



# CODE THREE

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

VOLUME 28 NUMBER 1

PUBLISHED QUARTERLY FOR MEMBERS

MARCH 2012

## Circuit Court Rules FRS Changes are "Unconstitutional"

The courtroom was packed with attorneys, members of the media and representatives from the State, the Teachers' union, the Florida PBA and the Firefighters' union. Everyone was waiting for Judge Jackie Fulford to make her entrance and announce her decision on the constitutionality of the July 1, 2011 changes to the Florida Retirement System. Promptly at 2:00 p.m. on March 6, 2012, Judge Fulford entered the courtroom and assumed her position behind the bench.

Judge Fulford found the revisions to FRS law to be an unconstitutional breach of contract, an unconstitutional taking, and, finally, an unconstitutional breach of the right to collective bargaining. The Plaintiffs (represented by the Teachers' union) and Intervenors, John Park and Randall Haire (represented by the PBA) had alleged these three grounds as reasons

to overturn FRS revisions and moved for summary judgment on the stated grounds. Motion granted: the revisions were unconstitutional on all three grounds.



By 4:30 p.m., the State had filed its appeal of the decision. So Judge Fulford's decision is "stayed" (stopped) while the decision is appealed. But it is still on the books and the Florida PBA will work hard to make sure it stays on the books!

On March 12, 2012, counsel for the Plaintiffs and Intervenors filed a motion with the district court trying to have the case passed directly to the Florida Supreme Court for immediate review. On Friday, March 16, 2012, the District Court ruled in favor of our motion... so it's off to the Supreme Court for a final ruling.





# President's Message

John Kazanjian

The PBA recently gave its endorsement in several local political races. Currently, there are few elections in which PBA will get actively involved.

We have endorsed **Dave Aronberg** for Palm Beach County State Attorney. Dave has always been a loyal friend to the PBA while being a member of the Florida Senate. The PBA is hopeful that Dave can bring back the good working relationship the PBA and the State Attorney's Office once shared.

We also endorsed **Sheriff Ric Bradshaw** for his re-election. Sheriff Bradshaw has always supported the men and women of the Palm Beach County Sheriff's Office. When politicians started listening to small interest groups (like T.A.B.) and even attempted to reduce PBSO employees' benefits, Sheriff Bradshaw stood up for his people. The PBA and the Sheriff don't always agree. However, we agree that we must protect the future of our members.

PBSO and the PBA will renew our Collective Bargaining Agreement this year. We will be sitting back down with Sheriff at the bargaining table this summer. Please stay tuned for more updates.

In addition, our own member, **Dan Amero**, is running for Palm Beach County Commissioner (District 1). Dan previously held offices as Vice Mayor in Jupiter and Council member in Tequesta. He is a current member of the PBA and is fluent on the PBA's issues.

Next, **Representative Will Snyder** is running for Martin County Sheriff. As a legislator in Tallahassee, Representative Snyder was someone who the PBA could count on for his support. He was formerly a Metro-Dade police officer and a Major with the Martin County Sheriff's Office. If you review Representative Snyder's resumé, it is clear that he is the best candidate for Martin County Sheriff.

Good luck to everyone and we will keep you updated as we get closer to the elections. Please remember, we have to get involved in this year's elections. We must get out this time with a large showing. If groups like the "Tea Party" prevail, we could be stripped of our benefits for which each and everyone of us have worked so hard. Please be proactive.

On a final note, our building is coming together right on schedule! We should be in our new office this summer!! Please come by and checkout the new construction!!

**EVERYONE STAY SAFE**



## PBA Scholarships

The annual Scholarship Applications are now available at the PBA office and on-line at [www.pbcpcbpa.org](http://www.pbcpcbpa.org). We will be accepting applications through April 16th, 2012. Good luck to all applicants!



## STAY UP TO DATE!

Have you gotten married or divorced?

Working for a new agency?

Changed phone numbers or address?

Please contact Suzanne at the PBA Office

**(561) 689-3745**

to update your information.

The PBA is not notified of changes made within your department.

## Officer of the Month



## HAVE YOU MADE YOUR NOMINATION?

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

Send your submissions to

[Gail@pbcpcbpa.org](mailto:Gail@pbcpcbpa.org)



# WELCOME NEW MEMBERS!

## DECEMBER

Anthony D'orsi - Greenacres  
Andrea Laux - PBSO  
David Kurz - Ocean Ridge  
Paul Gundlach - Jupiter  
Okisha Ricketts - PBSO  
Tanya Sallette - Delray Beach  
Paola Valenzuela - North Palm Beach  
Jacorey Johnson - PBSO  
Anna Kvin - PBC School Police  
Lenette Johnson - PBSO  
Vincent Thompson - PBSO  
Bernard Canellas - PBC School Police  
Michael Gruber Jr - PBSO  
Kathryn Kendall - Palm Beach Gardens

## JANUARY

Fallon Johnson - PBSO  
Eva Neps - PBSO  
Sally Antosek - PBSO  
Robernetta Ford - PBSO  
Melinda Hilton - PBSO  
Adnan Raja - Riviera Beach  
Shelly Harsh-Fanelli - PBSO  
Brian Hansen - PBSO  
Steven Smith - Juno Beach  
Brian Pherson - PBSO  
Priscilla Smith - PBSO  
Brittany Brown - Delray Beach  
Amy Filewicz - PBSO

## FEBRUARY

Anita Auchter - PBSO  
Julie Carhart - PBSO  
Karen Dominguez - PBSO  
Derek Haupt - PBSO  
Ana Johnson - PBSO  
Cynthia Keen - PBSO  
Brian Knipper - PBSO  
Clinton Scherb - PBSO  
Lee Shriberg - PBSO  
Christopher Wille - PBSO  
Chelsea Dremann - FAU  
Jason Mattson - Palm Springs  
Kevin Grubb - Delray Beach  
Matthew Masi - Delray Beach  
Heidi Sapp - PBSO  
Andrew Savikas - Jupiter Island  
Bryan Lembo - Greenacres  
John Rockford - PBSO  
Valentino Harvey - PBC School Police  
Sharon Rapini - PBSO  
Guy Ingram - PBSO  
Joel Prieto - Lantana  
Carolina Singh - PBSO  
Kerwin Lamotte - PBSO  
Matthew Stockwell - Greenacres

# THE CODE THREE

A Palm Beach County  
PBA Official Publication  
The CODE THREE is our official  
Publication and is published under  
the supervision of the  
Board of Directors.  
Palm Beach County PBA  
2100 N. Florida Mango Road  
West Palm Beach, FL 33409-6400  
(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.

## Reading or Looking at Pictures?

Submitted by Lt. Michael Rispoli  
Palm Beach Gardens PD, Retired

I have been told that some people don't read the articles in this publication. I can only suppose that the topics don't interest some people. I hear from others that thoroughly enjoy the reading and feel that the topics and content are quite on point. Perhaps, those who don't or won't read them are the very ones that would most benefit from the written words.

I am sure that there are readers who discuss the content of these articles (either at work or not) and other union business, that drives others to pick up the *Code 3* to see for themselves what is going on in the law enforcement community. The many positive events sponsored by the PBA are clearly outlined on these pages.

This is a union publication, so at times it is necessary to expose negativity, especially when employees become the target of wrongdoing. All articles in this magazine should be positive, but unless you have been serving since last Tuesday (or too busy polishing apples), you realize that bad things happen to good employees many times.

The very reason organizations like the PBA (and other unions) exist is to fight against the injustices committed against a worker or workers, not to soft soap issues and pretend life is a bowl of cherries. If one lacks the skeletal framework to stand up when circumstances are wrong, why be in law enforcement at all?

Those that may fall into such a category probably don't read articles in the *Code 3*, but as I have said before perhaps the non-readers should be doing just that—reading, or perhaps they are just waiting for more pictures.

Wherever you work, make a difference.

# PALM BEACH COUNTY PBA

## EXECUTIVE BOARD

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

John Kazanjian, President

Ernest W. George,  
Executive Director

Rick McAfee, Vice-President

Lou Penque, Treasurer

Kevin Igo, Secretary

Greg Allen, Sgt.-at-arms

Vinnie Gray, Negotiator

Gary Lippman, General Counsel

Larry Fagan, Legal Counsel

Rick King, Legal Counsel



## BOARD OF DIRECTORS

### BOYNTON BEACH

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Doc Davis  
Frank Ranzie  
Kelly Harris  
Brian Goldfuss  
Doug Gilbert, Alt.  
Cory Gray, Alt.

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

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John Battiloro, Alt.

### FAU

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Darren Courtney, Appt.

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Philip Konz  
Teak Adams, Appt.

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John Shaver, Appt.

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Jason Alexandre  
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Adam Hirsch, Alt.

### JUPITER ISLAND

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Matt Potsko, Alt.

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Chris Decker

### MANALAPAN

Paul Williams

### MARTIN CO. SO

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Carlo Sciandra  
William Weiss  
Darryl Stokes  
Karl Nelson  
Richard Parks, Alt.  
Donald Knott, Alt.

### MARTIN CO. SO - CORRECTIONS

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Lawrence Lutrin  
Rui Dutra, Alt.  
Chris Gorham, Alt.

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Joseph Yungk  
Javier Ortiz, Alt.

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Mario Galluscio, 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.  
Charles Nicastro, Appt.  
Alex Nunes, Appt.  
Carlos Ugalde, Appt.

### PBSO Site Reps

William Aguillon  
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Dominick Berardone  
Patrick Bolton  
Ralph Brillinger  
Stanley Cale  
Chris Caris  
Ron Cohen  
Randy Collier  
Darren Curci  
Tim Daly  
Roy DeMarco  
Greg Fernandez  
Bill Gale  
Jay Gallagher  
Tony Iannitti  
Stan Jackson  
Dean Johnson  
Jason Johnson  
Chris Keegan

### PBSO Site Reps (Cont.)

Tom Lunney  
Shanika McClinton  
David McCormick  
Mike Mendelsberg  
Ryan Mugridge  
Michael Ott  
Emory Payne  
Fred Riffard  
John Rivers  
Jay Shears  
Steven Sherman  
Darren Stinnet  
John Sylvester  
Frank Tomas  
Kelly Whittles

### PALM BEACH CO. SO - CORRECTIONS

Tammy Bussey  
Jerry Sneed  
Jeff Jackson  
Pete Tartaglione  
Will Pinto  
Willie Powell, Alt.  
Patrice Quinn, Alt.  
DJ Dowling, Appt.  
Thomas Jordan, Appt.  
Reginald Napier, Appt.  
Napoleon Taylor, Appt.

### PBSO Corrections Site Rep

Willie Blackmon  
Will Twigg

### PALM BEACH CO. SO CIVILIANS

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

### PBSO Civilian Site Reps

Kayai Graham  
Lydia Taylor  
Dawn Harris  
Marylou Doss

### PALM BEACH GARDENS

Bob Odell  
Randall Anderson

### PALM BEACH GARDENS (Cont.)

Randy Buntin  
Greg Allen, Alt.  
Robert Wilson, Alt.

### PALM BEACH SHORES

Stephan Coe  
Charlie Hoeffer, Alt.

### PALM SPRINGS

Sean Grant  
Darrell Diez, Alt.

### PALM SPRINGS SGTS.

Louis Collura  
Michele Vazquez, Alt.

### PORT ST. LUCIE

Paul Grohowski  
Robert McGhee  
Bill Vega, Alt.  
Carmine Izzo, Alt.

### SOUTH PALM BEACH

Mark McKirchy  
Jason LaForte, Alt.

### ST. LUCIE CO. SO

Judy Kelly  
Tony Russell, Alt.

### STUART

David Duran  
George McLain, Alt.

### TEQUESTA

David Cooper  
Charlie Weinblatt, Alt.

### WEST PALM BEACH

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



# Board of Directors Meeting

## Attendance - December, 2011

### EXECUTIVE BOARD

John Kazanjian .....Yes  
 Ernie George .....Yes  
 Rick McAfee .....Yes  
 Lou Penque .....Yes  
 Kevin Igo .....Yes  
 Greg Allen .....Yes

### REPRESENTATIVES

#### Boynton Beach

Toby Athol .....Yes  
 R. "Doc" Davis .....Yes  
 Craig Anthony .....Yes  
 Frank Ranzie .....Yes  
 Kelly Harris .....Excused  
 Brian Goldfuss, Alt .....Yes  
 Douglas Gilbert, Alt .....Yes  
 Cory Gray, Appt. ....Yes

#### Delray Beach

Vinnie Gray .....Excused  
 Shannon Sniffen .....Excused  
 Rodney Stevenson .....Yes  
 Gary Ferreri .....Yes  
 Andrew Arena, Alt .....Yes  
 Brady Myers, Alt .....Yes

#### Delray Beach Lts

John Palermo .....Excused  
 John Battiloro, Alt. ....Excused

#### FAU

William Hernandez .....Yes  
 Darren Courtney, Appt. ....Yes

#### Greenacres

Matt DeJoy .....Excused  
 Phillip Konz .....Excused  
 Teak Adams, Appt. ....Yes

#### Juno Beach

Jose Nunez, Appt. ....Excused  
 John Shaver, Appt. ....Excused

#### Jupiter

Jason Levinstein .....Yes  
 Jason Vansteenburgh .....Yes  
 Jason Alexandre .....Yes  
 Michael Lilienfeld, Alt .....Excused  
 Adam Hirsch, Alt .....Yes

#### Jupiter Island

Alex Dobek .....Yes  
 Matt Potsko .....Yes

#### Lantana

Chris Decker .....Yes

#### Manalapan

Patrick Auger .....Yes  
 Paul Williams, Alt .....Excused

#### MCSO - LE

Bruce Pinkman .....Yes  
 Carlo Sciandra .....Yes  
 William Weiss .....Yes  
 Darryl Stokes .....Excused  
 Karl Nelson .....Yes  
 Richard Parks, Alt .....Excused  
 Donald Knott, Alt. ....Excused

#### MCSO - Corr

Thomas Randazzo .....Yes  
 Lawrence Lutrin .....Yes  
 Rui Dutra, Alt .....Yes  
 Chris Gorham, Alt. ....Yes

#### North Palm Beach

Joseph Yungk .....Yes  
 Javier Ortiz, Alt .....Yes

#### Ocean Ridge

Steven Wohlfel .....Yes  
 Mario Galluscio, Alt. ....Excused

#### PB School Police

Harry Rawlings .....Yes  
 Kevin O'Sullivan .....Excused  
 Alex Lopez .....Yes

#### Palm Bch Gardens

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

#### PBSO - LE

Paul Vrchota .....Yes  
 Dan Burrows .....Yes  
 Mike Antonopoulos .....Yes  
 Michael Kletzky .....Yes  
 Terry Maguire .....Yes  
 Butch Altonen, Alt .....Yes  
 Ray Griffith, Alt .....Yes  
 Billy Gray, Appt. ....Yes  
 Grant Henderson, Appt. ....Excused  
 Kevin Igo, Appt. ....Yes  
 John McGuire, Appt .....Yes  
 Charlie Nicastro, Appt .....Yes  
 Alex Nunes, Appt. ....Excused  
 Carlos Ugalde, Appt .....Yes

#### PBSO - Corr

Tammy Bussey .....Yes  
 Jerry Sneed .....Yes  
 Jeff Jackson .....Yes  
 Pete Tartaglione .....Yes  
 William Pinto .....Yes  
 Willie Powell, Alt .....Yes  
 Patrice Quinn, Alt .....Excused  
 DJ Dowling, Appt. ....Yes  
 Thomas Jordan, Appt. ....Yes  
 Reginald Napier, Appt. ....Unexcused  
 Napoleon Taylor, Appt. ....Excused

#### PBSO - Civilians

Susan Thornton .....Yes  
 Mark Gish .....Yes  
 John Costello .....Yes  
 Catherine Adriance .....Yes  
 Heidi Grob .....Yes  
 Kristen Kazanjian, Alt. ....Yes  
 Kim Wilson, Alt. ....Excused  
 Kara Bannon, Appt. ....Yes  
 Maritza Fundora, Appt. ....Yes  
 Tequesta McKinney, Appt. ....Yes

#### Palm Bch Shores

Stephan Coe .....Unexcused  
 Charlie Hoeffler, Alt. ....Yes

#### Palm Springs

Sean Grant .....Yes  
 Darrell Diez, Alt .....Yes

#### Palm Springs Sgts

Louis Collura .....Yes  
 Michele Vazquez, Alt. ....Unexcused

#### Port St. Lucie

Paul Grohowski .....Yes  
 Robert McGhee .....Yes  
 William Vega, Alt .....Excused  
 Carmine Izzo, Alt .....Yes

#### South Palm Beach

Mark McKirchy .....Yes  
 Jason LaForte, Alt. ....Yes

#### St. Lucie Co. SO

Judy Kelly .....Excused  
 Tony Russell, Alt. ....Yes

#### Stuart

David Duran .....Yes  
 George McLain, Alt .....Yes

#### Tequesta

David Cooper .....Yes  
 Charles Weinblatt, Alt .....Excused

#### West Palm Beach

Lou Penque .....Yes  
 Troy Marchese .....Excused  
 Edward Thomas .....Yes  
 Roy Bevell .....Excused  
 Joseph Herb .....Yes  
 Brian Gaudette, Alt .....Yes  
 Mike Leas, Alt .....Excused  
 Jay Donde, Appt .....Yes



# Don't Miss Out on participating in the new construction of the Palm Beach County PBA Memorial... Purchase a Paver in support of this Project!



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 ..... | \$5,000 |
| Captain .....                   | \$3,000 |
| Sergeant .....                  | \$2,000 |
| Deputy/Officer .....            | \$1,000 |

### **SITE AMENITY SPONSORSHIP**

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

Please make donations payable to:

Memo:

Send to:

### **PBA Charity Fund**

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

## **PALM BEACH COUNTY PBA MEMORIAL WALKWAY**



## PAVER PURCHASE

**Please print legibly.** Letters can be all uppercase or a combination of uppercase & lower case. Bricks will be engraved **exactly** the way this form is filled out by the donor. Please double-check your spelling. To complete your paver contribution, please choose from the following brick sizes and mail your contribution along with this form.

4" x 4" Brick @ \$100 each      Qty: \_\_\_\_\_

3 Lines of Text – 14 Characters (including spaces) Per Line

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8" x 8" Brick @ \$175 each      Qty: \_\_\_\_\_

5 Lines of Text – 14 Characters (including spaces) Per Line

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## Memorial Brick Agreement

I, \_\_\_\_\_, acknowledge that the Memorial Brick is owned by and will remain the property on-going of the **Palm Beach County PBA**. The PBA Memorial Brick(s) placed at the Memorial Site will be installed directly into the sidewalk and will become part of the PBA's property. My donation to the PBA Memorial walkway will cover the cost of the brick, engraving, installation, and certificate. All remaining funds, if any, will be deposited into the PBA Charity Fund and are non-refundable.

*Thank you for your generous support of the  
Palm Beach County PBA Memorial Walkway!*



# Our New PBA Union Hall Takes Shape...





# The Foundation Of A Great Future!



# Officer Of The Month



## Officers of the Month - August 2011

**Boynton Beach Officers Vinicius Melo, Henry Diehl, Thomas Murphy, Michael Brown and Ronald Ryan**

Nominated by: Sgt. Craig Anthony

On August 15, 2011, Officer Melo located a vehicle involved in five (5) Delray Beach armed robberies and a car jacking. Melo attempted a traffic stop. The vehicle did not stop and was stop stuck by Officer Ryan striking the vehicle's right front tire. A vehicle pursuit was authorized with Officers Brown, Diehl, Murphy and Melo involved due to the nature of the offenses and the number of subjects in the vehicle. Ultimately, the vehicle was stopped and the occupants attempted a bail-out after hitting a palm tree. The suspects were apprehended by Boynton Beach Police Department K-9, Delray K-9 and Boynton Beach Police Officers. The suspects were arrested by Delray Beach Police Department for multiple armed robberies and car jacking. The suspects subsequently confessed to Delray Beach Detectives. Officer Melo spotted the wanted felons; Officer Ryan was able to successfully deploy and recover the stop sticks; Officers Brown, Murphy, Melo, and Diehl were able to conduct an outstanding vehicle pursuit. All of the officers actions are examples of outstanding police work.



Boynton Beach Officers Ronald Ryan, Henry Diehl, Thomas Murphy, Michael Brown and Vinicius Melo.

## Officer of the Month - September 2011

**Boynton Beach Officer Jason Llopis**

Nominated by: Palm Beach County PBA

On Wednesday, October 26, 2011, there was a high speed multi-agency chase that ended in the capture of the suspect on Federal Highway in front of the Lantana Town Square. A call had gone out that the suspect had just shot another individual at the Home Depot parking lot in Boynton Beach. The caller indicated the man who fired shots got into a white Chevy van and drove away at a high rate of speed in excess of 100 mph northbound on I-95. The van crashed into two (2) vehicles on I-95 before exiting on Lantana Road going towards Federal Highway where it turns south. The vehicle was stopped on Federal Highway. Boynton Beach Police Detective Jason Llopis saw the driver of the van was holding a hand gun to his own head. Detective Llopis gave commands to drop the gun and show me your hands without any cover to protect himself. The suspect put his hands down out of

view and came up again with the gun still in his hand this time pointed directly to Detective Llopis. Detective Llopis yelled several times to drop the gun and show me your hands. The suspect would not comply and Detective Llopis shot three (3) to four (4) rounds stopping the threat, saving our citizens, and ultimately charged the suspect with homicide and aggravated assault on a law enforcement officer.



Boynton Beach Officer Jason Llopis

## Officers of the Month - October 2011

**PBSO Deputies Fraser Austin and Ryan Reza**

Nominated by: PBSO Sgt. Vinny Spierto

On October 25, 2011, Palm Beach County Deputies Reza and Austin responded to South Federal Highway in reference to a disturbance. On their arrival, they heard a loud noise coming from inside the apartment. The Deputies knocked and announced their presence and moments later a male opened the door irate and angry. Deputy Reza observed the male holding a large knife in his left hand that Deputy Austin could not see from his position. The man was wielding the knife at the deputies above his head in a threatening fashion. Deputy Austin fired his taser and struck the suspect in his left hand, but it was not effective. With the knife raised, the suspect moved towards Deputy Austin in an aggressive manner. Deputy Reza reacted to this aggression and fired his firearm at the subject stopping the threat and killing the suspect. If it were not for the courageous and unhesitating responses of both Deputy Reza and Deputy Austin, the suspect could have gained control of the situation, used the knife to cause injury or death to those at the scene.



PBSO Deputies  
Ryan Reza and  
Fraser Austin

## Officer of the Month - November 2011

**PBSO D/S Eric Bethel**

Nominated by: Palm Beach County PBA

On November 12, 2011, Deputies were called out pursuant to a 911 home invasion call with multiple suspects falsely posing as law enforcement officers with fraudulent badges. The suspects would bang on the citizen's door posing as police officers, all armed and wearing masks. At the scene, PBSO Deputy Eric Bethel confronted two (2) suspects as they left the occupied dwelling wearing handkerchiefs over their faces and all dark clothing. During the foot chase, one of the suspects reached for his waist band as Deputy Bethel shouted



multiple times “Sheriff’s Office, show me your hands.” The suspect reached farther into his waist band and Deputy Bethel shot one round missing the suspect. The suspect then entered a vehicle’s driver seat and revved the engine. Both Deputies Bethel and Kaczor yelled “Sheriff’s Office, stop the car,” and both drew down on the suspect. The suspect put the car in gear practically at Deputy Kaczor. Fearing for the life of Deputy Kaczor, Deputy Bethel shot one round into the driver side door. Deputy Bethel not only potentially saved the life of Deputy Kaczor and himself, but of potentially multiple Palm Beach County citizens because of his courage.



PBSO D/S Eric Bethel

### **Officer of the Month - December 2011**

#### **MCSO Det. Leo Ferreira**

Nominated by: MCSO D/S William Weiss

On December 8, 2011, the suspect entered the Wells Fargo Bank in Jensen Beach, Martin County. The suspect was wearing a mask, camouflage clothing, a military pistol belt and had a large military type back pack. The suspect told

bank employees that this was a robbery and demanded money. The suspect had a concealed object that bank employees took to be a hand gun or other deadly weapon. A 911 call was placed. The 911 dispatchers could hear the suspect yelling at bank employees to put up their hands and hand him money. Detective Ferreira was in the bank parking lot when the robbery call went out over the radio. Alone, Detective Ferreira saw and heard the suspect yelling at bank employees and took the suspect to the ground, whereby a fight ensued and the suspect continued to resist arrest. The suspect was finally subdued and handcuffed. Detective Ferreira is to be commended on his quick apprehension of a dangerous suspect and for his keen detective skills.



MCSO Sgt. Pinkman and D/S Weiss accept the award for Det. Ferreira

## **A New Year**

**Submitted by D/S C. Nicastro, PBSO Appt. Rep**

**H**ere it is, a new year. Let’s all hope this year will be better than last.

Hopefully our Commissioners will not forget us. Our Sheriff is still trying very hard to get our cost of living back. It’s been some time since we’ve had one. It was said for the ’10-’11 fiscal year, 469 people in the Fire Rescue Department made more than \$100,000. The Fire Fighters make about \$30K more than our Deputy Sheriff’s.

I remember Sheriff Bradshaw told the committee he would take them to any firehouse at the beginning of their shift to see

what they do until they actually get a call. He also said he would take them to any district to see what we do during our entire shifts.

We WORK! Non-stop! How many actual fires did they respond to compared to our calls?

I believe we all agree it’s time for us to fight for what we deserve.

Change is needed.

Let’s get together and put NEW Commissioners in office. Let’s vote for commissioners who will not forget Law Enforcement. There is power in numbers. Let’s speak up!

## **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.pbcnpa.org](http://www.pbcnpa.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@pbcnpa.com](mailto:mail@pbcnpa.com) to your approved sender list.







## Ten Thirty Three

# Careful, Big Brother Has a Facebook Account

Submitted by Rick King, Legal Counsel

**Y**ou may have read or heard about a book that was written in 1948 by George Orwell titled "1984." The book was a fictional account of a time (1984), when the government would subject people to 24 hour surveillance in order to ensure their allegiances. Well, things aren't quite that bad, but as government employees, your activities are scrutinized and second-guessed by your employer as well as the citizenry that you protect. With the advent of social media, we have become an increasingly more public society. Our casual thoughts and mundane movements are broadcast across the internet for anyone within our network to see. The lines created between work life and private life are blurred and the crossover can create problems if your employer takes issue with your daily public rants.

The question most asked is whether your employer can discipline you for your public speech? Supreme Court Justice Oliver Wendell Holmes wrote in 1892, "There may be a constitutional right to talk politics, but there is no constitutional right to be a policeman." While that statement is fundamentally true, in that as a public employee you have some diminished rights, the law has "carved out" the circumstances where you may speak freely. Over the years, the case law has been interpreted to prohibit a government employer from taking an adverse employment action against a public employee for speech relating to matters of public concern. The issue for the majority of the cases is whether the employee was speaking on behalf of themselves, or on behalf of the public as a citizen.

The United States Supreme Court ruled in (a preeminent case involving speech) Garcetti v. Cebellos, "[w]hen employees make statements pursuant to their official duties, the employee's are not speaking as citizens for First Amendment purposes, and the Constitution does not insulate their communications from employer discipline."

In Garcetti, a district attorney was disciplined for writing a memorandum recommending the dismissal of a case. In the memo, Cebellos claimed that there was misconduct in obtaining a search warrant. The District Attorney's Office, nonetheless, proceeded with the prosecution of the case. Cebellos was disciplined and filed an action premised on his First Amendment rights. The Ninth Circuit ruled in favor of Cebellos and the Supreme Court reversed, stating that Cebellos was writing pursuant to his job as a district attorney and therefore his

speech was subject to discipline from his employer. In other words, if your speech occurs within the scope of your employment, it might not be protected.

The law does protect you if your writing is "concerted activity." Concerted activity is activity which seeks to benefit not just the writer (employee), but also fellow employees. The Florida Public Employee Relations Commission (PERC) has held that when an employee engages in activities for his benefit alone, such conduct is not concerted, and thus, not protected.

In Dickey v Hillsborough County, the 2nd District of Court of Appeals in Florida affirmed a PERC decision holding that an employer could not discipline a deputy (and PBA Local President) for a blog that was posted on the PBA website. The corrections deputy's "speech" was posted on the PBA website during contract negotiations. Corporal Dickey made several posts on the website that addressed the Chief Deputy by his nickname. The posts included statements that the Chief Deputy made uninformed statements and didn't attend contract talks. After the Sheriff suspended the Corporal, the union brought an unfair labor practice charge. PERC determined that the Corporal's speech remained protected even though it disparaged and belittled the Chief Deputy.

But wait... there's more! Even if the speech is made as a citizen, the court applies a balancing test to determine if the interest of the employee in speaking on matters of public concern are greater than the agency's interest in promoting the efficiency of the public service the agency provides.<sup>1</sup>

The moral of the story – When posting on Facebook or other social mediums follow some common sense rules:

1. As best as possible don't indicate your affiliation with the agency when networking.
2. Don't post photographs that are taken on department property and/or while in uniform or work assignments.
3. Don't use social networking websites, blogs, Twitter, or other social medium when you are on duty.
4. Don't post confidential or sensitive information or photographs of work activity.
5. Most importantly, remember Big Brother IS watching.

<sup>1</sup>Pickering v Board of Education, 391 US 563, 568(1968)

***"The lines created between work life and private life are blurred and the crossover can create problems..."***

**To Contact the PBA Office: (561) 689-3745**  
**Visit Our Website at: [www.pbc-pba.org](http://www.pbc-pba.org)**

## PBSO News

Here it is again, election time. I would like all my fellow employees IE, Corr, and Civilian employees to do the right thing. Vote for Sheriff Ric Bradshaw for another four years. I know sooner or later he will retire. That will be a sad day for the Sheriff's Office. I've worked for five different Sheriffs. Sheriff Willie was a good Sheriff. I'm sure you all will agree with me, Sheriff Bradshaw is the best so far. For all Sheriff Bradshaw did for this Dept., we owe it to him to lead us for another four years.

**Submitted by: D/S Charles Nicastro, Appt. PBSO PBA Rep**

## Palm Beach Shores News

As we start 2012, I wish everyone a safe and prosperous new year to come. I am sure 2012 will have it's share of challenges for all of us in the law enforcement field to overcome. October of this year brings to a close the current four year contract under which officers in the Shores operate. All of the articles will now be opened up for negotiations. We are in the process of reviewing all of the articles in the contract. As I stated in my last article, the Town has been great to work with and it has been very open to supporting their Police Officers.

As I look back on my first year as PBA Rep, it was eye opening.

I realized just how valuable and what a great resource and asset the PBA really is to all of us. I would encourage all of you to make it a challenge to do more and be more involved this year within the PBA. Good luck to all of you in 2012 and remember—Be Safe Out There.

**Submitted by: Detective Steve Coe, PBA Rep.**

## School District Police News

Ladies and Gentleman: By time you read this I will have been gone for three months, enjoying all that I have worked for, for over 40 years. I attended my last contract meeting as a rep on Dec 21, 2011. I am not retiring because of the people, I am retiring because it is time. I truly want to say that I have enjoyed all who I worked with. There are several people I want to give a special thank you, I will only give first names to protect the innocent. I want to say thanks first to my partners, the guys I spent everyday with conducting business, socializing and getting down and doing the job. Second, I send a special thank you to the ERT Team. These guys could handle anything that comes their way. Professional, loyal to each other, and a good all around group of dedicated men that train hard.

Again thanks for the opportunity to work with some wonderful people.

**Submitted by: Harry Rawlings, Retired PBA School Police Rep**

## The Grievance Process

**Submitted by John Costello, PBSO Civilian Rep**

The word “grievance” automatically conjures up something negative: a complaint, a gripe, or an injustice, either perceived or real. Also, the process itself can come under social or political fire.

The ability to grieve, however, is paramount. In many instances, the grievance is completely valid. It is vital that we, as employees, have some sort of recourse. For it to be any other way, the process may not be considered fair.

The PBA Grievance and Arbitration procedure is described as a... “dispute over the interpretation or application of the specific provisions of this Agreement” (“Agreement” is the Collective Bargaining Agreement).

Bargaining unit members have the right to appeal suspensions (greater than two [2] days), demotions or discharges, and other employment related actions, by following the procedure outlined in the “Grievance and Arbitration Procedure.” This process is available to all bargaining unit members regardless of membership in the PBA. However, any costs such as the arbitrator's fee, transcripts, or other items of cost, associated with a grievance by a non-member will require no less than five thousand dollars (\$5,000) posted in advance.

### Step 1

Present a written grievance to your Captain/DM within ten (10) working days of the occurrence. The Captain/DM has ten (10) working days to respond.

### Step 2

If there is no resolution in Step 1, the employee may appeal to the Major/Director, in writing, within ten (10) working days of the date the response was due, according to Step 1.

### Step 3

If there is no resolution in Step 2, the employee may appeal to the Colonel/Director, in writing, within ten (10) working days of the date the response was due, according to Step 2.

### Step 4

If there is no resolution in Step 3, the employee may appeal to the Sheriff, or his designee, in writing, within ten (10) working days of the date the response was due, according to Step 3.

The time limits in these steps may be waived by mutual agreement (BOTH) of the parties, in writing. If the employee/PBA fails to properly advance a grievance, it will be considered withdrawn with prejudice. If PBSO fails to properly advance a grievance, it will be considered denied, effective on the date the response was due for that particular step.

The process does not restrict the employees' access to the services of the PBA. It is important to contact a representative at the outset of a potentially grievable issue. Your Representative can provide guidance with initiating the process, and arranging proper support for the employee. Should a grievance focus on the action/inaction of a management person not indicated in Step 1, the employee may bring the grievance to the next appropriate management level. In any case, the employee should contact a representative with a concern, even though the employee may not be sure that it is an employment related issue.

Many issues brought this way have ultimately become CONTRACT issues handled at the bargaining table and then memorialized in a final Collective Bargaining Agreement.

***Keeping you all informed on more union attacks going on throughout the States!!***

## **Arizona Republicans Quickly Pushing Anti-Union Bills Through Legislature**

**Submitted by Lou Penque, PBA Treasurer**

**L**abor unions plan to rally in front of the Arizona State Capitol on Thursday afternoon to protest four bills quickly moving through the state Legislature that could make last year's Wisconsin labor laws look modest by comparison.

Three of the four bills restrict the way unions collect dues and the way workers get paid for union activities. The fourth bans collective bargaining between governments and government workers: state and local. Unlike Wisconsin, it affects all government employees, including police and firefighters.

"It seems as though those employees or at least the unions that represent them don't care what the burden is on the taxpayer as long as they get theirs," says state Sen. Rick Murphy, a Republican who is sponsoring the bills.

Murphy says collective bargaining lets public workers put themselves ahead of the public they are working for.

Nick Dranias of the Phoenix-based Goldwater Institute, a libertarian/conservative think tank that helped Murphy write the bills, says public-sector workers in Arizona make about 6% more in salary and benefits than their private-sector counterparts.

"You're not in government, you know, to collect a fat paycheck," Dranias says. "You're in government to serve. And if you get paid reasonably, that's nice, but the moment you feel the need to organize collectively and create laws like collective-bargaining laws that give you special privileges to negotiate and extract compensation not seen in the private sector, you've gone too far."

Arizona is also different from Wisconsin in that it's a right-to-work state: No one can be forced to join a union. So unions in Arizona already have less clout. Still, 80% of police in the state choose to belong to a union.

Brian Livingston, who represents the Arizona Police Association, which is fighting the bills, says police and firefighters typically get paid less in salary, but he acknowledges that

they negotiate better benefits and retirement plans. Livingston says police deserve it. "By the time we retire, we know that most of us will not live beyond what the average private citizen does," he says. "And I'm speaking specifically about public safety, the rigors of our occupation, the hazards of our occupation take a lifelong toll on our longevity."

Democrats in the Arizona Legislature are outnumbered by Republicans 2-to-1 in the House and by more in the Senate.

Senate Minority Leader David Schapira says he is appalled by the bills.

"These bills are clearly the most anti-worker, anti-middle class, anti-union bills in the history of the country," he says.

Schapira says the bills are purely political. They're being considered, he says, because union leaders tend to support Democrats over Republicans.

"These are people that the Tea Party leadership at the State Capitol in Arizona disagree with, and so they're punishing them and that's the purpose of these pieces of legislation," he says.

Murphy, the bill's sponsor, acknowledges that public worker labor unions are a political problem for him. The elected officials labor leaders are negotiating with, he says, are afraid to give in to unions for fear of political reprisal.

"When the unions are the ones who are disproportionately influencing those elected officials, the elected officials are very rarely on the side of the taxpayers in those negotiations," he says.

The swiftness of this new attempt at cutting the power of public worker unions took labor leaders by surprise. The bills were introduced just last week, passed through committee and are ready for a full Senate vote.

*From NPR.*

Posts from Labor Relations Information System » Recent Developments for 02/09/2012

## **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 [www.pbcpba.org](http://www.pbcpba.org) for instructions on donating or contact Suzanne at the PBA (561) 689-3745.

***Don't delay! Sign up for E-PBA at [www.flpba.org](http://www.flpba.org)***



# PBSO PBA 2011 Year In Review

Submitted by Terry Maguire, PBSO PBA Rep

Greetings and warmest wishes in the New Year! Wow, 2011 is over. What a year! First, I want to thank all of you who serve and provide service to the community. You have done an amazing job in a very difficult time. Second, to our fellow agencies in Palm Beach County and around the state, thank you for all you do in your communities to keep them safe! Finally, to the families of those who have given the ultimate gift to the community, please know we all share in your continuing grief. Please be aware that we continue to work day in, day out, to keep your loved ones alive in our hearts.

Last year was a busy year for the PBSO PBA. We recruited the civilian members to petition for union representation and won the right to be their collective bargaining unit. This is a first for us, the county and the state PBA. To be sure, there are civilians represented, but not as a whole, large, independent unit! Congratulations to all, and welcome to the Palm Beach County Police Benevolent Association!

As I have done in the past, I will give you an update on PBA activity in the last year. As always, I will not provide direct details, but rather an overview of what has happened.

For the total, the PBA, through our attorneys, filed 12 Grievances/HRB/TRBs, winning several (more in a moment), attended 43 Internal Affairs interviews, 24 Personnel Complaint interviews, and 7 critical incidents. This alone has kept them busy. Additionally, many questions come in to the office on a regular basis, and of course, the Reps answer many more throughout the year.

Regarding the Grievances, we won a major case this year against PBSO. I am not attempting to rub the nose of the admin-

istration, I simply want you, the member, to be aware of this process. Remember, the PBA will file a grievance with the command in question, who has to review and determine if the issue can be resolved. If it cannot be resolved by the affected employee and their command, it goes up the chain, ultimately reaching the Sheriff for final disposition. If the PBA feels the decision by the Sheriff is within reason, the grievance is final. If the PBA feels the issue will impact our 'rights, benefits or terms of employment' then we will file for arbitration (a very costly and time consuming process). In this way, a hearing is held in front of an Arbitration, who takes testimony and hears evidence before rendering a decision after post arbitration briefs are submitted. At this point, both parties can accept the decision or file a motion with the Circuit Court to have the decision vacated.

This year, the PBA filed a case that had major implications for all members of the PBSO. After the process of grievance and arbitration, the case was appealed to the 15th Judicial Circuit Court and the arbitrator's decision, *in favor of the PBA*, was upheld! This was done for the benefit of ALL PBSO PBA members, not just the one in

question! Remember, WE FIGHT FOR YOU!

Last, the PBA broke ground on a new facility, at the east end of the parking lot. This new building will better serve our growing membership. We serve deputies and officers (and now civilians) from south Palm Beach County to St. Lucie County. We are now over 4,000 strong.

Please keep up the good work, and have a safe and happy 2012!

***"After the process of grievance and arbitration, the case was appealed to the 15th Judicial Circuit Court and the arbitrator's decision, in favor of the PBA, was upheld!"***

## 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.

# Negativity In The Workplace

Submitted by Catherine Adriance, PBSO Civilian PBA Rep

We all have issues and problems in our lives, and often find it comforting to seek the advice of a trusted friend or colleague. And sometimes, we become that trusted friend or colleague. But how quickly things can deteriorate when an individual we've tried to help just won't let go; when that person's problems, either real or perceived, become so pervasive that they become a nuisance, and a negative influence in your life, and possibly the lives of your co-workers.

Let's face it, some people are just unhappy and nothing you can say or do is going to change that.

It can be exhausting listening to frequent "venting," and trying not to let that negativity affect your own behavior and morale. Here are just a few suggestions to help limit the negativity, and prevent it from becoming a major problem.

1. Don't let their "situations" take up too much of your time—when you give attention to minor complaints, you throw fuel on the fire, possibly opening up the floodgates for every grievance imaginable. Respond, but don't spend more than a few minutes each day with such a person.

2. Try to re-focus the conversation on what that person DOES have. Everyone has *something* to be happy about.
3. Avoid "losing it"—it is imperative that you remain calm and professional throughout. You don't want to lose credibility, and you certainly don't want to count yourself as yet another negative in that person's eyes.
4. Dispel any rumors immediately—complaining or stating an opinion is one thing. Spreading an untruth is quite another. If you encounter any rumors or any unsubstantiated comments, react quickly. GO TO THE SOURCE and ask for an explanation/clarification before making your own determination.

Remember that it is far more likely that the negative person will have an adverse effect on you, than you, as a more positive person, will have on them. STAY FOCUSED on what you are supposed to be doing, and remember to embrace the things that you DO have. The negative person will soon become bored with you and move on to another victim.

**Check out our PBA-friendly advertisers in the Business Directory on pages 29-39!**

## 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.

Please be advised, the emergency call out procedure for critical incidents has changed. The "pager system" is no longer being used and has been replaced with a 24 hour cellular phone to facilitate response time from a PBA Attorney. **THE NEW EMERGENCY PHONE NUMBER IS (561) 371-7200.**

### 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.

# Fire Safety – It Involves Everyone

Submitted by Investigator Thomas Fucci, IAAI-CFI, Palm Beach County Bomb/Arson Task Force

According to the United States Fire Administration (USFA) statistics, there were 362,000 fires in 2010 across the United States. The statistics show that there were 2,555 fatalities and 13,275 injuries due to fire with a dollar loss staggering at \$6.6 billion. I am often asked about what people can do to make themselves safe against fires. Here are a few tips to keep you, your family and your possessions safe. These tips include using common sense and a few things you might not have known.

1. **Unattended Cooking**—According to statistics from USFA, the #1 cause of fires in the U.S. is due to unattended cooking. A staggering **60%** of all fires occur in the kitchen and are a result of leaving something on the stove. If you are cooking, make sure that you stay with it at all times. Do not get distracted by the phone, kids, or neighbors. If you are called away, remove the item from the heat source.
2. **Candles**—We all use candles in our homes and offices every day. They smell really nice and mask most odors. They come in all shapes and sizes. However, if you use a candle, make sure that it is away from any other item. Make sure you extinguish it, before leaving the room and make sure that it is out. Never burn a candle in the bedroom.
3. **Smoke Detectors**—We have always been taught that smoke detectors save lives. They do. Make sure you have smoke detectors in your home or office. Test them every month and change the batteries when you change your clocks. According to the USFA, more people die each year from smoke inhalation than from burns. Early warning is the best defense when it comes to a fire.
4. **Extension Cords**—Electrical extension cords can be found everywhere. We use them in our homes and in our offices. Extension cords should not be used in place of fixed wiring and in-fact, it is a violation of the fire code. The cords are constructed with a polyvinyl insulation that covers the wires. The purpose of the insulation is to dissipate the heat away from the wires. When cords are wrapped around table legs, covered with rugs, the insulation can't do its job. Do not bundle the cords and allow air to flow around the cord and insulation.
5. **Overloaded Circuits**—We have a tendency to plug all the electronic items into a receptacle or device. If it's got six slots, we fill all the slots. The devices are not manufactured to work this way. We tend to overload the circuit and then when there is a fire, we wonder why it happened. Electrical receptacles, wires, and extension cords are not meant to be overloaded. Spread the electronic devices around to different circuits in a room or get a licensed electrician to come in and run separate circuits.
6. **Relocatable Power Taps (RPTs) a.k.a. Surge Protectors**—These devices come in handy when using expensive electronic equipment like televisions, surround sound systems and the like. However, care should be used when utilizing these types of devices. Most RPTs are good and reliable. Some have been recalled due to manufacturer defects. When using these devices, make sure you do not overload them. Just like extension cords, make sure that the cords are not wrapped up and bundled. The better and more expensive RPTs have an individual circuit breaker in them to prevent overheating and overloading.
7. **Smoking**—It's a bad habit and you have heard that you should quit. Well, you should. But if you must smoke, make sure that you deposit the butts into an approved ash-tray. Make sure the butts are out before emptying the ash-tray into a garbage can. And whatever you do, don't smoke in bed!
8. **Maintenance**—Make sure that you keep up the maintenance schedule on all your vehicles including your patrol car and personal car. Wear and tear on our vehicles causes things to shift and become loose. Loose contacts around the battery can cause arcs and sparks to occur. This is a bad thing when you have arcs and sparks around flammable fluids like brake fluid, transmission fluid, motor oil, and gasoline. The main ingredient in most windshield wiper fluids is alcohol and it is very flammable. Check the recalls on your vehicle and ensure that all the items are working as they were meant to. You can check recalls at [www.recalls.gov](http://www.recalls.gov).
9. **Household products**—Most household consumer products we use are basically safe. The United States Consumer Product Safety Commission ensures that products meet or exceed the U.S. standards. Along with companies like Underwriter Laboratories (UL) consumer products are tested to make sure that they do not create fire hazards. However, from time to time, these products do fail and recalls are issued. A good tip is to unplug any device when it's not being used. Recalls of consumer products can be checked through [www.recalls.gov](http://www.recalls.gov) and [www.cspc.gov](http://www.cspc.gov).
10. **Fire Drills**—How many times as a kid did you have to do fire drills at school? Do you have fire drills at home? Do you have an escape plan or a meeting place outside of your home or office? As adults, these are just as important. If you have a fire in your home, your family will be your primary concern. Discuss with your family members how to get out of your home and where to meet once outside. Too many times, we have seen family members going back into a home looking for family, only to find out they had gotten out and went to a neighbor's house. Make sure everyone at the home knows what to do and where to go. Get out and stay out.

By following these simple, common sense tips, you will protect yourself, your family and your possessions. If you have any questions, you can contact me at [FucciT@PBSO.org](mailto:FucciT@PBSO.org) or (561) 616-7055.



# PBA Oldies Night Held on Friday, January 27 at the Car Of





# Dreams Museum Raised Over \$3,100 for the PBA Charity Fund





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# ***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.pbcnpba.org](http://www.pbcnpba.org)

## EMERGENCY NUMBER!

**Members, please be advised the emergency number is for **CRITICAL INCIDENTS ONLY**. Please contact our attorney(s) after hours only for critical incidents; that is, an officer-involved shooting, an in-custody death, or an on-duty vehicle accident with injuries at 561-371-7200.**

**If you have questions about an IA or any other work-related incident, please contact Angela or Courtney in the PBA Legal Department at 561-689-3745 during business hours 8:30 AM-4:30 PM 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 after 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 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.

## 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.

## 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:

(1) 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.

# Bikes, Bands and BBQ

Poker Runs benefitting

**WPB Officer Keith Gorski**

**Sunday April 1, 2012**



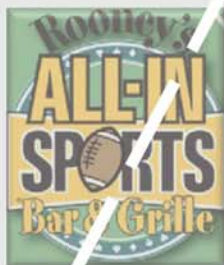
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**2:00 P.M. - ????**

**Live Music**

**BBQ / Beverages**

**50/50 & Lots of  
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Officer Keith Gorski is still hospitalized from an on-duty accident, the day before Thanksgiving, when a car struck his motorcycle. This benefit, sponsored by the Law Enforcement Assistance Foundation (LEAF), is to aid the officer and his family during his recovery.

For info, call Mark 561-747-6653 or Mindy 561-844-9888  
or search Facebook for Keith Gorski's Benefit



# Kaitlin A. Kazanjian Scholarship Golf Tournament

The 9th Annual Kaitlin A. Kazanjian Scholarship Golf Tournament was held on Saturday, March 3rd at the Palm Beach Gardens Golf Club. It was a great success, with everyone in attendance having a wonderful time! As usual, the PBA Barbeque Grill Team did an outstanding job with the food. This year's event raised more than \$30,000 for scholarships to be awarded from the PBA Charity Fund. Many thanks go out to all the Golf Committee Board Members and Volunteers for their time and effort in this year's fundraising event.









*Thank you for your concern  
and kind generosity to our family.*

*The Gorski Family*

*Low,*

*Thank You for your Assistance  
and guidance through the years. Also  
your contribution and Passing of the hat  
for my Retirement Party. Please Pass  
my thanks to all others of the PBA  
for their help & generosity.*

*Sincerely!*

*Shawn Phillips*



*Letters  
to the  
P.B.A.*

December 14, 2011

Campaign Account of Palm Beach County  
Police Benevolent Association Campaign Fund  
2100 N. Florida Mango Road  
West Palm Beach, Florida 33409

Dear Sir or Madam: *KAC*

I want to personally thank you for your generous contribution to my campaign for the Palm Beach County Commission District 1 seat.

I am humbled by the support shown and I can assure you that each and every dollar raised during this campaign will be used in the most effective means possible in order to communicate my message to voters in the North County.

An investment such as yours helps me with the resources needed to run a successful campaign and to win. It is an honor and a privilege to be able to part of this very important election.

I promise you that I will fight hard to foster an environment that helps businesses of all sizes succeed through lower taxes, fees and regulations. I will fight to get the County's fiscal house in order using common sense, compromise and commitment toward keeping our budget balanced. I would like to help make our commission one that we can be proud of again and I'm determined to bring a higher level of integrity back to the Commission.

Thank you again for all of your support.

In Good Health,

*[Signature]*  
Daniel J. Amero



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Political advertisement paid for and approved by Dan Amero, Republican, for Palm Beach County Commission, District 1.



# Letters to the P.B.A.



February 17, 2012

John Kazanjian  
Police Benevolent Association  
2100 N. Florida Mango Road  
West Palm Beach, FL 33409

Dear John,

Thank you for your contribution to my campaign for West Palm Beach City Commission.

I'm running a grassroots campaign in the hope that I can continue to serve the residents, businesses and taxpayers of West Palm Beach. I'm working hard to support policies that keep our neighborhoods clean, reduce crime in our community and provide an environment for our local businesses to be successful. Your support will help me share my message.

If there is anything you need from me, please don't hesitate to contact me at [MoffettForCommissioner@gmail.com](mailto:MoffettForCommissioner@gmail.com) or call me at 561-319-6279. Thank you again.

Sincerely,

*Sylvia Moffett*

Sylvia Moffett

*Hello John,  
It was great to meet with  
all of you and to be able to  
say you've endorsed me.  
Bravo to you police!  
Sylvia*

513 35th Street, West Palm Beach, FL 33407  
Email: [MoffettForCommissioner@gmail.com](mailto:MoffettForCommissioner@gmail.com) • Website: [www.MoffettForCommissioner.com](http://www.MoffettForCommissioner.com)  
Political advertisement paid for and approved by Sylvia Moffett for West Palm Beach City Commission.



**Dodger Arp**

February 16<sup>th</sup>, 2012

Dear Lou Perque,

It is truly an honor having the men and women who protect our streets and homes endorsing my campaign. The police have worked hard to earn the trust of the community and now I'm ready to earn yours.

I hope to work closely with you in the coming weeks. This will be a challenging campaign, but we have a very motivated team ready for a change in West Palm Beach.

You may of course always contact me with any questions or concerns, and please do! 561.702.6649.

All the best,

*Dodger Arp*

Political advertisement paid for and approved by Dodger Arp, for City Commission, District 5.



## PBA “SUPPORT LAW ENFORCEMENT” TAG SELLING FAST!

**Y**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 89,000 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 below). 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 the line-of-duty injury. The great thing about the contributions made to the Heart Fund, they are tax-deductible! ●



## PBA HEART FUND DEATH AND DISABILITY PLAN



**I**n 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. ●

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

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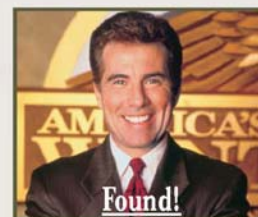
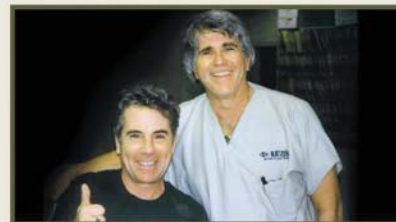
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Support Law Enforcement tags may be purchased at the County Tax Collector office.

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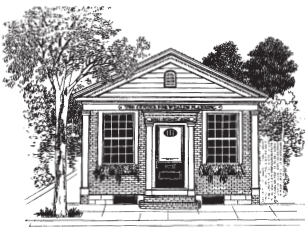
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|   |                                      |   |                                    |                                      |                                      |
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