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Florida COPS

Official Publication of the Palm Beach County PBA

NOVEMBER / DECEMBER 2015



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Our Favorite Daughter

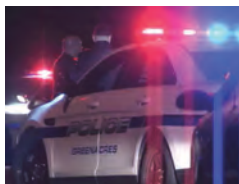
The Palm Beach PBA has created an extraordinary tribute to Kaitlin Kazanjian, the daughter of PBA President John Kazanjian and wife Joanne who was tragically killed in an automobile crash. A series of fundraisers and events have helped thousands of members, and now the PBA is embarking on another feat that could become the most memorable part of Kaitlin's Legacy.

You Got Mail...

...But you shouldn't have: An error of "incompetence" led to a slew of confidential emails being released to the media, putting undercover operations for Palm Beach County law enforcement in jeopardy.....**Page 21**

Point Well Taken

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Going Green

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CODE THREE

THE PRESIDENT'S MESSAGE

Here's one for the no-file



**JOHN
KAZANJIAN**

I thought at least the State's Attorney would have our back.

On Aug. 9, a Sunday afternoon, one of our officers happened to be patrolling in Riviera Beach outside Walgreens, which had a liquor store. He notices a man pull into a handicapped spot and walk into the store with what seems to be a normal gait.

The officer, Sergeant Garry Wilson, follows him into the Walgreens to ask if he has any documentation for the handicapped placard. The man starts getting his documents out and starts recording everything on his cell phone. Then, he starts to question Sergeant Wilson, yelling at him, "I'm a disabled Vet," and "How dare you question me." He continued to berate the officer, calling him "overweight." I mean he's really belittling the sergeant.

Eventually, the sergeant tells him to back away due to the investigation being hindered and because of his close proximity knocks the phone out of his hand. Well, that goes viral on YouTube. The man eventually made a complaint to the department. And the State's Attorney's Public Corruption Unit files a Notice to Appear (NTA) against Sergeant Wilson for battery and criminal mischief. And on Nov. 11 – Veteran's Day, ironically, or maybe not – they charged him.

I believe State's Attorney Dave Aronberg is a good man, and a fair man; that is why we, the PBA, was the first association to back him for Palm Beach County State Attorney when he challenged then State's Attorney Michael McAuliffe. I know there are going to be some cases against law enforcement officers that we cannot defend. We at the PBA know that. But charging Sergeant Wilson with battery and criminal mischief for knocking the phone out of this belligerent man's hand is so petty.

I have to tell you how disappointed I am in State's Attorney Dave Aronberg. I had two meetings, one with the unit handling the case, and the other with State's Attorney and his second-in-charge. I told them my feelings on the case. If neighbors in a town were having a dispute and one knocked the phone out of the other's hand, would they be arrested for battery? ABSOLUTELY NOT! It would be a no-file.

So why are they prosecuting this case against Sergeant Wilson?

Another meeting was held in September with Assistant State's Attorneys Al Johnson and Marci Rex and investigators from the Public Corruption Unit. Do you know what they were upset about? Why Sergeant Wilson did not come in and give a statement. They were told it was on the advice of his PBA counsel not to give a statement. However, I told them I would have Sergeant Wilson come in and give a statement if that would clear up any questions and help dispose of this case. I remember Assistant State's Attorney Al Johnson telling me he would get back to us.

We did not hear back from the State's Attorney until November, two months after our meeting, when they mailed the NTA to Sergeant Wilson's home. I brought this up to one of the investigators handling the case, and I was told Al Johnson said it was too late for him to come in and give a statement.

Too late?

If you really wanted to be fair to Sergeant Wilson, you would have him come in and give a statement. But for the state to ignore our offer to give a statement and clear up any questions is suspect regarding why it was, "too late." In my 29 years as a law enforcement officer I have never heard of this.

How many times have you heard this: "Law enforcement officers are held to higher standard?" You see, that's where I get confused. Whenever we are negotiating a contract and we attempt to get raises or better benefits for our members, we continuously hear that the general employees are not receiving any raises; so, we can't give them to our officers. But when you do something wrong, and they hammer you with discipline or charge you with a crime, they remind us that we are held to a "higher standard."

So, I'm telling all our members that this can happen to every single one of you. If the state is charging our officers with petty stuff like this, who is going to protect us? When the State's Attorney reviews this type of case, 99 percent of them turn out to be no-filed. I think it's very unusual for something like this to happen, and it's a little suspect.

But if they keep this up, you know what's going to happen? How are we, as law enforcement officers, going to be able to do our jobs if everybody is out there with a cell phone waiting to record something to use against us? And what will happen to us if the State's Attorney is getting pressured to take action against us?

Just ask Sergeant Wilson, who just had two misdemeanor cases filed against him. And now he is paying for it, because now he has to go to trial. With the help of our Legal Defense Fund, we're going to present all the evidence and let the jury decide. I hope it can be dismissed prior to going to trial.

This is really killing me.

But I guess that's the new era we have to police in. I'm also very disappointed in the Palm Beach Gardens Chief for his decision to terminate Officer Nouman Raja. Apparently, the outside pressure is getting to everybody. Nobody seems to have our back. ♥

John Kazanjian

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Officer Involved Shootings: Even if justified, it's no cake walkthrough



**LAWRENCE
K. FAGAN
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As long as there exists, 1) crime, 2) the potential for crime, and/or 3) guns, there exists the inevitability of officer-involved shootings. It comes with the territory. Remember, though, that it is the perception of the officer during these high-stress situations that is (legally) paramount, and not the perception or opinions of others or the politics of the day. Regardless, it can appear that the officer is damned if he does (a post-incident investigative walkthrough) and damned if he doesn't.

The U.S. Supreme Court held in *Tennessee v. Garner* in 1985 (and, it remains the "Law of the Land"):

Where the officer has probable cause to believe that the suspect poses a threat of serious physical harm, either to the officer or to others, it is not constitutionally unreasonable to prevent escape by using deadly force, "*Tennessee v. Garner*, 471 U.S. 1 (1985), 105 S.Ct. 1694, 85 L.Ed.2d 1, 53 USLW 4410."

The U.S. Supreme Court judges these "tense, uncertain and rapidly evolving" crises that could result in officer-involved shootings as envisioned from the perspective of a reasonable officer on the scene whether his/her use of deadly force was objectively reasonable under the totality of the circumstances. [*Garczynski v. Bradshaw*, 573 F.3d 1158 (2009)]

That individual uninvolved citizens may disagree with the current state of the law makes for thought-provoking discussion, but is not necessarily legally relevant to what the officer involved was perceiving at the time of the critical incident.

Officers cooperate with incident investigators at the scene of these events with a view toward allowing the officer involved to accurately recount his observations via a live "walkthrough" while the effects of the incident are still "fresh" in the officer's mind. This can prove problematic, as there are multiple factors (psychological, physiological, etc.) that exist in contravention to having the officer recount these events too soon after he/she may still be under the effects of experiencing them. (Note: this statement is not comprehensive; whole studies have been dedicated to the subject.)

In addition, the officer's perception need not be factually

correct for his justified use of deadly force. I have represented officers who witnessed what they thought were barrels of guns being pointed at them act justifiably in their uses of deadly force, even when those barrels turn out to be beer bottles.

Further, where an officer gives orders to drop a weapon, and the orders have gone unheeded by a suspect, "the officer is not required to wait until an armed and dangerous felon has drawn a bead on the officer or others before using deadly force." [*Montoute v. Carr*, 114 F.3d 181, 185 (11th Cir. 1997)]

Being correct under the law, however, does little to shield the involved officer (or his family) from the possible "slings and arrows" of the community commenting on his split-second decision.

No matter how you slice it, the officer's perception at the time, although it is the legal standard, may still be second-guessed by those with the benefit of reviewing it after the fact. When this is the case, those "second-guessers" reviewing the officer's walkthrough video several days later or longer are not reviewing the incident through the officer's lens at the time, but rather through more relaxed lenses.

The walkthrough itself is voluntary. Simply put, the decision of the officer may be not to give a statement then and there for a variety of reasons: high emotions, inability to articulate the events, a physical injury to the officer requiring medical attention/hospitalization, fear, and so on.

Even if all of these same factors exist, the officer still may wish to complete a walkthrough. The officer's willingness to provide a live, on-camera, on-scene, recorded, sworn reenactment close in time to the actual events typically are consented to in an effort to provide truthful transparency into his personal thought processes regarding events that the officer just witnessed.

What remains of this process is a considerable amount of information and opinions on the subject that may go on ad infinitum. There is much more to this, but that is largely beyond the scope of this snapshot.

What continues to be well-rooted and unwavering in the law books, however, are the un-contravened legal holdings on the subject that expressly justify the law enforcement officer's split-second decision making at the time. ♥

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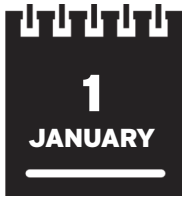
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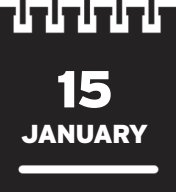


January 1

1st Annual Kaitlin A. Kazanjian Angel Run

Abacoa Town Center/FAU Jupiter Campus
1200 Town Center Drive, Jupiter
4 p.m.

Participate in the Palm Beach County PBA's inaugural safety awareness run/walk in Kaitlin Kazanjian's honor. All proceeds from the event will be donated to the Kaitlin A. Kazanjian Scholarship Fund. To pre-register, visit www.pbcpcb.com.



January 15

Cars of Dreams Oldies Night

Cars of Dreams Museum
133 U.S. Highway 1, North Palm Beach
Time TBA

Tickets can be purchased through the Palm Beach County PBA at PBA Hall. For more information, visit www.carsofdreams.com.

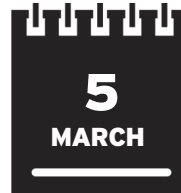


January 24-26

NAPO's 28th Annual Police, Fire, EMS & Municipal Employee Pension & Benefits Seminar

Caesars Palace Hotel
3570 South Las Vegas Boulevard, Las Vegas
The seminar will spotlight key issues including:

2016 political outlook, DB/DC debate, selecting service providers, investment management, social security pension issues and the health-care cost and the Cadillac tax. To register, visit www.napo.org.

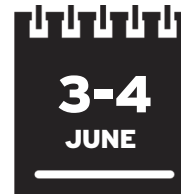


March 5

The 12th Annual Kaitlin A. Kazanjian Scholarship Golf Tournament

Palm Beach Gardens Golf Club
11401 Northlake Boulevard,
Palm Beach Gardens
9 a.m.

To preserve Kaitlin's memory and to help children bear the costs of higher education, a scholarship fund was created in her honor. All proceeds from the event benefit the Kaitlin A. Kazanjian Scholarship Fund. A foursome is \$140 per golfer and various prizes will be awarded throughout the day. To register or become a hole sponsor contact the Palm Beach County PBA at 561-689-3745.



June 3-4

9th Annual Palm Beach County PBA Police Officer's Ball

PGA National Resort & Spa
400 Avenue of the Champions,
Palm Beach Gardens

Join the Palm Beach County PBA at the 9th Annual Ball celebrating the Officer of the Year Awards on June 4. More activities, like a cookout, will take place throughout the weekend. For information, contact the Palm Beach County PBA at 561-689-3745.

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About Kevin

Embrace Home Loans is proud to have Kevin P. Coleman as a part of our team. Kevin is a go-getter; he is always up for new challenges and finds it very rewarding to help people become a new homeowner or refinance with an excellent loan. His responsibilities include mortgage origination and gaining new business through realtors and personal referral sources in the state of Florida. Kevin loves being a helpful and reliable source to his team and loyal customers. His goal as a loan officer is to gain a mortgage client for life. 100% of his current mortgage business is from realtor/client referrals along with being a preferred mortgage lender for law enforcement as well. Kevin has been in the mortgage industry for over 9 years. Kevin graduated from the University of Central Florida with his degree in Finance and learned the mortgage process working in Operations and Underwriting for the first year of his mortgage career. He moved to the mortgage origination side and has always been a Top Senior Originator ever since. Due to all his hard work, Kevin has been awarded numerous awards throughout the years for being a Top Producing Loan Officer and Account Executive. Kevin promises to give every potential buyer superior customer service and help them achieve homeownership or help them refinance to a loan that will benefit his client's long term success with their home finances in life.

What the PBA has done for me...and you



KARL NELSON
MARTIN COUNTY
SHERIFF'S OFFICE

Fiscal year 2015-16 begins, and another year of collective bargaining has come and gone. The past year's re-openers yielded a couple of benefit changes and opportunities for some, and the payment method and assignment/distribution of "Special Detail" has entered a whole new era; all resulting from the ratification of the amended/new contract articles.

I will candidly admit that the COLA raises being essentially line-item vetoed by the Martin County Board of County Commissioners (vote: 3-to-2) was very disappointing. We could debate for days the pros and cons of going to battle over

that 2 percent, but, in the end, I believe that the result would have been the same. I am grateful to all that came out to vote on Oct. 8 and that the re-openers were ratified. Your PBA staff and Board Members have been building a spirit of cooperation with the sheriff and his staff. We are preparing reasonable and attainable solutions to remedy the historically slow moving Step Plan.

There are a few issues that I would like to address. Board Members, including myself, have heard a number of questions and comments, which include: "What has the PBA done for me?" and "There seems to be a lack of communication with members."

To answer the first question, I will take you on a little trip through history. For those that don't remember (or might have still been wearing diapers), there was a time period at the Sheriff's Office with three different pay scales: one for law enforcement deputies; one for Corrections Officers; and one for Court Security/Bailiffs. If memory serves, the range was about \$18,000 to about \$22,000 (and that's going back just 25 years). There was no overtime pay, but there was plenty of forced overtime worked.

I also recall that deputies could be fired pretty much at will, and some were. (There was a whole shift that was fired one day, only to be "rehired" the next.) I remember all out-of-county deputies being told to park their patrol cars without having the opportunity to "bargain" the issue. I remember deputies being fired without recourse (some for relatively minor offenses, while others skated on some pretty serious stuff). The FTO pay was \$5 a day, and only when you had a trainee in your car. Get promoted to sergeant, it was a \$40-per-month raise.

So the PBA has negotiated numerous benefits and workplace condition issues that we enjoy on a daily basis. A few examples: a starting salary of more than \$42,000; grievance and arbitration procedures; up to three hours minimum pay for court appearances; 5 percent for FTO trainers (soon to be 6.5 percent for the new corporal positions); 2 percent differential pay for midnight shift members; On-Call pay; holiday pay (and holiday considered same as time worked); K9 deputy issues; increases to sick leave pay-out of 50 percent (up to 480 hours); and the list goes on and on.

Collective bargaining is a process, and not all wrongs can be

righted in one sitting. Additionally, PBA membership provides members with a legal defense plan, PBA death and disability plan, \$2,000 on-duty death policy (payable to your beneficiary within 24 hours of an on-duty death), access to an attorney day or night, disciplinary representation, lobbying and an injury fund, not to mention all that the PBA does in the way of charity and scholarships. In short, the PBA is working for you and is representing deputies every day.

Concerning the communication issues: First off, until there is something to talk about, there really is no need to comment on every issue that comes up. Secondly, to comment on every happening or bargaining issue as it is in process, only serves to unnecessarily confuse. When there is something to report, it gets reported. We cannot help that some members choose to ignore emails or that they have not contacted the PBA to make sure that their individual email or mailing address is current. We cannot take members by the hand and lead them into the open negotiation meetings, political venues or BOCC meetings. We do post important issues and matters on the PBA board (just like it says in the contract, Article 24). At some point, members need to involve themselves and pay attention.

Speaking of involvement, I realize that Florida is a "Right to Work" state, and that being a dues-paying member of the PBA is not required as a condition of employment. I am sure that there are some non-members enjoying reading this article. If this happens to be you, please note that as a non-dues paying member, you really don't have much of a say in the bargaining process as the articles are negotiated for a proposed contract. You will get to vote on the proposed contract simply because you are a bargaining unit member, but as for how we get to that point, you really haven't paid for your right to be heard on the issues as they are being negotiated. That being said, I noticed a whole page worth of write-in names during the last ratification vote, nearly all of which were non-dues paying bargaining unit members. That leads me to believe that there is concern about the issues on their part. I invite you to join the rest of the membership. Applications can be found online or you can ask any representative to provide one.

We are looking forward to negotiations in 2016. Our contract expires in September 2016, and the contract as a whole is open. In short, we can do better or we could do worse. The articles, in general, are well-written, and we do enjoy many meaningful benefits. The sheriff and his staff have been encouraging with their communications and we are hopeful that we can either get movement as it pertains to the wages Step-plan and/or re-write the Wages article or implement a Career plan based on performance. If the latter starts to get traction, there will be more on that later.

In the meantime, stay safe and look out for one another. ❤

And now the rest of the story...

Previously identified impairment benefits now spurring internal auditing and possible underpayments of tax-free entitlements



**GEOFF
BICHLER**

As readers will recall, I authored an article in September which outlined a massive problem related to unpaid impairment benefits to Palm Beach PBA members with hypertension and/or heart disease. In the past two months, we have identified approximately 40 officers who were never paid impairment benefits, many of whom are now receiving tax-free payments. In one instance, U.S. Investigation Service (USIS) has agreed to pay nearly \$200,000 to an officer whose entitlement had been completely ignored until our firm got involved. The magnitude of the problem can hardly be overstated.

The Palm Beach PBA has now uncovered intelligence indicating that USIS may be trying to get in front of this self-inflicted problem by seeking modest impairment ratings from authorized doctors, and issuing small benefit checks. The hope, apparently, is that by issuing small payments to members they will not look more deeply into their potential entitlement. Simply accepting these payments, with assurances from USIS or Risk Management, would be a grave mistake that could cost members and their families tens of thousands of dollars in mandatory payments. Do not make this mistake.

We are recommending that no officer with a hypertension or heart-disease claim accepts payment of any kind from either

USIS or Risk Management without first speaking to an attorney in this firm. Similarly, do not negotiate any check or sign any documents related to this potential entitlement without speaking to an attorney. Given the current situation in Palm Beach County, all law enforcement officers should adhere to the following suggestions:

1. Any law enforcement officer, or retired officer, with hypertension or any type of heart disease should assume they are owed money and call immediately.
2. No law enforcement officer should accept or negotiate an unsolicited check from USIS, or any entity purporting to pay "impairment benefits" and should call immediately.
3. Any officer that has already negotiated a check purporting to pay "impairment benefits" and/or signed legal documents related to these payments should call immediately; there is a strong possibility that you may have been underpaid.
4. Do not trust adjusters, nurse case managers, assigned doctors or risk management personnel to do the right thing with regard to these payments. They have been ignoring these mandatory payments for years.

We will continue to work with the Palm Beach PBA to make certain that every officer who has a legal entitlement to monetary compensation is paid the full amount owed. We will aggressively assert these claims and litigate where necessary. All questions and inquiries should be directed to 866-245-8977. ❤️



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COLA study authorized



**MATT
PUCKETT**

Since our last report, we have had major movement in our effort to reinstate the FRS Cost of Living Adjustment.

At the request of the Florida PBA, the Speaker of the Florida House of Representatives Steve Crisafulli has made the official request to the Division of Retirement asking the state's contracted actuary to perform a special impact actuarial study to examine the costs associated with reinstituting the COLA. The study will be completed by Dec. 16, allowing us plenty of time for consideration during the 2016 Legislative session. If you recall from our

last report, we were not certain a study could be completed before the 2016 session ended. That is no longer a concern.

The COLA suspension began on July 1, 2011, for pension plan participants and is available for a possible reinstatement by an act of the Legislature on July 1, 2016. In order to reinstate the FRS COLA, Florida law requires the Legislature to designate available funding and enact sufficient employer contributions to fund the expiration of the COLA suspension formula provided for in subsection (4) of section 121.101 in Florida Statutes. The COLA suspension will not be restored without this required legislative action.

The law reads: 121.101 (5) Subject to the availability of funding and

the Legislature enacting sufficient employer contributions specifically for the purpose of funding the expiration of the cost-of-living adjustment specified in subsection (4), in accordance with s. 14, Art. X of the State Constitution, the cost-of-living adjustment formula provided for in subsection (4) shall expire effective June 30, 2016, and the benefit of each retiree and annuitant shall be adjusted on each July 1 thereafter, as provided in subsection (3). Please note that subsection (3) restores the COLA to the full 3 percent.

The reference to section 14 of Article X in the State Constitution requires that before any increase in benefits to a public pension plan is enacted, a special actuarial impact study must be conducted. The guidelines of the actuarial impact study are provided for in Part VII of Chapter 112 in Florida Statutes.

This study was our first hurdle in this process, but, with the request made and the study underway, we will soon be able to mark it off our list.

We are very grateful to Speaker Crisafulli for making this important request on our behalf. He has always been a strong supporter of law enforcement officers and their families.

For up-to-date information of all legislative issues, please sign up for the Florida PBA's Capitol Report issued weekly during the Legislative Session via our e-pba email list.



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NAPO calls for Tarantino boycott



Days after NYPD Officer Randolph Holder was killed in the line of duty, film director Quentin Tarantino referred to police as “murderers” during an anti-police rally in New York City. As a high-profile figure, Tarantino’s language is irresponsible, particularly at a time when the nation is seeing increasing threats to officers. Anti-police rhetoric like Tarantino’s threatens the safety of police and citizens.

NAPO supports the call of the New York City PBA and the Los Angeles Police Protective League to boycott Tarantino’s films and asks officers to stop working special assignments or off-duty jobs, such as providing security, traffic control or technical advice for any of Tarantino’s projects to send a loud message that hateful rhetoric against law enforcement officers is unacceptable.

NAPO supports the call of the New York City PBA and the Los Angeles Police Protective League to boycott Tarantino’s films and asks officers to stop working special assignments or off-duty jobs, such as providing security, traffic control or technical advice for any of Tarantino’s projects to send a loud message that hateful rhetoric against law enforcement officers is unacceptable.

“Mr. Tarantino’s response calls to mind two thoughts: He makes his living as a master craftsman of scene and setting, for him to claim now that he wasn’t perfectly aware that his message was precisely ‘cops are murderers’ is ludicrous,” continued NAPO Executive Director Bill Johnson. “He has the financial means and freedom to promulgate his message anywhere he wants; and by deliberately choosing New York City while a family is preparing the funeral for their slain police officer son is an extraordinarily low and mean gesture, one he ignores in today’s statement.”

Police associations across the country have joined the boycott including the Florida PBA, New Jersey State PBA, Suffolk County Corrections, the Nassau County PBA, the Phoenix Law Enforcement Association, the Wisconsin Police Professional Association, and the Las Vegas Police Protective Association, as well as organizations in Detroit, Chicago, Philadelphia, San Jose and Baltimore.

Fatal ambushes on law enforcement officers rising

On Oct. 27, the U.S. Department of Justice Office of Community Oriented Policing Services (COPS) released its report on ambushes and violence against law enforcement officers. The study examined ambushes, defined as planned surprise attacks, of officers between 1990 and 2013 and concluded that ambush attacks against officers remain a threat to officer safety. The number of attacks per year has held steady at about 200 since a decline in the early 1990s, but the proportion of fatal attacks on officers by ambush is on the rise.

The report investigated methods for preventing and effectively responding to ambushes of officers and examined the environmental factors prevalent in ambush situations. It found that 62 percent of ambushes were on officers working in a single-officer patrol vehicle and 24 percent on two-person patrols.

NAPO believes officers in single-officer vehicles are targeted because patrolling alone makes for easier attacks, not just



because there are more single-officer patrol units than multiple-officer patrols units. NAPO also believes it’s incumbent upon agencies to pursue as many two-person units as possible. NAPO continues to call on the COPS Office to prioritize its hiring grants for agencies that institute a policy of two-person units for all patrol shifts and patrol assignments.

NAPO Supreme Court victory

On Nov. 9, in the case *Mullenix v. Luna*—where a Texas Department of Public Safety officer used deadly force upon a fleeing suspect in a motor vehicle—the U.S. Supreme Court had to rule whether the officer could be sued in a civil rights case, or whether the officer enjoyed immunity from the prosecution of such a suit.

In a big victory for NAPO’s position, the Court ordered that the officer is entitled to immunity from the civil suit. This case is important because the Supreme Court is emphasizing that trial courts should not be second-guessing officers’ decisions made in the challenges of the moment.

NAPO joins Homeland Security call on release of foreign-born prisoners

NAPO participated in a Department of Homeland Security (DHS) Office for State and Local Law Enforcement conference call regarding the Bureau of Prisons’ transfer of foreign-born individuals to the custody of U.S. Immigration and Customs Enforcement’s (ICE) Enforcement and Removal Operations (ERO) division.

This prisoner release is being conducted pursuant to the U.S. Sentencing Commission’s 2014 guidelines, which grant sentencing reductions for certain drug trafficking offenses.

The purpose of the conference call was to provide law enforcement agencies and associations opportunity to learn more about the prisoner release, transfer of custody to ICE, and potential deportation procedures involving these individuals. The Sentencing Commission’s 2014 guidelines have led to the release of 6,000 federal prisoners and could eventually lead to the release of up to 46,000 prisoners back into our communities.



Driving for Miss *Kaitlin*

The newest event honoring the passing of the PBA's favorite daughter accentuates the magnitude of Kaitlin's Legacy

■ BY MITCHELL KRUGEL

Carlos Pozo told police officers that he was trying to play a CD and had only one hand on the wheel when he punched his blue Acura speeding around a corner in the PGA National development. Reports disclosed that he was running near 100 miles per hour when the car slammed into two trees in the crash that killed 16-year-old passenger Kaitlin Ashley Kazanjian on Nov. 5, 2003.

Nobody wants to relive the past, but there is reason to recall the tragedy. Twelve years ago, nobody would have evoked the term distracted driving when accounting for such a crash, but it's important to note as much today. For in its continuing effort to honor Kaitlin's Legacy, a vestige that has helped thousands of members and their families, the Palm Beach County PBA is



"It's about teen-driver safety and specifically distracted driving. With the cell phone technology, the texting and some of the other influences, it's become worse than DUI. There needs to be some education. There needs to be some changes. And we're the ones to do it."

JOHN KAZANJIAN

hosting the first "Angel Run" on New Year's Day 2016 to promote safety awareness.

Members are rallying around PBA President John Kazanjian to not only add to the millions of dollars raised through the Kaitlin Fund and Charitable Foundation, but to make a statement about addressing the greatest threat to teen driver safety. For all the splendor and hopefulness the Kaitlin crusade has spawned, safety awareness could be the greatest hallmark of her legacy.

"It's about teen-driver safety and specifically distracted driving," Kaz asserts about the push the PBA plans to achieve by inaugurating the Angel Run. "With the cell phone technology, the texting and some of the other influences, it's become worse than DUI. There needs to be some education. There needs to be some changes. And we're the ones to do it."

If you have been to an event the Kaitlin campaign has generated, then you know how the opportunity to participate becomes so infectious. "It has become a passion," confides Pete Tartaglione, PBCPBA Board Member and one of the cause's leading fundraisers.

We would be hard-pressed to find a PBA anywhere that has helped as many people as the PBCPBA has with this initiative. The \$150,000 awarded in scholarships last June raised the total financial support to more than \$2.5 million, and that doesn't fully measure the impact.

To be sure, this is a labor of love for members: love for the brotherhood; love for the Kazanjians; love for Kaitlin.

"We're all about paying it forward," Tartaglione continues. "We're a brotherhood. I have two daughters, and I don't even want to think about what could happen. I think we all feel the same way, and that's why we do it in her name."

Safety, first

Hopefully, you never have to see what losing a daughter or son in a car crash can do to a family, especially one you are close to. Kaz also saw it in high school when family friends lost their only child, so you can imagine his motivation to want to raise the awareness for what teens deal with when driving, "a two-ton freakin' missile" as he calls it.

Back in 2003, when he was still working undercover in narcotics with the Palm Beach Sheriff's Office, Kaz said he would have gone on a speaking circuit, traveling to schools and warning kids about the dangers of speeding. A year after Kaitlin's passing, however, he moved into a leadership role with the PBA, and from that platform he has created an opportunity to make the plea to hopefully save other families from feeling that pain.

"It's the worst feeling in the world," Kaz says in a way that makes you feel it. "Your whole life is gone. And it destroyed two lives and two families. We don't want that happening if we can reduce it."

Reduce what?

Glad you asked.

"Every kid has a cell phone, and that doubles the problem from when you and I began driving," Kaz directs to parents with teen drivers. "There are lot of mechanisms out there that we can use."

The push in the wake of the Angel Run will include education for teen drivers, their parents and officers patrolling the streets who might have the greatest impact. Kaz says he hopes the Palm Beach County School Police can play an active role in raising the awareness.

Other ideas include educating parents about some of the cell phone apps they can use that can deactivate their teen drivers' phones when behind the wheel. He would also like to advocate for legislation that disciplines new drivers who get two moving violations in their first six months by suspending their licenses.

"We need some stronger type of discipline," Kaz adds. "Besides the phones, you have situations with six kids in a car and they're all having their own conversations. That's the type of distraction that can kill you."

And he has one more thought to direct at members:

"We're the first responders who are out on the front lines. We have an obligation to younger adults to keep an eye out and get them home safe."

CONTINUED ON PAGE 18



The making of a Legacy

The Angel Run will add to the impact of the annual Kaitlin Golf Tournament (scheduled for March 5, 2016) and the annual scholarship awards that is so far and wide and compels Tartaglione to comment, "I can't even give you a number. That's how many people we have helped."

And the fund, the campaign, the crusade, indeed the legacy, has created an overwhelming tribute. "When I hand out that scholarship check every year, it just gives me chills," Kaz confides.

What the PBA has done to extend Kaitlin's Legacy is perpetuating the beauty she wanted to bring to the world – inside and out. Kaitlin Kazanjian wanted to be a beautician. Her goal was to go to college and be a mom and grandmother. Her best friend was her mother, Joanne, and she was Joanne's best friend. "What I miss the most is seeing them together," Kaz says. (Stop if you are getting the chills.)

Tartaglione declares that this is a big part of the attraction to the cause. "All he has to do is ask and we are there," he says. And Tartaglione is part of the PBA contingent that makes the trip each year to Lowell, Massachusetts, where the Kaz family comes from, for a toy drive in Kaitlin's honor.

With the help of Kaz's brother, Alan, they have formed the Kaitlyn Kazanjian Charitable Foundation. And their efforts have cre-



Kaitlin A. Kazanjian
Angel Run

"Members are going to start the New Year off with a cause, and we are going to be there out of respect for the cause."

PETE TARTAGLIONE

ated such fervor that in 2004, Massachusetts Legislator Martin Meehan stood up in front of the State House of Representatives and made an official tribute to Kaitlin and the family.

Kaitlin's Legacy has most definitely connected the Kazanjian family, the Palm Beach County PBA and thousands of people spreading across two states in a pay-it-forward world. Tartaglione said he marvels at how often this makes its presence known. In July, he accompanied Kaz and the Palm Beach PBA leadership to the National Association of Police Organizations Annual Conference in Savannah, Georgia, and out of the blue saw something that epitomizes the giving of Kaitlin's Legacy.

"We stopped at a restaurant to get some beignets, and we bought some fresh beignets to take with us," he recalls. "Kaz saw a homeless person on the street, so he went up and asked him, 'When was the last time you had something to eat?' Now, he doesn't know this man, but he gives him the beignets. It was somebody who needed something, and it was a beautiful thought to do something like that."

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A Legacy of safety

The chills will probably flow again on New Year's Day when nearly 500 people plan to show up at the Abacoa Town Center on the Florida Atlantic University Jupiter Campus for the Angel Run. The t-shirts and medals being given away, as well as the food, music and fun will make this another signature event the Kaitlin crusade has precipitated.

But the reason the members will come, the reason the golf tournament sells out its sponsorships and participants every year and still even more people come is not for the prizes. It's for the rewards.

Initially, the thought of having a run, which is a run and walk, on New Year's Day seemed a little off the charts. But what better day to bring a focus to the need for safety awareness?

"Members are going to start the New Year off with a cause," Tartaglione answers, "and we are going to be there out of respect for the cause."

The cause will make the streets safer. So let's get to work on this right at the start of the New Year when everybody is ready, willing and able to make a clean start and give it their best. Because isn't that what Kaitlin's Legacy is all about? ♥



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PBA reacts quickly after city posts sensitive information online

■ BY DAN CAMPANA

Palm Beach County PBA officials moved quickly after the city of West Palm Beach posted unredacted emails online that included details about police officers and various operations.

"I've never seen anything like this in my 28 years," Palm Beach PBA Treasurer Lou Penque said. "It was bad. There's so much exposed, the damage is done."

The situation developed in September after a local TV station filed a records request relating to the city's surveillance camera program. City officials responded by posting approximately 2,000 emails that included, among other things, descriptions of undercover police investigations and individual officers, according to a report by WPTV.

Penque said the police-related emails were part of the posting because they contained certain key words. The information sat on a city website, one designed by West Palm Beach to be more transparent in its response to media requests, for three days. The PBCPBA only became aware of the situation after local media contacted the sheriff's office to inquire about some joint police operations with West Palm Beach described in the posting, Penque explained.

WPTV's report and Penque each referenced the city's public information officer Elliot Cohen as the person responsible for posting the emails. Penque said Cohen acted "out of incompetence" by allowing the information to see the light of day. Cohen was later appointed the



"We've been assured by the city that this will never happen again," Penque explained. "It was bad. We did what we could to correct the problem."

~Lou Penque

city's communications director after the incident, even though the PBA sought Cohen's resignation, Penque explained.

"If any one of us would have done this, we would have been fired," Penque said, noting the majority of news outlets did not report on the sensitive police information.

The ramifications for police included shutting down certain undercover investigations and moving some confidential informants who were identified in the emails.

Penque – who noted he respects Mayor Jeri Muoio, but disagrees with the mayor's handling of Cohen – said the incident sparked a conversation with officials.

"We took some steps so this will never happen again. We've been assured by the city that this will never happen again," Penque explained. "It was bad. We did what we could to correct the problem."



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**Riviera Beach Sergeant
Garry Wilson**

Charged with battery and criminal mischief following responding to a man who berated him when Sergeant Wilson asked for verification when he parked in a handicapped space.



**Palm Beach Gardens Officer
Nouman Raja**

Fired following line of duty shooting of a suspect who police say was holding a gun when Officer Raja, a firearms instructor, approached him at his van.

To Brothers Wilson and Raja – and to all members:

Stay Strong!



From left, Patrick Franklin of the Urban League of Palm Beach County and PBCPBA President John Kazanjian discuss the Oct. 18 officer-involved shooting in Palm Beach Gardens with Michael Williams of NBC 5's "To The Point."

A 'civil' discourse

PBCPBA President Kazanjian interview sets the tone for post-shooting reaction

■ BY JOSHUA SIGMUND

Immediately following the Oct. 18 police-involved shooting death of Corey Jones by Palm Beach Gardens Officer Nouman Raja, PBCPBA President John Kazanjian was forced into the spotlight.

"The shooting happened at 3:30 a.m. on a Sunday morning. I was notified at that time and the lawyers gave me a play by play," Kazanjian recalled. "It was already Monday when the chief of (the) Palm Beach Gardens (Police Department) put out a one-sentence statement about what transpired. He simply said 'There was a gun on the scene and Mr. Jones was killed.'"

With an information void developing, Kaz immediately began fielding a flood of calls from people across the country who were desperately searching for answers and demanding more details about the now-nationally-focused incident. When Kaz attempted to divert those inquiries to the PBG Chief, the callers expressed that they never got past his voicemail.

"You have to be transparent," Kazanjian expressed. And that's why on Tuesday morning, two days after the shooting, he appeared on NBC affiliate WPTV's "To The Point" with Michael Williams to make one point very clear: "I said that there are lots of inferences being made against the officer, and everybody is going to just have to wait until the investigation is complete."

During the 20-minute segment that aired on Oct. 25, Williams moderated a discussion between Kaz and Patrick Franklin of the Urban League of Palm Beach County.



All parties acknowledged that discussion of the ongoing investigation was off limits, but agreed to openly and civilly discuss the state of officer-community relations, as well as the mistrust that seems to be growing between mostly minority communities and law enforcement, a rift that widens after each officer-involved shooting.

Franklin got the first word:

"This is a tragic loss of another young black male life," he said about the 31-year-old Jones, who was waiting on a tow truck on the side of I-95 in Palm Beach County when his encounter with plain-clothes Officer Raja ended in fatal gunfire.

Kazanjian immediately agreed that what happened was a tragedy, while also addressing that law enforcement officers are living in a time when it's very dangerous to do their jobs. But, more importantly, he emphasized the value of transparency at times like these:

"At the beginning of the week, I had to get out in front of the media and said that the chief or assistant chief of (the) Palm Beach Gardens (PD) had to address the media and tell us something," Kaz stated. "There were inferences about my member – a PBA member – that there was misconduct. Rumors happen and I wanted to dispel that. And I believe that today the chief and assistant chief are mad at me, but I can live with that because I did the right thing, which was to say 'come out, talk...' because it's been three days and you need to address the public."

Williams then inquired about the investigative process that is underway. Kaz explained that with Palm Beach Gardens being such a small department, the Palm Beach Sheriff's Office was called in, as was the State Attorney's Office.

"They work hand-in-hand," Kaz described. "And the Urban League will work with them as well. One thing that the (PBCPBA) does with our members is whenever we have a critical incident, we cooperate right then and there with the agency. We don't have to do a walkthrough or give a statement, but that night we did that and that's why we get along with those agencies."

Kazanjian also noted that Palm Beach Gardens would have its own internal non-criminal review to see if policies were followed. On Nov. 12, the department released a statement that Raja, who had been on paid administrative leave since the incident, was "terminated from employment" effective the previous evening, following "cautious and methodical consideration of Officer Raja's employment status." The department also noted that Raja was a "probationary employee with the city."

Kazanjian replied: "I'm disappointed in the chief and his decision to terminate Raja. Nothing prompted this, we're surprised just like everybody else."

Following the procedural aspect of the discussion, Kazanjian and Franklin delved into the broader narrative of stories related to "situations like this one where a young black man is shot and killed after never having fired his weapon," as Williams described.

"We have precedent already set," Franklin jumped in. "Very few times have we seen criminal charges pressed against an officer, so the community is a little uneasy right now. We are not jumping to conclusions, but history has determined that things won't be different. We're asking for a thorough, complete, all-questions-answered investigation according to the law."

"I hear that," Kaz responded, continuing the mutual civility of the dialogue. "But when an officer is doing his job at 3 a.m. or whenever, there's a fear out there. There are a lot of weapons around the country, and all it takes is for that officer to be afraid for his or her life or for the community and that officer can use deadly force."

Kazanjian related that in his career, he found himself in three deadly force encounters, each ending with the suspect wounded. When pressed by Franklin on the common misconception that officers should "shoot to stop, not kill," Kaz stood firm:

"I didn't think I was coming home (during those encounters) and



Urban League of PBC's Patrick Franklin referenced a peaceful rally following the death of Corey Jones.

that's what (these officers) have to go through," he described. "Yea, I wounded them, but I shot to stop the threat; they just happened to live."

Franklin conceded that law enforcement is "the most deadly job you can have. I hope every police officer gets up, goes to work and comes home at night. Nobody wants that other side."

When asked for their final thoughts, both panelists continued to agree:

"We want peace," Franklin stated. "Absolute peace and transparency. We want to make sure all questions get answered and we are looking for justice once all facts are laid out. And (we want it done) as quickly as possible."

"I'm an advocate of that," Kaz confirmed. "But I'm asking the media and the public to let it play out. We can then gather all the facts, and if it goes to the Grand Jury, we'll let it take this course."

Kazanjian later reflected on the civil nature of the dialogue that transpired, and while impressed and satisfied, noted that he was prepared for the worst.

"It was very civil, but it wouldn't have mattered to me either way," he admitted. "If (Franklin) came off bashing the police, I would have given it back to him. I went into (the interview) planning to mirror how he was going to react. He dictated the tone of the interview. I would have reacted how he presented himself."

The segment displayed the productivity of a good interchange between opposing parties over such a sensitive issue. And while delicately navigating the understandable tension among black communities in this climate, Kaz refused to dismiss the seldom-discussed police point of view.

"A lot of officers are angry also," he illuminated. "They're angry at the interest groups and the media. I'm here to quell our membership and to tell them to be professional and wait until the investigation is clear. I get that the public is making all these accusations about our members, who have seen for the last two years how much we're getting beat up across the country. Just wait, and we'll work this thing out." ❤️

Kaz on air

Scan the QR code to watch the Oct. 25 edition of "To The Point" featuring PBCPBA President John Kazanjian.



Greener Pastures

Greenacres-PBSO merger brings new life to understaffed department

■ BY JOSHUA SIGMUND

Greenacres is the place to be.

Merging with the Sheriff's Office to increase manpower and resources is the life for thee.

With a target date of Feb. 1, 2016, members of Greenacres Police Department are nearing a momentous transition away from the stresses of job duties spreadin' out so far and wide, and toward a merger with the Palm Beach Sheriff's Office that brings with it access to the full gamut of skills, services, manpower and equipment that will be nothing short of game-changing.

The news in Greenacres is coming as fresh air to the overworked, underpaid and underequipped officers who have struggled to stay above water the past decade plus. So much so, that in the past three years the department has seen 50 percent of its officers leaving to go to other agencies.

"Morale was very low as officers have been hopping from call to call with no downtime," explained Greenacres Sergeant and PBCPBA Representative Matt Dejoy about the 51 cops who have been tasked with policing nearly 40,000 residents. "We went through a mass hiring to get 12 officers in about 16 months. When we have this mass turnover, we have all these new people who we have to retrain, and about 50 percent of our shifts had fewer than three years of experience. We were facing a lot of obstacles, and the elected officials didn't respond."

In 2000, the population of Greenacres – a relatively small municipality set in the middle of Palm Beach County with a surprisingly heavy police workload – was 27,000 civilians with a police force of 48 officers. While the past 15 years has seen the civilian population increase by about 47 percent to 39,600, today's Greenacres PD is staffed by just 51 officers – barely a 9-percent gain.

"Generally they say a town should have two police officers per 1,000 citizens," Dejoy stated. "Other nearby cities have two and above – Palm Springs has 19,000 residents with 45 officers. We're policing nearly 40,000 with only a handful more. We're the lowest-staffed department in Palm Beach County per capita."

Since becoming a PBA rep five years ago, Dejoy has made it his mission to improve working conditions for his officers, doing everything from begging local elected officials for more officers, to better pay and benefits, to and to come up with a five-year plan for the future of the city.

"It came to a point where we needed help," admitted Dejoy. "We spoke with PBCPBA President John Kazanjian and said this is where we're at and it's very frustrating."

Kaz revisited the solution of merging Greenacres PD with the Palm Beach Sheriff's Office (PBSO) – an idea that had been floated during the five-year plan exploration.

"The way police were being treated in Greenacres was terrible," declared Kazanjian. "We tried to negotiate a contract, but the city wouldn't negotiate in good faith with the salaries and benefits. They were always at the lower end of a salary survey of all the agencies, and the city always cries poverty. But when you look at their reserves, they had millions of dollars. The city hordes all its money and they just didn't want to pay the officers."

Dejoy estimated that between additional officers, 10 new police cars, a new radio system, a stock of new Tasers and other equipment the department required, they needed between \$2.2-2.4 million "just to stay a police department."

"It came to a point where we needed help."

~MATT DEJOY



Initially, PBA Reps Dejoy and Josh Leheny along with other PBA members approached council members several times for additional resources, but the best they got was two more officers and the same old sob story as evidence that nothing was going to change under the current political climate.

Eventually, as members began walking door-to-door handing out election flyers, and lots of time off went to organizing political activities from a makeshift Starbucks office, the tide began to turn.

"Slowly we got one person elected who agreed there needed to be change," Dejoy recalled. "The following year we got another person elected."

The ultimate 4-to-1 vote of the city council sealed the deal: Greenacres PD would merge with the PBSO.

"You cannot argue the vast resources they can provide," Dejoy emphasized. "If the city of Greenacres has a homicide, they can call in five or six people on the ground to investigate. With the Sheriff's Office, they can call up 25-to-30 people with the click of a finger to investigate the crime."

Additional PBSO resources soon to be available to former Greenacres cops (following the merger, Greenacres PD will cease to exist) include access to the gang and narcotics units, K9s and motorcycles.

And with most of the logistics already worked out or in progress – formal "re-applies" are mostly done with background checks pending; most sergeants have been allowed to keep rank; and training is starting in December to "learn the Sheriff's way of doing business," Dejoy described – morale is certainly back up.

"The members went from feeling very frustrated with the same grind to feeling revitalized and looking forward to a new start in their careers," expressed Dejoy, adding that some city officers will be going to the county while a few Sheriff's Officers will transfer to the city. "We're going to just be one unit; one family."

The only person slighted, according to Kazanjian, is Greenacres' mayor, who "isn't too happy that he lost his police department. But the guys are jumping up and down like they are winning the lottery. It's just like when (the PBCPBA) went to Lake Worth. At first, (the town) didn't want (the merger), but now they can't get rid of it because the Sheriff's Department in Lake Worth is doing such a great job."

And so there's only one way to sum up the impending merger: Greenacres we are there. 🟢

PALM BEACH COUNTY PBA OFFICER OF THE MONTH HONOREES

January 2015



School Police Officer John Michaels

Nominated by School Police Officer Alexander Lopez

On Jan. 22, School Police Officer John Michaels was assigned to Polo Park Middle School in Lake Worth and while on duty he observed a student yelling, "He's got a knife – he tried to stab someone." Officer Michaels pursued the subject to the cafeteria, tackled him and disarmed him of two knives. The subject had just stabbed a female student. Officer Michaels took him into custody preventing further injury to other students. (Pictured with Officer Michaels is School Police Chief Larry Leon.)

February 2015



PBSO TFO (Agent) Rey Paniagua

Nominated by Sergeant Rick McAfee

TFO Rey Paniagua is a PBSO deputy assigned to the DEA task force. The Diaz/Alvarez drug-trafficking organization had been smuggling large quantities of cocaine from Texas to Palm Beach County since 2009. Based on the excellent investigative techniques of TFO Paniagua, agents executed eight federal arrest warrants. Search warrants later helped seize \$1 million in assets, 15 firearms and a grenade launcher. To date, \$3 million, 17 kilograms of cocaine and 15 firearms have been seized based on TFO Paniagua's original outstanding police work.

May 2015



PBSO Detective Chad Booth

Nominated by Sergeant John McGuire

Detective Chad Booth was contacted by a confidential informant regarding the whereabouts of a prolific armed burglary suspect, and he put plans in motion for units to respond to the location where the suspect was staying. Detective Booth then took the suspect into custody, seizing stolen firearms, illegal narcotics and \$100,000 in stolen jewelry. Detective Booth then monitored the suspect's telephone calls from jail which revealed he was involved in a multi-state burglary ring centered in a marijuana grow house in Tennessee. Due to Detective Booth's excellent police work, a large, multi-state theft and narcotics ring was ultimately dismantled.

June 2015



Delray Officer Cody Smith

Nominated by Gary Ferreri

Officer Cody Smith responded to a residence in reference to a child abuse investigation. Officer Smith made contact with the 5-year-old child and saw an un-opened box containing a basketball hoop on the floor. The child had been acting out at school and threatening to harm people around him. Officer Smith made a deal with the child that if he behaved in school the next day, Officer Smith would put the hoop together and play with him. Officer Smith later returned to the child's residence to keep his promise. The child's mother said Officer Smith is the only positive role model in her son's life. Her son now behaves better and wants to be a police officer.

PALM BEACH COUNTY PBA OFFICER OF THE MONTH HONOREES

March 2015



PBSO TFO (Agent) Carlos Ribeiro
Nominated by Sergeant Rick McAfee

TFO Carlos Ribeiro of the PBSO Narcotics Unit is assigned to the DEA task force. He initiated a drug-trafficking investigation on targets using the St. Thomas U.S. Virgin Island airport to transport cocaine to Miami for distribution. The investigation revealed a TSA supervisor assisted members of that organization with safe passage of large quantities of cocaine to South Florida. TFO Ribeiro's sharp investigative skills led to the indictment of the TSA supervisor and his confession to smuggling millions of dollars worth of cocaine. The TSA supervisor received 87 months incarceration, with two years supervised release to follow.

April 2015



PBSO D/S Matthew Turpin
Nominated by Sergeant Dan Burrows

In 2014, a squad of deputies was working in plain clothes to combat a string of burglaries. D/S Turpin observed a hooded suspect attempting to burglarize a vehicle with a crowbar. D/S Turpin ordered the suspect to get on the ground, but the suspect raised the crowbar to strike D/S Turpin. Turpin drew his firearm and shot one round and stopped the threat. D/S Turpin is commended for his bravery during this armed confrontation.

July 2015



WPB Officer Travis Limauro and Detective Brittany Tatum
Nominated by Sergeant Lou Penque

In July, Officer Limauro and Detective Tatum were working an extra-duty detail at Renegades Bar. They were notified of a collapsed, unresponsive female inside the bar. The officers began CPR until the paramedics arrived. Due to the immediate response of these officers, the female was revived and her life was saved.

Study needed for more COLA

■ BY MITCHELL KRUGEL

By now, Palm Beach PBA members know that Speaker of the Florida House of Representatives Steve Crisafulli has made the official request to the Division of Retirement asking the state's contracted actuary to perform a special impact actuarial study to examine the costs associated with reinstituting the FRS Cost of Living Adjustment (COLA).

So does this mean that the 3-percent adjustment those members of the Florida Retirement System used to get every year after retirement is coming back?

"It's the first step toward trying to recoup," interprets Palm Beach PBA Executive Director Ernie George, who is also the treasurer of the Florida State PBA. "There has to be an actuarial study to find out the cost of bringing it back. And if you don't know the cost, you can't even start."

As a quick refresher, the Florida State Legislature voted five years ago on a plan to begin reducing and doing away with COLA; every member used to get the 3-percent adjustment added to their pension for every year of retirement. Since 2016, a formula has been used to calculate employer contributions to be designated to fund COLA. But that formula expires on July 1, 2106.

The actuarial study, which is slated to be completed by Dec. 16, can show how much money is needed to continue to fund COLA on some level. Otherwise, this all could go the way of Social Security and members who are less than 15 years on the job could wind up with no COLA.

"The longer they live, the less money they will be getting because of inflation," George comments. "So once we know the cost, maybe we can postpone it (the expiration) out some."

"If you don't know the cost, you can't even start."

~PBCPBA EXECUTIVE DIRECTOR
ERNIE GEORGE



Another fix the PBA hopes can be addressed is the one-tenth percent drop all members have had to endure in COLA since 2011. For active members, this compounds, and George further notes that somebody who has 12 years in, for example, could be down to nothing when they get to retirement.

So the actuarial study is not only a needed first step toward bringing COLA back, but also a promising first step. The next steps, however, might not happen as quickly as members would hope.

"These type of changes can take up to five years," George reasons. "We need to have legislators around long enough so they can become educated to get something changed."

If another change takes a further hit on COLA, it could lead to a drastic reduction in the police force across the state. The 2011 decision caused several officers to leave the job earlier than they wanted to maintain an adjustment rate they could live on.

The best outcome of the actuarial study, of course, would be to find out that bringing the adjustment back doesn't cost very much.

"All of our lobbyists are working on it," George confirms. "Obviously, it's not fair because it's a system that a lot of people came on the job for. We're anxious to see the reports and what it's going to cost. But it's cut and dried, more or less. They can play with numbers but the report is going to show it costs X amount of dollars to bring it back. So we just have to get the report back to see what's what." ■



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Palm Beach PBA SHOUT-OUTS

To serve and elect



Palm Beach PBA members show their support for Congressman Patrick Murphy, a Jupiter resident who is a candidate for the U.S. Senate, at a fundraiser for Murphy's campaign. Pictured from left, Pete Tartaglione, Tom Derita, Palm Beach PBA President John Kazanjian, Congressman Murphy and Palm Beach PBA Secretary Kevin Igo.



Florida State Senate President-Elect Joe Negron (left), from District 32, which includes Palm Beach, Martin, St. Lucie and Indian River, and Palm Beach PBA President John Kazanjian get together at a fundraiser.

The PBSO makes Breast Cancer Awareness month count



The Palm Beach County Sheriff's Office participated in the 4th Annual "Every Boob Counts" Foundation 5K Run/Walk on Oct. 24 as law enforcement officers ran in memory of mothers, sisters and other family members with breast cancer. The office also sent pink patrol vehicles for racers to sign as a rolling memorial for lost loved ones and a show of support for those fighting breast cancer.

Runners completed the race and decked themselves with "Every Boob Counts" medals with the reminder that "Early detection saves lives," as they posed for pictures in front of the pink patrol vehicles painted with the slogan, "We care enough to drive pink."

The proceeds from the event benefited the Susan G. Komen Foundation of South Florida and other community outreach programs to increase breast cancer awareness, promote the importance of early detection and provide support and resources to those in our local community. ❤️



Citizens on call

Four civilians lauded for subduing emotionally disturbed man

Civilians and a Boynton Beach law enforcement officer were in for more than a latte when an emotionally disturbed man became violent after refusing to leave a Starbucks in Renaissance Commons at about 9 a.m. on Nov. 6.

Employees asked the man to leave because he hadn't made a purchase, but he refused. When Major Thomas Wallace arrived to grab a cup of coffee, they asked him to issue the man a trespass warning. That done, the man still refused to budge.

Wallace moved to shift the man's chair from beneath him, and pulled out the chair from under his feet. The man leapt up, began shouting and pounding his fists on the table, and lunged toward Wallace, tearing off his badge and scuffling with the major, according to the Palm Beach Post.

The Post reported four male patrons – Salvatore Marotta, Aaron Lurie, Todd Anderson and a man named Rob – stepped in to assist Wallace, who was scratched and bruised in the incident. Lurie sat on the man while the others tried to restrain him. Police back-up arrived a short time later, and the man was taken into custody under the Baker Act, which permits a

72-hour detention for mental health assessment.

Wallace, a 31-year veteran, told the Post he intends to nominate the men who assisted him in the "first-of-a-kind" incident for him. He reported later learning the man said he intended to take Wallace's gun to kill the officer and himself.

Boynton Beach Police Chief Jeffrey Katz expressed gratitude for a safe resolution, thanks to civilian assistance.

"I know Major Wallace as a colleague, a father, a husband and a friend, and I am humbly indebted to those four customers who chose to come to his assistance as others in the establishment instinctively whipped out their cell phones in an effort to capture the next viral social media video," Katz commented on Facebook. "(The) incident demonstrated quite clearly that you don't necessarily have to wear a uniform or swear an oath to be a hero. Fortunately for everyone – including the emotionally disturbed person – some in our society are still willing to step into the arena, serve selflessly and combat chaos."



Boynton Beach Major Thomas Wallace was injured when a man attacked him at a Starbucks.

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Annual Toy Drive
DONATE A GIFT
*For the Children
of Fallen Officers*

DROP OFF LOCATIONS:

Last day for drop offs:

Sunday, December 13 by 2pm

Palm Beach County Police Benevolent Association

2100 North Florida Mango Road, West Palm Beach 33409

Mississippi Sweets BBQ

Boca Raton

2399 N Federal Hwy. Boca Raton 33467

Deerfield Beach

123 NE 20th Ave. (A1A) Deerfield Beach 33441

Wellington/Lake Worth

9859-29 Lake Worth Rd. Lake Worth 33467

Find all of the details at: **www.sgtchrisreyka.com**

Remember, all of the gifts and monetary donations go to the children of our Fallen Officers.



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Homebuyers guide



**KIM
MANCINI**

Buying a home can be a daunting experience, even if you have done it before. Here are 10 tips to help you purchase with ease:

1. **Keep your money where it is:** Refrain from making big capital purchases like a new car, opening new credit cards or amassing big chunks of other new debt before buying a home. These will impact the mortgage amount you can afford. Also avoid moving large sums of money around, changing jobs and becoming self-employed before buying a home.
2. **Get pre-approved for your home loan:** Anybody can get pre-qualified for a loan. Getting pre-approved means a lender has looked at all of your financial information and they've let you know how much you can afford and how much they will lend you. It will save a lot of time and energy so you are not running around looking at houses you can't afford.
3. **Hire a professional realtor:** A realtor is a client advocate, the market expert and the negotiating tiger all wrapped up into one independent contractor.



4. **Avoid scary unforeseen costs:** Most people just focus on their mortgage payment. Make sure you ask about other expenses such as property taxes, utilities and homeowner-association dues.
5. **Keep a checklist of pros/cons:** In a whirlwind house-hunting tour of several properties, you will benefit by keeping a pro-and-con checklist of each home you visit. Otherwise, the features of several homes tend to blend together in a tired brain by day's end.
6. **No kids? The school district still matters:** If you buy a house in a good school district versus a bad school district even in the same town, the value can be affected as much as 20 percent.
7. **You're buying a house – not dating it:** Don't buy a house based on your emotions; you might end up making some pretty bad financial decisions. It's a big investment, so stay calm and be wise.
8. **Get an inspection:** A home inspector's sole responsibility is to provide you with an unbiased third-party opinion. It's better to spend the money upfront on an inspector than to find out later you have to spend a fortune.
9. **Negotiate without the ego:** Too often, buyers get caught up in win-at-all-costs negotiation. Don't stubbornly let as little as a few grand lock you out of the right house. The difference can end up ruining your chances at your dream home.
10. **Stalk your neighbors (rather, stalk the neighborhood):** Before you buy, scope out the block – drop by morning, noon and night. Drive by the house at all hours of the day to see what's happening in the neighborhood.

Kim Mancini is a licensed loan originator with Movement Mortgage. She has proudly served law enforcement for years and can be reached at 561-531-1668 or kim.mancini@movement.com.

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To clean and maintain



**RICH
NICOLETTI**

When speaking in terms of firearms training, an often-overlooked topic is this issue of gun cleaning and maintenance.

When I was in law enforcement, from the time I entered firearms training in the academy until my final training session as a cop, I was told “firearms maintenance and cleaning is paramount.” If you’re anything like me, you’ve probably tested that theory, going as long as you possibly could without cleaning your gun. And if you’ve tried that test and the gun never failed you, then not only are you lucky, but you have partially proven to yourself that everything you’ve been told is not true.

Hey, it’s our basic nature as cops to doubt everything we are told. It’s what makes us good at what we do. I do have to tell you, though, that you and I were both wrong.

Since becoming a firearms instructor, I’ve obviously been exposed to a lot more guns and a lot more people, all with different backgrounds. Some are law enforcement officers who do the bare minimum to maintain their weapons, and others who have gun cases worthy of carrying Cinderella’s glass slipper. Most of the civilians take good care of their firearms. Either way, I have seen a fair amount of malfunctions, by and large, due to dirty weapons.

One common problem is the weapon being unable to go into full battery. This is one of the less dangerous malfunctions. However, if you are in a gun battle and your weapon won’t go into full battery and you need to get rounds off, quite frankly, you’re screwed.

Another malfunction comes from poor ammunition combined with a dirty weapon. It is called a squib fire. This is when the projectile makes it partially down the barrel and gets stuck. I have seen this quite a bit since leaving the law enforcement



Training Tips

As the holiday season approaches, I can recall when I was a cop and was trying to figure out one gift that would be good for all of my coworkers. Having just written the column regarding weapon maintenance and cleaning, the subject was fresh in my mind. So I thought a great and inexpensive gift would be gun-cleaning mats.

Most gun manufacturers are now making gun-cleaning mats, which are available for sale, either directly through the manufacturer or through your distributor. These mats provide an easy way to protect your furniture and keep all your fieldstripped parts in one spot, and they are a good way to promote weapon maintenance to your co-workers.

~Rich Nicoletti

world. On the range, you can usually catch this fairly quickly and without getting hurt. This really becomes a safety issue if you were in combat and this occurs and you are unaware. The first round gets jammed in the barrel and the next round blows up the gun. Now you end up with an armed assailant trying to kill you and you’re more than likely injured by shrapnel from your own gun.

The last malfunction resulting from a dirty gun is something I actually witnessed while on the job. This is when the firing pin is dirty and gets stuck in the fully extended position. Your weapon will turn into a full automatic, over which you will have no control, as the trigger has no correlation with the firing pin at that point. This will usually happen when the officer is loading the gun at the beginning of his or her tour. That is the exact reason that we now have loading stations in 90 percent of the police departments.

Most shooting ranges will not only provide training to those who are unfamiliar with the field stripping and assembly of their weapon, but for a small fee will do a more extensive breakdown and ultrasonic cleaning of your weapon. Always use the correct oil on your weapon, but remember: don’t ever over-lubricate it. ♥

Detective Sergeant Rich Nicoletti (ret.) worked as a law enforcement officer for 23 years, including serving as a firearms instructor.



PBC PBA Member Benefits

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.
- 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.

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

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 the Palm Beach County 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.

Legal 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 to continue to represent the member in that matter.

Please call the PBA office if you have any questions regarding this policy.

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 texts and emails directly to your mobile device.

Visit www.pbc-pba.org to sign up today. Signing up for the service is free. (However, standard text message and data rates may apply).

*Be sure to add mail@pbc-pba.com to your approved sender list.

E-PBA is Your Source For...

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.)

Receive PBA's weekly "Capitol Report" newsletter during the legislative session via E-PBA, PBA's free e-mail service! To sign up, visit www.flpba.org or call 1-800-733-3722 today. The "Capitol Report" is only available via E-PBA.

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.

PBCPBA 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 PBCPBA employee and wish to contribute to the Charity Fund, please visit www.pbcpba.org for instructions on donating or contact Elizabeth at the PBA 561-689-3745.

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 after you retire, you need to consider continuing your membership for four years beyond your retirement.

If you are retired but have returned to law enforcement and are currently paying a "RETIREE MEMBERSHIP," 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.

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).



Palm Beach County Police Benevolent Association, Inc.

2100 N. Florida Mango Road,
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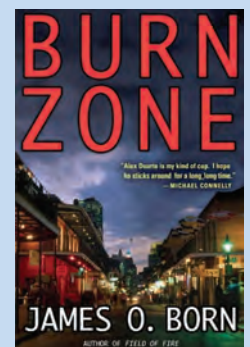


Get your PBA "Support Law Enforcement" Tag

Proceeds for purchases of The Florida PBA "Support Law Enforcement" license tag are deposited into the Florida PBA Heart Fund. Please ask for the PBA "Support Law Enforcement" tag when you visit your tag office and purchase this tag for your vehicles.

Get your PBA-Logo Merchandise

Rechargeable Mag Bulbs	\$5
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PBC PBA Navy T-Shirt	\$8
PBC PBA Baseball Cap	\$12
PBC PBA Polo	\$30
MCSO PBA Baseball Cap	\$12
James O. Born Novel(s)	\$20
Blue Line Stickers	\$.35, \$2



THANK-YOU NOTES TO THE PBA

THANK YOU



**Thank you for your contribution
and your continued support.**

*John, Thanks
So much for all
of your years of support,
it means alot to me.*

Paul

TED DEUTCH FOR CONGRESS
www.TedForCongress.com

October 6, 2015

John Kazanjian
2100 N Florida Mango Rd
West Palm Beach, FL 33409

Dear *Kaz*

Thank you so much for your recent contribution to my re-election campaign. I am honored to represent you in Congress and I sincerely appreciate your generous support.

Our country continues to face serious challenges and Congress has an important role to play in moving our country forward. I remain committed to being a leader in Washington and will continue making tough decisions, standing up for our community, and fighting for our shared values.

Please know that my door is always open. My success in Congress is based on listening to the people I serve, so I welcome your concerns, thoughts and ideas.

Thank you again for your support and your friendship.

Warm regards,
Ted
Ted Deutch
Florida's 21st District

*Kaz, you're the best!
I appreciate ym support
So much!
Ted*

TED DEUTCH FOR CONGRESS COMMITTEE
790 GLADES ROAD, SUITE 255, BOCA RATON, FLORIDA 33434 P: 561-221-7462
Printed and managed by Ted Deutch for Congress Committee



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Kenneth Sommers

Sergeant at Arms
Jack Sadow

October 9, 2015

John Kazanjian
President
PBC Police Benevolent Association
2100 N Florida Mango Rd
West Palm Beach, FL 33409

Dear Kaz,

Kaz, you are the best!
On behalf of the Palm Beach County Democratic Party, I'd like to express our greatest appreciation to you and the PBA for again sponsoring a \$7500 Platinum Table this year for our 2015 Truman Kennedy Johnson Dinner this past Saturday, October 3rd. Your sponsorship and participation with us were a very important part of the evening's overall success.

As you know, this year's TKJ Dinner was a record-breaking event with a sell-out crowd of 600 Democrats and friends there to celebrate the evening and hear Keynote Speaker Julian Castro, who may well be the Vice Presidential nominee next year. We were very proud to have the PBA with us again and to list you as an Event Sponsor. I am so pleased you were able to be there this year, and I hope everyone at the PBA Table enjoyed the evening.

All proceeds from this year's TKJ will be used to help fund this coming year's campaign to elect a Democratic president and senator, and more Democrats up and down the ballot. We greatly value the PBA's partnership in these efforts.

Thank you again for your generosity and commitment to the Palm Beach County Democratic Party.

Warmest regards,

Terrie
Terrie Rizzo

Chair, Palm Beach County Democratic Party

8401 Lake Worth Road, Suite 132 • Lake Worth, FL 33467 • Phone: (561) 433-1112
Email: info@pbcdemocraticparty.org • Website: www.pbcdemocraticparty.org

William D. Snyder

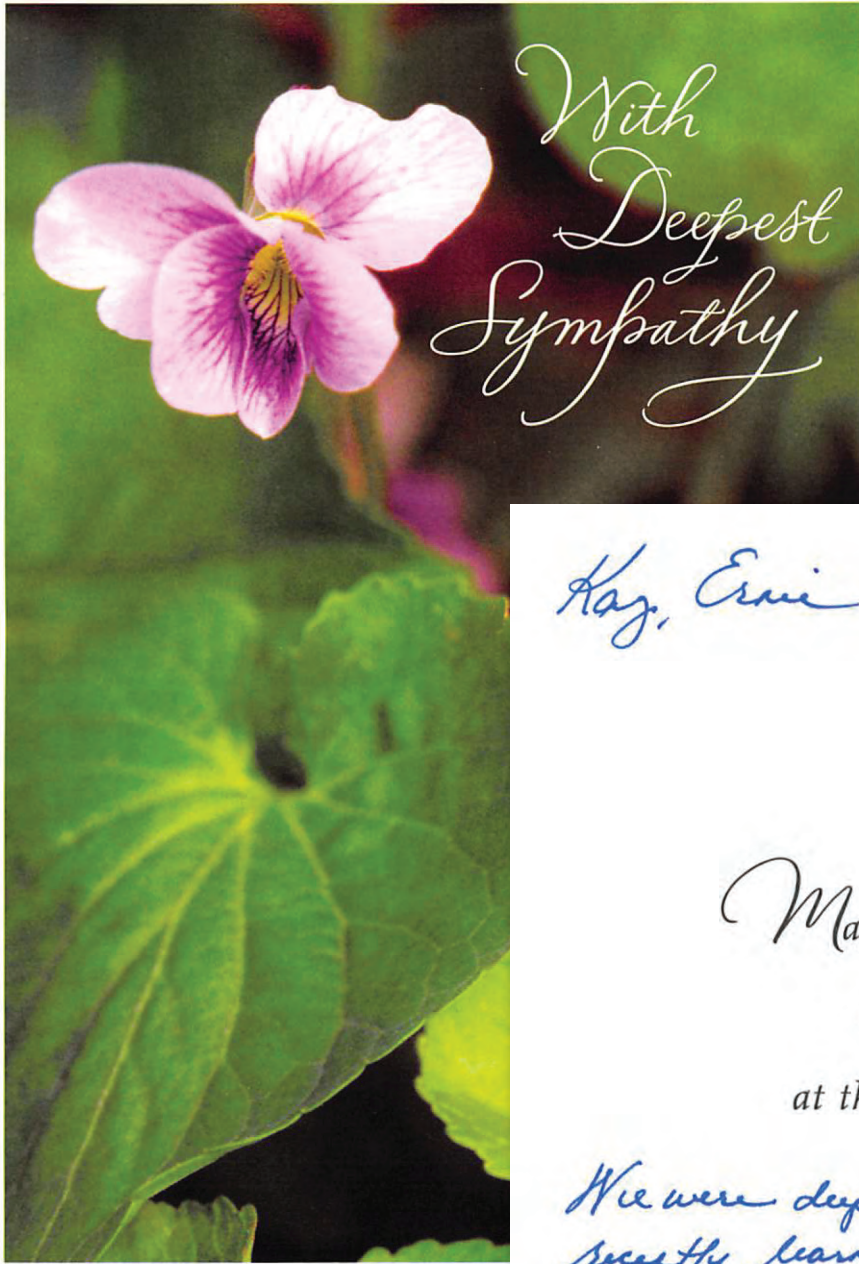
*John and all my friends
at the PBA.
Thank you very much
for the generous contributions
to my re-election campaign.
I appreciate your
support and confidence.
Will Snyder*

To Brian Chappell Memorial Scholarship Committee,

*Thank you very much for
the scholarship opportunity. College
for me has started off great. I
appreciate everything the Brian
Chappell Committee has done with
the PBA for me and for others.
Your support has helped me continue
my academic career. Thank you
for your generosity.*

Sincerely,

Charles Branch



Kay, Ernie & PBA Staff -

May caring thoughts
comfort you

at this time of sorrow.

We were deeply saddened to
recently learn of Phil's passing
& know she will be greatly
missed.

Our prayers & sympathy are
with you all.

Sincerely -
Phil Palmetto & Staff
Kantor, Palmetto & Assoc.

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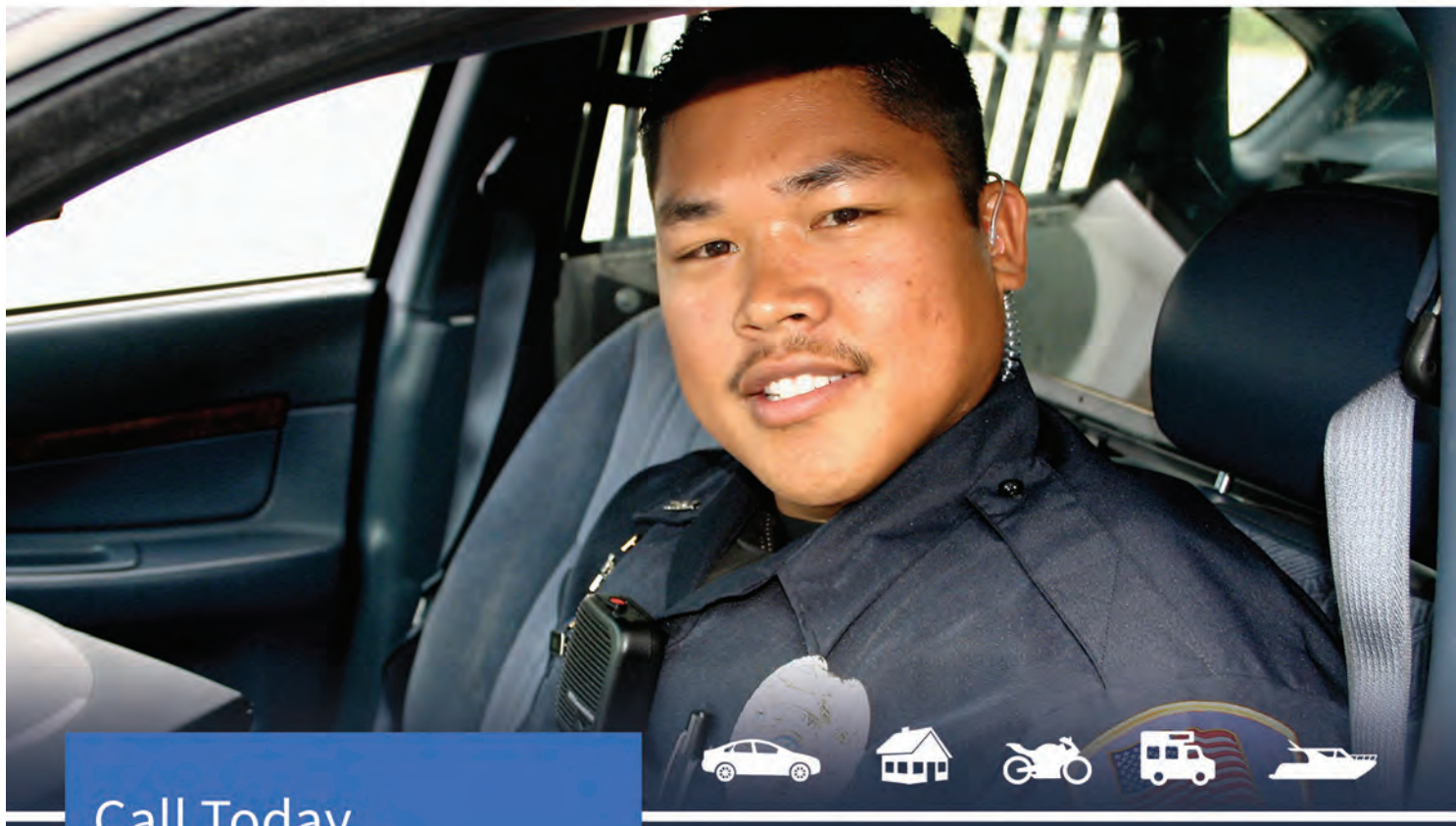
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