generations of policing and police officers. To understand why police unions are important, it is necessary to know some basic facts about unionization and what caused unions to form in policing.

Since the turn of the 20th century, police officers and other public employees attempted to unionize because of unfair labor practices, poor pay and benefits, lack of communication and trust from those who supervised—but were stopped by laws that forbade organization. It was not until 1935 when the Federal Government created the National Labor Relations Act, which covered only private sector employees. After approximately a quarter of a century, Wisconsin became the first state to come out with a modest form of bargaining rights for public employees.

In the early 1960's through the 1970's, numerous bargaining

units began to form in the law enforcement field. Some of the main issues officers complained about were the same as those which contributed to the Boston Police Strike of 1919. The biggest issues remained poor treatment by the cities the officers worked for, supervisors who used favoritism in assignments, shift changes, and approval for police training schools, among other issues. Additional concerns were the way citizen complaints were being handled, poor pay and benefits, and uncompensated court appearances.

In New York City, from 1958 to 1969, the Patrolmen's Benevolent Association (PBA) was believed to have been instrumental in increasing

entry level salaries of their officers, obtaining longevity and shift differential pay, improving retirement benefits, and increasing the death benefit. In 1968, the Boston PBA, in negotiating its first contract, which required mediation, obtained enhanced benefits for its members, such as an annual increase of one thousand dollars, time-and-a-half for all overtime, including court appearances, and 12 paid holidays.

Shortly after police departments unionized, many chiefs found ways to discipline those who led the unions to fruition. Union Leaders found themselves being singled out as rebels; they were given less than others, passed over for promotions, demoted, transferred, etc. It was clear that over the past 5 decades, law enforcement executives have opposed bargaining units and have done so in order to maintain unchallengeable control over their police departments.

In a perfect world, both police managers and police union leaders want to work together to make their community a safer place to live and the working conditions fair. Unfortunately, we do not live in a perfect world. Police managers and police union leaders regularly work side by side as law enforcement officers, but they do not communicate regularly on labor-management issues that arise each day.

Studies have found that when managers and employees collectively discussed problems and corrected them together, it enhanced production and the morale of their organization.

Currently, we now have highly paid outside labor attorneys hired by city employers acting as middlemen in the relationship between police bargaining unit members and police management (Us vs. Them).

Bargaining units and police managers need to develop effective means of communication. They need to learn to set aside old grievances and hard feelings toward each other which have developed over the years and work together to have their cities better understand what the needs are for all police employees; which can be accomplished through the collective bargaining process.

Collective bargaining is a form of participation. Both parties

participate in deciding what proportion of the "Pie" is to be shared by the parties entitled to do so. It is a form of participation also because it involves an allocation of rule-making power between employers and unions in areas which, in earlier times, were regarded as exclusive and unchallengeable management prerogatives; i.e., transfers, promotions, discipline, and production norms.

Collective bargaining has valuable by-products relevant to relationships between the two parties. For instance, a long course of successful and bona fide dealings lead to the generation of trust. It contributes to mutual understanding by establishing a continuing relationship. The process, once the

relationship of trust and understanding has been established, creates an attitude of tackling problems together rather than attacking each other and looking first to lay blame.

Some areas of concern are the obstacles to cooperation: why neither party can cooperate or respect each other and, even more important, trust one another. Once we develop some form of dialog, we need to move on and attempt to work on mutual concerns in order to develop cooperation on other issues which may benefit not only the bargaining unit members, but everyone concerned.

Recognizing when to use such intermediaries and when to deal directly with each other is the key to developing good labor-management relationships.

A police union is the voice of the hard working dedicated men and women of our organization who want to be heard by addressing any reasonable concern that could arise. Creating a harmonious work environment between city government and the employees that serve under it through successful collective bargaining can have a significant impact on the community we serve.

# Should Income *Tax-Free* Investments Be Part of Your Portfolio?

Submitted by Randy Lee, President, Financial Planner, Lee Wealth Solutions 2074 W. Indiantown Road, Suite 205, Jupiter, FL 33458



When it comes to real estate the smartest investors concentrate on "Location Location". When it comes to investments and saving for retirement I feel investors should concentrate on "Taxes Taxes Taxes". So what qualifies as income tax -free? Let's cover a few with the greatest potential.

ROTH IRA & ROTH 401(k): For

2013 you're allowed to put in up to \$5,500 and \$17,500 respectively (6,500 and \$23,000 if you're 50+) into a ROTH account, and later take out 100% of the earnings tax-free. Keep in mind the money contributed to ROTH's has already paid the income tax before being put in these vehicles.

**<u>Life Insurance:</u>** If done correctly, the beneficiary of the death benefit of life insurance will generally receive that benefit income tax- free.

<u>Municipal Bonds Interest:</u> Municipal bond interest is typically federal income tax-free.

**Your Home:** Individuals can profit up to \$250,000 (\$500,000 per couple) tax-free when selling their home.

**Your Business:** When selling your business to your employees in the form of an Employee Stock Ownership Plan (ESOP) there is the potential to profit and pay low or no taxes on the sale.

Municipal bonds are affected by interest rate movements. Municipal bond prices, and likewise a tax-free income fund's share price, generally move in the opposite direction of interest rates. As the prices of bonds in a fund adjust to a rise in interest rates, the fund's share price may decline. These and other risks are detailed in the fund's prospectus. Please carefully read the prospectus before you invest or send money. Investors should carefully consider investment goals, risks, charges and expenses before investing.

Randy Lee offers Securities through Questar Capital Corporation (QCC), Member FINRA/SIPC. Advisory Services offered through Questar Asset Management (QAM), A Registered Investment Advisor. Lee Wealth Solutions is independent of QCC and QAM. Lee Wealth Solutions is located at 2074 W. Indiantown Rd., Suite 205, Jupiter, FL 33458. Office phone: 561-747-0455. Please visit our website <a href="www.LeeWealthSolutions.com">www.LeeWealthSolutions.com</a>. QCC and QAM do not offer tax or legal advice but Randy will work with your qualified professional.

## PBA "SUPPORT LAW ENFORCEMENT" TAG SELLING FAST!

ou can get your very own Florida PBA "Support Law Enforcement" Tag at your county tag office. You may purchase the plate with random numbers and letters or create a personalized tag for your vehicle(s). Over 93,000 have been purchased so far!

The proceeds of this tag will be deposited into a charitable fund—Florida **PBA** Heart Fund—for the Association's members (see page 12). The proceeds benefit many officers and families when tragedy strikes. Monies donated to the Heart Fund are

used to provide death benefits to the families of officers killed in the line-of-duty and disability benefits to officers who are permanently disabled because of an in-line-of-duty injury. The great thing about the contributions made to the Heart Fund, they are tax-deductible!



## Plan to Enjoy Your Retirement, Too

Submitted by Andrew Bilardello, PBSO Captain, Happily Retired

arly September, 2010. It was 16:30; I was sitting in the CDO office at HQ catching up on emails and Blue Teams, when out of the corner of my eye I noticed someone walk by the office. As I looked toward the door, I saw the figure stop, back up and look in. It was D/S Barry Trombley who worked out of the office next to the CDO's. He looked at me, in the way only Barry can, and said "Why are you still here?" I said, "I work until 18:00."

"No", he said, "Why are you still working? You have almost 30 years in the system. When are you going to retire?" "I'm in DROP." I told him. "I have three years left." He then looked at me and said something that I will never forget and which dramatically changed my life. He said; "You haven't lived those three years yet. Anything can happen between now and then." He then walked away.

I sat there and thought about what he had just said. The more I thought about it, the more I realized that he was right. I began to think about some of the people who retired from the job and passed away within 3-5-10 years, or less. I thought about Mike Collister, who, like most of us, sacrificed the best years of his life for this agency and the community only to find out that cancer would take him and he wouldn't live long enough to enjoy his retirement.

I didn't want to be one of those people. I wanted to enjoy my retirement while I was still physically able. So, after 29 years of law enforcement (25 with PBSO), I decided to retire and forgo the remaining three years of my DROP. My last official day was September 30, 2010.

By the second week of Oct. 2010, my wife and I headed west on a three week cross-country road trip. We visited many places including Mt. Rushmore, Glacier Nat'l Park, Yellowstone, the Badlands, etc. Since then we've also traveled extensively throughout Europe on two separate occasions. We went on wine tasting tours and took a hot air balloon ride over Napa Valley, Ca. We visited Cancun, Hawaii, Puerto Rico and Tuscany, Italy during the summer of 2012. I took my daughter on a two week safari in Africa to celebrate her graduation from Florida State University. We recently spent 17 days RV'ing across Alaska in July. We travelled to New York and helped organize a relief effort for the victims of hurricane Sandy. I volunteer as a Board member for a local non-profit called the Children's Healing Institute. I go duck and goose hunting every December in Oklahoma and Rhode Island, mixed in with a pheasant hunt in Connecticut. Basically, we haven't stopped since my retirement.

We've done and seen a lot these past three years; only a fraction of which I've mentioned above. I say these things not to brag, but to say to you, Barry Trombley, "Yes I have. I have lived these past three years; and it's been awesome! Thank you for saying those words to me three years ago." To the rest of you, who can retire and choose not to, don't get caught up in chasing the dollar. There's not much life expectancy for law enforcement officers after retirement. Get out now and enjoy your life while you still can.

# A peace of mind in this chaotic world. Palm Beach County PBA is here for you!

## PBA HEART FUND DEATH AND DISABILITY PLAN



In an effort to help the families of law enforcement officers who are killed or disabled in the line of duty, Florida Police Benevolent Association (PBA) has established a charitable arm which is called the PBA Heart Fund. Because the PBA Heart Fund is a 501(c)(3) organization, contributions are tax deductible. Monies donated to the Heart Fund are used to provide death benefits to the families of officers killed in-the-line-of-duty and disability benefits to officers who are permanently disabled because of an in-line-of-duty disability.

Aside from individuals who may want to donate with the tax deduction in mind\*, political campaigns may dispose of surplus funds (after the campaign is over) by donating some or all of the surplus to the PBA Heart Fund [s. 106.141 (4) (a) 2., Florida Statutes]. And, of

course, other entities (e.g. not-for-profit corporations) may also donate to this cause. The address is:

Florida PBA Heart Fund, 300 East Brevard Street, Tallahassee, FL 32301 More information about the Heart Fund may be obtained by calling Florida PBA at 1-800-733-3722.

\*Receipt for donations will be provided upon request.

# How to Reduce the Risk of Identity Theft When A Loved one Dies

Submitted by The Center for Wealth Planning, Inc.

new trend in identity theft – afterlife identity theft – is on the rise, with thieves scouring obituaries for personal information to steal the identities of those who have passed. When you lose a loved one, it is important to take quick action and notify a number of institutions and government agencies about the death to help prevent afterlife identity theft.

The <u>National Funeral Directors Association</u> provides a list of government and credit reporting agencies, creditors and banks for notification, including:

- Social Security Administration
- Veteran's Administration(formerly served in the military)
- Defense Finance and Accounting Service (military retiree benefits)
- Office of Personnel Management (former civil service employee)
- U.S. Citizen and Immigration Service (decedent was not a US citizen)
- State Department of Motor Vehicles (decedent had a driver's license)
- Credit card and merchant card companies
- Banks, savings and loan associations and credit unions
- Mortgage companies and lenders
- Financial planners and stock brokers
- Pension providers
- Life insurers and annuity companies

- Health, medical and dental insurers
- Disability insurers
- Automotive insurer
- Mutual benefit companies
- All 3 credit reporting agencies: Experian, Equifax & TransUnion
- Any memberships held by decedent (clubs, associations, etc)

The NFDA recommends that you notify these entities first by phone followed by written confirmation, where you will need to provide a certified copy of the death certificate, the decedent's social security number and, if you are the executor or administrator of an estate, the verification of your appointment by a probate court. Be sure to ask the funeral home you are using if they can provide notification services for you, as many do.

If you would like to have a talk about protecting your loved ones through estate planning, call our office today to schedule a time for us to sit down and talk. The estate planning session is at no cost. Call today for an appointment and mention the *Code 3* article.

The Center for Wealth Planning, Inc 2100 N. Florida Mango Road West Palm Beach, FL 33409 561-632-0566



Timely news about what's up at the Florida PBA, helpful information regarding legislative issues, quick tips, and best practices for members. Knowledge about PBA issues is the strength of our Association.

To sign up, visit www.flpba.org or call 1-800-733-3722 today!

(Your e-mail address will not be given to any other group or organization and you will receive no advertising from outside sources. E-PBA is available to PBA members only. Be sure to add "pbamail@flpba.org" to your approved sender list.)

## MONDAY NIGHT FOOTBALL AT THE PALM BEACH COUNTY PBA!

(PBA Members Only)



















































































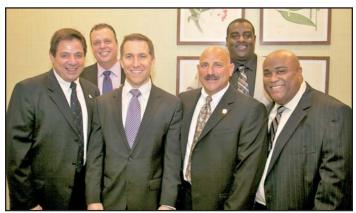
FOOD AND DRINKS PROVIDED!

2100 N. Florida Mango Rd., West Palm Beach, FL 33409

## Palm Beach County Democratic Party 2013 Truman - Kennedy - Johnson Dinner



State Senator Jeff Clemens



Palm Beach County State Attorney Dave Aronberg



Former Governor of Florida Charlie Crist





Palm Beach County Commissioner Shelley Vana



Palm Beach County Commissioner Paulette Burdick



Palm Beach Gardens Mayor Eric Jablin



Former Pennsylvania Governor Ed Rendell



The Palm Beach County PBA is reaching out for financial support to complete its PBA Memorial. Please see our different sponsorship levels. If you wish to contribute, please choose from the following sponsorship levels:

#### **SPONSORSHIP LEVELS**

PBA BENEFACTORS PLAQUE	
Sheriff/Chief Sponsorship	)
Captain\$3,000	)
Sergeant	)
Deputy/Officer \$1,000	)

Send to:

Please make donations payable to: Memo:

#### **SITE AMENITY SPONSORSHIP**

Flag Pole	\$7,500
Memorial Trees (12)	\$900
Benches (4)	\$700
Flower Bed Marker	\$200
Personalized Brick Pavers	\$100 or \$175
(For the Pavers, please fill out the	form on the next page)

#### **PBA Charity Fund**

PBA Memorial Sidewalk Palm Beach County PBA Attention: Gail 2100 N. Florida Mango Rd. West Palm Beach, FL 33409







Rechargeable MagLite \$93.00
Rechargeable Mag Bulbs \$5.00
Tag Emblems / Decals \$5.00
Key Chain \$5.00
Cufflinks \$5.00



\$17.00



**Padfolio** 

Memorial Bands \$1.00
Lapel Pins \$5.00
Handcuff Key \$7.50
PBC PBA Navy T-Shirt \$8.00



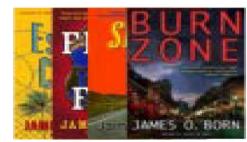
PBC PBA BBall Cap \$12.00

PBC PBA Polo \$30.00

MC PBA BBall Cap \$12.00

MC PBA Polo \$20.00

James O. Born Novel(s) \$20.00





# 6th Annual Palm Beach Co. PBA Police Officers' Ball June 15, 2013 • The Ritz-Carlton, Palm Beach





THE PALM BEACH COUNTY SHERIFF'S OFFICE VIOLENT CRIMES DIVISION

9th Annual

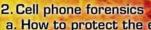
## NFERENC

December 9 - 11, 2013 8:00 a.m. - 5:00 p.m.

For Active Law Enforcement Only

## Cellphone Technology & Forensics **Public Agency Training Council**

- 1. Cell phone technology
  - a. Types of processes
  - i. What to ask for
  - ii. What you can get
  - b. What each company can give/limitations
  - c. How to read historical records
  - d. How to put information on a map
  - e. Court presentation and preparation
- a. How to protect the evidence
- b. Pitfalls
- c. Search warrants
- d. Available forensic software
- e. Information from pictures (EXIF)



## The Bulletproof Mind:

Psychological and Physiological Preparation for Combat

Dave Grossman Lt. Colonel U.S. Army (retired) http://killology.com





## The Conference Location:

The Palm Beach Airport Hilton 150 Australian Avenue West Palm Beach, FL 33406 (561) 684-9400 www.palmbeachairporthilton.com

\$300 (per student for the Conference)

Make checks payable to:

Palm Beach County Sheriff's Office Send payment to: Tami Shoemaker, 3228 Gun Club Road West Palm Beach, Florida 33406 (561) 688-4001 or register by email at: shoemakertw@pbso.org

Accommodations available at a special \$89 night rate for conference attendees contact hotel

	CALL STATE OF THE PARTY OF THE	The state of the s	MORNING TO
REGISTRATION FORM			
Rank	Last Name	First	MI
Agency			
Agency phone contact # _			
Agency email contact (mail registration form with	n check to ensure your admission to thi	s limited seating event.)	



# As a PBA Member, KNOW AND ASSERT YOUR RIGHTS!

## Remember, as a sworn officer, you have the right:

- ✓ to be represented by a PBA **attorney** during any interrogation;
- ✓ to be provided any complaint, all witness statements, and all existing evidence (e.g., audio and video recordings, GPS locator information) for review **with an attorney before** the beginning of any interrogation;
- ✓ to be interrogated at a reasonable hour (e.g., at a time when a PBA attorney can be present for the review and interrogation);



- ✓ to refuse a polygraph, and
- ✓ to refuse to respond to questions if an investigator intentionally fails to comply with requested requirements after being advised of his or her violations of those requirements.

As a dues-paying member, a Palm Beach County PBA attorney can be with you every step of the way.

Don't be intimidated out of your RIGHTS!

Don't try to be your own lawyer!

If you are a member in good standing, and you are suspended or fired, Palm Beach County PBA has attorneys to assist you.

Carry the card of confidence...

your PBA Membership Card

Palm Beach County Police Benevolent Association, Inc.

2100 N. Florida Mango Road, West Palm Beach, FL 33409 (561) 689-3745 • www.pbcpba.org

## Receive PBA's weekly "Capitol Report" newsletter during the legislative session via E-PBA, PBA's free e-mail service!

To sign up, visit <a href="www.flpba.org">www.flpba.org</a> or call 1-800-733-3722 today! The "Capitol Report" is only available via E-PBA!

(Your e-mail address will not be given to any other group or organization and you will receive no advertising from outside sources. E-PBA is available to PBA members only. Be sure to add "pbamail@flpba.org" to your approved sender list.)

## **PBSO CHARITY FUND DEDUCTIONS**

The Palm Beach County PBA Charity Fund was established in 2004 to assist our members and their children with scholarships to defray the costs of higher education. In addition, the Charity Fund now helps provide charitable assistance to our members and their families who have experienced a life altering tragedy or a catastrophic event.

The PBA Charity Fund, Inc. is a 501(c)(3) organization. Contributions to the fund are fully tax deductible.

If you are a PBSO employee and wish to contribute to the Charity Fund, please visit <u>www.pbcpba.org</u> for instructions on donating or contact Wendy at the PBA (561) 689-3745.

## **NOTICE: LEGAL ADVISORY**

POLICE SHOOTINGS, IN-CUSTODY DEATHS, OR SERIOUS TRAFFIC ACCIDENTS WHAT TO DO?

**STAY CALM** 

Have you been ordered to write a statement about an incident that may be investigated?

## DON'T FORGET YOUR RIGHTS! CALL PBA AT (561) 371-7200

Do not talk to anyone until you have consulted with a PBA ATTORNEY!

#### PROTECT YOUR RIGHTS

The following statement should be written as the first sentences on any statement, report, or memorandum an officer is ordered to write when the officer knows or has a reasonable belief that discipline may result:

It is my understanding that this report is made for administrative, internal police department purposes only. This report is made by me after being ordered to do so by lawful supervisory officers. I have not been permitted a reasonable amount of time to confer with a PBA representative or attorney. It is my understanding that by refusing to obey an order to write this immediately, that I can be disciplined for insubordination and that the punishment for insubordination can be up to, and including, termination of employment. This report is made only pursuant to such orders and the potential punishment/discipline that can result for failure to obey that order.

## **EMERGENCY CONTACT PROCEDURE**

Please be advised that the emergency number (561) 371-7200 is for CRITICAL INCIDENTS ONLY!

Our attorney(s) should **ONLY** be contacted after hours for critical incidents; that is, an officer-involved shooting, an in-custody death, an on-duty vehicle accident with injuries or if Internal Affairs investigators are responding right now to an incident.

If you are attempting to contact a PBA Attorney for any matter that is not a critical incident, please contact the PBA Office (561) 689-3745 during regular business hours 8:30 a.m. - 4:30 p.m. Monday through Friday.

## **ATTENTION: RETIREES**

Please take notice that pursuant to §95.11(3), Florida Statutes, lawsuits, including "an action founded on negligence," and "for assault, battery, false arrest, false imprisonment, or any other intentional tort..." must be filed "WITHIN FOUR YEARS" of the incident date.

To the extent that such lawsuits may be brought against you <u>after</u> you retire, you need to consider continuing your membership for four (4) years beyond your retirement.

If you are retired but have returned to law enforcement and are currently paying a "RETIREE MEMBER-SHIP," you should be aware that if you are subject to such actions at a time when you no longer are paying the appropriate dues, the PBA cannot provide legal assistance. See Palm Beach County Policy 12-1.

Enjoy the full peace of mind your retirement should mean.

## REMINDER

The legal defense policies of the Florida and Palm Beach County PBA have an important provision regarding representation. If a member elects to secure representation by anyone other than the PBA (a private attorney, for example) that member is considered to have waived representation by the PBA. Once this happens, it is the PBA's option whether or not to continue to represent the member in that matter. Please call the PBA office if you have any questions regarding this policy.

# PBA Hitch Receiver Cover for Your Vehicle(s)

Florida PBA has recently added the PBA Hitch Receiver Cover to its list of items available for **MEMBERS ONLY** to purchase. It is blue high density plastic with gold printing. The cover comes with spring pin (shown) or you can use your own hitch pin. There are two sizes for either 2" or 1 A" receivers (please specify which size you need). Display them proudly on your vehicle or give them as a gift to your family and friends.

## Only \$10<sup>00</sup>each

#### **MEMBERS ONLY:**

Send your check for \$10 each (no sales tax) to: Florida PBA 300 E. Brevard Street Tallahassee, FL 32301



# 817.311 UNLAWFUL USE OF BADGES, ETC.

(1) (817.311 SS)From and after May 9, 1949, any person who shall wear or display a badge, button, insignia or other emblem, or shall use the name of or claim to be a member of any benevolent, fraternal, social, humane, or charitable organization, which organization is entitled to the exclusive use of such name and such badge, button, insignia or emblem either in the identical form or in such near resemblance thereto as to be a colorable imitation thereof, unless such person is entitled so to do under the laws, rules and regulations of such organization, shall be guilty of a misdemeanor of the first degree, punishable as provided in S. 775.082 or S. 775.083.

(2) This section shall be cumulative to any and all laws now in force in the state.

Florida Statutes (1987).

## **PLEASE NOTE**

843.085 Unlawful Use of police badges or other indicia of authority: (l) Unless appointed by the Governor pursuant to chapter 354, authorized by the appropriate agency, or displayed in a closed or mounted case as a collection or exhibit, to wear or display any authorized indicia of authority, including any badge, insignia, emblem, identification card, or uniform, or any colorable imitation thereof, of any federal, state, county, or municipal law enforcement agency, or other criminal justice agency as now or hereafter defined in S. 943.045, which could deceive a reasonable person into believing that such item is authorized by any of the agencies described above for use by the person displaying or wearing it, or which displays in any manner or combination the word or words "police," "patrolman," "agent," "sheriff," "deputy," "trooper," "highway patrol," "Wildlife Officer," "Marine Patrol Officer," "state attorney," "public defender," "marshal," "constable," or "bailiff," which could deceive a reasonable person into believing that such item is authorized by any of the agencies described above for use by the person displaying or wearing it.

(2) To own or operate a motor vehicle marked or identified in any manner or combination by the word or words "police," (etc.) Or by any lettering, marking, or insignia, or colorable imitation thereof, including but not limited to, stars, badges, or shields, officially used to identify the vehicle as a federal, state, county or municipal law enforcement vehicle or a vehicle used by a criminal justice agency as now or hereafter defined in s. 943.045, which could deceive a reasonable person into believing that such vehicle is authorized by any of the agencies described above for use by the person operating the motor vehicle, unless such vehicle is owned or operated by the appropriate agency and its use is authorized by such agency, or the local law enforcement agency authorizes the use of such vehicle or unless the person is appointed by the Governor pursuant to chapter 354

(3) To sell, transfer, or give away the authorized badge or colorable imitation thereof, including miniatures of any . . .

(4) NOTHING IN THIS SECTION SHALL PROHIBIT A FRATERNAL, BENEVOLENT, OR LABOR ORGANIZATION OR ASSOCIATION, OR THEIR CHAPTERS OR SUBSIDIARIES, FROM USING THE FOLLOWING WORDS, IN ANY MANNER OR IN ANY COMBINATION, IF THOSE WORDS APPEAR IN THE OFFICIAL NAME OF THE ORGANIZATIONS OR ASSOCIATIONS.

Dear PBA Scholarship Committee,

I'm writing this letter in reference to the \$1,000 in PBA Scholarship money that was awarded to me this past month. I would like to sincerely thank you for this financial assistance, as it will be fully applied towards my final semester's tuition at Florida Atlantic University. I expect to graduate in December of 2013 with a Bachelor's Degree in Psychology and a minor in Sociology, and this scholarship will be a huge help in covering my remaining tuition balance.

The PBA's involvement in rewarding me with these tuition assistance funds has truly given me an enormous sense of gratitude and peace of mind, as I will now be able to work less hours and focus more on my overall studies without the added stress of applying for loans to cover my tuition. As a result of your generosity, I will be one of the few students who will be graduating without an overwhelming amount be able to the the state of the state

After graduation, I intend to apply for admission to the Palm Beach County Police
Academy in February of 2014. I then hope to become employed by the Palm Beach
Sheriff's Office, or another law enforcement agency within the county. When I
Sheriff's Office, or another law enforcement agency within the county. When I
Someday become a valued member of a police department, whether it's affiliated
someday become a valued member of a police department, whether it's affiliated
swith the PBA or not, I will be joining your organization so that I may give back to
other students what you have given me.

Thank you again for all that you have done for me,

Dail XL, Jr.

David Kalmus, Jr.

TO: JOHN KAZANJIAN

I WOULD LIKE TO THANK YOU FOR THE SCHOLARSHIP FUNDS THAT YOU WERE ABLE TO AWARD TO ME IT HAS GREATLY APPRECIATED, AND AS A FLIGHT STUDENT, I (AN ASSURE YOU THE MONEY WILL BE PUT TO GROOD USE. THE NEW PRA HAIL WAS BEAUTIFUL, AS WAS THE WOUDERFUL BANGUET YOU PROVIDED FOR SCHOLARSHIP AWARDEES. ONCE BRAIN, THANK YOU.

KIM EDELSTEIN

Den Kaz,

Thortogen dur the

general Scholarship

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help me alst is I

Start my concer at

U.C.F.!

Thorn og Min.

Kattlen Hennessey

To Whom It May Concern,

I'm writing you today to acknowledge my sincere and immense appreciation for the scholarship I was recently awarded by the PBA. It has greatly helped me in my pursuit of a college education. Being a full-time student certainly incurs its expenses, and in these tough economic times any amount of money is greatly appreciated. This scholarship has certainly alleviated partial burden of my college fees, and for that I can't thank this organization enough.

Sincerely,

Mike Cashwell

8/14/13

Palm Beach County P.B.A. Scholarship Fund 2100 North Florida Mango Rd West Palm Beach, FL 33409

Dear Mr. Kazanjian,

I would like to extend my gratitude to you for granting me such a generous scholarship. As a freshman at the University of Florida, I have already successfully completed two courses and I am grateful to have begun my education with your support. I will be continuing at UF in the fall as an Applied Physiology and Kinesiology major. I am honored that you chose to present me with this opportunity. Thank you again.

John Forror

Sincerely,

THANK YOU «

F. PBA Scholarship Committee,

Twant to thank you for the scholarship money that you gave me. The scholarship money helps to offset fees, books, etc.... and costs for nursing school. Thank you for helping me continue my education to be a nurse.

Thank Van

Dear PBA Scholarship Committee,

I would just like to take a moment to express my gratitude upon receiving the PBA/Annie Tartaglione memorial scholarship. I am so very thankful that I was one of the chosen ones to receive this scholarship. It will be very helpful in covering all of the costs for college. I am so thankful for your generosity. I could never thank you enough!

God Bless,

Courtnie a. Ross

Courtnie Ross

Dear Palm Beach county PBA,

With sincere gratitude

.....

Thank you so much for this scholarship award: I greatly appreciate your support in my education.

and appreciation.

Sincerely. Larah Esstra

John Kazanjan,

I am withing to thank you for you generosity in granting me a scholarship this year. Both me and my family are incredibly grateful for the scholarship approximes the past 4 years, as they helped find the best education that I could have imagined. I an especially thankly for your graciousness in letting me cone in for a late interview!

Sincerely, Erica Edelstein

thanks

Dear Police Benevolent Association,

I am writing this letter to thank you for giving me the chance for the 2013 interview for the Brian Chappell memorial scholarship. I want to thank you for choosing me. It will not only help me towards my college tuition but also help me further my education.

I have chosen to go for my AA degree. Within two years I hope to be accepted in the nursing program at FAU. So on my behalf I'm sending this as a thank you for your assistance for the year 2013 at Palm Beach State College.

Sincerely,

Kristy Rowe

Dear Palm Beach PBA, Thank you so much for the Scholarship. I really appreciate now much this organization gives book to the officers keeping us safe and their families. Thank you for contributing to my education. This giftis so helpful and I really am thankful for all the people that have come together to make the PBA and this sincerely, scholarship Possible, on Hilford,

Dear Kaz and the Scholarship committee.

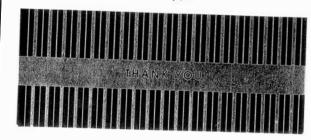
Thank you for the scholarship, it will be used wisley when I move into school in August. I would also like to mank you for the opportunity for me to get interviewed for the senoiar-Ship I know there were a lot of kids to be interviewed and I am happy to be chosen as one of

Thank you again and look forward to re-apply next year.

Sincerely, Jessica McAfee Dear PBA Committee

I an writing this letter to that you for your generous gift this year. It was such a blessing and extranely helpful with your generous donation this year and in the past, has allowed me to Pas myself through school so far without any debt. I am getting closer and closer to finishing School and because of your help I can start my life debt free.

> Thank You Sincerely Austin Foster



Dear PBA Scholarship Committee

I am honored to have received the Brian Chappell Scholarship Award. I am not only grateful for you, the committee, for selecting me but more importantly. the Chappell family and their generousity in making these funds available. I plan on using this scholarship to further my college career to become an elementary school teacher, where I will hopefully inspire a new generation of children.



Thanks for making this possible, Nicole Luciano

July 10, 2013

Mr. John Kazanjian and PBA members 2100 North Florida Mango Road West Palm Beach, FL 33409

Dear PBA Scholarship Committee,

I would like to thank you all for the scholarship that you have provided to me. It will assist me in my education expenses that I will encounter at the University of South Florida as I pursue my goal of becoming an infantry officer in the U.S. Army. I am very grateful for your consideration and generosity.

Christian moore

8/10/2013

2100 N. Florida Mango Road West Palm Beach, FL 33409

I am writing to express my sincere gratitude to you for making the <code>Palm Beach County PBA Scholarship</code> possible. I was thrilled to learn of my selection for this honor and I am deeply appreciative of your support

I am currently majoring in Electrical Engineering with hopes of becoming an electrical engineer. The financial assistance you provided will be of great help to me in paying my educational expenses, and it will allow me to concentrate more of my time for studying.

Thank you again for your generosity and support. I promise you I will work very hard and eventually give something back to others, both as an engineer and possibly as a donor to a scholarship to future students like myself.

Tyler D. Werne

Sincerely, John Werns

Letters to the

P.B.A.

Pear PBA. thank you for donating to the Brian Obsen Ford (college), Your support now and through out my like has meant orbit to me. Sincerely, Brian Obsen

7/13 Magazteon ber of the 281 I cannot Hork you crough In guing me the Scholaship In college. I appreciate you all of will note you provid I hank you so much again. (daughter of DIS Joann

Dear PBA Thank you for your generous contribution towards my education Your continued Support means alot to

Sincerely, Robert Olsen



me every year. you guys do for closer to to where I want to getting be. I really appreciate it! Thank you again

- Jessica Shaffer YOUR GENEROSITY 11/10/1/9 MEANS 50 MUCH

Dear PBA

I would like to express my gratifude for the generous Scholardip that I received for the PHA IT sure will help Finacially as I attend tous - Hernando Community College this Fall.

For making this Scholaship tessible dugentrasity is greatly approximated!

Nylan Vagner

07-07-13

Police Benevolent Association 2100 North Florida Mango Road West Palm Beach, FL 33409

Dear members of the Police Benevolent Association,

I am honored to be one of the recipients of the PBA Scholarship; your generous support will help with the expenses of my college education.

As always your contribution has been greatly appreciated and will help with the expense of completing the final step in my education, the Sonography program offered at Palm Beach State College. After completion of this fifteen-month program in December 2014 I'll be a certified Ultrasound Technologist, as well as Registered Radiologic Technologist and hope to work in a hospital benefitting the

I offer my sincerest thanks to the Police Benevolent Association.

Sincerely,

Jenna Vassalotti



During a time like this we realize how much our friends and relatives really mean to us . . . . Your expression of sympathy will always be remembered Thank you for your thought fulness. With great appreciation, The Damase Famili

Dear, Palm Brock County PBA

Thank you so much

Thank you very much for

Since im stourning my major

thus year im very excited and

this money will really rulp me?

Tame soumes

the scholarship munuly!

I would like to thank the PBA for the scholarship award. I box forward to attending the University of Florida, I plan on using the scholarship money to help pay for the expenses that come with going away to College. I greatly appreciate your generosity.

Thank you,

Zachary O'Connor





I would like to take a scrond just to thank you so much for awarding the my scholar ship. It means a lot to accept, yet again, a scholarship from You. Thank you again for everything!

> Kayla Stokes UCF Senior c/0 2014



2012 Trip to Beijing, Xi'an and Shanghai China

Memories of 2012 China trip. It was an unbelievable experience and it would not have been possible, if it had not been for your generosity in donations for my dad and I.

Thank You All,

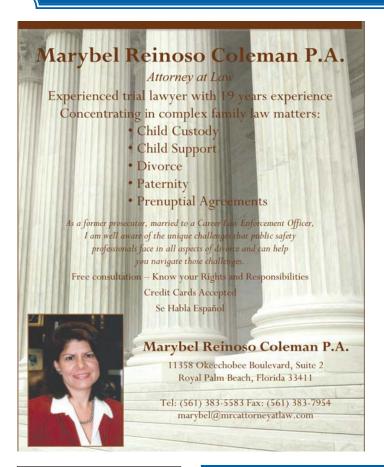
Richie Jr. & Big Richie

Thank you Palm Beach P.B. A Meer do Conder to

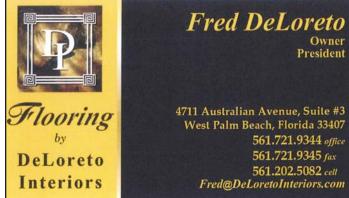


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## Dear Members:

Together with the Palm Beach PBA and President John Kazanjian, we have arranged a series of retirement seminars that are designed to help members secure and understand the basic financial planning principles that they will need so that they are able to enjoy a well-deserved retirement.

These seminars take place at the Florida Mango Office the 3rd Wednesday of every month. The schedule for the balance of this year and all of next year is enclosed for you to post. If it is inconvenient for your members to come to the PBA Headquarters, we could accommodate them and bring the seminar to your location.

Looking forward to seeing all of you either at the PBA office or your own department's meeting room.

Yours truly.

Registered Rep

Registered Rep

#### **2013 Seminar Dates**

Wednesdays at 10:00 a.m.

October 16

November 20

December 18

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With our new partnership with the Palm Beach County Police Benevolent Association, our South Florida respresentative, Attorney Daniel S. Rakofsky, will be available to meet members at the new PBA building in West Palm Beach by appointment. Dan is a recently retired South Florida police captain who also continues to serve in law enforcement in South Florida as a reserve officer.

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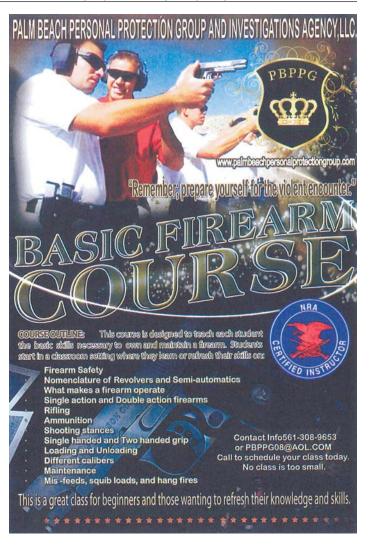
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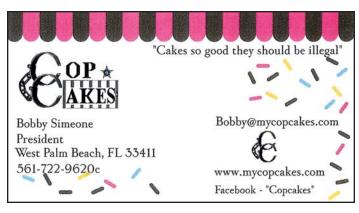
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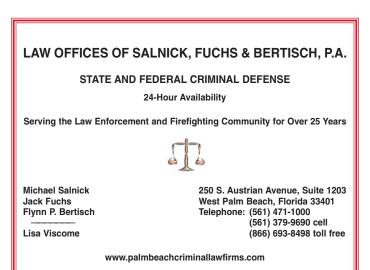


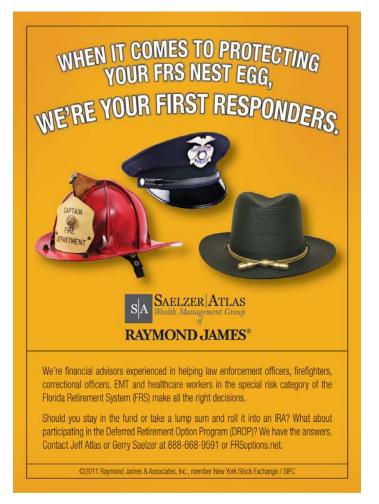






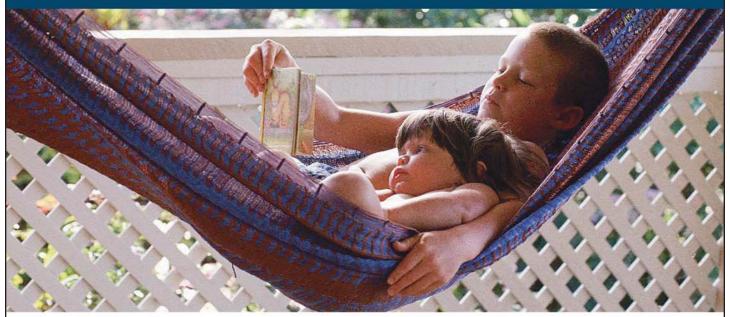






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