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CODE THREE

Official Publication of the Palm Beach County PBA

SUMMER 2022

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Honor Board

They have more than 100 years of combined service to the Palm Beach County PBA. They have worked to get numerous collective bargaining agreements, salary increases and benefits for members. They have raised millions of dollars to help thousands of kids with their college tuition. And they have cooked thousands of burgers, steaks and other delicacies at so many PBA events. This is your PBCPBA Executive Board, and we offer this tribute to their unparalleled, unconditional and unprecedented service to members and the profession.

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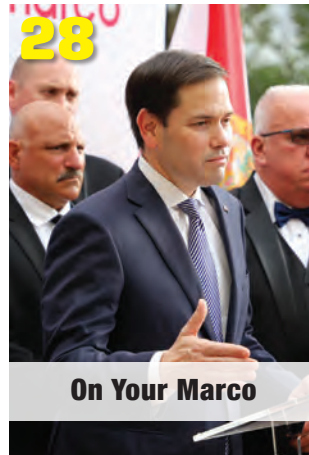
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Disclaimer: \$12 of your dues per year is used for Political Committee/Committee of Continuous Existence Funds. The PBA opened a Justice PAC and active, individually billed members will contribute \$15 out of their dues to this PAC. IF YOU CHOOSE NOT TO GIVE THIS AMOUNT, PLEASE NOTIFY THE PBA IN WRITING.

THE PRESIDENT'S MESSAGE

Don't fuss around with our endorsement



JOHN
KAZANJIAN
PBCPBA
PRESIDENT

Add another name to the political candidates, elected officials and municipal leaders the Palm Beach County PBA has put on its cancellation list. Another candidate thought she could come through the screening process, answer our questions by telling us what they thought we wanted to hear and then not live up to their words.

We have pulled the plug on our endorsement of Angelique Contreras, a candidate for Palm Beach County School Board in District 4. As I wrote to Ms. Contreras on April 19, "Our decisions to endorse your candidacy came at a time when we believed your vision for our membership, as well as the county, were aligned."

Then we find out she called our deputies "Gestapo" on social media. So we revoked the endorsement and the PBA's permission to use the association's name, logo or likeness on any political material.

You know, they think we don't check this stuff out or that the members don't let us know. The minute somebody sees that we've endorsed a candidate, they're telling us if they find something that shows these candidates lied to our faces.

I think what they do is they come in here, and they give us the perception, "Hey, I love you guys," blah, blah, blah, blah, blah. And they forget social media lasts forever.

Do they think we're not going to do our due diligence?

Well, here's a statement for all elected officials, so listen up:

We have more than 5,000 members. You don't think the word's going to get out? You don't think members are going to call me up and say, "Hey, this is what we heard from this candidate." Trust me when I tell you, candidates, the members are calling.

Listen, it really sucks to pull somebody's endorsement. But I don't have a problem doing it. We go through so much vetting of these people. I have our staff members going through social media trying to track down anything we can that indicates these candidates are talking out of both sides of their mouths.

But we're not privy to court records, transcripts and things like that. So thank God our members come forward and say, "Well, this candidate said this, this and this." You know we can pull the ticket because those are individuals we don't want to get elected, and we will do whatever we can do to stop it. We've done it before. And we will continue to cancel their candidacies.

I guess eventually they will realize they can't say anything they want just to get our money. They will learn they can't be freaking hypocrites.

You want to come into the PBA and ask for an endorsement? Well, show your true colors. You better know that if you come into a police screening, tell the truth. Say, "You know what? I got a problem with you guys. And this is what the problem is." You got something on your mind, tell us. Or don't even bother showing up.

For somebody to even show up and tell us one thing, then do another... That person is a piece of, well, you know. We don't need a person like that as an elected official.

We know what happens when the proven ones get elected. They go to the state legislature, or they stay in the county and they're effective. They give us support.

But then there are the bigmouths. I'm telling you, it takes a lot more vetting nowadays, and we're not going to risk the value of an endorsement we have worked so hard to build up on people like that.

That's why we have to cancel them. We've got to pull the plug swiftly. They do not have our endorsement. They don't have our support, and they don't need to be public officials, because I'll tell you right now that they don't have any interest in the police.

In closing, I just want to add a few words about cardiac screening available through ACD Health. They brought their bus to the PBA a few weeks ago and screened a lot of us for any cardiac-related issues.

I'm going to bring them back every three months because it's imperative that our members take advantage of it. The average age when a law enforcement officer suffers a first heart attack is 49. For the average citizen, it's 67. The prevalence of cardiovascular disease in law enforcement is 170 percent higher than in the average citizen.

ACD Health knows how to find stuff if something is wrong. The on-site testing can reduce your chance of dying from a heart attack by 300 percent. Think about getting the bus out to your agency, and we will let you know when it's coming back to the PBA. We all need to get on the bus.

As always, stay safe!

Kaz

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Several of our members have incorrect information on file with the PBA office. Please check with your fellow officers to see if they receive the magazine and if not, please email angela@pbcpcb.org to update your information.



**Visit our
website at
www.pbcpcb.org**

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Statutory changes to motor vehicle insurance for law enforcement vehicles



**BRENNAN
KEELER**

On July 1, Sec. 627.7491, Florida Statutes, went into effect. This new law provides that if an employing agency authorizes a law enforcement officer to travel to his or her place of residence in an official law enforcement vehicle, the employing agency shall maintain current and valid motor vehicle insurance coverage, including bodily injury, death and property damage liability coverage, that covers the period in which an officer travels to or from work in an official law enforcement vehicle and covers the time an officer travels to and from any other employing agency assignment in such vehicle.

Such motor vehicle insurance is not required to provide coverage if:

1. The law enforcement officer makes a distinct deviation for a nonessential personal errand, unless a collective bargaining agreement permits such deviation; or
2. The officer acts in bad faith or with malicious purpose or in a manner exhibiting wanton and willful disregard of human rights, safety or property.

The new law also provides that any suit or action brought or maintained against an employing agency for damages arising out of a tort pursuant to this statute, including, without limitation, any claim arising upon account of an act causing loss of property, personal injury or death, is subject to the limitations on tort claims or judgments against the state and its agencies and subdivisions provided in Sec. 768.28(5), Florida Statutes.

The new law also provides that the requirements of this statute may be met by any method authorized by Sec. 768.28(16), Florida Statutes, which authorizes the state and its agencies and subdivisions to be self-insured, to enter into risk management programs or to purchase whatever coverage they may choose, or any combination thereof.

Ultimately, with this new law, agencies with a take-home vehicle program must provide motor vehicle insurance coverage for their officers in compliance with the abovementioned statute.

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The PERC Elections process



LARRY
FAGAN

As promised in our spring issue, this edition is to discuss how PERC elections affect our members.

The governing body for public employee labor relations in Florida is the Public Employees Relations Commission. PERC regulates the individual bargaining units at your public employee agency. The voting process is alive and well in the PERC Election Division. That is, employees vote with PERC in a number of different ways: First,

they vote whether or not they want to have a PBA bargaining unit at their agency, or there could be a vote as to whether individuals want to be a part of an already existing bargaining unit that the PBA maintains (i.e., communications officers joining an already existing police officers' bargaining unit).

In addition, ballots can be cast with PERC to determine if particular ranks have duties that are sufficiently similar and nonmanagerial to be joined together in their own bargaining unit.

Management typically will provide lists of employees who are eligible to vote and will then send ballots to individuals' homes. The employer is typically responsible for sending the employee list of eligible voters to PERC. PERC typically has a

mail-in vote system for its elections throughout Florida. PERC may even entertain a vote for a new bargaining agent, with some very rigid time constraints. PERC itself has its own elections division, and it neutrally monitors and counts all votes with witnesses, double-checking the entire process for fairness and accuracy.

Votes are counted as both sides watch via Zoom conference-calling, and with an emphasis on transparency, at least two PERC officials witness the counting of ballots at all times.

These elections may determine what bargaining unit you are placed in, which would in turn help determine your wages, hours and terms and conditions of employment, or whether you can have a bargaining agent at all. PERC voting governs this process.

At the conclusion of a typical PERC vote count, PERC will issue an order verifying the election results and may certify an exclusive collective bargaining representative if the matter calls for that.

Most importantly for our purposes, there is a process in place in Tallahassee whereby our members can vote their consciences to get legal assistance with their wages, hours and terms and conditions of employment. We are here for you.

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Jason@OliverFoxLaw.com

Tonya A. Oliver, Esq.
Tonya@OliverFoxLaw.com

13031 W. Linebaugh Ave. Suite 102, Tampa, FL 33626

Know Your Rights

If you are under investigation, remember, as a law enforcement officer, you have rights.

They include:

THE RIGHT to have a PBA representative present during an interview

THE RIGHT to know who's in charge of the investigation

THE RIGHT to know what the charges are and the name of the person bringing the charges

THE RIGHT to have the interview at a reasonable time and for a reasonable length of time

THE RIGHT to have any interview tape-recorded from start to finish

THE RIGHT not to be threatened or bribed or to have to listen to offensive language

THE RIGHT not to be forced to resign

Notice: Legal Advisory

Police shootings, in-custody deaths or serious traffic accidents

STAY CALM

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

DON'T FORGET YOUR RIGHTS! CALL THE PBA AT

Monday-Friday 8:30 a.m.-4:30 p.m.: 561-689-3745

After Hours: 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, 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.

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.

[Download PBC PBA Legal Defense Policy](#)

[Download Florida PBA Legal Defense Policy](#)

[Download PBA Bylaws](#)

[Download PBA Constitution](#)

<https://www.pbcpba.org/membership/legal/>

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– John Kazanjian

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Ernest W. George.....X
Rick McAfee.....EXCUSED
Lou PenqueX
Kevin Igo.....X
Greg Allen.....X
Larry FaganX
Brennan KeelerX

Boynton Beach

Cory Herny.....X
Rayner DeLosRios.....X
Jermaine Jones.....X
Gladys CannonX
Brian McDeavitt, Appt'd AltX
Mark Sohn, Appt'd Alt.....X
Nasim Davis, Appt'dX
Aramis Grigorian, Appt'dEXCUSED
Patrick Malley, Appt'dX
Jason Llopis, Appt'dEXCUSED

Delray Beach

Meer Deen.....X
Edward McCabe.....X
Vincent GrayEXCUSED
Aaron SiegelX
Brian Cambell, Alt.....X
Michael Cianciaruli, Alt.....X

FAU

William HernandezEXCUSED
Miguel Cardona, Alt.....EXCUSED

Gulf Stream

Randall WilsonEXCUSED

Highland Beach

Jeffrey Miller, Appt'dEXCUSED
Jeff Kaplan, Interim Appt'd?

Juno Beach

John Kenny, Appt'dX

Jupiter

Scott KimbarkX
Jonathan Gentile.....X
Salvatore MattinoX
Paul Gundlach, Alt.....EXCUSED
Jason Alexandre, Alt.....X

Jupiter Island

Matthew Potsko, Appt'dX

Lake Clarke Shores

Antonio Gerena.....X
Michael Zarzycki, Appt'd Alt.....X

Lantana

Shawn JohnsonX
Troy Schaaf, Alt.EXCUSED
Linda Mikkelsen, Appt'dEXCUSED

Manalapan

Colbe Hernandez, Appt'dX

Christopher Alvarado, Appt'd Alt.....X

MCSO - Law Enforcement

Jon HantonX
Bradley SpencerEXCUSED
Michael McMahan.....EXCUSED
Kenneth Youngblood.....X
William WeissX
James Holloran, Alt.....X
Andrew Porcelli, Appt'dX

MCSO - Corrections

Samuel Haidy.....X
Edward Burke.....X
William EvansEXCUSED
Bikendey Turene, Appt'dX
Michael Joseph, Appt'd.....EXCUSED

North Palm Beach

Edward Ciezak, Jr.X
Louis Pearson, Alt.X
Ocean RidgeX
Jimmy Pilon.....X
Mario Galluscio, Alt.X

Ocean Ridge

Jimmy Pilon.....ABSENT
Mario Galluscio, Alt.EXCUSED

School Police (Palm Beach County)

Kevin O'SullivanEXCUSED
Alexander LopezEXCUSED
Michael Lynch, Appt'dX

PBSO - Law Enforcement

Carlos Ugalde.....X
Michael Kennedy.....EXCUSED
Layford "Brandon" West.....X
Marlow "Butch" AltonenX
Kevin LinardosX
William Gale, Alt.X
John Kazanjian, II, Alt.....EXCUSED
Alex Nunes, Appt'd.....X
Jason Johnson, Appt'dX
Cory Gray, Appt'd.....X
Ruben Cruz, Appt'd.....X
Michael Sasson, Appt'dX
John McGuire, Appt'dEXCUSED
Anthony Johnson, Appt'dX
Matt DeJoy, Appt'dEXCUSED
Chris Caris, Appt'dX
Ryan Mugridge, Appt'dX
Jason LaForte, Appt'd.....X
Adolf Alexandre, Appt'd.....EXCUSED
Gary Chan, Appt'd.....X
Jackie Garrett, Appt'd.....X
Nathaniel Krause, Appt'dEXCUSED
Cesar Tejada, Appt'dX

PBSO - Corrections

Barry Hilton.....X
Michael Santoro.....X
Melvin Cribbs.....X
Thomas JordanX
Cheryl Melvin.....X
Gwendolyn Wattlely, Alt.EXCUSED
Robert Tozzi, Appt'd, Alt.X

PBSO - Civilians

Sallyann Josef.....X
John Costello.....X
Kristen KazanjianX
Amy Cisco.....X
Heriberto AvilesX
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Tequesta McKinney James, Appt'd Alt.....EXCUSED
Kayai Graham, Appt'd.....EXCUSED
Ray Griffith, Appt'dX
Y Diane Baker, Appt'dX
Lori Brillinger, Appt'dX
Angella Lipinski, Appt'dX
Mariam Glisson, Appt'd.....X
Sharon King, Appt'd.....EXCUSED
Nichol Fields, Appt'd.....X

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Michael Ferrera.....EXCUSED
Charles BranchEXCUSED
James LouisX
Christopher NebbelingX
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Welcome, New PBCPBA Members

APRIL 2022

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PALM BEACH COUNTY SHERIFF'S OFFICE

MAY 2022

NAME

AGENCY

KEN VICTOR

PALM BEACH COUNTY SHERIFF'S OFFICE

NICHOLAS LORDI

WEST PALM BEACH POLICE DEPARTMENT

ARIANNA MORRIS

LANTANA POLICE DEPARTMENT

DENIJAH ROCHESTER

PALM BEACH COUNTY SHERIFF'S OFFICE

BRIAN FISCHER

DELRAY BEACH POLICE DEPARTMENT

LILIANA CASTELLANOS

PBC SCHOOL POLICE DEPARTMENT

TAZMARRIE RIDGEWAY

PBC SCHOOL POLICE DEPARTMENT

ROBERTO NONCENT

PALM BEACH COUNTY SHERIFF'S OFFICE

JUNE 2022

NAME

AGENCY

ROBERT BLANC

PBC SCHOOL POLICE DEPARTMENT

ANTHONY SCHRODER

FLORIDA ATLANTIC UNIVERSITY POLICE

MIDIAN DIAZ

PBC SCHOOL POLICE DEPARTMENT

FRANK CUGLIATA

PBC SCHOOL POLICE DEPARTMENT

JOCARI DUFFY

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MATTHEW YECGUANCHUY

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Board Bulletin

This special report is a tribute to the stalwart service of the Palm Beach County PBA Executive Board

■ BY MITCHELL KRUGEL

Scrolling down memory lane led to discovering photos of Palm Beach County PBA Executive Board members nobody would ever see on Facebook or Instagram. Polaroids and Kodachrome filled file cabinets and scrapbooks that brought the search to a sudden stop with the image of the board members posing for the ceremonial breaking ground on the current

PBCPBA headquarters 10 years ago this month.

From left to right, in the photo at the top of this page Vinnie Gray, Lou Penque, Ernie George, Kevin Igo, Kaz, Rick McAfee and Greg Allen (along with Ray Griffith) form a union honor guard of sorts. Serendipity collided with opportunity when this photo surfaced as a place to start a tribute to the PBCPBA

CONTINUED ON PAGE 16

Executive Board that is coming to the end of its run in present composition.

How apropos that we have a photo of the team with shovels and hard hats. Since its genesis in 2006, this PBCPBA Executive Board has procured benefits and rights members would never have enjoyed, raised millions of dollars for charity and scholarships and honored hundreds of officers in Palm Beach and Martin counties for outstanding service.

But this board's greatest achievement might be its longevity of standing together and bringing an unmatched commitment to members. This board's greatest impact might be its ability to meet every member's needs and requests for representation no matter how significant and no matter what time of day or night. And then there is the multitude of state, county and local elected officials the PBA has helped get elected under this board's watch that made so much of this possible.

Groundbreaking work, you bet. Those hard hats and shovels could be their Class A uniforms for the way this board has built up the PBA.

"Without Ernie, Kaz and the team, we would have been behind the eight ball," declared Al Shopp, a director at the Florida PBA and longtime law enforcement officer who has seen the PBCPBA come of age. "They're all about the members. They look at the big picture. They have developed stuff other states have copied. If we could emulate Palm Beach County throughout the state, we'd be unbeatable."

Retired West Palm Beach member Allan Ortman, who has worked alongside the board at the annual Police Officer's Ball, the Kaitlin A. Kazanjian Scholarship Golf Tournament and many other events, offers some groundbreaking insight about the prowess of this board. Ortman now teaches a unified command class for PBSO, and he trains leaders in the sheriff's office to pursue the type of teamwork the PBCPBA Executive Board exemplifies.

"They are a perfect example of a unified command," Ortman explained. "When somebody has an idea, they bounce it off all seven of them. And then when they take it to the members, they know all the members will get behind it because they are unified."

Most members don't know the extent of the executive board's service. That's not only the way the board wants it, but the way it works best. It is a group that does its best work behind the scenes, never worrying about who gets the credit.

Kaz is renowned for leading with passion and commitment since moving up from vice president in 2006. Ernie did likewise when serving as president from 1986 to 2006 and has mentored Kaz, who is not reluctant about still asking for input from the PBCPBA's great sage.

Ortman calls Vice President McAfee – "Mac" to those who know him and love him, which is everybody – the organization's rock, its voice of reason. As treasurer, Penque, who recently retired from West Palm, has made a habit of bending over backward to help any member who comes to him with a request or problem. And there have been thousands.

Igo, the secretary, and Allen, the sergeant-at-arms, are not only great soldiers who never hesitate to do the dirty work at PBCPBA events. They are rarely seen without a smile, bringing an upbeat attitude and necessary sense of humor to the day-to-day. And then there's Gray, the labor coordinator, who seems to know all the intricacies of contract negotiations and never hesitates to bring that to the table.

"I think the camaraderie these guys have is unique," submitted Ray Griffith, the retired PBSO member, current unit rep for PBSO Civilians and leader of the grill team that all board members have been deployed to at one time or another. "They have been brought up by the right people, which gives them the right ideas. Everybody comes together for the right reasons, and they have done a lot of great things for a lot of people."

To fully articulate how great these executive board members have been, and to find true insight on what makes them great, we have turned to those who know them best to carry on the tribute. Their perspectives, which come as a surprise to your board members, who did not know anything about this tribute, provide an apropos means to thank this executive board for its service.

John Kazanjian President

*From Kristen
Kazanjian*

As Kaz moves forward, Kristen Kazanjian believes her dad will be even more energized to fight for the best salaries and benefits. As a unit rep for PBSO Civilians and a 13-year

veteran of the sheriff's department who works in the crime lab, Kristen has seen how Kaz's phone never stops ringing and how much he loves to answer the calls.

And do it his way, as he watched and learned from Ernie.

"He's not going to beat around the bush, and he's just going to ask. And if they say no, then they say no," Kristen confirmed. "Some people don't like him, and that's OK, but at the end of the day, he's trying to fight for everybody."

Kristen will tell you that Kaz will be there every day for everybody because that's what he believes the PBA is all about. That inspiration, of course, comes from the way the PBA was there for the Kazanjian fami-

ly when Kaitlin was killed in that horrible accident.

That's the legacy Kaz continues to work to carry on. And he will do it, as always, with his greatest advocate by his side. Members know they are grateful for Joanne Kazanjian being such a calming influence on Kaz.

"He's lucky to have Joanne by his side because not every wife will do this," Kristen added. "So my mom's always there for him, supporting him. They



have a great marriage. They're still in love like that after 43 years."

While there is obvious emotion about the board members who are leaving, Kristen does not see her dad slowing down.

"We're going to miss them, but my dad's got a couple more years," she asserted. "This is a perfect time to get some new people in while he's still involved, so he can help them along the way, just like Ernie helped my dad."

Ernie George **Executive Director**

From Detective Andrea Branch

Ernie George used to hold PBCPBA meetings at his house. Yes, he was that dedicated. And the union had no offices at the time.

"I just remember him always being busy with work, and we always laughed because it was for the union," Andrea Branch noted about her father. "He was always writing stuff and researching. He loved helping everyone and making sure that the officers never were taken advantage of."

As a West Palm Beach PD homicide detective, Branch is one of the thousands of officers who has benefited from Ernie's dedication. Entering her 25th year on the job, she has followed in his footsteps at West Palm.

She never wanted to follow in Ernie's path as a union leader because, well, nobody can. After all, Ernie was inducted into the Florida Law Enforcement Officers' Hall of Fame in 2018.

Ernie might have had designs on another hall of fame after a brief stint playing in the NFL. Ironically, he grew up in Akron, Ohio, just a few miles from the Pro Football Hall of Fame in Canton. And it was there that he drew inspi-

ration from another great union leader – Robert George, who was a lieutenant with the Akron Police Department.

Branch submitted that, like his father, Ernie loved what he did for the members. That seems to be the relationship Ernie has with every member of the PBCPBA Executive Board. Pete Tartaglione, who has served alongside the board as the corrections coordinator, calls Ernie the union's godfather.

Ernie is still at it. Rarely a day goes by that PBCPBA President John Kazanjian doesn't shout into the office next to his,

"Hey, Ernie, do you know...?" As Branch recognized, he is still doing the research and still a very integral part of the union.

"And he also was an amazing father while doing all this too," Branch related. "I mean, he coached my sister and I in softball and did all the stuff. So that is also why we think he's amazing."

Rick McAfee **Vice President**

From Helene McAfee

Nobody calls him "Rick." Everybody calls him "Mac," and it's because everybody feels like they are talking to a friend when they call the PBCPBA vice president. Despite being in this elected position since 2006, Mac has never been a politician. He's always been a public servant.

"I think his legacy will be that he was available for the members that needed him," described Helen McAfee of her husband of 32 years. "Being a sergeant, he can see what members need and advocate for them."

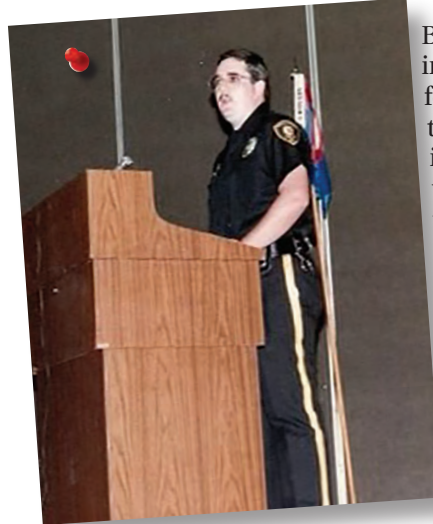
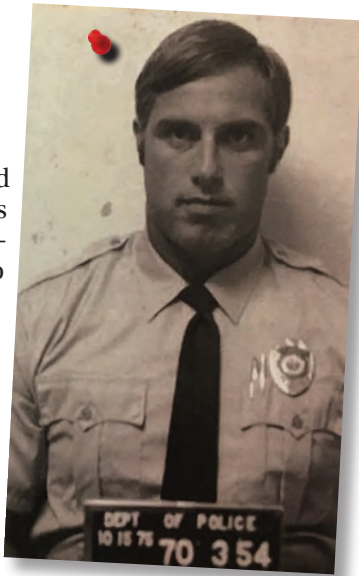
Mac started in Palm Beach County with Jupiter in 1988 and served there for 10 years before moving to PBSO. He has flourished in a career that will top 35 years on the job with an unassuming demeanor that makes him easy to talk to.

"His one quote that he would always say is, 'You be nice to me, I'll be nice to you,'" Mrs. Mac confirmed. "He'll tell people how it is, whether it's what they want to hear or not."

Mac just has that way of being the rock. Perhaps that has been nurtured by being father to Jessica, 27, and Megan, 25, as well as the number of rescue dogs he and Helene have saved in their years together.

Mac thrives on being the complementary player. He has coordinated the Police Officer's Ball for many years, but the only time you tend to see him out front is when joining Kaz to hand out the awards.

"I think it's just the fact that he's been there for the different members," Helene added. "He's always been one to really advocate for the raises and safety of law enforcement and just making sure that whoever they do support has the same values as he does."



CONTINUED ON PAGE 18

Lou Penque Treasurer

From Amy Sinnott

Sometime after 1988, when Lou Penque first came on in West Palm, members would not hesitate to turn to him.

"You always called Lou," reported Amy Sinnott, a retired West Palm captain who has been married to Penque for almost 10 years. "He was the person

you called if you needed a question answered, weren't sure of how to handle things or upset about something."

Penque has been a unique influence on the PBCPBA Executive Board with his ability to swing between intense emotion and calming demeanor. Sinnott suggests that is a residual effect from Penque serving as a nurse before becoming a police officer.

The intensity fuels his need to get it right. The calm serves him so well when facing the deadlines that come with his PBA service. Sinnott also noted that in Penque's 30 years on the job, he became adept at knowing where to look for answers.

"He takes that responsibility very seriously to all the members, the same way he was when he was a detective," Sinnott added. "He always felt it was his role to be a caretaker for not only the organization, but the members."

When Penque turns over the treasurer duties, reams of institutional knowledge will walk out the doors of the PBA. He actually thought about retiring sooner, but his nature as a caretaker and attention to details kept Penque on the job.

"Lou will always be a phone call away," Sinnott confirmed. "He believes in the right and wrong and wants to make sure things are done the right way. He is so vigorously protective of not just the people that he loves, but his friends and colleagues. It extends to all facets of his career."



Kevin Igo Secretary

From Lisa Igo

When Kevin Igo became PBCPBA secretary in 2021, he might not have been fully qualified for such a role.

"It was a little bit of a surprise because he types with two fingers," quipped Lisa, Kevin's wife of 34 years. "But

luckily, the meeting minutes only come out every three months."

Igo, who retired from PBSO in 2016 after 34 years on the job, has made a profound impact on the PBA, way beyond typing his p's and q's. Beyond his imposing physical presence, Igo has been a memorable presence for the PBA.

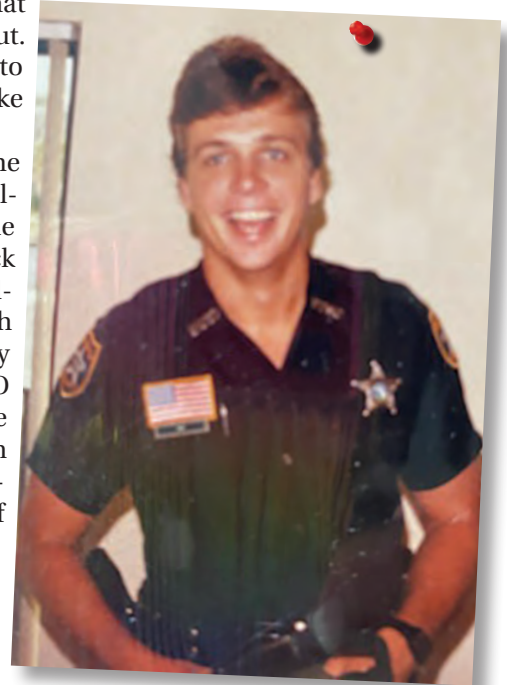
"He definitely can command a room," Lisa continued. "And all the PBA members appreciate that, because there's always a relative common ground. I think that's why Kevin's been a good PBA rep and board member, because people can come in and express what they need to talk about. And he'll find a way to make them feel like they're there to help."

Kevin is one of the PBA's great storytellers, and he has some great tales dating back to when he attended the academy with Kaz and when they worked with the PBSO SWAT team. Maybe after he retires from the board, he can actually share some of those stories.

It won't be long before Kevin hangs that "gone fishing" sign on his door and pursues two of his greatest passions: being with Lisa and their daughters, Kaitlyn and Kelly. And fishing.

He will miss talking to the members. And they will miss talking to him.

"I think Kevin is the ultimate relater, like he's never been a stranger," Lisa expressed. "He's a guy that I think anybody feels they're comfortable to talk to. He realizes that every problem is important to them, and he's somebody who will go the long haul."



Greg Allen
Sergeant-at-Arms
From Retired Police Officer Gwen Fleming

When Palm Beach Gardens Officer Gwen Fleming faced an issue with her department and an attempt to take action against her, she met a young PBA rep. Along with the help of then-President Ernie George, he showed her, "They can't do that to you."

Greg Allen was the unit rep who helped Fleming break down the issue and get her job back. Several years later, Fleming began a relationship with Allen, and during their 17 years together, she has seen him become an even stronger advocate for the PBA and its members.

"Anybody at the city of Palm Beach Gardens will tell you that he fights for officers that he feels are in the right," imparted Fleming, who retired after 28 years with Gardens and now serves the department as a part-time reserve officer. "He's honest, he's very personable, he really cares for people and to be a rep, you got to be that type of person."

Allen has always been one of those reps who answers when called. When Kaz wanted to bring in board members from more agencies in 2010, he looked to Allen to make the board more well rounded.

He was voted in immediately, and when it comes to the PBA Executive Board, when you're in, you're in. In fact, when the board turns over at the end of this year, it wouldn't be a surprise to see Allen, who has been with Gardens since 1998, take on an even bigger role.

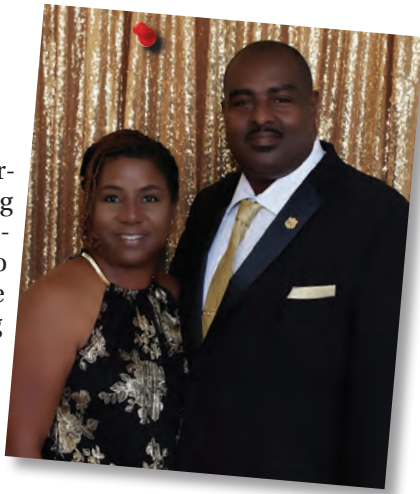
"When he takes a commitment, he is committed," Fleming declared. "He reads the policies very well. He reads the contract. He knows you have to do that because you have to be able to let everybody know what their rights are, should they ever need it."

Vinnie Gray
Labor Coordinator
From Captain Jeff Rasor

Members from Delray Beach had been waiting for a new contract since Oct. 1, 2021. On June 1, 2022, the contract still had not been resolved.

During that time, officers were leaving to join PBSO. Patrol Captain Jeff Rasor noted that his details had lost some valuable officers.

"I had a briefing with of-



ficers because of the contract negotiations," recalled Rasor. "I told them, 'I understand the feeling that this is hopeless, that we're not going to get something. But I'm letting you know, Lieutenant Gray will deliver.'"

And Lieutenant Vinnie Gray, who has been on for with Delray for 29 years, ultimately delivered. Just like he has for so many members as the PB-CPBA labor coordinator. Anybody who has worked with Gray on a labor matter knows he goes all in, all the time.

That commitment enabled him to lead the county in DUI arrests for seven consecutive years. He is driven to make the community safe like he is driven to make members safe through his work with the PBA Executive Board, which has encompassed 23 years.

"No matter what he's going to be involved in, Vinnie dives into it with an incredible amount of passion, drive, commitment to understand, learn and be the best at that craft he can be," added Rasor, who has worked with Gray for more than 20 years. "Whether it's negotiating a contract for the PBA, for our agency, other agencies, or representing an officer that has an accusation that's made against them, if you have a question, he's that go-to guy."



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School Police Spirit

Salary increases and new leadership forge improvements for Palm Beach School Police District Members

■ BY MITCHELL KRUGEL

Minutes after being sworn in as the new Palm Beach School Police District Chief, Sarah Mooney revealed the item at the top of her agenda as the leader this department truly needs. Getting more officers on the job to secure what has become the community's most important priority – the schools – is job one. And doing so without compromising quality for quantity.

"Because of the state's mandates in regard to school safety and security, it's going to take a lot of resources," explained Mooney, who moved on from an illustrious career with the West Palm Beach PD to take over the School Police on May 5. "It's really going to be a group effort. Other agencies in the county, the chiefs are, 'Hey, anything you need.' So I'm trying to see what my asks are so we can start building."

Help is on the way, and it is not just from PBSO, which has deployed 20 deputies to help the School Police meet the requirement of having at least one officer on each of its 180 campuses during school days. Perhaps the biggest boost came from the Palm Beach County PBA, which helped the School Police unit negotiate a 5 percent salary increase to the minimum, maximum and all hourly rates of pay, retroactive to Jan. 1.

School Police salaries have been historically lower than the rest of the county agencies. So to put the substance of this raise into perspective, consider that the Palm Beach County teachers received a 3.5 percent increase this year. This could be the first year ever that police officers procured a bigger increase.

PBCPBA attorney Katie Mendoza attributed the progress in part to a new labor relations team representing the District. The current contract allows for reopeners every year in salary, and the union pushed the District until it agreed to the 5 percent.

"It used to be very adversarial, so it was a better tone for sure," Mendoza commented. "They usually say, 'We just don't have the funds.' But we kept coming back with they really need 5 percent. So they gave it to them at the last negoti-



Sarah Mooney was sworn in as the new Palm Beach School Police chief on May 5.

ation session."

PBCPBA President John Kazanjian also sent a letter to the District and County insisting on taking advantage of the District's opportunity every four years to put out a referendum under which citizens can vote for an ad valorem tax. Typically, that money has been used for the teachers, but the PBA is requesting it also be used for improving police officer pay.

"With the low morale over there, we still have a lot of work to do," Mendoza added. "But this is a good start."

Mendoza also recognized that the presence of Mooney, who forged positive and productive relationships with the PBA when she was the West Palm chief from 2017 to 2019, will be a lift for members of the School Police. She is the fourth School Police chief in a little more than a year and is focused on bringing much-needed stability to the department.

Mooney was well into the DROP and looking at retirement when the opportunity to lead the School Police interested her and invigorated her. Mooney's husband, Bob, a retired police officer who pinned the School Police badge on his wife when she was sworn in, was not the only one to notice a spring in her step when she stepped up to this new position.

"It kind of gets you back to the basics of why you got into police work in the first place – making an impact on kids

and their environment," Mooney shared. "It will be a challenge to help the department get steadied. But the challenge will renew my passion for the job."

Mooney is looking forward to blending the veteran officers who have retired from other agencies and are working for the School Police of their own volition with the officers who have come up through the agency. Perhaps her vast experience and master's in social work will help bring this group together.

"They appear very motivated for the right reasons," Mooney described. "It's not just a job for them. They're there because they want to be in a school environment, and they want the things a school district offers you in regard to serving the people."

Mooney also noted that her relationship with the PBA will reinforce members relying on the union to give them a voice. And help achieve another priority on her agenda, of making the working environment better for officers.

The PBCPBA is thick into addressing a major issue left behind by former Chief Frank Kitzerow. The union filed a grievance when Kitzerow named sergeants without following the procedures of the collective bargaining agreement between the District and the PBA that they must be selected after meeting a series of requirements and passing an exam.

The PBA won the grievance, but Kitzerow went around the contract by creating the new position of detective supervisor. Again, he even changed the uniform by taking the three sergeant's chevrons and adding a little diamond on the symbol.

As a result, Mendoza and fellow PBA attorney Larry Fagan filed an unfair labor practice (ULP) against the department. That case is underway and awaiting the next hearing date.

In the meantime, Mendoza is encouraged about how things are looking up for School Police members, especially with the addition of Chief Mooney at the helm.

"The communication has already been better," she confirmed. "She seems to be on board with us and advocates for the officers' rights."

Giving it up for the governor and the attorney general

Florida PBA presents awards to state's top elected officials

Florida PBA President John Kazanjian and union leaders from across the state presented awards to Governor Ron DeSantis and Attorney General Ashley Moody on June 21 in Miami.

At the event, DeSantis spoke about the Brighter Futures program that sponsors vocational education for high school students. He appeared to be inspired by the youth in attendance, including Natalia and Lynnea Portman, the daughters of Tampa

PBA President Darla Portman. The governor ever took time to shake hands with Lynnea.

DeSantis received the Florida PBA's Man of the Year award. The PBA presented Moody with an award for her "Back The Blue" program, which recognizes law enforcement officers throughout the state who go above and beyond the call of duty in responding to calls.



The Florida PBA presents Governor Ron DeSantis with its Man of the Year award.



The Florida PBA recognizes Attorney General Ashley Moody for her "Back The Blue" program.



Governor DeSantis shakes hands with the daughter of Tampa PBA President Darla Portman at an event in Miami to speak about Brighter Futures.



Palm Beach County PBA Political Endorsements

Candidates endorsed for Aug. 23 Primary Election

Name

Saulis Banionis
Jeff Browning
Andy Thompson
Michelle McGovern
Rick Roth
Paul Damico
Stacey Hetherington
Doug Mustapick
Rod Dorilas
Caryn Siperstein

Office

State Representative
Palm Beach County School Board
State Representative
Palm Beach County Commission
State Representative
County Court Judge
Martin County Commission
Martin County Commission
U.S. House of Representatives
Circuit Court Judge

Location

District 86/93
District 6
District 91
District 6
District 94
15th Judicial Circuit
District 2
District 4
District 22
Group 23



Delray Beach Honor Guard members participated in the 34th annual Candlelight Vigil detail.

Delray Beach Honor Guard members are proud to participate in the Candlelight Vigil and remember the fallen

■ BY ESTHER GONZALES

■ PHOTOS BY ED CARATTINI JR.

Thousands of lights flickered from the candles shining like a sea of light in the darkness. The flames illuminated the thousands of faces of the members of survivor families and law enforcement officers who had gathered at the 34th annual Candlelight Vigil on May 13 at the National Mall in Washington, D.C.

A half-mile away, the National Law Enforcement Officers Memorial Wall was decorated with drawings from children to their fathers and mothers. Red roses lay scattered around pictures and badges left there to honor the memory of the 619 fallen law enforcement officers who were added this year.

It is sites and scenes like these that bring the Delray Beach Honor Guard members back to Washington, D.C., for National Police Week each year. On display is just how great the presence of the honor guard really is.

“Until I got on the team, I didn’t realize how important it was to have an honor guard and to be there as a representative for the department, to show respect,” Delray Beach member Milton Smith attested. “When you go to these events, you see an outpour of how many people actually care. And it’s nice for the family to show the support from the thousands of officers that show up. You mean something.”

The six members of the Delray Beach Honor Guard stood at attention among thousands of other law enforcement officers from across the country participating in the detail that ushered family members of the fallen into the Vigil. Two rows of members faced each other and rotated into a new formation every



Florida PBA Senior Vice President Mick McHale, who is also president of the National Association of Police Organizations, recited some of the names of 52 fallen Florida law enforcement officers who were added to the National Law Enforcement Officers Memorial Wall this year.

15 minutes.

As survivors were escorted past the honor guard members, Smith stood there with his thoughts. He imagined what it must feel like to walk in their shoes.

“I put myself in the position of how they would feel,” he explained. “You’re sitting at attention or you’re saluting for a long period of time, and all you have is your thoughts and what

CONTINUED ON PAGE 24

Scenes of Remembrance

The images of National Police Week 2022



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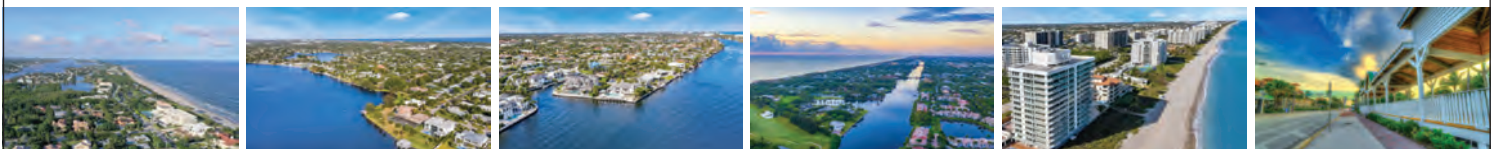
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U.S. Secretary of Homeland Security Alejandro Mayorkas speaks during the 34th annual Candlelight Vigil.

UNFORGETTABLE CONTINUED FROM PAGE 22

you're feeling, what you're hearing."

At times, Smith has been heartbroken by what he has seen and heard at law enforcement officers' funerals.

"I remember one funeral where one of the guys that died in the line of duty had an autistic son," Smith recounted. "And as soon as he walked into the church, he just lost it. It just tears you up inside. And once he saw his dad's picture up there ... It gets to you sometimes."

The Delray Beach Honor Guard returns each year to continue honoring the memory and legacy of two of their own: Officer John Kennedy, who was lost in 1974, and Sergeant Adam Rosen-

thal, who was lost in 2011.

"I want to make sure we pay respect to those guys and all the fallen all over the world," remarked Delray Beach Chief Javaro Sims, who was in D.C. with the honor guard. "Ultimately, a law enforcement officer, regardless of where you are and what capacity, becomes family. It's about paying respect to family. It's needed and necessary."

Alejandro Mayorkas, the U.S. secretary of homeland security, stood on stage in front of the thousands of survivors to speak at the Vigil service. He reminded them that as they carry on the memory of the fallen, in doing so, they too are heroes.

"The loss of life is the loss felt deeply and profoundly by others," Mayorkas noted. "So too is the pride that emanates from service to the family and loved ones of the fallen. It was your love and support that made their service possible. Please know that you are heroes too."

The Vigil, of course, includes the roll call of heroes, with officers and other dignitaries stepping up to read the names of the fallen, state by state. Florida PBA Senior Vice President Mick McHale and Vice President Bill Smith, who is also the president of the Florida PBA Highway Patrol chapter, stood to recite the names of the 52 fallen Florida law enforcement officers added to the wall.

In the crowd of 40,000 in attendance, the Delray Beach Honor Guard members stood at attention as their sisters and brothers from Florida were called.

"I wouldn't give it up for the world to be there," Smith added. "To let the families know that this is us showing support and showing love. And letting them know that we're here for them."



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Brave in the Waves

Riviera Beach Officer Joseph Hoffman is honored for rescuing a drowning child

■ BY ESTHER GONZALES

Riviera Beach Officer Joseph Hoffman was patrolling three miles of beach behind the Phoenix Towers on June 6, 2021, when he noticed several people frantically waving him down.

"There's a kid drowning out there," they yelled.

Hoffman quickly responded. He reached for the rescue buoy in the back of his patrol vehicle and scanned the water. In the distance, Hoffman saw a small shadow.

"This kid got caught up in this rip current, and it took him way out," Hoffman recounted. "His head looked like a little pea."

The citizens on shore also related to Hoffman that another man had already jumped into the water to rescue the 12-year-old boy.

There were now two lives at risk. So Hoffman stripped down, strapped the buoy to his ankles and jumped into waves rolling high and furious.

For his heroic actions, Hoffman was awarded the 2021 ASIS International Lifesaving Award on June 3 during a ceremony at the PGA National Resort in Palm Beach Gardens.

"I didn't think it was award-worthy at all, and I don't think there's anything heroic about it," Hoffman related. "Because anyone else would've done the same thing. If you're a decent human being, you're going to try to help that kid, just like that citizen did."

But there was a moment when both that citizen and Hoffman didn't think they would make it.

As Hoffman plunged into the water, he yelled for the man to swim back to shore. But the man couldn't hear Hoffman. The waves drowned out his voice.

So Hoffman treaded through the rough current, fearing the worst. He wasn't sure if he could save both of them.

"I've seen it before when someone's fighting for their life and then you go up to them, they're going to climb on top of you, just to stay above the water," Hoffman explained. "It's not that they have bad intent, they're just trying to survive. So that's what I was concerned with the most when I was going out, because you can't rescue two people at the same time."

Hoffman watched as his fears quickly became a reality. The young boy grabbed on for dear life to the man, who had finally reached him. The boy clung to the man's head and shoulders, pushing him under water.

The man later told Hoffman, "When the kid climbed on top of me, I thought I was going to die."

Eventually the man broke the boy's grip and Hoffman instructed him to swim away from the child or he would go under again. He complied, and Hoffman threw the buoy to the boy, who was completely exhausted.

As Hoffman swam back to shore against the weight of the rough waves, he began to feel tired. He didn't know if he could carry on.

"It was just willpower," Hoffman remarked. "And finally, when



Riviera Beach Officer Joseph Hoffman was honored with the ASIS International Lifesaving Award.

my feet were able to touch the bottom, I was like, 'Thank God.' Because I was done. I didn't have much energy left."


As soon as Hoffman reached the sand, a lifeguard from Municipal Beach, who was waiting, reached for the boy, placed him in his ATV and transported him to an ambulance. The 12-year-old was coughing up salt water and breathing slowly. But he later was stabilized at the hospital.

Hoffman collapsed on the shore, waiting there for 10 minutes to regain his strength.

"Thank God you happened to be there," the citizens expressed to Hoffman.

And he was thinking the same thing.

"What are the odds that I just happened to be driving by at that particular time?" Hoffman added. "God was looking out for that kid, I'll tell you that. I'm glad it worked out the way it did."



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President John Kazanjian and members of the Florida PBA executive board stand with Senator Marco Rubio after the union endorsed Rubio for reelection.



Backing Rubio

Because of his relentless support for law enforcement, the Florida PBA endorsed the senator for reelection

■ BY MITCHELL KRUGEL

Dressed in formal attire, members representing PBA charters and chapters across the state stood behind Florida PBA President John Kazanjian as he prepared to make a momentous announcement. Not that this statement required tuxedos and formal gowns, but when the Florida PBA delivers news this important, well, it always helps to look the part.

"It's a great pleasure to announce that the Florida PBA, 30,000 strong, endorses Marco Rubio for reelection as U.S. Senator," Kaz began at the press conference to deliver the news. "Use it with whatever you have to do. You have 30,000 members pushing for you. And I'm sure you're going to kick some butt. I know you have our back. We got yours."

Never has it been more important to have somebody watching your back than now for law enforcement. And in its ongoing campaign to ensure vital representation, the Florida PBA acted swiftly and decisively to solidify its relationship with Rubio, one which has been fruitful since he first procured the union's endorsement as a city commissioner in West Miami in 1996.

The announcement came prior to the South Florida PBA's annual Officer Awards Gala at Trump National in Doral. Rubio embraced this opportunity to gather with Kaz and the PBA leadership from across the state to confirm his stance on the importance of law enforcement and getting your back.

"My biggest fear is that we're not doing enough to support men and women in law enforcement across this country," Rubio stated in front of a stable of cameras and reporters at the press conference. "I think it's about more than just the issues we support. It's about the steady and consistent behavior on our part. I think many of my colleagues as well say that now, more than ever, it's important for us to be on the side of law enforcement."

Rubio's statements following the announcement of the PBA endorsement revealed that his deep appreciation for first responders spawned from serving in local government. They confirmed that he does get it: that whoever calls 911, someone is going to show up and put their life on the line for that caller; that the public doesn't quite understand how police officers sometimes have to make a life-or-death decision in a millisecond.

He further recognized that the lack of support for law enforcement is leading

to two big problems: The way criminality that is protected in big and small cities across the country literally has led to people being willing to violate the law because they don't think there are any consequences for it. And the increasing challenges of retaining officers and recruiting new ones.

"If the day should ever come when people are no longer willing to do law enforcement because the price is higher than the reward, then we're going to be in a lot of trouble," Rubio emphasized. "Believe me, a lot of us respect law enforcement. And our



Florida PBA President John Kazanjian prepares to announce the union's endorsement of Senator Marco Rubio for reelection.

job is to continue to repeat this to as many people as will listen. And we should thank God every single night that we have men and women in this country who are willing to do that work.”

Senator Rubio continued to touch on hot-button issues. He disclosed how he responded when a year ago or so, some of his colleagues proposed legislation to take qualified immunity away from law enforcement officers.

“They said, ‘Let’s make it easier to sue police officers,’” he added. “I said, ‘OK, that’s very easy. Here’s my proposal: Whatever we pass that applies to law enforcement should also apply to members of Congress. So you should be able to sue members of Congress if you don’t like the law.’ And it went away. I mean, they stopped talking about it. For now, anyway.”

To keep them from talking about it again, legislators like Rubio are needed in Washington. But he didn’t want his gratitude for the endorsement to seem numbing.

So rather than just saying how much he appreciated police officers and how much he has your back, Rubio explained how he walks the walk.

“It’s easy to pass a law. It really is. It’s easy to write something on a piece of paper and put it into law,” he explained. “The law means nothing if someone’s not willing to go out and enforce it.”

Walking tall has also led Rubio to work on legislation that truly focuses on helping first responders in ways that would greatly impact them. For example, he wants to get Congress to consider a law that would give them a home-purchase benefit similar to what the VA offers those who served in the military. This would enable them, one time, to buy a home with no down payment and enable them to get financing to buy something priced at up to 110 percent of the median price in their communities.

He would also like to see those bystanders with their cell-



After receiving the endorsement, Senator Rubio speaks about his plans to continue to represent law enforcement officers’ best interest in Congress.

phone cameras shooting video of every police response stand down. Or at least have the review of those videos be done in context.

“They release the video and some expert on television who knows everything breaks it down like was a review from an NFL or NBA game,” the senator quipped. “But that’s not how the real world works.”

The real world, he continued, is about common sense, especially in government.

“I tell people when they talk about over-policing or too much policing that they made a movie about that,” Rubio charged. “It’s called, ‘The Purge.’ Because that’s what society would look like.”

He concluded his remarks by reiterating how important it has been to speak up for police and how proud he is to be able to do so. Not as easy position to take in this day and age, to be sure.

“It’s easy for me,” Rubio submitted. “And I think there are many people who agree with me.”

A campaign poster for Andy Thomson. On the left is a portrait of Andy Thomson, a man with short dark hair, wearing a white polo shirt, with his arms crossed. The background of the poster is a blurred image of a residential street. On the right, the text reads: "Thank You" in large black letters, followed by the Palm Beach County Florida FPA logo (a blue shield with "PALM BEACH COUNTY" at the top, "FLORIDA" on the right, and "FPA" in the center). Below the logo is "for all of your support!" in bold black letters. Then "Vote ANDY THOMSON" in large blue letters, with "ANDY" in red. A red star is below the name. At the bottom, it says "FOR STATE REPRESENTATIVE" and "November 8th" in large blue letters.

Paid by Andy Thomson, Democrat, for State Representative

Leading This Way

Florida PBA Leadership Training filled with information and ideas to provide unparalleled support for members



Florida PBA President John Kazanjian starts the Leadership Training speaking about the "Truths of Union Leadership."

■ BY MITCHELL KRUGEL
■ PHOTOS BY GABBY LABATE

Florida PBA President John Kazanjian maneuvered tactically across the ballroom at the Hilton Daytona Beach Oceanfront Resort like those days when he ran the PBSO SWAT team. Kaz turned up the intensity with command posture evoking his days as a sergeant or even those in the Marine Corps.

"Member interest is directly proportional to wallet impact," he instructed several hundred leaders and members from PBA charters and chapters across the state, a platoon of labor lawyers and even a couple of elected officials. Florida PBA Leadership Training had come to Daytona in the form of 36 hours of covering the truths of union leadership, collective bargaining tactics and economics, communicating and motivating members, political relationships and enough wisdom and insight to fill up a 200-plus-page seminar manual.

"If you are in the business to hear someone say, 'thank you,' get another job," Kaz continued with more watchwords of how to be a successful union leader.

The PBA gathered in Daytona June 10-11, but attendees rarely sniffed the beach. The information dissemination transpiring was not only engaging, but important to ensure members get the very best union leadership and representation for law enforcement in the state. Maybe even the country.

So it was not just pearls of wisdom circulating here.

Nuggets, baby.

Gold ones such as:

- Having the same people involved in making almost all of the decisions in the union can lead to alienation, frustration and discord with members.

- Only through the grievance procedure can you effectively redress the employer's contract violations and obtain remedies that include back pay, interest and the equivalent of injunctions.

With Florida PBA General Counsel Stephanie Webster and experts from the state staff following Kaz's lead, the Leadership Training offered too much in the way of CIT – critical information trends – to recap here. Suffice to say that the information download confirmed how the union is so much more than the group of folks who show up every three years to negotiate your contract.

Hence, then, here are some of the nuggets to help all members and all law enforcement officers – a tip sheet, if you will – to clip and save. (No, there will not be a test, but perhaps committing any or all of the following points to memory will make your job better and help you navigate to the end of a successful career.)

Consider:

- The needs and agendas in one bargaining unit are very diverse, oftentimes leading to a generation of employees feeling they have been sold out by the older folks who, in turn, think the newer generation wants too much and is willing to put in too little effort.
- In good times, it's difficult to get a quorum at a meeting. Yet, it's during the good times that critical planning for the future needs to be done.
- Regularly scheduled general membership meetings should be held at least quarterly. Don't stop having them just because a few people don't show up. When you stop having them, you will have a hard time explaining this later.



A combined honor guard from the Daytona Beach Police Department and Palm Beach County Sheriff's Office posts colors prior to the start of the Leadership Training.



Alex Perez from Spectrum Advisory Group, one of the Training's sponsors, speaks to attendees.

- Poor management usually makes for a strong union.
- No matter what you do, 10 percent of the membership will disagree with the actions. Usually, they are the same people.
- Put one of the 10-percenters on the bargaining team. That will quiet them and minimize their effect on other members.
- One of the times a public safety union is most susceptible to internal divisiveness and external observation is during voting.
- Inexperienced members gain confidence serving on committees, and they are able to look at issues in greater detail than the executive board might be able to do.
- Union leadership should be able to justify the amount of dues in terms of service versus costs and the long-term fi-

nancial needs of the organization.

- An organization's budget affords those who are paying dues an opportunity to demand explanations as to how the union monies are, or will be, spent and holds the decision-makers to a level of discipline that reflects the organization's priorities.
- Public safety unions have the kind of leverage in fundraising that most other labor organizations can only envy.
- Consider a fundraiser that is an appreciation night. This may involve honors given to members and is a great way for the community to express thanks by buying a seat or a table for the event or through buying items at silent auctions.

CONTINUED ON PAGE 32



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- The grievance process is vital to your union to enforce your contract rights to the requirements of the agreement.
- The union may fairly represent an employee by declining to process a grievance if it determines that the grievance lacks merit.
- Weingarten is the U.S. Supreme Court case from 1975 that gives employees the right to representation in disciplinary interviews.
- Weingarten allows employees to demand notice of charges prior to the investigatory interview.
- Employers have no duty to inform employees that they have the right to a representative. It is vitally important to train members to ask for union representation during disciplinary interviews or any other type of questioning that could ultimately lead to disciplinary action against them.
- At an IA interview, ensure the interviewer provides the employee with a Garrity warning—that is, an order to answer questions.
- Make sure the employee answers only the question asked in an IA or any other type of interview with the employer.
- If you believe an intentional 112 violation is occurring, stop the interview and let the investigator know immediately. The officer's refusal to respond to further questions will not constitute insubordination.
- A critical incident involves conduct that is potentially the subject of criminal and disciplinary investigations.
- Representatives who arrive at the scene of a critical incident prior to the PBA attorney should inform the officer not to speak to anyone until after the lawyer arrives.
- Your contract negotiating team should include at least one person from each rank represented in the unit, a member



with less than five years of experience, a member with five to 15 years of experience and a member with more than 20 years of experience.

- Do not include members on the negotiating team who have an ax to grind with the agency or municipality.
- When proposing changes to the contract that have a financial impact, ensure you have conducted a comprehensive cost analysis. Be informed about what you are asking for.
- Don't accept a municipality's presentation at face value. Question and check everything.

The finer points of union leadership and member responsibilities could run on for several more pages. But if you want to know more, just ask.

The PBA is there to help and has more information about union leadership and representation than any of the other organizations with three- or four-letter names that can't do nearly as much for law enforcement. Or do it nearly as well.

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Palm Beach County PBA Officer of the Month Honorees

JANUARY 2022

**Officer Joshua Basante,
Manalapan Police Department**

Nominated by Officer Christopher Alvarado

Officer Joshua Basante of Manalapan Police Department responded to a local neighborhood, where a window installer had nearly severed his wrist on a broken pane of glass. Officer Basante used a T-shirt to slow the heavy bleeding, and he secured the man's wound with a tourniquet until further help responded. His cool head and resourcefulness saved this man's life.



FEBRUARY 2022

**Officer Jonathan Gentile,
Jupiter Police Department**

Nominated by PBA Membership Committee

In December 2021, an armed, dangerous man was traveling throughout Juno Beach, making suicidal comments and indicating that he had a weapon. The man stopped at a park, where he exited his vehicle, made suicidal comments and raised his weapon multiple times toward law enforcement officers and bystanders. The officers present offered the man assistance multiple times and pleaded with him to drop his weapon, but the man quickly approached them and raised his firearm. Officer Jonathan Gentile was forced to fire his weapon to ensure the safety of all those present, and officers rendered immediate medical assistance to the man. Officer Gentile's brave response secured an armed threat and prevented injuries to others.

Palm Beach County PBA Officer of the Month Honorees

MARCH 2022

**Deputy Sheriff Gregg Newton,
Martin County Sheriff's Office**

Nominated by Deputy Sheriff Sam Haidy,
Martin County Sheriff's Office

Deputy Sheriff Gregg Newton places the well-being of others before himself—both on and off duty. While he and his wife were in their backyard, they heard neighbors yelling for help. Newton quickly ran to the scene while his wife called 911. He found a family who had just pulled a toddler from their pool and were unable to help the baby breathe. Deputy Sheriff Newton administered CPR to the child, who began choking and breathing. Newton sought no praise or attention, and he did not identify himself. His selfless actions helped this child survive and fully recover. Deputy Sheriff Newton is receiving treatment for renal cell carcinoma, yet he is unwavering in his efforts and commitment to the welfare of others.



APRIL 2022

**Deputy Sheriff Roy Gonzalez,
Palm Beach County Sheriff's Office**

Nominated by Sergeant Matt DeJoy,
Palm Beach County Sheriff's Office



In 2019, Deputy Sheriff Roy Gonzalez began monitoring an elderly resident of Wellington, Barbara Birkinshaw, who suffers from memory issues and had lost her savings to fraudulent scammers. Over the years, Gonzalez conducted welfare checks and provided food to her. In 2022, Gonzalez learned that Birkinshaw had sold her home and received a large check. She signed the check over to an individual, but the bank halted the suspicious transaction. Gonzalez contacted Financial Crimes, and he discovered that Birkinshaw was depending on the promises of "friends" with unknown names and contacts to move. The State of Florida obtained necessary guardianship over Birkinshaw, and she was moved to an assisted living facility. Deputy Gonzalez's compassion throughout multiple years saved this woman from homelessness and destitution.

Palm Beach County PBA Officer of the Month Honorees

MAY 2022

**K-9 Officer Michael Valerio and
K-9 Fargo (not pictured),
Palm Beach Gardens Police Department
Sergeant Javier Ortiz,
North Palm Beach Police Department
Officer Christopher Perez,
North Palm Beach Police Department
Officer Savannah Blum,
North Palm Beach Police Department
Sergeant Robert Given,
Jupiter Police Department**

Nominated by Brian Tiyaloglu, Palm Beach Gardens Rep

In March 2022, North Palm Beach Police Department responded to a call for service regarding an armed carjacking. Sergeant Javier Ortiz, Officer Christopher Perez and Officer Savannah Blum located the suspect vehicle. A pursuit ensued, and Palm Beach Gardens Police Department, Jupiter Police Department and Florida Highway Patrol rendered assistance. As the suspect traveled north on the highway into Martin County, Sergeant Robert Given effectively de-



ployed stop sticks. FHP performed a P.I.T. maneuver, but the suspect was able to travel back to Northlake Boulevard before his vehicle was disabled. The man refused to surrender and continued to resist arrest. Officer Michael Valerio deployed K-9 Fargo, apprehending the suspect without further incident. This collective effort by multiple agencies facilitated the arrest of a violent felon and ensured the community's safety.

JUNE 2022

**Corporal Lisa Torres,
Palm Beach County Sheriff's Office**

Nominated by Sergeant Michael Santoro,
Palm Beach County Sheriff's Office



In January 2022, an SUV was stopped at a railroad crossing while the lights were flashing, and a pickup truck suddenly rear-ended it. The SUV was pushed into the railroad gate that was lowering, and the vehicle was partially in the road. Corporal Lisa Torres quickly exited her own car and ran toward the SUV to help the victim. Sergeant Michael Santoro witnessed these events, and he helped Corporal Torres assist the victim out of her SUV. Corporal Torres calmed the victim down and stayed with her until fire rescue and law enforcement arrived.

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Members Only Section

Celebrating PBCPBA members and the way they serve every day

Commendable Action

Boynton Beach Police Department honors good Samaritans who saved a life

■ BY ESTHER GONZALES

Jannette Rivera was driving along Congress Avenue in Boynton Beach on May 5 when she noticed that her coworker's car, which was in front of her, had drifted onto the sidewalk. When she glanced through the window, she saw Laurie Rabyor shaking violently.

Rivera immediately jumped out of her vehicle and began waving her arms frantically to attract the attention of the drivers passing by. She saw the vehicle drifting into the intersection and Rabyor slumped over the steering wheel. Rivera later learned Rabyor had suffered a seizure.

"I opened the door and started running," Rivera recounted to the Boynton Beach Police Department. "I didn't think about my life. I just saw that another car was going to hit her."

Rivera chased after the car to try to help Rabyor. Several bystanders raced to join her, each playing a crucial role in rescuing Rabyor and saving her life.

On May 13, after the Boynton Beach Police Department viewed traffic camera footage of the incident, they reunited the rescuers with Rabyor and recognized them for their heroic actions.

"It is a wonderful opportunity that we have to bring heroes together," Boynton Beach Public Information Officer Stephanie Slater remarked. "I think it's safe to say that this has affected all of us. These good Samaritans stopped what they were doing and put their lives at risk to help someone that they didn't know."

At the reunion at department headquarters, each person stood up to recount the experience from that day.

U.S. Army Staff Sergeant Juan Chavez Jr. was one of the first responders to Rivera's cries for help. He jumped out of his vehicle and darted across the intersection to assist her.

"The moment I saw this young lady running across the street behind the car yelling, 'She's unconscious, she's unconscious,' there was no doubt in my mind



On May 13, the Boynton Beach Police Department reunited and recognized individuals for their roles in saving Laurie Rabyor's life. From left, DaVida Peele, Robin Fox, Laurie Rabyor, Jannette Rivera, Marko Bartolone, David Formica, Juan Chavez Jr. and Michael Edelstein.



Jannette Rivera, left, and her coworker Laurie Rabyor appeared on "The Kelly Clarkson Show" to recount their experience.

that I needed to do something," Chavez related.

When Chavez reached the vehicle, he attempted to help Rivera push the car into a 7-Eleven parking lot.

Marko Bartolone, who was in the 7-Eleven at the time, saw Rivera running across the street, waving her arms. Then he saw Chavez sprinting after her.

Bartolone watched as Chavez positioned his body in front of the car to stop it and raced to aid him. He then dialed 911.

When the car was stopped, the men realized they needed to open the windows to unlock it.

Chavez raced back to his car to find a tool, while another man who was on the

CONTINUED ON PAGE 39

Delray Beach member honored as 2021 SART member of the year

Delray Beach member Megan Vickery has been an active member of the sexual assault response team (SART) since January 2021, when she joined the Delray Beach PD Violent Crimes Unit.

In July 2021, Vickery responded to the Butterfly House in reference to a sexual battery case. During a long investigation process, Vickery met with the victim on a daily basis while conducting interviews, reviewing surveillance footage and consulting with victim advocates and state's attorneys. As a result of her commitment and dedication, sexual battery charges were filed, and the victim had a positive experience with law enforcement.

On April 29, Vickery was given the 2022 SART Member of the Year Award at the 40th Annual Victims' Rights Week Luncheon.

"I am very fortunate and proud to have such a committed detective as part of our unit," Delray Beach Sergeant Luis Skeberis related. "She earned the recognition for her efforts and service to



victims, our community and the Palm Beach County Sexual Assault Response Team. It shows that the culture of excellence at the Delray Beach Police Department achieves results."

Scoring goals: Delray Beach member kicks in for the community

Being a law enforcement officer means not only protecting the community but building relationships with the community.

That can look different for every department, but for Delray Beach it has included getting active on the soccer field.

Sergeant Danny Pacheco has taken charge by starting a soccer team, the Delray Kicks, offering a safe space for children of the area's immigrant population.

Pacheco serves as coach along with three other officers, practicing defense drills, passing, kicking and more with the children.

But Pacheco and the Delray Beach police aren't just taking care of the kids on the field; they're also offering a helping hand once the game is over, helping with homework, giving English lessons and even purchasing groceries and other essentials to help these hardworking families.

Not only is the team a safe escape, it serves as a way to build trust between Delray Beach police and the community, both on and off the field.



COMMENDABLE CONTINUED FROM PAGE 38

scene, Michael Edelstein, punched the window with his fist.

"I was in the right place at the right time," Edelstein asserted. "There were at least 20 people stopping traffic and being helpful. I was just the fool that jumped in front of the car and tried to punch the window."

When that didn't work, David Formica, who is a teacher at Congress Middle School, used a dumbbell to smash open the rear passenger window. After the bystanders successfully broke through the glass, they climbed through the window to unlock the car.

Meanwhile, DaVida Peele was driving along the intersection and saw Rivera running across the road. She knew something was wrong.

"I knew I couldn't stop the car, but I could do something else," Peele explained. "It could have been much worse. But because we all banded together, [Rabyor] got to celebrate another Mother's Day."

Peele redirected the traffic, while Robin Fox, a nurse, was observing the events from across the street. Fox reached Rabyor just as the other good Samaritans opened the car door.

Fox placed her hands on Rabyor's neck to check for a pulse. There was one, and Fox continued to provide medical assistance until the fire department arrived.

After the group shared their experiences, Rabyor expressed her gratitude.

"I just want to thank every single one of you," Rabyor remarked. "Just to think that a group of people came together to help me. I appreciate it so much, you don't even know. I don't even know what to say. Just, thank you."

On May 18, Rivera and Rabyor appeared on "The Kelly Clarkson Show" to recount the events that unfolded. The video of the incident has been viewed worldwide more than 40 million times.

"It was the kindness of complete strangers," Slater added. "It was restoring your faith in humanity. And that is beautiful."

Riviera Beach officers help in time of need

When Riviera Beach officers Jennifer Jones and Ramiro Pena received a call on April 27 from the Department of Children and Families (DCF) about a homeless mother, it didn't matter that they weren't dispatched. They immediately responded anyway.

Jones and Pena, who are on the Homeless Task Force, searched the city until they found the mother and her two children, who were huddled outside of the Wells Recreation Center, hungry and in need.

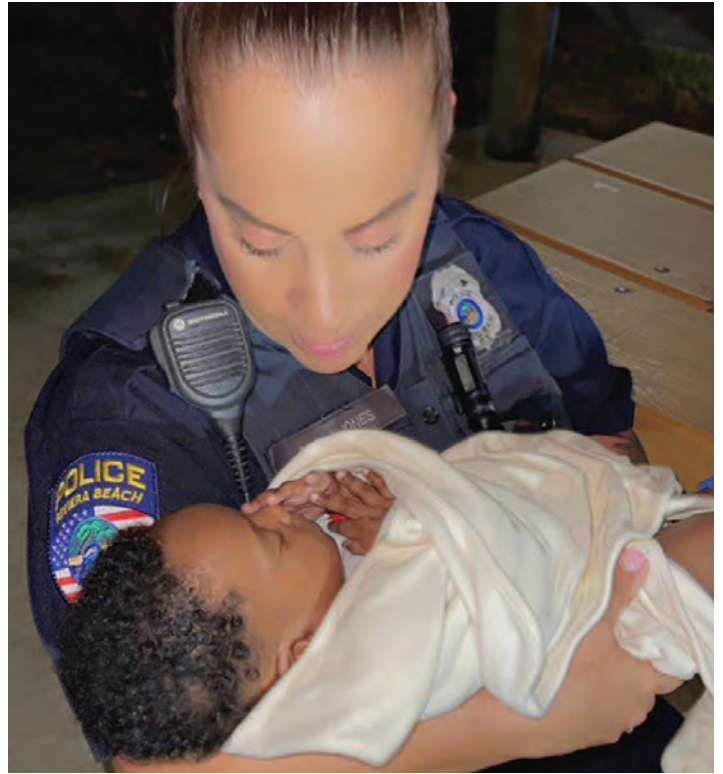
The mother related to the officers that her 3-year-old son had eaten only a bag of chips and a juice box that day. And she had run out of diapers for her 2-month-old baby.

Jones immediately left and returned with packages of diapers and a fresh meal for the family, while Pena entertained the little boy with a giant sticker book.

After their encounter, Jones and Pena sought out how they could continue helping the woman, who had been homeless for three years. The officers noted clothing sizes for her children and created a list of other necessities to assist her.

The moment was a reflection of what the Homeless Task Force is all about.

"This was a team effort, and I could not be prouder of my zone partners," Jones reflected. "DCF was so thankful that we went above and beyond to find this family when we weren't even dispatched. We changed three lives forever, and there is nothing more humbling and joyful than that."



Martin County Sheriff's Office honors fallen heroes

As part of National Police Week, the Martin County Sheriff's Office remembered two fallen heroes who made the ultimate sacrifice nearly a century ago.

On May 12, the department added two names to its memorial wall: Palm Beach County Justice of the Peace Constable Walter Wrenn Ball, who lost his life in 1913, and Palm Beach County Sheriff's Office Deputy Sheriff Fredrick Andrew Baker, who died in 1924. Both men were killed in the line of duty, serving the citizens of Martin County, when they were lost.

Both names were placed next to that of Florida Highway Patrol Trooper Joseph Bullock, who was shot and killed along I-95 in 2020 after he stopped to help a stranded motorist.

During the ceremony, local officials read the names of 12 officers killed in the line of duty statewide in 2021.



Boynton Beach members run like the wind

Boynton Beach members geared up for the 2022 Law Enforcement Torch Run for Special Olympics. As guardians of the flame, they carried the torch, a symbol of unity, on April 27.



Riviera Beach members go the distance

On April 27, Riviera Beach members participated in the Law Enforcement Torch Run for Special Olympics.

"It was a heartwarming day for our officers," they wrote on their Twitter post.

The members, who were joined by other agencies, ran or rode their bicycles to greet children at the Royal Palm School in Lantana.

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Boynton Beach members honored for their exemplary service

During the month of April, three Boynton Beach members were honored with awards for their dedication, commitment and extraordinary service to the Boynton Beach Police Department (BBPD).

On April 4, at a luncheon for the swearing-in of new officers, Boynton Beach Officer Brian Goldfuss was recognized as the Sworn Employee of the Year and Communications Specialist Joseph Viggiano was recognized as Professional Staff of the Year.

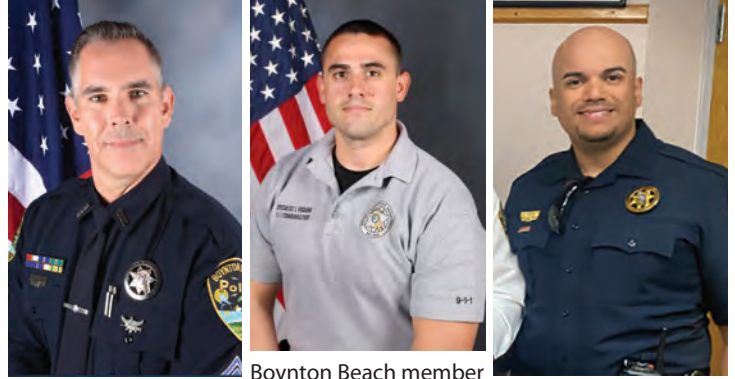
In 2021, Goldfuss helped secure temporary and permanent housing for more than half a dozen individuals. He has also organized community outreach events for homeless individuals to take a hot shower, wash their clothing, receive a free haircut and enjoy a warm meal.

For his dedication and commitment to helping the residents of Boynton Beach, Goldfuss was honored as the Sworn Employee of the Year.

"Officer Goldfuss performs selflessly for the citizens of Boynton Beach," remarked Sergeant John Dunlop, who nominated Goldfuss. "He demonstrates exemplary leadership for all officers of all ranks within our police department."

Viggiano displayed extraordinary dedication and commitment to BBPD in 2021. He voluntarily worked overtime during a staffing shortage, which equated to more than 1,000 hours. Viggiano also volunteered to serve as a communications training officer to help motivate and guide new dispatchers.

Viggiano was honored with the Professional Staff of the Year Award for the second year in a row.



Boynton Beach member Joseph Viggiano was honored as the Professional Staff Member of the Year. Boynton Beach member Brian Goldfuss was honored as the Sworn Employee of the Year. Boynton Beach member Vincent Mastro, center, was awarded PBC Victims Officer of the Year.

On April 25, during the 40th Annual Crime Victims' Rights Week awards luncheon, Palm Beach County Victim Services honored Boynton Beach Traffic Homicide Investigator Vincent Mastro with the Officer of the Year Award.

On March 26, while Mastro was investigating a DUI crash, he met with family members of the victim to explain what had happened. After his encounter with them, they related to a PBC victim advocate that Mastro's professionalism, compassion and respect were remarkable.

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MCSO K-9 unit is awarded with honor

During a ceremony at the PGA National Resort and Spa on June 3, members of the MCSO K-9 Unit were recognized with the 2022 ASIS International Canine Unit of the Year Award.

Pictured from left are K-9 Corporal Ronald Manganiello and K-9 partner Maverick, Deputy Ryan Pearlman and K-9 partner Nero, Deputy Justin Deluca and K-9 partner Zorro, Deputy Colin Corley and K-9 partner Loki and Deputy Wes McNeal and K-9 partner Groll.

Stuart PD members rock the boat

Stuart PD members kicked off their annual Cops 'n' Bobbers summer program on June 7 with children from the East Stuart Youth Initiative. During a boat ride, members explained water safety and information about the local ecosystem. After their ride on the water, the children could enjoy fishing on the sand-bar.



Giving back at graduation

School may be out for summer, but Palm Beach County Sheriff's Office deputies are thinking about the kids all year long. As the kids at Peppi Head Start celebrated graduation on June 16, officers showed up with high-fives and backpacks filled with supplies to get the students ready for kindergarten starting in August.



Keeping the streets safe

The officers of the Palm Beach County Sheriff's Office are always making sure the local roads are safe for all citizens. On June 16, the department's motor unit was honored by the Traffic Safety Council of Palm Beach County with the Distinguished Service Award.



Stuart officer recognized for lifetime of achievement

It was a job well done for a Stuart police officer at the 2022 ASIS International Awards. At the luncheon on June 3, Reserve Sergeant David Schoonover, who has dedicated 43 years of service to the department and plays a major role in the detective bureau, was honored with a nomination for a lifetime achievement award.



Stuart Reserve Sergeant David Schoonover was honored at the 2022 ASIS International Awards.



Jupiter members walk the walk

Cheers erupted from the residents of Cambridge at Abacoa who gathered for the Jupiter PD Walk-n-Talk event on June 21, which was their last Walk-n-Talk until the fall. Jupiter members walked with residents around their community and enjoyed the conversations.

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Jupiter remembers its own

On May 17, the Jupiter Police Department held a special ceremony at Riverside Memorial Park to remember its fallen officers. The two officers to whom respects were paid were Major Edward Humphrey and Officer First Class Bruce St. Laurent.

Humphrey tragically lost his life in September 1995 during

the pursuit of a bank robbery suspect. He had been with the Jupiter Police Department since 1983.

St. Laurent, who started with the department in 1992, was lost while working as an escort for the presidential motorcade in 2012.



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It's summer, but don't take a vacation from estate planning



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Summer is here, and for most people, this new season brings a sense of stimulation and motivation.

In the midst of economic uncertainty, geopolitical conflict, political divisiveness and continued public health challenges, we should devote time to important matters that are within our control. What should be at the top of any list is planning for the inevitabilities of death and incapacity. There is no time like now to evaluate the estate planning that we have (or have not) started.

Quick considerations for you and your family should include but are not limited to:

- Is my current estate plan structured in a way that will promote efficient administration and minimize family effort and expense, or even controversy, at my death?
- What federal economic and tax policy changes are likely to come out of Congress, and how might new policies impact or undermine my existing estate planning?
- Do I have powers of attorney and a living will that express my wishes and allow my family or designees to make financial,

business and healthcare decisions in the event of my incapacity or absence?

- Have my adult children executed the necessary basic legal documentation that would allow them to assist with my affairs in the case of accident or illness?
- Are my assets structured in a way that limits my exposure to potential liability?
- Will my qualified retirement account(s) pass to my beneficiaries in a protected and tax-efficient manner, in light of changes to applicable law?
- Have I implemented planning that will allow my business to continue operating after my incapacity or death?

Tax law changes: past, current and future

Federal gift and estate tax exemptions were altered significantly, effective starting around 2018. Congress's efforts last year to enact landmark changes to the gift and estate tax law appear to have stalled for the time being, but negative changes to the law are scheduled to occur on Jan. 1, 2026, and could happen earlier. We work with financial advisers who can help guide you with a plan that protects you the best.

Outside of tax concerns

While tax minimization is a result that most any client would prefer, non-tax-related issues and objectives may be even more important for many of us. In today's bureaucratic (and often litigious) legal environment, a thoroughly considered estate plan is vital to a family's future. Careful planning can help ensure that: (a) the time leading up to your death is less difficult and stressful for your family, (b) your estate is able to be settled in an efficient and cost-effective manner and (c) your beneficiaries and assets are better protected against subsequent lawsuits or divorce.

Take action

Please place a renewed focus on family, health and estate-related planning. Don't wait longer. We in this profession have seen the price of waiting too long. Please contact the Palm Beach PBA Office to submit a request for estate planning. For other matters, you can reach us at: www.tbllf.com or 888-611-9511 or schedule a consultation by texting LAWHELP to 31996 for a free consultation. You will need approval from the Palm Beach PBA for your simple estate planning to be covered.

Attorney Kevin Drummond handles life planning for the Palm Beach County PBA. He founded the Blue Line Law Firm in April 2019. Prior to that, he worked at the Florida Department of Law Enforcement, which included tenure in the Division of Capitol Police in Tallahassee, Florida from 2005 until 2007. He also served as the Compliance Review Trooper Investigator at Florida Highway Patrol until 2012. In 2018 thru 2019, Mr. Drummond worked at the Palm Beach Shores Police Department in various roles, including police officer, accreditation manager and legal advisor. He has also taught as a police legal instructor at Palm Beach State College. You can reach Kevin by calling 888-688-0765 or texting LAWHELP to 31996 for a free consultation to address any concerns you have. You can also reach out to us by visiting us at www.tbllf.com.

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Benefits of a Roth IRA



STEVE
OLSON

Unlike with a traditional IRA, Roth IRA contributions don't provide you with a tax deduction upfront. Contributions to a Roth IRA are made with after-tax dollars rather than pre-tax dollars, meaning that the money has already been taxed when it goes into the account. Instead, you get a tax benefit on the back end in the form of tax-free withdrawals, if you follow some fairly simple rules. Similar to how a traditional IRA works, the earnings in your Roth account aren't taxed

each year and can be left alone to grow and compound until you need the money. Traditional IRA earnings are considered tax-deferred because you will eventually have to pay taxes when you withdraw them. Roth IRA earnings, however, can be tax-free.

Contributions: Roth IRAs have annual contribution limits. The maximum you can contribute to a Roth IRA in 2022 is \$6,000 if you're under age 50 or \$7,000 if you're older. These amounts are separate from the contribution limits into an employer-sponsored retirement plan like 401(k), 403(b), 457(b), etc. Roth IRA accounts have an income phase-out for higher wage earners (\$204,000 in 2022 for married filing jointly tax filers; \$129,000 in 2022 for single tax filers).

Withdrawal parameters: Because your contributions to a Roth IRA are made with after-tax dollars, you can withdraw them at any time, tax and penalty-free, and they won't count as income. However, if you withdraw any of the earnings from your account, they may be taxed differently. For withdrawals of earnings to qualify as tax-free, you must have had a Roth account (any Roth account) for at least five years. If you don't satisfy that rule, the earnings that you withdraw will be taxed at the same rate as your ordinary income. If you're under the age of 59½ at the time of the withdrawal, you may also be subject to a 10 percent tax penalty on early withdrawals. There are some exceptions:

- Total and permanent disability
- Withdrawals of up to \$10,000 for the purchase of a first home or up to \$5,000 for a qualified birth or adoption
- Withdrawals to pay qualified higher-education expenses
- Distributions are taken in a series of substantially equal periodic payments "for your life (or life expectancy) or the joint lives (or joint life expectancies) of you and your designated beneficiary."

If you meet the five-year rule and are age 59 1/2 when you take a distribution, any withdrawal is treated as a qualified distribution. Per the IRS, a qualified distribution is a distribu-

tion or withdrawal that isn't subject to taxes or penalties. Note that withdrawals of contributions to a Roth IRA are always tax-free because that money has already been taxed.

Mandatory distributions: Unlike traditional IRAs, Roth IRAs are not subject to required minimum distributions after you reach age 72. If you're the original account owner, you don't have to make any withdrawals for as long as you live. After your death, however, your account's beneficiary or beneficiaries will eventually have to withdraw all the money, although there is an exception for surviving spouses in some instances.

The bottom line is, if you have a Roth IRA, you can withdraw your contributions at any time and they won't count as income. The account's earnings can also be tax-free when you withdraw them if you are 59 1/2 or older and you have had a Roth account for at least five years. If not, you'll generally owe taxes and may have to pay a 10 percent early withdrawal penalty.

Options for beneficiaries: Note that, if you die, your IRA beneficiaries will usually not be subject to the 10 percent penalty, regardless of their age, if the five-year holding period rule has been satisfied. The exception to this is for spouses who are sole beneficiaries of an IRA and elect the option of treating it as their own, in which case they must generally wait until age 59 1/2 to be eligible for totally tax-free withdrawals.

Summary: A Roth IRA account is a terrific complement for clients who retire with many pre-tax assets. Clients who receive a pension or have a 401(k) plan funded with all pre-tax money have tax concerns in retirement. Having the flexibility to take distributions from an account in retirement without increasing your taxable income can prove to be very valuable. The other main benefit of a Roth IRA is the tax-free-growth aspect. The earlier you start one, the better, because of the power of compound interest. There is no avoiding paying federal income taxes, but paying them upfront and reaping the benefits of tax-free growth can provide you with a serious advantage in retirement.

Steve Olson, founder and managing member of Atlantic Wealth Partners, has more than a decade of experience in focused tax planning, legal strategy interpretation, investment management and advisory services to wealthy individuals and families throughout Florida.

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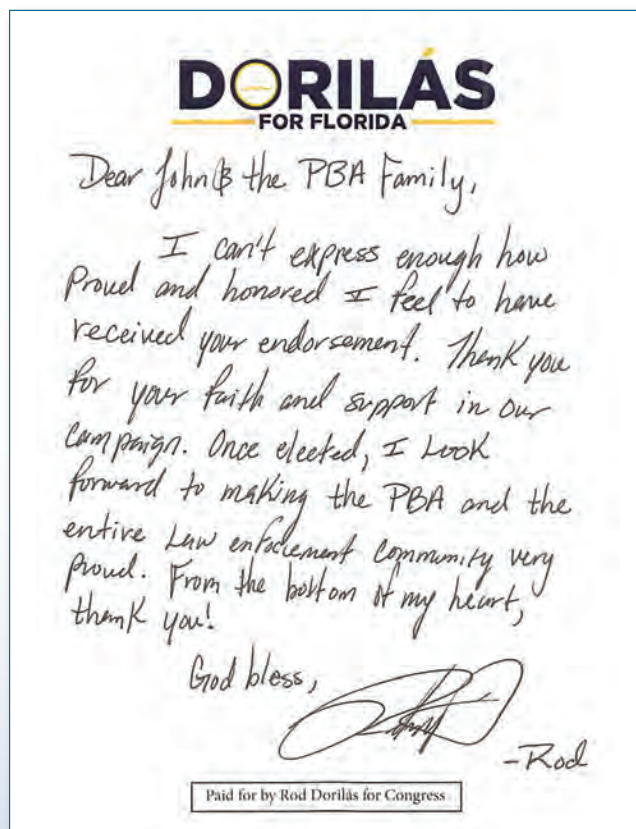
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