

# PAXCENTURION

The Newsmagazine for the Boston Police Patrolmen's Association

## Batter Up! BPD Softball Tournament: A Great Time For All!

See story & photos on pages 20 - 21



**Canteen  
Trailer  
Up and  
Running!**  
See pages 6-9



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**The View From Here:**  
**Thomas J. Nee, BPPA President**

## The threat of “terrorism” and demilitarization



**W**hat role does the Boston Police patrol force play in the defense of our City? Will de-militarizing our police department, removing or reducing our federally provided weaponry, tactical equipment in the hands of specially trained law enforcement officers make our City any safer? We think not! Because we know it's not if, but it's when an event like the Marathon Bombing and subsequent event that happened in Watertown happen we will be trained and equipped to deal with it. Recent threats from extremist terror groups like ISIS and the constant threat of American who are sympathizers to terrorist groups or lone wolves are real and soon or later we're going to have to deal with it.

From around the country groups from both the left and the right of the political isle are calling for an end to what they say is the rise of “militarized police forces in the United States.” The events that played out in Ferguson, Missouri is the most recent catalyst to rekindle the debate about de-militarizing police departments. From my point of view, politics and sensationalism has no legitimate purpose or place in this conversation. It is not debatable; we are para-military organizations, highly trained with a clearly defined chain of command.

Were their bad decisions, execution and sensationalism during the riots in Ferguson, yes. But that blame falls at the feet of the Chief, political leaders, looters and rioters and above all else the media, not the para-military police force. It borders criminal the way the media incited people with their reporting. Please consider these examples; one outlet reported, an unarmed black teenager was shot and killed by a white police officer after being stopped for walking in the street and blocking traffic. A second media outlet reported robbery suspect shot and killed after he struggles to obtain police officers firearm. Now I'm not representing I know what happened, a grand jury will determine that, but as you can see the first story bits black against white and makes the shooting as unjustifiable as possible. This sort of spin propaganda by the media sensationalizes the news and sells papers. Who benefits from that type of reporting? We spoke with one of our people there that said the sensationalism and dramatization of their efforts by the media was incredible. One media reporter, who was embedded with the police behind their armor not with the rioters, blamed the police for shooting him with tear gas. He was with the police!!! This dramatization and characterization led the public to believe the officers gassed an innocent civilian peacefully reporting the news. Wrong!!! Fact was the officers gassed a crowd throwing Molotov cocktails, bottles and anything else they could get their hands on at the police. One of those items thrown back at the police was a tear gas canister; one of the rioters picked up the canister and threw it back at the police. I think you understand my point. As a result of the images created by the media comes yet again the call to strip our profession of access and use of legitimate equipment as well as out agencies to be de-militarized, Ron Paul was recently quoted as saying; “Local Police are Not Warriors,” and represented we shouldn't have access to that equipment. I have a message for him, come meet the people I work with, I think they'll change your mind. When you live through an event like we did here in Boston during the Marathon bombing, I thank God we had access to some of the equipment and tools in the hands of specially trained officers. And in reflection, seemingly not having sufficient enough equipment to do our jobs, they say we have too much. How outrageous!!!!

Let me close by saying that the BPPA will continue to press ahead in getting the very best equipment and training that will keep you safe in the delivery of the service the public expects. In the meantime be safe and keep each other's back.

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# Injured On Duty

**N**o matter how many meetings “Injured on Duty” status is discussed there are still some cases that fall through the cracks and for newer officers it is extremely important to follow the letter of Rule 110 or you will be burning sick time that you have yet to accumulate. A quick summary of what the Department requires for officers to be considered **INJURED ON DUTY**. An officer is injured while on duty, reports injury and is treated at a medical facility, is relieved from duty and surrenders his/her equipment, and does not return for the next tour of duty. There are two reports, a Form 26 and a 1.1 needed for the Captain or Commander, describing the incident. Without that combination there is a very good chance that you will be carried “sick pending medical opinion”.

There are many “what if” situations: An off-duty officer activates him/herself and follows the above instructions...they will be covered if the activation is related to a police function and occurred before the injury and the investigation substantiates that fact pattern. Same scenario but outside the City...officer will be carried “sick” pending a completed investigation at which time the Commissioner will make the call. To and from court in a private M/V is covered if there is a direct route to and from the officer’s residence and court. Same scenario to and from a detail...officer will be carried **SICK**. Ordered or mandated overtime will be covered again only if the individual is directly going to or from their residence to the workplace.

A recent arbitration decision involved an off-duty officer participating in a department sponsored event who was injured. The officer attempted to work through the injury till it became unbearable. An operation was needed and paperwork was past-posted. The Department carried the officer sick.

Fast forward to the arbitrator’s decision...three questions had to be answered to determine IOD eligibility: 1) Did the timing of the Grievant’s injury report preclude him from injury leave eligibility. 2) Did the record support the contention that the grievant’s back pain and subsequent absence constitute a recurrence of an earlier back injury? 3) If the grievant’s injury is a separate event, was it incurred in the performance of his duties.

The grievant’s rationale for the lack of a report at the time of injury was credible and persuasive according to the arbitrator. The injury report was filed when the injury left the officer totally incapacitated. The arbitrator found in this case because of the strong testimony that there was no dispute as to the causation of the injury and subsequently the timing of the filing.

The arbitrator did not consider this injury to be related to an earlier injury and credited Dr. Arnold’s testimony and reasoning as to that determination.

***Did the injury occur during the performance of his duties*** was a large hurdle. The nature of the event along with the encouragement to participate within the Department went a long way in helping to determine the decision. Being an annual event since 2009 there had been an underlying pressure to participate with the Department receiving both tangible and intangible benefits according to the arbitrator. The arbitrator ruled favorably for our member mainly because of his plausible testimony and the presentation of the case by Attorney Ken Grace.

## Quinn Bill... enrolled vs. attended

**I**n July of 2002, the legislature amended the Quinn Bill. To paraphrase “The Board of Higher Education shall only certify career incentive pay increases earned through the completion of programs that meet the board’s guidelines, **but police officers enrolled**, prior to the implementation of the quality guidelines... (*shall be eligible*).” The Board implemented the amended guidelines on January 1<sup>st</sup>, 2004. Certain institutions chose not to comply with the more rigid guidelines and dropped out of the program and so the story begins.

At least two officers enrolled in classes for the spring semester prior to January 1<sup>st</sup>, 2004 **without** the knowledge that the institution had withdrawn. They both had **not attended** classes till after January 1<sup>st</sup>. Boston University and Springfield College were the two institutions where one officer began a Master’s program and the other officer began a Bachelor’s program. Both completed their respective programs and applied to the Board only to be denied.

The denials were similar in that the reasoning by the Board of Higher Education was that the officers’ were not enrolled in the programs until early January. The Board took the position that “taking courses” constituted being enrolled and “acceptance” into a program would not be given consideration as being enrolled in a program.

Fast forward: Suffolk Superior Court determined the meaning of the term “enrolled” is clear and unambiguous. The common meaning of the word “enrolled” is registered or recorded...the court determined the Board’s interpretation as being contrary to the common meaning. The Board was found to lack the authority to append the intent of the legislature by adding the term “and taking classes” to the word enrolled. This decision occurred in September of 2010.

The second officer is currently going through the grievance process and will hopefully attain the same resolution. Both officers proceeded in good faith from the beginning to end, let’s hope the department/city make this right for the second officer without the courtroom drama.

## Body Cameras and Policy

**A**s law enforcement entertains the idea of “body cams” being a future means of transparency in determining guilt or innocence. Touting the ability to disprove excessive force complaints is one positive with a bunch of negatives that do not benefit the working officer. With the concerns of management policy, the insatiable appetite of the media for the extreme and the public protest regarding privacy issues this will be a nightmare of epic proportion for the officers burdened with functioning on cue before one’s possible adjudicators. Policy rationale is not going to take officer’s interests into consideration because the concept for implementation is obvious in the aftermath of Ferguson...the officer will always be defending his/her actions. This will inhibit an officer’s situational response. Second guessing one’s reaction in real time is not a good thing in policing. If proactive policing is not a thing of the past...it will be. The “dash-cam” should be reason enough for the department to distance itself from the “bodycam”. Lawsuits and discipline will increase considerably despite opposing claims.

See **Vice President** on page 13





**BPPA feeds members at the launch of the new canteen trailer**





# Canteen trailer is up and running!

I am very happy to report that the gifted canteen trailer by NYPD and NY&NJ Port Authority Unions to our Union is up and running with great success. Duke Fitz and I started with a small cookout for approximately 150 Officers and EMT's back on a bright Saturday afternoon in August. Along with our helper, (*that particular day Jimmy Carnell*), we were able to conduct a practice run and get ready for the big unveil at the Caribbean Festival the following week. We served up some pretty good food, (*if I do say so myself*), along with snacks, cold drinks and treats. Officers and EMT's alike, from around the city came by and assisted in our trial run by serving themselves up as human 'guinea pigs' for our first outing, if you will. Not only did Duke and I find out that we were pretty good cooks, (*there was never a doubt with me LOL*), but we managed to realize that we had forgotten dozens and dozens of items to get, to be ready to feed the expected five hundred personnel at the Caribbean Festival! Like the old carpenter adage 'measure twice, cut once,' we quickly corrected our shortfalls and put together a plan to be ready for the Festival.

The big day came, the Caribbean Day Festival, and with it all of the craziness one would expect. First we arrived with our team: Me, Duke, Mike Murphy, Ron MacGillivray, Dennis Murphy, Vinny Stephens, Jimmy Carnell, Danny MacIsaac, Paul Sheehan and Mike Joyce, our PAX solicitor. We pulled onto Seaver Street, (*our designated spot by the BPD brass*), and managed to sneak a little closer to Blue Hill Ave. than suggested. We immediately went to work constructing a small restaurant camp out of tents, tables, chairs, grills, coolers and anything else we needed to get up and running. Before you knew it we were operational and feeding hungry cops that had been ordered, once again, to lose another weekend in the summer, but at least this time we could offer a little comfort. Seems like a lot of help, but we could have used another six people. We were flipping burgers, cooking dogs and making sausage sandwiches faster than Mickey D's and Wendy's combined. As a matter of fact you won't see any pictures in these pages of that particular cookout, because we were so busy none of us even had time to think about snapping a photo for reminiscence, (so if anyone happens to have one, please forward it to me at: [prose@bppa.org](mailto:prose@bppa.org), thanx). Anyway I digress, our small mobile encampment ended up being a place where Officers could eat, cool down, get a cold drink or grab a power snack and even see some brothers and sisters in uniform that they hadn't seen in years. It was really refreshing to see Officers of all ranks smiling and even though they were forced to work, actually sharing a laugh or two making the long day go by a little easier. Working together, breaking bread together, wow this must be what firefighters feel like every day! It was a very long, very hot and extremely tiring day, we fed over four hundred and fifty Officers and EMT's, but I don't believe a single guy on the team that day would have traded it for anything. As silly as it sounds, we all agreed it was one of the most satisfying days any of us could remember on this job.

A few weeks later, Duke and I, along with Larry Calderone and Mike Murphy, (our trusted truck & trailer driver), once again set up shop with our mobile restaurant over at M Street Park. Billy Flippin and Joe O'Malley brought the Blue Goose and we supported the 'BPD Softball Tournament'. (By the way, a big shout-out for a great job by Eddie MacPherson putting the tournament together). It

was a beautiful Saturday and we had teams participating from most BPD Areas along with the 'Ringers' from NSTAR, (those guys take their softball a little too seriously if you ask me!). It was a little different setting, a little more relaxed and a lot less busy and stressful than the Caribbean Festival, but just as much fun. Men and women alike from the department brought their families and it turned out to be a great family day at the ball park. Tommy Nee was entertaining the players with witty banter while Billy Flippin and Joe O'Malley entertained the kids with the Blue Goose and Duke, Larry and I fed the families and players. All in all it was another big W for our Union. Players of every rank along with their families raved about the food and the support for the day.

Just the other day We were able to open up our little road show once again. This time it was for the retirees at their monthly meeting. Duke and I, along with the help of Bobby Colburn set up the mobile restaurant on a slightly smaller scale but just as effective with all of the fixings. The retirees have been asking about the trailer since they saw it in our parking lot back in May. We've been promising them a tour when Billy Flippin asked, "any chance you could light it up and show them the show?" Duke and I agreed and planned a cookout for them at 9-11 Shetland Street around their monthly meeting time. We were lucky to have Bobby Colburn showed up when he did, because believe it or not it doesn't get easier setting this thing up, LOL. Anyway, a great afternoon was had by all, the retirees had a ball and it was great fun reminiscing with some of the oldtimers about their previous exploits on the job. We should all take some time out now and again and call one of these guys, just check on them, shoot the breeze, you'll feel better believe me. So my friends, enjoy a couple of the photos on these pages. I'm glad we're finally up and running. We hope this is just the beginning and can continue helping out the troops when we are ordered to work another festival or parade or road race etc. I hope that we lend a little bit of support and make the day or night go by a bit easier. If and when you see a brother or sister Officer from New York or New Jersey, please express our gratitude as a Union for this fantastic gift of this canteen trailer, because I really don't believe we would have moved on it unless pushed by their gift.

See **Secretary** on page 29

## Home Rule Petition

Ladies and Gentlemen, I am happy to report that the Boston City Council voted unanimously today to approve a Home Rule Petition that is now to be forwarded to the Mayor for signature and hopefully up to and through the State House to become law for the:

### "Appointment of Special Police Officers in the City of Boston"

This is the Petition that we have reported out to the House that we have been working on, in conjunction with the other BPD Unions, to allow retirees to perform paid details. The Department, our President and MAMLEO have all previously testified in favor before the council on this proposed Home Rule Petition.

A public expression of gratitude is due to Captain Murray, for all of his hard work and effort, on behalf of all of us, in getting this Home Rule Petition over the first of many hurdles!

*Fraternally,*  
Patrick M. Rose, Secretary, BPPA







**BPD officers  
and EMTs alike  
enjoy their  
lunch from the  
new canteen  
trailer**

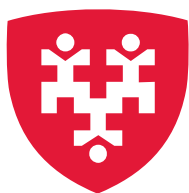


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# Thoughts and some rhetorical questions

The following are just some thoughts and considerations of what is going on around us within the Boston Police Department. These thoughts are just my own considerations and should not be taken as official positions of the B.P.P.A. nor the police department. Some of these thoughts were raised at the annual open meeting of the association on October 10, 2014 and some were not. And away we go.

## Ordered overtime

As I hope everyone is aware, the association has no control over overtime or minimum manning. We have no control over the issuing of permits for special events or parades. The only thing we control or supposed to control is how that overtime is issued out. This past summer was the worst summer I have ever seen for overtime. There was not one person in area B that was not doing a double the entire month of June. If you came into work, regardless of what shift it was, and had not done an eight hour detail or went to court, you were being ordered for the next shift. In many cases even if you went to court you were still going to be held over. Many officers who normally did not or do not do details began doing them just so they would not be ordered. That is a horrible way to have to live.

In many cases this was being done because the boss' did not want to be the one to have to order. I can appreciate that nobody wants to or likes to be the bad guy but when it is your job it is your job. Throughout the month of June, especially June this past year, I would receive calls from my members about being ordered. They would be explaining horror stories of how they have been working and then that they were just ordered for a last half. This would only enrage me.

As their union representative I would place a call to the duty supervisor, regardless of who it was, and ask for an explanation of why this particular officer was being ordered. In most cases I would be told that when that Lt. or Sgt. Came into work they found out that they needed 18 people for a last half. That is just absurd to me. This same procedure would go on day after day. I understand that there is an absolute concern for public safety but there needs to be a better way to do things then wait until the last minute. When the recruits graduated from the academy things did get a little bit better but there is still ordering going on now in October, in area B anyway.

## New CAD System

Is there any member of the patrol force who is in favor of the new CAD system that isn't even working correctly? I know that this is a rhetorical system but it is asked anyway. This new system that cost the city/department crazy money to implement has already been dropped and canceled by the New York City police department. As I always like to say the NYPD is like our big brother so then why don't we try and learn from their mistakes? Or is this just like real life growing up that we need to make the same mistakes that our brothers made so that we can learn for ourselves.

Through this new system many members of the patrol force can no longer even log onto the computers in the cruisers. This is going to make our lives easier? Can anyone remember anything that this department has done to make our lives easier? Again a rhetorical question I guess.

It is being said that the second phase of the new cad system is coming soon. I know that I was trained on the new cad system back in October of 2013 and pretty much remembers none of my training because I was never allowed to put it to use, the system never worked and still doesn't. So when it does go on line who of us is going to know what to do? Another rhetorical question I guess.

## New batteries

When we were issued our new radios we were all also issued two batteries. Each of these batteries would last for eight hours. In the instance that you either volunteered or were ordered for a double you would need both batteries. So it makes you wonder why there isn't a battery out there that would last for 16 hours. Well what do you know?

I was playing golf one day with a gentleman who just happened to know that I was a Boston police officer. In our conversation that day he explained to me that he was in the middle of trying to sell a battery to the city that fits our radios and lasts for 20 hours. This gentleman went on to say that he just sold some to Philadelphia and that he was going down to Miami the following week. When I asked him the question of what did Boston say to him he told me that they explained that they were broke.

With that response I could only shake my head because I was not at all surprised and he generously told me that he was going to give me one to try out. I accepted that offer quite appreciatory and have been using that battery ever since. I now get three to all four tours without changing my battery. So I have to ask why the city doesn't buy us these batteries that would make our lives a little easier. Rhetorical once again?

I understand that the city runs itself and controls its own business. I can appreciate that they do not want us sticking our noses into their business. However, when they are making decisions that affect our lives then it is our business. They are making decisions well in advance that could be life and death decisions.

When you are out in the street with a dead battery that could be a life changer.

With this new CAD system when you key your radio it no longer displays whose radio it belongs to. That also could be a life and death difference.

When you are ordered to work more than eighteen hours consecutive and you carry a gun that too could be a life or death decision maker.

So with just a couple of rhetorical questions a person has to wonder who with the city is looking out for the patrol force?

We all know that the City is a business and conducts itself as one. They purchase everything on what is on sale. They buy the cheapest bullet proof vests, the cheapest radios, the cheapest batteries, so on and so forth. The only sure thing we have to protect ourselves is one another.

Having said that look out for each other regardless of the district or the shift and let's all remember one thing, let's be careful out there.

# Detail rate increase overdue

## Detective's contract should have no bearing on long overdue and deserved adjustment

By James W. Carnell, Pax Editor

**B**y anyone's figuring, the Boston Police detail rate is at the lowest level in the entire state. At the current level of \$33-\$37 (red line/major artery details only for the \$37 rate), the BPD is certainly among the bottom three police departments in Massachusetts.

The BPD and the City appears to justify this inequity by arguing that because of the volume of work currently existing in Boston, officers should be happy and stop complaining (*Marie Antoinette had a similar comparison*). In fact, after taxes are deducted, officers will actually receive – in gross pay – about \$21.00 per hour. **Virtually every laborer on every construction site** is well above any cop assigned to a detail, who not only has to put up with irate motorists, pedestrians and assorted other issues, but may have to activate him/herself for a variety of emergency issues.

The Boston Police Commissioner has the power and the authority, immediately, to raise the detail rate, on his own and without bargaining with the union(s). The City of Boston receives a stipend of 10% from each officer's detail pay, charged to the vendor, so they make an enormous profit from our labor. And with the amount of construction currently on-going or planned for the future, the city stands to make a pretty good dime off of our backs. But, because of the delayed and

protracted BPD Detective's Contract, the excuse has been put forth by the BPD that no detail rate increase will be considered until the Detective's Union settles. That is, at best, cynical BS. Pitting one against the other, and playing both ends against the middle.

The fact is that hundreds of details go unfilled every week, due both to short-staffing by the department and the fact that, monetarily, it's not worth it. Every weekend, licensed premises desire to have police details to deal with their issues. But who in their right mind, at a gross pay of \$21.00 (after taxes) per hour for a minimum four-hour detail, (***the bars are making a ton of dough, though, aren't they?***) wants to put up with slobbering, fighting drunks, stupid people, inevitable arrests and the subsequently-resulting Internal Affairs complaints from said drunks (*and their parents from Long Island and New Jersey who want to know why little Muffy or Biff was arrested and treated so badly by the evil police...*) for such a pittance? The result is that hundreds of details go unfilled and mayhem occurs around State St., the Theatre District, Landsdowne St., colleges, bars, and anywhere else where many young people gather.

Most other police departments offer premium rates for licensed

See **Detail Rates** on page 27

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Don Green served in the United States Marine Corps from 1957 to 1961 before being honorably discharged. In 1968, he joined the Boston Police Department and retired in 1990 after serving the city for nearly 22 years, the last 15 years as a Sergeant in the Roxbury district. He is married to Annette Hill Green, a native of Dorchester, who is also an attorney and his law partner.

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# Mandatory, ordered overtime crushing patrol force

By James W. Carnell, Pax Editor

**M**andatory, ordered overtime has had a debilitating effect on the BPD street-patrol force, continuing from the summer season into the fall and foreseeable future due to short-staffing by the BPD.

Whether because of numerous special events authorized by the city and the BPD or the fact that the relatively small number of new, young recruit officers have been assigned to “specialized” (please note the quotation marks), high-profile, high-publicity units as props for photo-ops for the BPD propaganda machine, crushing amounts of ordered overtime have been thrust upon the regular patrol force. “Special” officers are removed from the district-level ordered-overtime equation, leaving veteran officers to be ordered for double and even triple tours of duty, with the department taking cynical advantage of the term “consecutive” (*if there’s fifteen minutes and a detail it’s not considered “consecutive”*) hours in the existing rule and regulation. And ordered overtime is not limited to weekends – many officers have been ordered for extra tours on obscure Tuesdays and Sundays, for no other reason than that the BPD is so terribly short-staffed.

Many officers have reported that they have arrived for work, for example, for a first half tour of duty (4:00 PM-11:45 PM), then been ordered for a last-half tour of duty (11:45 PM-7:30 AM), and then, because a parade or demonstration or special event has been scheduled by the City at 10:00 or 11:00 AM, been ordered to come back to perform that assignment. (What the hell are you supposed to do between 7:30 AM and 10:00 AM? (2½ hrs.?!)) Go home and sleep? How ridiculous!

The BPD has also resorted to changing what were previously *voluntary* detail assignments into mandatory overtime, so that officers can again be ordered to perform the work. Symphony Hall, Fenway, Park, concerts at the Boston Garden, movie filming downtown, etc. etc. now require numerous officers to have their time-off intruded upon and ruined because of short-staffing. At the whim of management or city hall, pandering to the demands of the vendor, but with not a care for the officers or their families, the BPD now orders officers to perform mandatory overtime at Boston College football games and other sporting events, because the personnel don’t exist to fill the assignments. Again, is anyone up at headquarters listening?

The result has been frustrated, angry officers who have been required, of necessity, to call in sick from exhaustion. Many officers have complained that family events, children’s birthday parties, barbecues, weddings and other important events have been interrupted by the department’s callous indifference to the officer’s personal lives. Headquarters seems to respond with a cavalier, Marie Antoinette-ish “let them eat cake”/ “hey, look at the overtime money you guys are making” attitude. They seem not to understand nor care that personal

time is often far more important than money. Children’s birthdays, family cookouts and weddings are over once they’re done. They will not be repeated, and are lost forever. You will not receive a “thank-you” from the city or the BPD for being ordered for another overtime shift rolling around with drunken punks on State St., Landsdowne St., or Parker Hill Ave. (You will get an IAD tab, however...) And of course, at the end of the year, the local media will again criticize the individual officers and have their heyday in the press highlighting how much this officer made and how much that officer made. Will our vaunted command staff, bedecked with stars and bars and feathers and medals from campaigns in far-off battles that none

of us know about, come to our aid or defense? I think not...

If you think so, I have a bridge in Brooklyn for sale. Please call me...

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## Injured On Duty...

From **Vice President** on page 5

*Labor News* did an informative piece and listed some major policy choices under consideration and also being implemented around the country. What is noticeable is that there is no general consensus on implementation.

Activation varies widely including every encounter with a citizen to specific interactions while some list exceptions such as victim and witness interviews, juvenile interaction, sexual assaults and domestic violence. Some policies allow citizens to refuse recording while the officer is in their residence.

Officer has the discretion to comply with the citizen’s request to stop recording. Some policies make such compliance mandatory.

Transporting suspects to a detention facility requires activation... sometimes.

Mixed guidelines on continued recording while awaiting a third party such as a tow truck driver.

Allows officers to review recordings from cameras at any time, and to do so in the presence of their attorney or labor representative if the officer is the subject of a departmental investigation. Some of the policies prohibit such review.

One third of the operational agencies have no written policies. Those that do often contradict one another over the simplest of issues such as activation. The full vetting of issues should take years...smart money will stay on the sidelines during the assessment.

For the “dashcam” comparison, public records requests from the media are a constant. The uploading of images to the internet will no doubt continue to be exploited. Most states exempt recordings from disclosure until final disposition of any criminal or civil litigation. Consider all officers on a shift equipped with a “bodycam” that is constantly recording the real time visions of their fellow officers...scary thought.

# WTC Museum, a tribute to 9/11 victims

By Mark A. Bruno

**H**aving waited over twelve years to visit these hallowed grounds made the moment no less emotional. As I approached the area with my family I could feel all the emotions of this tragic day coming back.

It has been nearly thirteen years since two planes manned by terrorist knocked these symbolic buildings down from the lower Manhattan skyline. For many years the clean up process and recovery would leave this vast area empty and devoid of pedestrians. Now after over a decade of construction a new museum and tower along with two large waterfall fountains stand on this sacred ground.

The Freedom Tower at 1,792 feet is the tallest building in New York City and the Western Hemisphere. As you approach this magnificent structure from blocks away you can feel pride in being in one of the greatest countries in the world. Yes it is a symbol against tyranny and terrorism and at night it is a beacon of light for all to see from miles around. It is a memorial to those lives lost on 9/11. It is a pillar of hope in a world of uncertainty that all Americans may cling to. It is not a monolith

of arrogance but rather a reminder of who we are as a nation and a people. We are a civil society who at times have been asked to shepherd the weak when they could not defend themselves. We are the defenders of **FREE-  
DOM!**

As I walked on to the plaza I observe the two magnificent ever-flowing fountains which have all the names etched in stone of those lives lost. You can see several flowers scattered around the edges which were placed by loved ones and total strangers to remember the deceased. I placed our special Pax edition

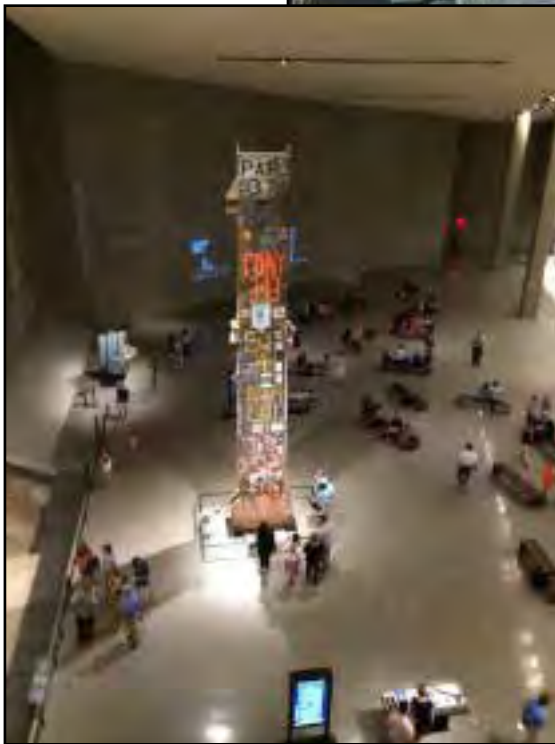
from the Boston Marathon on the sacred Fountain to pay reverence to those we lost in our attack here in Boston. I could not imagine how devastating an attack of 9/11's magnitude would have affected

Boston. We felt the sting of terrorism on a lesser scale, but we fast understood what it meant to have our City attacked and the senseless loss of lives. New York Police and Boston Police will always be connected through these devastating events. We have always shared a bond with our brothers and sisters in blue from the Big Apple, be it at wakes or fundraisers, a mutual respect was always there. When NYPD and the Port Authority responded with water and food trucks to the Boston Marathon, all our members understood how tight the bond was between our two cities. I left the magazine with an NYPD Officer and thanked him for the support they gave to Boston Police during our crisis. He could not thank me enough and stated that it was many of our members who came down immediately after 9/11 to assist them that needed to be thanked.

Making my way in to the front lobby of the 9/11 Museum I immediately scope out the two I-beam crosses draped in mourning scarves and I know I am about to enter hallowed grounds. The mere presence of being here where so

many have died makes me emotional like when I visit my Parent's and Brother's grave at Holy Cross Cemetery. Because I was pressed for time i skipped the twenty minute video presentation upstairs and immediately started my tour downstairs. I immediately spot the I-beam which was removed in a special ceremony during the aftermath of 9/11. On top of the beam are posted PAPD 37, NYPD 23 and FDNY 343. These numbers represent the lives of our fellow officers and firefighters that were lost that day. For many who enter this museum much like myself it is for the first time we are there since the attacks. It can be emotional and overwhelming for many. Next to the beam is the slurry wall that withstood the attack. Had these walls broke the New York subway system in lower Manhattan would have been flooded. You can not imagine how deep and wide this area is as you make your way down.

All visitors are asked not to use flash photography in the front part of the exhibit, and no photography at all in Memorial Hall. The video footage from several live broadcasts that were recorded on this fateful day are displayed. There affect is no less than when it actually happened. I can hear people gasping in horror as they relive the moments all over again. Video footage from a Frenchman who was recording a work crew in a manhole which caught the first plane coming in was shocking to watch. There were still photos of victims trapped on the top floors. Some photos show the victims hurtling through the air. There were statements of people posted on the walls near these pictures which were accompanied by audibles. In one statement of an





eyewitness they stated; "I looked up and saw a woman trapped on the higher floors; I watched as she patted her skirt down as if to die with dignity, and then she leaped." I did all I could to catch my breath after reading this and knowing exactly what they were talking about having watched it unfold live on television when it happened. This was a powerful account which captured the tragedy and sadness of these moments in time.

There are many other exhibits on display which everyone should go and see. I was glad I went. My family, minus my oldest, were moved by this tribute. I was moved by the dignity and reverence shown by all who attended these hallowed grounds. Before I left New York I talked to a retired NYPD Officer who stated he had yet to go back there since the attacks. He said he lost a good friend as did many that day. He stated he was not ready to return there and probably never will. I could honestly understand that. I thanked him on behalf of the Boston Police Department for their support during our crisis, and I left him a commemorative Pax issue from the Boston Marathon.

May God watch over this new Beacon of Hope (Freedom Tower) that has risen up from the ashes at Ground Zero.



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## HEARD ON THE HILL

By **James Barry**, *BPPA Legislative Agent*

# Elections are only a month away!

**L**ess than a month remains until the election and the race for Massachusetts governor stands as a very tight race between Republican Charlie Baker and Democrat Martha Coakley. In this issue of the *PAX*, both candidates responses to the BPPA Questionnaire are published for the members. Two key questions that drew my attention were the retirement and the Massport answers. Baker's answer of yes supporting the current retirement syetem, is in conflict with his public declarations of, "public employee pensions were no longer sustainable." If he has changed his thinking, I'm pleased and wished he had expanded is answer as asked. Coakley's answer is also supportive to the current pension system which is consistant with her past support.

The Massport question shows a difference between the two candidates also. Baker and Coakley, both seem to kick the can a bit on this. However, Coakley's answer to grant BPD "concurrent jurisdiction" to Massport properties is exactly what the BPPA has long advocated for.

The Boston Police Retiree Detail legislation is expected to be signed by Mayor Walsh and sent to the Mass. Legislature as a home rule petition. The legislation allows the Boston Police

Commissioner full control over and powers to put forward all the rules and requirements, as he deems necessary for successful operation of the program. The amount of hours per year an officer is allowed to work these details is regulated by retirement law. More that half of the cities and towns in the commonwealth allow their retired police officers to perform these excess detail work. As of publication of this issue of the *PAX*, the legislation has not yet been sent to the State House. BPPA Reps will keep the members posted as to the process as it develops. The BPPA along with BP-SOF and BPDDBA will co-ordinate union lobbying efforts as the bill makes it's way through the process. This will include urging members and their families to call their Reps and Senators urging passage of the Bill. It is only a bill, we need to get it on the books, to be law.

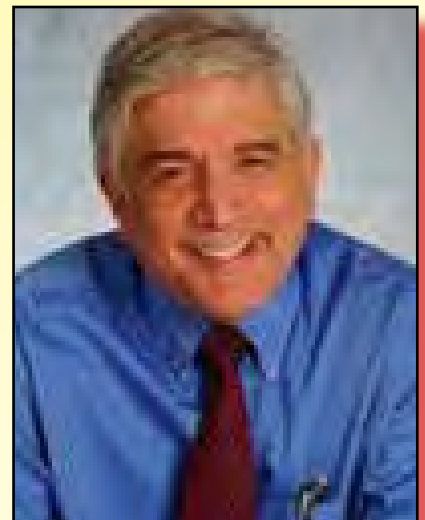
With legislators all running for re-election, the State House remains very quiet and will so until after the election. BPPA members requested endorsements for **Carlos Basile** (D) East Boston, **Evandro Carvalho** (D) Dorchester and **Les Gosule** (R) Quincy running for State Senate. Please consider voting for these strong supporters of the BPPA.



*Carlos Basile (D) East Boston*



*Evandro Carvalho (D) Dorchester*



*Les Gosule (R) Quincy*

# Gubernatorial candidates Charlie Baker and Martha Coakley respond to BPPA questionnaire

Questionnaire compiled by **James Barry**, *BPPA Legislative Agent*

1. Do you support and would you fully staff and fund the Joint Labor-Management Committee's process for lawful resolutions to the collective bargaining disputes that can arise in contract negotiations between municipal management and police & fire unions?

2. The Boston Police Department in 1994 was stripped of the concurrent jurisdiction in law enforcement on MassPort Properties located within the City of Boston. Concurrent jurisdiction that had existed for decades. That change in law gave exclusive jurisdiction at Logan Airport, as well as all other MassPort properties located within the City of Boston, to the Massachusetts State Police. All residential 911 calls within the South Boston Waterfront and Seaport District, as well as the ability to enforce and investigate crimes within the South Boston Waterfront and Seaport District and other MassPort properties within the City of Boston, is restricted by law to the Massachusetts State Police. However, Boston EMS and Boston Fire still routinely respond to all 911 emergencies within the South Boston Waterfront and Seaport District and Airport. The residents of the City of Boston living or working in, as well as those non-residents who work within the South Boston Waterfront and Seaport District are, by law, prohibited from receiving the same service and protections as all other residents of, and visitors to, the rest of City of Boston. In the Marathon Terrorist Attacks, Post 9/11 world we live in, this situation of restricted law enforcement is untenable. With the limited personnel resources of the Massachusetts State Police and their vast jurisdictional requirements outside the City of Boston, this insufficiency needs to be corrected. As the primary police service within the City of Boston, the Boston Police Department's command staff, its police unions, the Mayor, city councilors, and residents find this situation insupportable. However, MassPort and the Massachusetts State Police continue to fight all attempts to resolve this jurisdictional nightmare.

Do you agree that the Boston Police Department must have exercise full police jurisdiction on all MassPort Properties within the City of Boston? Will you file and support legislation (requires legislative fix) to resolve this dangerous situation?

3. Media and political efforts to replace police officers at road construction sites in Massachusetts with civilians flagmen has failed to produce a safer working environment for workers or vehicular and pedestrian traffic, nor has it resulted in any cost savings. On a daily basis hundreds of Boston Police Officers assigned to construction site details are deployed, at no costs to Boston taxpayers and they help supplement the police presence throughout the neighborhoods of Boston. Federal Highway Administration studies, which were authorized by the late Congressman Joe Moakley, have concluded that police officers offer the best protection for workers, pedestrian and vehicular traffic in and around a construction work zone. The study also indicated that Massachusetts had the safest road construction sites in the nation because of the practice of police details.

Would you support and/or sign any law, CMR, regulation, ordinance or law that would replace uniformed police officers on traffic details in and around construction sites with civilian flaggers?

4. Massachusetts General Law Chapter 150E requires both public employers and employees to collectively bargain any changes to hours, wages or conditions of employment.

Will you veto any attempt to restrict or remove any of the protections under this law.

5. Do you support private college security forces having the power (MGL Chapter 90) to stop motor vehicles on Boston city streets and public ways?
6. Do you support automated traffic cameras for capturing pictures of traffic violations and issuing citations by a third party?
7. Will you support and work with the public worker unions in efforts to collectively bargain health insurance costs and any plan design changes?
8. Massachusetts State Trucking Association has undertaken efforts to limit the City of Boston's enforcement of Federal Motor Carrier Safety Regulations (FMCRs) on Boston's streets. This is effort contrary to Department of Homeland Security programs and training efforts. Scores of dangerous cargos are carried through streets of Boston daily in order for trucking companies to save money cutting through the city to reach north or south shore destinations. This creates serious threats to public safety and puts the lives and health of our residents and visitors at high risk.

Will you support the Boston Police Department's Truck Team enforcement of FMCRs and Boston city ordinances within the streets of Boston?

9. Massachusetts Public Pension Systems are administrated in a professional, prudent, and efficient manner. They have in recent years undergone legislative "reforms" that have tightened up an already well-run public retirement system by closing potential loopholes and modernizing retirement benefits. Official government and private actuarial studies have confirmed that today's public employees largely fund most of their future retirement benefits.

Do you support the defined benefit pension plans that public employees & employers currently fund in Massachusetts?

10. Do you support the unbiased and neutrally influenced civil service examination and testing of candidates for entry and promotion in police services?



## Republican Charlie Baker responds...

1. Yes.
2. I acknowledge this issue and its impact on public safety and would instruct my EDP to immediately begin to study and research the issue with the expectation that they provide recommendations no later than July 2015. All parties will be involved in this process.
3. No.
4. Yes.
5. No.
6. Yes. In certain busy intersections where it can be used as a deterrent to public safety.
7. Yes.
8. Yes.
9. Yes.
10. No. I'm in line with the recent SJC ruling on the test.



Charlie Baker (R)

## Democrat Martha Coakley responds...

1. Yes.
2. My first priorities will be continuing to ensure public safety on MassPort properties within the city of Boston and ensuring accountability for taxpayer dollars. I look forward to working with the BPD and the State Police to find a practicable solution to this situation, which will include concurrent jurisdiction for Boston Police.
3. I believe that public safety on our city and town roadways needs be a top priority particularly during infrastructure improvements, new construction or road repair. As Governor, I will work with the BPD to find the right balance between civilian and police details to both protect public safety as well as taxpayer dollars.
4. Yes.
5. No.
6. No. Clearly, appropriate public surveillance is an important tool for law enforcement during investigations, like that into the recent Boston Marathon bombings, but I have concerns about expanding that surveillance into the enforcement of traffic violations.
7. Yes.
8. Yes.
9. I have spent my career in public service, and my husband was a police officer, so I understand the importance of having secure pension for so many public workers. I believe that we make contract with public workers and, as Governor, I will work to ensure that the state upholds its end of the bargain for current workers. Our priority needs to be bringing down high costs, particularly related to health care and other OPEB benefits, that are forcing companies and municipalities to shift more and more of the cost onto workers. We must also continue to hold Wall Street accountable, as my office has done, to ensure that they do not make risky or irresponsible investments with the money that hardworking families are relying on to retire with dignity.
10. Yes.



Martha Coakley (D)





# BPD Softball Tournament: *Old stupid men vs. young idiots*

By **James W. Carnell**, *Pax Editor*, with assistance from **Ed MacPherson**, *a balding, aging player from days gone by...*

On Saturday, Sept. 27<sup>th</sup>, seven teams took the field at M St. Park in South Boston to try to bring back some of the camaraderie we lost two years ago. For many years, the BPD had a softball league where officers gathered on Sunday mornings to play ball and have a great time. But like many other social occasions (the BPD bowling league, etc. etc.), the softball league fell victim to forced, mandatory overtime, vacations, lack of interest, the need to perform details to make financial ends meet, and a host of other concerns.

Areas A, B & C each placed a team in the tournament along with HQ, Special operations and the gang unit. The big surprises were the Areas who were unable to field a team. Areas D and E had been past powerhouses in the league. Because of this, we were forced to go outside the department to fill the tournament. Thankfully, N-Star, at the last moment, was able to field a team. (Unfortunately, as the price for fielding a team, our electric rates were raised by 37%, and the N-Star captain, a man known only as “grimy Bruce”, demanded unspeakable things which were provided without question and joyfully by Officer MacPherson, albeit out of public scrutiny.)

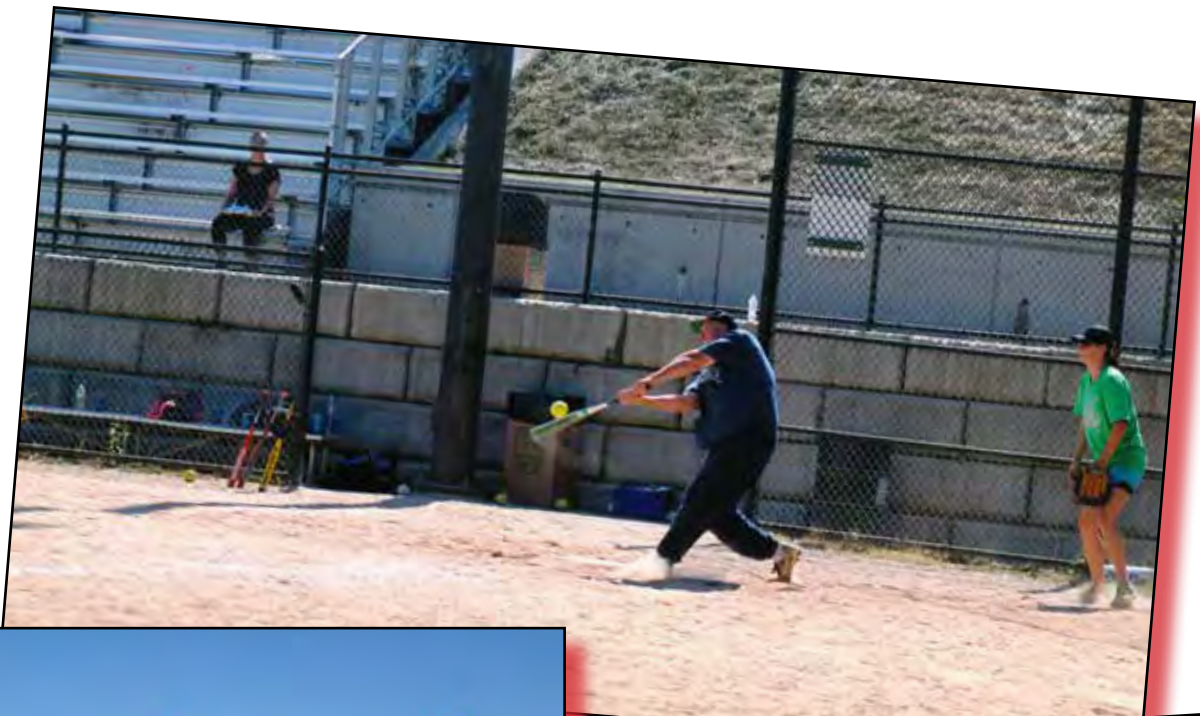
The championship game was a heated contest between Area B and N-Star, with Area B ultimately taking home the tournament trophy. It was apparent from the start that Area B had a seemingly unbeatable roster, which inexplicably included three questionable last-minute acquisitions for the final game. (*editor's note: MacPherson's, the Scotsman's, opinion, not mine...*)

Thanks to the BPPA who brought the canteen truck and provided food and refreshments all day. A special thanks to retired officers Joe O'Malley and Bill Flippen for bringing the “Blue Goose” to the event. You could always count on Joe to be at the field early and ready to play every Sunday morning. (The definition of “ready to play” is randomly definable, according to individual preferences.)

Many of the elderly officers, including Officers MacPherson and Ronca, were escorted off the field with their walkers and wheelchairs by the younger officers. Unable to compete due to advancing age and receding hairlines, these officers were quickly







removed to the sidelines and provided with droolbuckets. Boston EMS declined jurisdiction, but agreed to send a chair-car to transport these officers back to Area A, which also declined to accept them. Pictures of this alleged tournament are included, excluding the embarrassing display of those who participated at advanced ages who should have attended a local bingo game or found a bench at Castle Island.

In all seriousness, thank you to those who organized the tournament, participated and assisted in any way. Hopefully, maybe, the old BPD softball league, and the camaraderie that came with it, will eventually be revived. **In addition, over \$1,000 was raised/donated for the families of the Boston firefighters killed in the tragic fire on Beacon St. last year. Good job Ed, and everybody else involved...**





*"I wish somebody had shown me all this before, this is incredible!"*

*"I never knew this could be done.  
You should teach a class at the Academy!"*

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# Former Commissioner Davis renders report on UMass riots

*Ed: How can we miss you,  
when you won't go away?*

By **James W. Carnell**, Pax Editor

**F**ormer (Editor's note: thankfully!) Boston Police Commissioner Ed Davis, who was hired at some unknown, taxpayer-funded fee to produce a 65-page "report" about the drunken UMass Amherst students who rioted and threw bottles at cops at the "Barney-blowout"/pre-St. Patrick's Day party, has issued his findings: the cops overreacted. I would have charged the state nothing and been able to tell you in one page what the problem was at UMass, but, of course, I'm not politically connected. Bureaucrats, phonies, frauds and retired police commissioners (*I'm being redundant, aren't I?*) need to "study" issues for extended periods of time at an enormous cost to the taxpayers to tell the rest of us what we already know: drunken college kids are idiots and morons who are likely to cause trouble, especially around St. Patrick's Day when they all think they're Irish but know nothing of Irish history or culture. End of study... could have saved the state a lot of money....

As he his wont to do, Davis' report used politically-correct terms such as "stakeholders" to describe the idiot drunken students who threw bottles and trash at the UMass and Amherst cops. (Ahmmm-Ed... one of my children went to UMass Amherst. ***I am the stakeholder***, at least as far as the student loan companies are concerned.

According to Davis' report, the cops "did not heed warnings from social media." What was that, Ed; that stupid college kids were drinking before St. Patrick's day on a college campus located in the middle of Western Mass. nowhere? And, we'll blame the cops for that one? He also cited a "disconnect" between the police and the security staff, because there were more than 7,000 registered guests on campus that weekend (*and God knows how many unregistered guests???*). And what, pray tell, Mr. Davis, were the police supposed to do about that??? Remove them, and then be accused of all sorts of other civil-rights violations?

The report also recommends "a more comprehensive model of community policing." Ed, please shut up and go away. You have a nice gig giving "expert opinions" on police issues on one of the local TV stations. (*Ha!- tell them about the lawsuit for false arrest you were involved in up Lowell years ago. Remember? I do!*) "Community policing" and "interaction with student government" is not going to have any influence on drunken idiot college kids celebrating diversity on St. Patrick's Day weekend at UMass Amherst or any other college campus. College students are, by their very nature, stupid. I know. I was one. (Northeastern University, 1977...)

"Communicating" with student leaders sounds marvelous at a candlelight vigil or a feel-good community meeting; but when cops are having bottles and rocks thrown at them by drunken-idiot college kids, it's different: like the saying goes, when you're surrounded by alligators, it's a little bit difficult to remember that your original job was to drain the swamp.

Former Commissioner Davis: do you remember the little ditty on the radio encouraging tourists to come to your home City of Lowell (*God only knows why: "There's a lot to like about Lowell..."*) If you promise to go back, I'll promise to never visit. What a deal....



# How did we survive?

## For those of us who grew up in the 60's and 70's, it's amazing we're still alive

By James W. Carnell, Pax Editor

*(Editor's note: this article is compiled from remembrances of an old article in the Pax – which I can't remember due to approaching senility – personal recollections and contributions from those of us who were born a long time ago in a land faraway. Special thanks Kenny Peters, A-1.)*

**H**OW DID WE SURVIVE? We drank water from garden hoses and household taps, we had **NO** cellphones, we played hockey and baseball without helmets and rode in cars without seatbelts. According to today's standards, we should all be dead.

For those of us who grew up in Boston in the 60's and 70's and even the 80's, life was indeed different. I was remembering the other day as I sat in a stalled cruiser at a red light, watching an army of pedestrians walk across an intersection in downtown Boston, oblivious to the world, tapping away on their cellphones, texting and yapping mundane conversations to people on the other end of the cellphone. Yes, life, in my opinion, was certainly better, easier, and cheaper back then, although we didn't know it at the time.

If you told anyone back then that you would eventually pay money for bottled water, we'd look at you like you had three heads. Why would anyone pay for water when it came for free from the tap? We drank it from the garden hose too, and surprisingly, most of us have not grown a third eye or become deformed. (Mentally, perhaps, but not physically...) **But we survived....**

You could tell the days of the week from the meal that was served on the table – and you damned well better be home on time to eat it, because there was no such thing as a microwave to heat something up after the fact. Sunday was always a roast beef or chicken of some kind, and everyone ate dinner together after Mass, or you would die. (The stores were closed on Sundays because of the “blue laws”, so you couldn't go shopping; now that I think of it – that wasn't a bad idea.) On Monday, Sunday's roast-chicken leftovers became something called “chicken a la king,” which has been banned by the CDC in Atlanta for the damage it caused to our gastrointestinal systems. Leftover roast beef went into a tabletop, hand-operated grinder that screwed onto the kitchen table and churned a disgusting mash mixed with potatoes and other leftover crap and became an abomination called “hash”, which my mother claimed came from God and I should eat it or die, right after she slapped my head for daring to criticize the vile concoction. I believe it was about that time that my faith in the Almighty began to wane. **But we survived....**

I forget what Tuesday was, but I'm sure it came from a can or was boiled to death, as the Irish are fond of doing to food. Wednesday was always “Prince Spaghetti Day,” because again, it was something the Irish could boil in water without killing it. Thursday was usually meatloaf – again; ground meat stuffed into a loaf pan and cooked until it was dead, Friday was always fish sticks or cakes, and Saturday was always beans and franks. That was the subsistence diet of the average Boston youth back then. **But we survived....**

We were not fed a school breakfast, lunch or dinner by concerned educators. We walked to school with a brown bag or lunch box, consisting of either peanut butter and jelly, bologna and cheese, or tuna fish. The only thing that the school provided was milk, and we

all had to pay for that. (Woe be unto you if your weekly milk money [five cents a day!] wasn't paid!) If you forgot or lost your lunch, you suffered the indignity of having the rest of the class donate a portion of their lunch to you as you sat there, ashamed and humiliated by the teacher. Tonic (a.k.a. “pop” or “soda” for you communists who immigrated here from New York or Jersey) was wrapped in tin foil to keep it cold, but you couldn't drink that in school. Corner stores carried “penny-candy”: fireballs, double-bubble gum, licorice, etc. We had no school buses- we walked to school, believe it or not. I wonder whether the current epidemic of obese children that Michelle Obama is so concerned about could perhaps be attributed to little porkers being shuttled around on nearly- empty school buses while being fed breakfast, lunch and sometimes dinner by school employees. **But we survived....**

We had only VHF-TV channels 2, 4, 5, 7 and UHF channels 38 and 56. Somehow, we always managed to find something on TV, like Major Mudd, (IBBY: “with an I and a B and a B and a Y means I'll Be Blasting You”) Bozo the Clown (until recently he inhabited headquarters, corner office, now serves as a 6'6" consultant on TV presenting himself as an “expert” on crime matters. **HA!**), or the detestable Lawrence Welk Show that our parents made us watch every Sunday night. There was “Gunsmoke,” “Have Gun, Will Travel,” and “Green Acres.” Telephone numbers (rotary phone) began with two letters followed by five numbers – ours was CY (2-9) (Cypress) 8-2760. (How come I can remember that but not what I did 10 minutes ago?) Today we have about 800 cable channels, and we all complain that “there's nothing on.” So much for excessive choice...

We took the bus everywhere, or walked. I remember being ladled down with 80 lbs. of hockey equipment, and daring to ask my father to consider giving us a ride in the freezing cold from Mattapan to Bajko rink in Hyde Park. (He had a 10-ton Plymouth Fury III that could seat 42 kids and got three mpg, but who cared: gas was about 49 cents a gallon.) Talk about the “three-heads” look: he asked if I had a dime and whether there was still a bus stop on River Street, and then returned to reading his paper and smoking his cigarettes perched on the tall brass smoking-stand with the heavy glass ashtray and a 16-oz. Schlitz. Dad was always a brilliant conversationalist interested in stimulating intellectual discourse.

In the 60's, Boston Edison went on strike for a protracted period of time (3-4 months?) We did not go on welfare, nor seek public alms. Neighbors, friends and relatives brought bags of groceries over, and debts and bills were re-arranged or put off to a later time. Nor did we ever, ever call the cops. To have the cops come to your house was humiliating and embarrassing. You solved your problems in-house, and out of the public view. Today, there are multiple calls to the same addresses over and over and over again, and the callers seem proud of how many times they have the police come to their house to solve their stupid, juvenile, ridiculous problems.... **How did we survive without bothering the police with our stupid problems?**

The latter-day cellphone system consisted of mothers screaming out of their back porches to the next mother, who would then scream the message to the next mother, and so on, and so on, until little

See **Survive** on page 28

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## Sorrow and gratitude

By Mark A. Bruno

**L**ife never prepares us for losing loved ones. Sometimes we know it is coming from illness and sometimes from old age. As parents we expect our children to out live us but unfortunately that is not always the case. We protect our children from when they are babies and try to keep them out of harms way but it sometimes is not enough. They may succumb to their own demons brought on by depression or other reasons. It does not make the loss any less hurtful. What does hurt is when a child who has yet to experience their first crush or kiss suddenly is snapped away from us. For some unknown reason they become ill and suddenly as a parent you are helpless. We sometimes take life for granted never realizing how precious it truly is. One need only to walk over to the Children's Hospital to be humbled and understand this.

With that being said I would like to extend our condolences to the Feudo Family. Retired Sargent Detective Tony Feudo's granddaughter, Sabrina L. Feudo, who is also the niece of Police Officer Michael Mattera, was lost at the age of eleven to a sudden illness. Our deepest sympathy to the parents Jackie and Michael Feudo. On behalf of the Feudo Family and the Boston Police Department, in particular District-7, I would like to thank the Winthrop Police Department for the respect and dignity shown in this families time of grief. Special thanks to Chief Terence M. Delehanty and his staff for closing down the streets during the wake and funeral procession. Many of these fine Winthrop Officers have families and felt devastated by this loss. The whole town of Winthrop needs to be thanked as well for showing up and waiting in line to pay their respects to a special little girl. To all who helped in this families time of grief thank you so kindly. Our thoughts and prayers are with the Feudo Family.

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Attorneys at Law



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# Random October thoughts

**A**s summer fades to fall and as the days become shorter and shorter, we are reminded that change is inevitable. There are changes for the better. There are changes for the worse. There are changes that make no difference at all. And there are changes made simply for the sake of change. Ever heard of the BPD "fairness" transfers? Having said that, here are a few random October thoughts I want to pass along.

## Best Wishes to Judge Drechsler – You Will Be Missed Here

**S**ometime in 1997, I met Attorney Tom Drechsler. I was a prosecutor in the Suffolk County District Attorney's Office prosecuting someone who had gone on a wild car chase during which three state troopers and a detective from District 4 shot at the stolen Corvette. This chase, which spanned from behind the State House to Kenmore Square to Storrow Drive to Government Center to Chinatown, caused damage to thirty vehicles and sent several people to the hospital. The suspect himself was shot and the stolen Corvette was riddled with bullets. Tom Drechsler had come to a clerk's hearing at the Boston Municipal Court to represent a patrol officer from A-1 who, through court shenanigans from the defendant, had a criminal complaint application taken out against him for attempted murder. I assisted Tom in giving him all of the information I could to assist the patrol officer, and later learned that partway through the clerk's hearing, Tom's cross-examination got the defendant so upset that he withdrew the complaint application.

A year later, I began working for Tom at the firm which was then named Finneran, Byrne, Drechsler & O'Brien. In over sixteen and a

half years of working with Tom, I watched his representation of Boston Police Officers and officers from numerous other law enforcement agencies. There has never been an attorney who has represented law enforcement officers so skillfully, professionally, respectfully, ethically, conscientiously and, above all, zealously. Tom is a lawyer who returns every phone call. He is a lawyer who cares about his clients. He is also a lawyer who can pull off some of the most entertaining cross-examinations one can imagine. Tom has been a great mentor and teacher, and we will miss him very much as he goes on to serve as a Superior Court judge. Tom offered some of the best legal representation available, and at the newly named firm of Byrne & Anderson, we hope to maintain that high quality representation that Tom has offered to Boston patrol officers for so many years. Good luck on the bench, Tom.

## Internal Affairs Chaos

**I**t was with a sense of anger that I read a news article this past July about the Department of Veteran Affairs. The story was about a veteran living in Acton, MA who was undergoing treatment for brain cancer. A year after the veteran's diagnosis, he attempted to transfer his care from Boston to the VA Hospital in Bedford so he would not have to drive into the city for his treatment. The Department of Veteran Affairs did not respond and, unfortunately, the veteran died four months after making this request. What angered everyone about this story was the fact that two years after his death, his widow received a letter telling her that her husband had been cleared for treatment at the Bedford VA

See **October Thoughts** on page 31

## Comments from Attorney Tom Drechsler

Dear Tom, all BPPA Officers, reps and Jim Barry:

**A**s many of you know I was nominated by the Governor to become a Justice of the Superior Court in July.

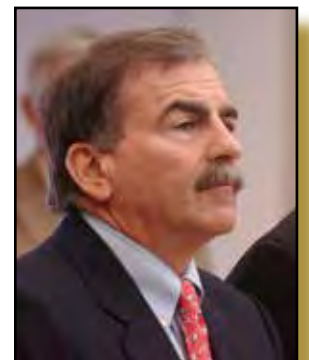
The Governor's Council voted to confirm my nomination by an 8-0 vote on 9/3 and I will be sworn in at a private ceremony by the Governor on Friday. On Tuesday 9/23 @ 3:30 pm in the Salem Superior Court (Room K) the Chief Justice will conduct a public induction ceremony. Later on there will be an informal reception at the Boston Yacht Club at 1 Front St. in Marblehead. I hope that some of you might be kind enough to join me at either or both of these events regarding this tremendous honor and my career change. All are invited.

I cannot begin to tell all of you what an honor and pleasure it has been to represent members of the BPPA. I will appreciate and treasure the memories of my experiences as a BPPA attorney for the rest of my days. I regret that in the future I will be "unable to re-

spond" to the needs of your membership, but I hope all of you understand that the distinction and honor of becoming a Superior Court Justice is the only thing I would leave you for and the opportunity of a lifetime. Maybe somewhere some lawyer has had a better client than the BPPA but I seriously doubt it. You have always made me feel part of the family. Simply put, as clients, as representatives of your membership, in good times and bad, through all sorts of adversity, you are and have been **THE BEST!**

Thank you and I look forward to seeing you soon.

*Sincerely,  
Tom Drechsler*





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# Workplace cellphone searches under Federal and Massachusetts law

A recent article written by Attorney **Steven Betz** gives a thorough examination of an officers' privacy rights with respect to his or her cellphone during workplace investigations.<sup>1</sup> While the article lays out some guiding principles and scenarios from which an employer could potentially search your cellphone, it does so analyzing US Supreme Court decisions. Decisions that set the floor, but not the ceiling here in the Commonwealth.

So the question is – has Massachusetts set tighter restrictions on maintaining the privacy of a police officer's cell-phone during workplace investigations?<sup>2</sup> Unfortunately, the answer appears to be 'no.'

## Overview Federal Case Law

As Betz explains, the basic rule is that a cellphone search in the workplace must be "reasonable." What does that mean? With respect to department issued cellphones or devices, the US Supreme Court answered that in 2010. In *City of Ontario v. Quon*, 560 U.S. 746 (2010), an officer challenged the police department's search of his department issued beeper (which resulted in an internal affairs investigation) as unreasonable under the Fourth Amendment.

*Quon*, *supra* at 753. Even assuming that the officer had a reasonable expectation of privacy in text messages he sent from this device, the Court held that the department's search was reasonable, in that it was motivated by legitimate work-related purpose (reviewing the data plan) and was not excessively intrusive in nature. *Id.* at 764-65.<sup>3</sup>

With respect to personal cellphones or devices, Betz states that a police department can most likely search the contents of a cell-phone if the department has met a standard similar to reasonable suspicion to believe that evidence of employee misconduct can be found on an employee's personal cellphone. This determination comes from the High Court's decision in *O'Connor v. Ortega*, 480 U.S. 709, 726 (1987), which set out a two-step process for determining the validity of a public employer's search of an employee's personal property: (1) justification for the search; and (2) the scope of the search must be reasonably related to circumstances giving rise to it in the first place.

Betz makes several suggestions for protecting the officer from having his or her electronic device searched in the workplace, however. Aside from the clearest and most obvious protection – limiting use of a personal cellphone for any work related purpose – he also suggests, in the event of a search, requiring the employer to provide notice of what justified the search, the precise information being sought, and an opportunity to be present during the search.

## In Massachusetts

Although there is no case law in the Commonwealth which addresses this specific point, it does appear that our highest court follows the reasonableness/expectation of privacy analysis when it comes to an employees' privacy rights in the public workplace.

In *Nelson v. Salem State College*, 446 Mass. 525, 534 (2006), an employee filed a civil right suit under §1983 against the college, claiming invasion of her privacy, after she was videotaped by a hidden camera while changing in an open area of her workplace. The Court held that the employee had no objectively reasonable expectation of privacy in her workplace, as the un-enclosed space lacked a door and could be entered into by anyone at any time with no prior notice. *Id.*

Therefore, taking the holding in *Nelson* and factoring it in to the Supreme Court's holdings in *O'Connor* and *Quon*, it follows that the Supreme Judicial Court would, if faced with a situation like that in *Quon*, look to see whether (a) the officer had a reasonable expectation of privacy in

the electronic device being searched (department issued vs. personal device, as well as the content and nature of what the department is searching for); and (b) the overall reasonableness of the department's search, once executed.

As Betz states in his article, the most important safeguards any officer can take start with limiting your use of a personal cellphone/device at work (or involving work, coworkers, etc.), being aware and taking more precaution in how a department issued device is being used, and demanding due process (in the form of notice, scope, and being present), in the event a search ultimately takes place.

## Detail rate increase overdue...

From **Detail Rates** on page 12

establishments, special events, weekends, holidays, etc. as an enticement for officers to accept these assignments. Boston, however, is locked in a political time-warp and personal vendetta mentality: "You won't get anything until they (the detectives) settle their contract." It really is like the old days in Catholic school: until somebody turns in the person who threw the eraser at Sister Mary, everybody has to stay after class and everybody suffers.

BPD – grow up: not only will the city see an increase in the amount of money they earn from the 10% administrative fee charged from each detail, but they may actually see an increase in morale and public safety due to more officers voluntarily accepting detail assignments that previously were not attractive due to the low rate of pay. You can do it tomorrow with the stroke of a pen, Comm. Evans. Please do...

<sup>1</sup> Betz, Steven, Can Officers Expect Privacy on Their Cell Phones?, <http://www.rlslawyers.com/can-officers-expect-privacy-on-their-cell-phones> (2014)

<sup>2</sup> *Id.*

<sup>3</sup> Note also the recent Supreme Court decision, *Riley v. California*, in which the Supreme Court held that the police may not generally conduct a warrantless search of digital information on a cell-phone seized from an individual they have arrested.

# How did we survive?...

From **Survive** on page 23

Johnny got the message that he better get home or his father (yes, almost every family had one back then, good, bad or indifferent) would kill him. Time was kept by the street lights: when they came on, you had better be home. If you ever complained to your parents that the neighborhood cop kicked you in the ass or had to speak to you, you had better be prepared for a second kick in the butt, as you had obviously done something wrong.

We played “buck-buck” (not worth explaining to those who will never know, but it’s the reason why my back kills me to this day) “relievo,” and baseball in vacant lots. We played with slinkys, transistor radios, marbles, and jump-rope (but only for girls – boys did not jump rope, we strangled each other with it). We all went to Pleasure Island or Paragon Park on Nantasket Beach for amusement. We skated in outdoor frozen rinks, like the one that used to exist around the Max Ulin rink in Milton at the end of the Blue Hills Parkway. We (well, actually, I) did stupid things, like ride a piece of cardboard down the Blue Hills Ski Area in Milton. It was a great idea: everybody else bailed out before we hit the end of the hill: I used my foot to try to stop the tree. The tree won. The bus had stopped running at that time of night from the Trailside Museum down Rt. 138 to Mattapan. I walked home on a severely sprained ankle, all the while having my brother tell me to stop whining and hurry up. I ended up at Carney Hospital. This may be part of the reason I am not an accomplished brain-surgeon today... **But we survived.**

Your shoes were usually “Buster Brown’s” or “Stride Rite’s”; there was also something called a “clodhopper”, which I was often accused of being. (I still am). Your sneakers were either Converse

or P.F. Flyers, and they all cost less than \$10.00, not the obscene amounts of money kids pay (and get killed over) today.

Almost every family had a milk-man and a bread man who delivered to the house, and a man would often come by (sometimes on horseback and wagon) crying out “any old paper, any old rags”! The major stores in every neighborhood were F.W. Woolworth’s (the “five and dime”) and W.T. Grant’s, and both had lunch counters. Everyone got their ice cream at Howard Johnson’s with the orange roof. There were separate pickups for garbage and trash (my father used gallons of creosote “donated” by his employer, Boston Edison, to disinfect the backyard, in-ground garbage pail. Years later, we found out it was a cancer-causing agent.) There were “S&H Greenstamps,” which everyone received at the store but were never able to redeem, plastic slipcovers for furniture, and lace doilies for the “good” tables. The liquor stores were called “packies” (because, by law, nothing could leave there unless concealed in a brown paper bag) and pharmacies sold “medicinal liquor” on Sundays. (A lot of people got sick on Sundays.) Sub sandwiches were called “spukies,” sarsaparilla and “grass-hoppers” were served at pharmacy counters like Colby’s drugstore in Mattapan Sq. The Oriental Theatre on Blue Hill Ave. (now Capitol Electric) was **THE** best theatre in Boston, bar none, with a fake, moving sky with clouds and stars and green-eyed Buddha statues on the walls. My neighbor, Frankie Deegan, got a job there as an usher; he’d sneak us in through the back door on Saturdays to save the 25-cent admission. Skippy White’s sold records, and home living-room stereo/turntables could be the size of a military footlocker, or bigger.

We lived through the three “B”s in Mattapan: blockbusting,



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The Law Firm of Scott D. Goldberg, P.C. is proud to continue supporting the Boston Police Patrolmen’s Association. Attorney Goldberg is honored to be the personal lawyer for many of its members and families for almost 25 years. The majority of our police clients are referred to us by other officers we have represented and with whom we have established close relationships.

We fight for the rights of police men and women who are injured both on-duty and off, some of whom do not know that they have a right to a claim until they call us. The financial compensation we obtain for them includes lost pay – base, detail, and overtime – even when they receive Pay with Leave or used sick days. It also includes payment for medical expenses, disability, and pain and suffering.

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busing and the Blizzard of '78. Our neighborhood was largely Irish and Jewish: Carnells, Careys and Grahams lived next to Solomons, Denenbergs and Miliks, with a smattering of Italians, like the Guerras and Birolinis. (Thank God for the Italians and their culinary expertise – the Irish would have starved a long time without them!) The Jewish neighbors introduced us to things like pastrami, pumpernickel bread, and half-sour pickles. We introduced them to Spaghetti-os. There was even a miserable old Yankee on our street, Mr. Putnam, but he must have been a loser if he was living in the middle of working class Irish and Jews! Everyone shopped at the same place – Rico's supermarket on River St. or the corner store, Santospirito Brothers, across the street from Rico's. Manny and Joe Santospirito were arguably the best comedians in the world, while possessing the world's corniest jokes published every year in the St. Angela Parish ad-book: *"Bring your dough to Manny and Joe, and we'll make the bread"/ "Dancing nightly to the tunes of Joe Bananas and his rotten bunch"/ "Now serving honeymoon sandwiches: lettuce alone"/ "Free parking for five hundred cars: across the street"* (Rico's). They never had a cash register; instead, they added up everything with a pencil on the back of a brown paper bag. That was your receipt. We bought milk, bread, newspapers and bologna and cheese sliced on a machine that I doubt was ever sanitized. **But we survived....**

The Catholic Church, St. Angela's in Mattapan Sq., was a very much feared institution. One did not question Father Brady or Sister Veronita. We praised them in public and cursed them behind their backs, though not in the presence of our parents for fear of a beating. I was humiliated by the evil Veronita – (that haridan!) – on the feast of the Immaculate Mary for the sin of having a scuff on my white bucks, on the day following my first holy communion. (To this day, white shoes cause me to tremble with fear.) You **NEVER** asked questions about what might have been going on. After all, the rumor was that electric bats inhabited St. Angela's steeple. Come to think of it, they may have inhabited the rectory and the convent too, with all that was happening back then that nobody was allowed to speak of. **But we survived....**

Sorry for taking you guys down memory lane, especially those of you who have no idea what I'm talking about, due to age. But as I look around at all of the nitwits tapping away on their cellphones, oblivious to oncoming traffic, slaves to technology consumed with their computers and I-pads, sucking-up to their bosses and pretending to be something they're not, I wonder who had it better?

Despite it all, I think maybe we did... **and how did we survive???**

## Canteen trailer is up and running...

From **Secretary** on page 7

Now for the 800 lb. gorilla in the room, yes there is an election coming, no this article is not meant to pander for votes. Not to speak for someone else, but I'm sure he would agree; Duke and I have truly enjoyed getting this canteen trailer up and running. Call it a labor of love if you will. I believe it is great for morale, I believe that we as a Union and Department all benefit from it. A happy cop is a much better cop and definitely a better ambassador for this City of ours! No matter what happens in the near future, the men and women of this department deserve no less than to be taken care of. Demand that this trailer is written into every operations order for future large events! With that being said, as always, please be careful out there, back each other up. Your number one priority should be to go home safe and sound to your family.



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# Are we Americans?

**A**re we Americans? Are we descendants of people that left their ancestral 'Home' and migrated here, to this piece of earth in search of Freedom? Are we the sons and daughters or possibly the first generation of immigrants that traveled to this great land to seek better opportunities for our families? Don't we all want the freedoms promised? The freedom of speech; the freedom of religion; the freedom to decide what's good for ourselves; what we want to eat; what job we want to work; what products we want to buy?

I don't believe that we want this country to imitate or migrate into some kind of 20<sup>th</sup> century European Fascist State; that attempted to conquer the world 70 plus years ago! I don't believe we want to imitate failed dictatorships of the past.

So what's with this push across our country to turn us all into some Orwellian 'Homeland' Society that marches to the beat of the government without any thought to who and what we, as a freedom loving society and

people, are all about? When did we decide to refer to ourselves as a 'Homeland'? I mean really, the first thought would be Nazi Germany of 70-80 years ago. Another 'Homeland' was former Roman Empire, (after their Senate lost control of their Government), that basically conquered and ruled the

world, (as it was known in its day), and let's not forget 'The Mother Land'; a simple play on the term 'Homeland' for Russia and then the USSR! How about 'The Fatherland', another version of it.

What do those terms and sayings bring to mind? Oppressive Governments that slowly stole their Country's freedoms and liberties. They all started with the national battle cry of 'Homeland', 'Motherland' or 'Fatherland.' What's next, confiscated personal weapons, ammunition, monitor your computers and telephone calls, etc.? Oh sorry, those things are already happening! Why in the world would we, especially this supposed Democracy, want to imitate these totalitarian governments.

It's just not who we are or what we stand for in this Country. It is not an American phrase or term and never has been. It's been sticking in my 'proverbial craw' for years and frankly has been scaring the hell out of me since it popped up after 9-11. It's kind of a rallying cry that's been used over the centuries, more this past century, as some sort of perverse battle cry; "Protect The Homeland" or "For The Motherland" or some other BS to elicit some kind of blind loyalty to the current dictator!

Now we have 'Homeland Security,' another Government Agency that is allowed to do anything they want; invade your privacy, spread false rumor about you or an organization, direct the IRS to target you, fund whatever investigation they want and ignore others simply through 'Executive Order,' they basically answer to no one other than the Executive Branch. That is not how our forefathers set up the Con-

stitution or how we, as a Democracy, should be governing; through fear and intimidation.

What ever happened to our National Department of Defense? Why did our Government believe it was necessary to establish another layer of bureaucracy between our Military or our national Law Enforcement agencies and our nationally elected representatives? We already have a CIA for international affairs, an FBI for National affairs and the strongest Military in the world. Why do we need another secret government agency that acts for and reports to the Executive Branch?

The Nazi's started their takeover after initiating and installing the 'SS.' The Nazi Government was allowed to flourish and take hold on the back of the battle cry "Take Back the Homeland," "Protect the Homeland," or the best one: "Come Back To The Fatherland," which was the call to American Germans to abandon their new country, (the

U.S.A.), and return to suppress, fight and kill those that they had befriended in their new Country.

When is the last time you heard the President or anyone else in the Government or the main stream media refer to our Country as: "The United States of America" or "Our Nation?"

No we're becoming "The Homeland" and we're heading down a path to becoming everything that term implies. We have taken so many liberties since the start of the "War on Terror," that

"Excuse me, we're Americans, not Homelander. This is our country, not our "homeland." In the United States of America we love our freedoms more than our mountains and spacious skies." The term 'Homeland' is "...being used by liberals, conservatives, politicians, pundits, the White House, government mouthpieces, and Middle East military experts who otherwise wouldn't agree on what direction the sun sets."

— Michael Reagan, son of President Ronald Reagan

we are forgetting who we are. The Government is using Terrorism to control our free population and create agencies to steal our liberty. We don't need new colloquialisms, catch phrases or buzz words to fight terrorism, we need a detailed plan driven by legitimate leaders to direct our Nation's Military to wipe them from the face of the Earth! This is not some sort of play or theatre, this is a World War and needs to be fought as a World War. Both political houses are attempting to use this expression or word to suit their own means. I tell you it is an Un-American term at best and has devious implications at worst.

To borrow a quote from Michael Reagan, (The Son of President Reagan),: "Excuse me, we're Americans, not Homelander. This is our country, not our "homeland." In the United States of America we love our freedoms more than our mountains and spacious skies." The term 'Homeland' is "...being used by liberals, conservatives, politicians, pundits, the White House, government mouthpieces, and Middle East military experts who otherwise wouldn't agree on what direction the sun sets."

Ever since the inception and formation of the department of 'homeland' security, Federal dollars that supported local law enforcement along with money earmarked for boarder protection has slowly been shrinking. Money that states counted on has been shifted to the department of 'homeland' security.

The Federal Government has already destroyed the State Militias by changing the National Guard's role from a State run, State con-



# Random October thoughts...

From **October Thoughts** on page 25

Hospital. How could the VA be managed so poorly? Shouldn't the Department of Veteran Affairs treat their own better than that? Then I began to consider how the Internal Affairs Division of the Boston Police Department has been run over the years, and I think I understood how it could happen.

As many of you may know, the Internal Affairs Division is now trying to "mop up" cases that were neglected for many years. Primarily these are complaints that were assigned to investigators in 2010 and 2011 that were never investigated, and then were not properly reassigned when the assigned investigator got transferred to another unit. I have received dozens of phone calls from officers telling me that they have to be interviewed about complaints made three or four years ago, and I received one phone call from a thirty-one year veteran of the Boston Police Department who got called up to be interviewed about a four year old case where the actual arrest had occurred eight years ago. This officer had been interviewed four years earlier, but Internal Affairs lost the recordings for that interview, so now he was being re-questioned about an incident that happened eight years earlier. If, perhaps, this officer had been found to have done something wrong, isn't eight years a little too late to render discipline? If the officer needed retraining on something, can you imagine how many times he would have done the same thing incorrectly in the intervening eight years? This officer had thirty-one years on the job, and the department was wasting resources to investigate something eight years old. What is the point?

I understand the pressure the department can be under when officers get sued and the plaintiffs' attorneys learn that prior allegations of misconduct against an officer were not properly investigated. As I write this, I can think of one specific case where a shoddy Internal Affairs investigation and a police commissioner who was afraid of being deposed led to a multi-million dollar payout in a case where an officer had done nothing wrong. I get all that. It is not right, but I understand it. But seriously, what do you expect when Internal Affairs is run in the same manner as the Veteran Administration hospitals? Supposedly once the old Internal Affairs cases get cleaned up, things will run smoothly at Internal Affairs. To continue the theme from my first paragraph, "the more things change, the more they remain the same." Only time will tell, but until then I'll remain a skeptic.

## BPD Legal Advisors Treat Police Officers As Second-Class Citizens

Following on the theme of treating your own poorly, the Boston Police Department Legal Advisor's office continues to treat police officers as second-class citizens. In an ongoing criminal case where a Boston police officer is charged with assaulting his girlfriend, I filed a motion to get a copy of the Internal Affairs interview transcript of the complaining witness/ex-girlfriend. The case law is crystal clear on this matter: since the girlfriend is a "percipient witness," the Supreme Judicial Court has held that her statement is "plainly relevant and maybe exculpatory (at least for impeachment)" and therefore, the Supreme Judicial Court saw "no reason generally to protect [the] statement from disclosure." *Commonwealth v. Wanis*, 426 Mass. 639, 644 (1998). The *Wanis* decision goes on to state that if the prosecution is not in possession of the statements, "a defendant may obtain the statements of the percipient witness" by having a subpoena issued to the police department. In the present case, the

Boston Police Department Legal Advisor's office agreed to provide the witness's interview transcript to the police officer's lawyer, but only on the condition that the police officer cannot read the transcript and cannot be told what the transcript contains. That's right. Any run-of-the-mill criminal who you arrest who files an Internal Affairs complaint against you can get a copy of your Internal Affairs interview, but when it comes to a police officer, he cannot get the statements that regular criminals can get. This position taken by the Legal Advisor's office is in direct violation of the Rules of Professional Conduct for Lawyers which requires lawyers to "render candid advice" to their clients while expressing "the lawyer's honest assessment." How can a lawyer give candid, honest advice to his client about the strengths and weaknesses of a case if he cannot share information contained in the interview transcript of the complaining witness? Not only that, the Legal Advisor's position is in direct violation to the Sixth Amendment to the United States Constitution, which provides defendants with the right to counsel, the right to accurate legal advice, the right to be apprised of evidence against them, the right to prepare a defense, and the right to assist their lawyer in defending them. The Legal Advisor's argument is that by giving the officer the transcript, he can then tailor his testimony to match what the complainant said in her interview. They claim that giving the officer the transcript will impair the integrity of the Internal Affairs investigation. While this argument is not without some merit, it is clear that the United States Constitution and the Sixth Amendment rights afforded therein trump any Internal Affairs investigation. It's too bad the Boston Police Department can't recognize this obvious fact. It's too bad that they treat officers as second-class citizens.

## Video is Everywhere

I don't know how many times I have written about this in this column, but in this day and age, every law enforcement officer has to know that almost everything they do is going to be captured by some sort of video footage. Between surveillance videos and cell phone videos, there is very little that occurs anywhere cannot be pieced together at a later date with the help of technology. With all of the video and other technology open to investigators, we all have to realize that there are very few secrets anymore. Phone calls are made on recorded lines, radio calls are recorded, phones can be pinged from cell towers, and the list goes on and on. As a police officer, you have to be aware of this before you act, and you must remember this before you write a report or give a statement regarding your actions. Every day we see video of officers losing control of their emotions and doing things they should not do. Very frequently, I hear stories of officers around the country who wrote reports that are easily contradicted by some type of technology. Your reputation, your job, and even your liberty can be at stake as a police officer. The inherent nature of your job means that you will be put into stressful situations where you will have to make split second decisions. Please keep in mind that those decisions are almost always going to be recorded through some type of technology. Do your best to do the right thing, and when the lines get blurry, do not lie about it. The cover up is usually worse than the act itself.

Please stay safe out there, and please watch each other's backs. With an employer who can treat you as poorly as the veteran who requested to move his cancer treatment, your brother and sister officers may be all you have.

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# Are we Americans?...

From **Veterans** on page 30

trolled, State Commanded Militia with a primary duty and responsibility to protect State's Rights into a part-time active Military Force supporting and reporting to their respective military branch, under the ever watching eye of the department of 'homeland' security. In addition there have been many attempts to strip law abiding citizens of personal weapons and ammunition. The so-called department of 'homeland' security has gone so far as to buy up the entire supplies of certain type and caliber of ammunition just to keep it out of the hands of Law Abiding Citizens and funded like expenditures for the Post Office, I mean come on; the Post Office has a legitimate need for millions and millions 5.56 rounds, don't they?! Now the latest, the department of 'homeland' security is now taking inventory of all military equipment that has been issued to Police Departments across our country. There is active debate in Congress to "demilitarize" the local law enforcement. At the same time, the department of 'homeland' security is busy buying, building, equipping and staffing an army within our country called 'Homeland Security Police'. So riddle me this, why if we are in the middle or new start of a World Wide Terrorist War, if every day of the week another atrocity is committed by a terrorist, why are we contemplating stripping the local law enforcement of "Surplus Military Equipment"? Why have we taken the Command & Control of State Militias, (National Guard), that are constitutionally the protectors of State's Rights, away from the States? Why is the Government attempting to identify every law abiding citizen in the country that owns a firearm? Why is the government attempting to limit the amount of ammunition available to law abiding citizens?

Why is the Government attempting to make certain weapon systems illegal to own?

Every oppressor of mankind throughout history has followed a basic formula: first they identified any and all possible threats to their fiefdom, make plans and execute the plan to disarm and destroy any opposition. Second they build what they perceive is an impenetrable armed force to protect them and enforce their rule, ensuring that the local authority is either committed to support them or is so weak they can do nothing to stop their rule or order. Third; they attempt to rally the populous to their side, their way of thinking building a National Trust or a National Pride and allegiance to their National Leader. Once they are convinced they have complete control, they will destroy any resistance, rule with an iron fist and keep a foot on the throat of their subjects. Any sign of upheaval is dealt with swiftly with deadly consequence for the offenders. I realize that some time this could take many years, but it is the basic recipe for any dictator!

I have to ask myself, does our Commander in Chief even know what's happening around him? Do our elected 'Leaders' even see what's been slowly creeping into existence over the past decade or so? Who or what group is actually pushing this agenda and for what reason? So let me ask once again, what is the role, real mission, reason and sense of having an organization that borrows its' name from some of the most infamous, oppressive regimes in history, in a free democratic society? HMMM? Makes one wonder doesn't it.

Please be safe out there, look out for each other, back each other up, it's not getting any easier.



## **Boston Police Department Detective's Benevolent**

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*"This is the best plan that we've EVER had. If not for this plan, I would have endured terrible financial hardships while I recover from my illness. Everyone should be on this plan." -PO Jean Dorsainvil*

*"The BPDBS Disability Plan has provided me with a sense of security during my recovery. I am very pleased with it and strongly suggest that every member of the department get on the plan." - PO Harry Jean*

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Watch for dates and locations for enrollment meetings at the Union Halls!

**Enrollment Period Ends  
on November 15, 2014!**

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(617) 470-9488  
With Any Questions!**



# EMTs are not punching bags

**I**t came out of nowhere. A crack into my face, right below my nose. Before it even registered, I was on my back, staring up at the sky. Nothing spun, I didn't black out or anything. I didn't even see stars, or the little tweety-birds from a cartoon. I was dimly aware of my partner diving past me, and a wrestling match ensuing somewhere below me, by my boots.

I'd been punched in the mouth. Again.

It was a 'man down,' a simple enough call. Dozens are done by Boston EMS every day. He was on the sidewalk, his lower legs onto into the road. A passer-by on his cell phone had called from their passing car, and kept on going. We pulled up a few moments later. No one else was around. My partner and I approached the man. The tandem smells of alcohol and urine were evident, even from a few feet away. Seeing no obvious injury, I gave the man a gentle shake on the shoulder, and a shout to see if he was arousable, or in deeper trouble than it at first seemed. He grumbled a few slurred obscenities, and pushed me away. I explained who we were, and pointed to the ambulance, sitting nearby, engine running, and all lights aflare. I told him someone called 911 for him, and we were here to check if he was okay. He grumbled some more, and..... well..... told me to go do something that I don't think is anatomically possible. His statement, however was telling. If he could put *that* thought together, he probably wasn't so bad off. I offered to help him up. He was still laying half in the street. I took his left arm by the hand. That was it. Bang!

I sat up from my half-daze, and watched as my partner and this

patient grappled with each other. I scrambled to get up, and help, abandoning the instinct to feel around my face to see if I still had all my teeth. By the time I got to my feet, was over. Although he had a decent right hook, he was too 'altered' to stand, and my partner had quickly gotten control of the intoxicated patient, and restrained him. Screaming more threats and obscenities at us, we loaded him into the ambulance. Why he gets a hospital evaluation instead of a jail cell is beyond me, but whatever. This is Boston. There were no police, or anyone else on scene. We had him, and like a prize-winning tuna, we weren't letting him go. I was bleeding from the lip a little bit, but it was negligible.

He howled and screamed all the way to the hospital. He was going to get us. He would have our jobs. At that moment, I felt like giving it to him. Didn't he realize that if he had my job, he'd have to deal with people like **HIMSELF**?

Not every patient that assaults a crew is an "assailant." Some are diabetic, or head-injured, or otherwise ill, and have no control over their actions. The demarcation line is drawn at individuals who intend to do harm. Assaults on EMTs are commonplace. Not only in Boston, but across the Nation. It is estimated that there are 700,000 assaults on EMTs and Paramedics annually (Boston Herald 2005). The bureau of labor and statistics estimates assaults on healthcare workers occur at a rate of 8.3 per 10,000 - four times greater than all private sector industries. A study in 2002 by The Center for Disease Control and Prevention determined that violent situations occurred in five per-

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cent of all EMS calls nationwide. With the advent of the 911 system, EMTs and Medics, formerly looked up to as an authority figure who made a difference in life-or-death situations, are now merely viewed as merely another public servant, at the beckon call for every need, want, or whim.

The prevailing attitude at EMS is that getting assaulted, spit on, pushed around, and kicked is just part of the job. It comes with the territory. In a twisted way, it's so overwhelmingly prevalent and commonplace that over time it has simply become 'part of the job.' So much so that if you protest, get seen in the ER, or choose to press charges, you are widely regarded as a wimp. You can't hack it. You can't take it. You should go home to your mommy. After pressing charges against one assailant, I had a co-worker ask me if my feelings were hurt. Anyone with this view is clearly part of the problem.

EMTs have been dealing with this climate for decades. The number of assault cases keeps going up, and up as our society continues to decay. Some sporadic attempts at self defense training have been made, but they were not offered to all EMTs at Boston EMS. Various appendages of the Boston EMS, and Public Health Commission administrations seem, divided on the issue, and war over whether it should be given at all, for fear of 'offending' someone. Other solutions? Role-playing scenarios to better prepare the EMT for violent patients. De-escalation training for tense situations. Staging a block over to await the police.

Nothing has worked to stop this. Nothing.

So, I figure it's time for a new strategy. A strategy that mirrors efforts by EMS organizations across the nation. Pressing charges. **If you are assaulted while working as an EMT, or Paramedic – Press Charges. Every time.** At Boston EMS, that's roughly three to five assaults a week (probably a lot more). Maybe then, when people are made to answer for their actions, things will change. Maybe, when court clerks and magistrates see two or three **OR MORE** assault on an EMT cases a week, they'll take notice. Maybe the media will notice when they see the courthouse lobby clogged with EMTs every day. Maybe the penalty will increase from a slap on the wrist, to something more meaningful. Maybe when people are faced with the rare novelty of being responsible for their own actions, things will change. I realize this is pie-in-the-sky, but if the general public knew they were going to do a mandatory year in jail for assaulting an EMT, someone who came to help them, assaults would drop like a stone.

#### Attention

To all members of the Boston Police Relief Association – Active Duty or Retired

If you need to change your beneficiary or you are not sure of who your beneficiary is you can contact the relief office at 617-364-9565. If you leave a message your call will be returned and if necessary the paperwork will be sent out to you. Thank you.

William F. Carroll, Clerk,  
Boston Police Relief Association



*The Blue Goose at the 9/11 Police Bike-A-Thon to New York City*

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# Si Se Puede!

By P.O. Jay Moccia

Summer time and the globe has been entertained by the World Cup in Brazil. B-O-R-I-N-G!! Soccer is the only thing the Third World does better than the US – unless you count big families, suicide bombers, drugs and border jumping. The games were filled with drama-guys who were knocked down by mosquitoes or injured by dandelions, and writhed like they were electrocuted. There's no reason to make a wall and cover the jewels, most of these guys don't have any. The only thing manly occurred when a Dutch player got a cut on his head, and in true hockey fashion, got it stapled on the sideline and returned to the game. Talk about talent, most of it lays with the announcers, especially when a team of players with only consonants in their names played a team with only vowels in theirs – although they lost their cred when they whined about a game ending on Penalty Kicks. These are the same people who refer to overtime wins as "Sudden Victory." The hype and commercials were more exciting than the games. Soccer is truly a sport made for ESPN, only the highlights are worth watching.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*Russia has invaded the Ukraine. Putin fooled Obama with the move, by marching in backwards, and telling him they were leaving.*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

Only in the BPD: the new computer system allows you to go off on a Code 303 but not a Code 16. Who designed this thing, the same dopes that built the Obamacare Website??

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*The very rich and the very poor have more in common than you'd think-they both have people working for them (Thanks LC).*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

When you work with your hands a lot, you develop calluses to protect them. I ride my bike so much I've developed a call-ass. Speaking of riding my bike, I've about had it with the helmet Nazis. I was riding MY bike along a DCR trail, when I met a rider coming in the opposite direction. I should have known he was a jerk because he was sporting the skin tight Tour De France starter kit. He began to furiously tap his forehead with his index finger. I shrugged and he yelled "helmet" – so I began to point at my forehead using a different finger, and yelled "take it easy Lance." I would have challenged him further, but he looked too fit to fight.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*Funny how you'll encounter a big mouth at work and their intestinal fortitude increases exponentially the farther away from you they get. I refer to this as the "20 Yard Tough Guy Phenomenon."*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

I know we men are simple creatures, but a recent "Cosmo" cover blurted "where to touch to drive him WILD." Really?? If you don't already know that, you probably deserve to be alone...

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*If the NFL forces Washington to change its name, but allows Kansas City keep theirs, will they have too many Chiefs, no Redskins?*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

Have you ever woken up before your alarm clock goes off, then spend the time awake to make sure it does, and worried that it won't?

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*I saw a guy in a hoodie on a ninety degree day. I asked him "aren't you hot," and he said, "No, it's a lot warmer where I'm from"... And that's the first time I ever met someone from Hell.*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

While patrolling a housing development in the South End recently, I had to tag several double-parked cars in the middle of the day. Many of the cars were newer models, and as I was issuing cites, several able bodied men ran out to move them. I guess they must all work nights.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*Is there any chance we could get militarized **BEFORE** we get de-militarized?*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

We've all seen them, the junkies on the nod who contort their bodies into unusual positions, but **NEVER** fall. We should dress them all in colorful leotards, and call it "Cirque de Suboxone."

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*A Federal Judge put long-time Michigan Rep. John Conyers back on the ballot, even after he failed to gather the requisite number of signatures. The Democrat who has been in Congress for almost 50 years couldn't come up with 1,000 registered voters' signatures to secure a spot in the primary. If you've been in Congress for half a century and don't have enough names in your favorite rolodex to get a thousand signatures, you don't deserve a vote, either that or you just don't give a crap. I'm not sure what's worse...*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

California Chrome tried to make it an even dozen Triple Crown winners, but came up short in the Belmont. Don't feel bad for the thoroughbred though, he's sure to enjoy his promotion to "stud." With an average fee of \$40k a shot, and about 150 (ahem) opportunities a year, CC's sure to have a heck of a retirement. The top stud fee in horse racing however is \$150k per "visit," and is commanded by a horse named "Tap It" (can't make this stuff up!), yet the *Globe* calls Police details lucrative.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*When a police officer tells you that you cannot park in a spot, he's not obligated to find you a different one.*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

I walked to a restaurant, and there was a sign on the door that said "No Strollers," so I left.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*The Boston Police Patrolman's Conundrum: I must force myself to work sixteen hours, so the Department can't force me to work sixteen hours. #yaordered!*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

Coming home late from work one night, I was channel-surfing and stopped on the "Dark Knight Rises." It took me a minute to realize it was in Spanish – and Christian Bale sounded like the announcer for "Sabado Gigante."

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*Doing traffic is like dealing with a three year old... "But **WHY?**" Oh, and I for one am sick of these folks telling me not to yell at them. Yet they have the window rolled up, or are on a cell phone, or the GPS told me to, or using ear buds. Maybe I should just get an air horn, and after sounding it to get their attention speak to them with my inside voice... **NOT!!***

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

Big Government and Big Business both run on inefficiency and incompetence, but a business can fire you for it.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

See Moccia on page 38

# Si Se Puede...

From **Moccia** on page 37

*I won't say the women on Newbury Street dress skimpy, but while in line for coffee I told the girl in front of me she had a tag sticking out of her skirt. She reached back to fix, and informed me it was actually her underwear.*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

Once again, I spent part of my summer vacation in New Hampshire. The room featured Fox News this year, but I was forced to make do with the *Boston Globe*. Columnist Kevin Cullen managed to comethisclose to ruining my stay with his bleeding heart (boo-hoo)report on Azamat Tazhayakov, the poor, misguided teen accomplice to Marathon Bomber Dzhokhar Tsarnaev. A fine young Muslim boy who smoked pot and drank booze so he could fully realize the American college experience. Having raised teenagers, I'll stipulate to the fact they do stupid things – but knowingly covering up for your buddy the terrorist does not make you the victim, especially after you knew what he'd done because his picture was all over the TV. One can hope he will realize the American prison experience before his dumb @\$S is deported back to Russia – when he's middle aged.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*Some notes on the Sergeant's Test:*

*On my way I had the pleasure of passing a freshly killed skunk in the street. I thought: "how appropriate, I'm road kill too."*

*Seeing so many cops you don't see regularly was like working the crowd at a wedding, if I missed anyone it wasn't on purpose – catch you at the oral board.*

*Even if I wanted to cheat, my eyes are so bad I was lucky I could see **MY** test.*

*I'm not known for being the most punctual person, but even I managed to show up a half hour early. C'mon guys, if you can't get there when you're supposed to, maybe a promotion's not your thing.*

*And, just in case someone from E.B. Jacobs or an involved Command Staff member sees this, the BPD Hockey Team got me to stop showing up after selecting me for the BPD Hockey Hall of Fame – soooo if I get promoted, my days at the PAX are **OVER**...just sayin'.*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*I'm really starting to believe most cops aren't **THAT** cynical, and some people **ARE** that stupid!*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*The US Supreme Court dealt Obamacare a blow, after finding in favor of "Hobby Lobby." It seems the family owned business wasn't in the business of offering enough birth control and was sued. The company protested along personal and religious lines and the Supremes agreed-since they were offering to provide 17 out of 20 (?) approved forms of contraception. The libs went wild – you'd think the party that tells us: "it's for the children," or "it amounts to a cup of coffee a day" would just suck it up-talk about your bitter clingers. Birth Control Pills cost about \$600 a year, that's about \$12 a week. As Gov. Patrick says – just bring your lunch one day a week, and that should cover it. Condoms are about \$150/year or under \$3 a week, skip the latte if you want to get latte'ed. Oh, did I mention both of these methods are covered by Hobby Lobby's insurance? This case wasn't so much about choice or religion as much as it was about Government overreach and control.*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

Thousands of illegal alien children swarmed across our southern border, creating a humanitarian crisis of monumental importance. Rather than send them back to their parents, it looks like Uncle Sam

wants to adopt these poor little refugees. Despite the fact that some of these juveniles are as old as 21, and more than a few are MS-13 gang members. VP Joe Biden referred to them as "our kids" in a speech – funny if you sent you kid overseas with a stranger for money, you'd find yourself in jail – hell you can't even abandon a dog without repercussions.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*My kids' behavior has dramatically improved since I hung that Adrian Peterson poster in their room.*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

After one too many rocket attacks and the kidnapping and murder of three teens, Israel invaded Gaza – prompting an outcry over their tactics. Wow, Hamas, a terrorist group that uses children as human shields, and hides munitions in hospitals and schools claims the moral high ground – no wonder the liberals are so fond of them...

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*I recently took a weekend trip to Martha's Vineyard. I'm not sure, but I believe there is an island ordinance which requires every business to hang a "Jaws" poster alongside a picture of Obama or Clinton.*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

September is a great month to make sure all the systems in your car are working properly – you use your Defroster in the morning, your A/C in the afternoon and your heater at night.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*I, for one, am sick of paying a fee to pay a bill. And it's not just the promotional exams! The City of Boston charges you a fee to pay your Excise tax on-line, AT&T charges a service fee if you pay cash for your cell bill (really – A fee for **CASH**?!?!). My Insurance company sets up my monthly payments, then adds a surcharge to pay monthly! The examples are everywhere. I just ordered a bunch of checks and some stamps – screw you online payments the check is in the mail!*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

There are certain items that give you the best feeling in the world right out of the package – I wish I could wear **new** underwear every day! A toothbrush and windshield wipers are also at the top of the list.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*I'm reluctant to visit the turmoil in Ferguson, MO, until all the facts come out, and the investigations are complete. I will say this, though; how do a looted Flat Screen TV, and stolen cigs and booze translate to a call for justice?*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

I saw a sign in a park the read "No Loitering." Isn't that what you're supposed to do in a park? Apparently some people just don't get it...

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*If the drug epidemic is so bad in the 'burbs, then why do they keep putting the methadone clinics in the city?*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

The only thing that's been beaten up more than Mrs. Janay Rice Is the story about Mrs. Janay Rice being beaten up. It seems like the NFL has more important problems than the name of its Washington franchise. The media is also complicit in this – Domestic Violence and Child Abuse are serious and sadly everyday matters. Instead of using these high profile examples to initiate change, they fuel the flames for ratings and circulation.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★



*I had to go by the BPD HQ to drop off some paperwork. As I talked to an old friend in the hall, people passed us-some of higher rank, including Command Staff. I greeted many of them by name. My companion noted that I knew so many Officers there – I said it was because I had been around so long – he laughed, saying he had been around too long, and now he knows no one (Thanks, Bob!)*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

Maybe we should contract Disney to secure our borders, because even at the self-proclaimed “Happiest Place in the World,” if you jump the line you get thrown out!

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*#selfie* (Chainsmokers) is the *Valley Girl* (Zappa) for millenniums. File under “name that tune.”

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

I am totally convinced that whoever issues the permits at City Hall does not know how to read a calendar. How else do you explain several events the same weekend, conflicting street closures, movers idled by road races and the like.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*I have been referred to as a “Xenophobe,” which is a fear of foreigners. The word finds its roots from a Greek historian/mercenary Xenophon. He was second in command of a large Greek Mercenary force (the Ten Thousand), fighting in the service of Cyrus, who was seeking the Persian Throne. After Cyrus was defeated, the Greeks were stranded deep in enemy territory, and had to literally fight their way home. Believe me I wouldn’t lift a finger to fight any illegals that want to go home – so I guess I’m not really xenophobic.*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

Liberals claim to celebrate diversity, but apparently that merriment does not extend to the rich.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*A guy asked me if I could “pop a wheelie” on my bike – I told him if the Department wanted me on one wheel – they’d have issued me a unicycle.*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

In California (where else?), a local school district had proposed a lesson plan that compares Civil Rights Icon Dr. Martin Luther King to convicted cop killer Mumia Abu Jamal. I don’t know who should be more mad, Maureen Faulkner, the widow of murdered Philadelphia cop Daniel Faulkner or the family of the late Dr. King. What possible parallels could there be between a drug dealing thug whose own brother testified against him and a hero admired by millions around the world? Apparently this idea was even too far out for California, so it’s been shelved.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*Way back in the day, the U.S. Government needed to get rid of the indigenous population out west. Wars were too risky, and since they proved to be quite skilled fighters, Uncle Sam had to try another tack. So he starved them by eradicating the biggest staple in their diet, and began to harry them until they agreed to settle on reservations. Once there, they were given blankets intentionally contaminated with smallpox, for which the Indians had no immunity. Tribe thinned, threat eradicated. This is all true; just ask Lie-zy Warren, it was her people. (Come to find out they were giving not receiving.) Who poses the threat now? People like us – free thinking, right leaning, Native Americans. There are more of them than us, so the gov’t can afford to lose some as collateral damage. Ebola is the new poison blanket.*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

Funny how we make people pick up after their dog, but not themselves.

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*ISIS makes the Nazis look like your H.S. Chess Club. These blood thirsty Islamic terrorists like to chop off the heads of captured foes and video the festivities. Obama referred to them as the Junior Varsity – Mr. President, they have climbed the depth chart! Oh how times have changed, in 1994 a U.S. citizen was caned for vandalism in Singapore – and the entire country was up in arms, now a few journalists and aid workers are beheaded on YouTube and it’s “ho-hum” from the left.*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

General Motors has issued a recall for over 39 million vehicles just this year alone. With a loss like that, shareholders will clamor for the CEO to be fired! Hey, after the bailout isn’t that Obama?

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*They say God only gives you what you can handle – sometimes I wish He didn’t have so much confidence in me...*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

In a deal that could go down as the worst trade since the Indians sold Manhattan for some trinkets, five hardened, vicious, terrorist generals were swapped for Bo Bergdahl – a possible deserter, certain sympathizer, who walked off his post in Afghanistan, searching for the Taliban to hug it out. Bergdahl should be given “The Man Without a Country” punishment (Edward Everett Hale, 1863). The Taliban Generals can go to hell, and sooner rather than later!

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

*Once again, with November looming, I urge all of you to get out and **VOTE!** If you don’t know enough about the candidates, get informed-and use your vote wisely-plenty of others will squander theirs. There are also ballot questions that will directly impact your wallet, so read up, and show up. Check out the Candidate Questionnaires in the PAX, look on-line, ask a friend, or just go with your gut, but **VOTE!** Or don’t complain.*

★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★ ★

Remember, the world is full of great people, if you can’t find one, be one!

Until next time, stay safe.

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## Protecting our parents, protecting ourselves What is Elder Law?

**E**lder Law is defined as the practice of law with a concentration in issues that affect senior citizens and their families. An Elder Law Attorney handles a range of issues that focus on the needs of the elderly, working with tools and techniques to meet specific goals and objectives. This holistic approach includes:

- Estate planning and asset preservation
- Long term care and Medicaid planning
- Accessing various benefits and programs to pay for care options
- Preparing and executing living documents that prepares for possible incapacity and allow for seniors to choose trusted alternative decision makers
- Addressing and locating appropriate types of care services, coordinating private and public funding resources to finance the cost of care
- Advocating for clients' rights to quality care

## What is Estate Planning?

**F**or the purpose of this article, the Estate planning discussion is limited to those doing "preemptive" planning based on relative younger age (50 – 70), good health, retired or about to retire and with financial stability. Planning for individuals with advanced age (71-100 +), underlying current care needs or existing medical conditions and relative financial stability or in need of financial assistance is discussed below under "What is Medicaid Planning?"

As to preemptive estate planning, it is wise to "plan for the worse, hope for the best", "get your ducks in order" and or "put your affairs in order" should an unfortunate scenario of an unexpected tragedy occur, be it major illness, stroke or other long term diagnosis or unexpected death. Pre-emptively the following documents should have been contemplated, customized and created so that a trusted family member or friend could legally, financially and or care wise "step into your shoes" and carry out your stated goals and wishes.

### Proper Legal Documents:

- Health Care Proxy
- Durable Power of Attorney
- Will
- Deed(s) with Retained Life Estate
- Trust(s)
- Medi-Will with Testamentary Trust

## What is Medicaid Planning?

**T**he following situations require immediate action and are an impetus to Medicaid planning and sometimes are addressed in pre-emptive estate planning as well. Especially the "pre-emptive" asset protection plans with a 5 year look back.

- Family member transferred to rehab or nursing home
- Diagnosis of long term illness (Alzheimer's, Parkinson's, M.S.)
- Passing of a parent /spouse and a parent/spouse survives
- Pre-emptive Asset Protection Plan needing 5yr look back

## Financial planning to plan for nursing home stay

**F**inancial planning for emergency nursing home cases involves two major disciplines: legal and financial. Variables, such as the income of a nursing home resident, the cost of nursing home expenses, the amount of assets available and the determination of any special circumstances to obtain exemptions are needed to formulate a plan to protect the maximum amount of assets. The laws for single people and married people are structured differently. In either case, a plan is needed to avoid spending all of your assets before you begin to get funding from Medicaid.

**Senior Resource Center's (SRC\*) and Falco and Associates, P.C.'s (F&A) holistic, multidisciplinary approach includes...**

Care Coordination Registered Nurse Case Managers	Financial Protection Strategies** Certified Financial Planner Financial Guidance	Legal Overview* Elder Law Attorneys
Client Advocacy Case Management Benefits Programs Home Care Service Assisted Living Nursing Home	Asset Preservation Medicaid Benefits Veterans Benefits Long Term Care Insurance Annuity Strategies	Wills Power of Attorney Health Care Proxies Medical Records Release Forms (HIPAA) Revocable Trust/Irrevocable Trust Special Needs Agent

*(Article submitted by Anthony S. Falco, Esq., CEO & President of Senior Resource Center Inc. (SRC) and the Law Firm of Falco & Associates P.C. (F&A). Mr. Falco may be reached at [afalco@helpingelders.com](mailto:afalco@helpingelders.com), 617-472-6600 at SRC or 617-472-3341 at F&A.)*

## BPPA RETIRED PATROLMEN'S DIVISION MEMBERSHIP APPLICATION

Date: \_\_\_\_\_  
Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City, State, Zip: \_\_\_\_\_  
Home Phone: \_\_\_\_\_  
Cell Phone: \_\_\_\_\_  
Date of Appointment: \_\_\_\_\_  
Date of Retirement: \_\_\_\_\_  
Email: \_\_\_\_\_

Annual Dues are \$24.00.  
The year runs from March to March.

Please mail this application and  
\$24.00 annual dues to the:  
**BPPA Retired Patrolmen's Division**  
9-11 Shetland Street, Boston, MA 02119



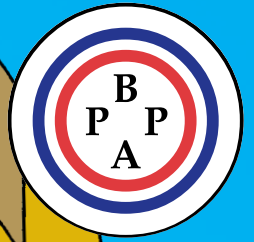
**Directors of  
the Retired  
Patrolmen's  
Division of  
the BPPA:**

**John Murphy  
David Mackin  
Joe Vannelli  
Joe O'Malley  
Billy Flippin**





# In Memoriam



*They Served With Dignity and Honor  
We Shall Not Forget Them*



**Police Officer  
Arnold J. Cox**  
May 16, 2014



**Police Officer  
James E. Bonner**  
June 22, 2014



**Police Officer  
William H. Kennefick, Jr.**  
June 30, 2014



**Police Lieutenant  
Earl R. Coutu**  
July 12, 2014



**Police Officer  
Anthony P. Landry**  
July 15, 2014



**Police Detective  
George H. Vest**  
July 26, 2014

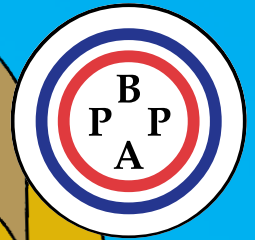


**Police Detective  
Robert F. Lawrence**  
July 30, 2014

We apologize for any errors or omissions.



# In Memoriam



*They Served With Dignity and Honor  
We Shall Not Forget Them*



**Police Officer  
Tracey E. Landrum**  
August 4, 2014



**Police Officer  
William X. Lennon**  
August 22, 2014



**Police Officer  
Peter J. DeSessa**  
August 30, 2014



**Police Superintendent  
John M. Lynch, Jr.**  
September 2, 2014



**Police Officer  
Charles E. Hardy**  
September 14, 2014



**Police Officer  
Thomas J. Walsh**  
October 2, 2014

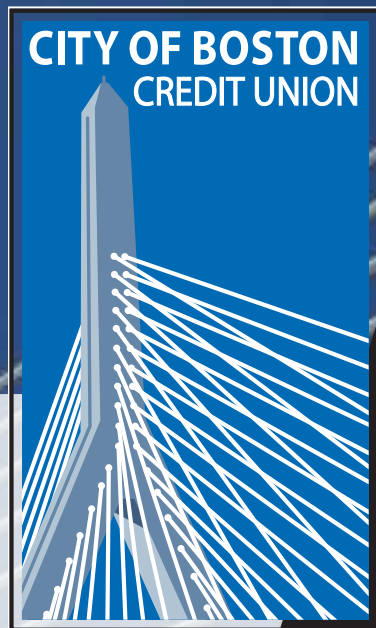


**Police Officer  
George W. Crawford, Jr.**  
October 3, 2014

We apologize for any errors or omissions.



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AND



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