

Absentee ballots: need one?

By Jim Carnell, Pax Editor

Many, if not most, police officers will be assigned to a polling place during the upcoming election. That, however, is **NO** reason to not vote yourself.

If you expect to be working the polls, either voluntarily or perhaps being ordered, plan in advance: call your local city or town hall, and have them mail you an absentee ballot. It's easy and quick. Fill it out, drop it in the mailbox, and your vote will count. Also, don't forget your kids in college or in the military; tell them to request an absentee ballot and mail it back.

Our endorsements mean nothing unless your individual vote – and that of your family members – is actually cast and counted. So don't come up with that lame "I had to work the polls" excuse. Either request an absentee ballot or get up off your butt and make sure you get out and **VOTE!**

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PAX CENTURION

Boston Police Patrolmen's Association, Inc.
Boston Emergency Medical Technicians



Charlie Baker's self-admission: "...to the left of Barack Obama on most social issues..."

By Jim Carnell, Pax Editor

Most of our membership – (and indeed most of the general public who no longer read the *Globe*) – probably missed the above quote which was contained in an **Yvonne Abraham** column dated June 24th, 2010. The exact quote is as follows: "He (**Charlie Baker**, Republican Gubernatorial candidate) describes himself as "to the left of **Barack Obama**" on social issues and is frustrated that more folks don't appreciate that." Abraham, a screeching liberal *Globe* columnist residing in Newton (naturally, where else except Brookline, Cambridge, Arlington, or any other community known to be largely occupied by similar moonbat liberals) then replies, "Charlie, I appreciate that."

Of course you do, Yvonne. You liberal nuts who never have to live with the results of the social schemes you foist upon others can dance in the multicultural fog provided by places like Newton, Brookline, Cambridge, etc. The rest of us – mainly police officers and other blue-collar city residents – have to deal with the consequences of what you people have created.

But for my fellow officers who might even be thinking of voting for an alleged Republican like Charlie Baker, I urge you to read this man's own words again: "...to the left of Barack Obama, on most social issues..." Charlie Baker is no conservative, and he is certainly no friend of police officers. His own website indicates that he wants to limit or even cut your hard-earned pension benefits, lump you into a deficient health care plan known as the State GIC, which has in-

(continued on page A11)

BPPA awarded \$16.5M settlement for "Muni" grievance

By Jim Carnell, Pax Editor

As we're sure our members know by now, a recent decision of the state Labor Relations Commission awarded the BPPA a \$16.5 million regarding the 17 year-long, so-called "Muni" grievance.

The award, which is reportedly the highest award to any public employee group in the state's history, was issued on August 20th, 2010 (MUP-1085). The original case, in which the BPPA charged the City of Boston with violating the collective bargaining agreement by employing the Boston Municipal Police (they have since been disbanded) instead of BPPA members to provide police services in the city's public housing developments, was filed in September, 1994. After winding its way through Labor Relations hearings, appeals, more appeals, *ad nauseum*, the BPPA finally prevailed when the Massachusetts Supreme Judicial Court refused to hear another appeal from the City. The case ended up in the Division of Labor Relations to determine the exact of damages owed to BPPA members.

The City initially took the position that the case was worth nothing; the BPPA, of course, argued otherwise. After years of legal wrangling, first with BPPA attorney **Susan Horwitz** and finally with BPPA attorney **John Becker** (Sandulli, Grace, et al, 617-523-2500, 44 School St., Boston, Ma.), the decision was rendered on August 20th by hearing officer **Erica Chrystal**. The City of Boston agreed to pay BPPA members, past and present, a total of \$16.5 million dollars for violating the terms of the BPPA's collective bargaining agreement by hiring an outside agency to perform duties which were solely the domain of BPPA members.

Under the terms of the settlement, **ALL (and ONLY) BPPA MEMBERS** who were covered by the BPPA collective bargaining agreement from October 1st, 1994 through September 30th, 2003, will share in

the total award. The 9-year period has been divided into 36 equal quarters. Since some members retired, were promoted, left employment, etc. etc., the exact number of eli-

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gible participants has yet to be determined; the City is currently attempting to formulate that number. Once the exact number of eligible individuals has been determined, a dollar figure can be affixed to each quarter, and damages per member can be exactly figured. Some members who remained in the BPPA during the entire period of time will receive credit for all 36 quarters, others who retired or were promoted to another

bargaining unit will receive credit only for the time they were BPPA members. (Neither the Superior Officers Federation nor the Detective's Benevolent Society chose to join the BPPA in filing the lawsuit in 1994, for reasons unknown; therefore, their members will not share in the award.)

It is hoped that the award will be paid sometime before Christmas 2010. Much credit and thanks should be paid to BPPA President **Tom Nee**, Vice-President **Ron MacGillivray**, Attorneys **Susan Horwitz** and **John Becker**, and a host of other BPPA officers, representatives, members – (and even non-members!! We know who you are and thank you!) – who testified, assisted, or in any way participated in this award, the largest in Massachusetts public employee history. Violating collective bargaining agreements does have a price. Perseverance in pursuit of righting a wrong is a virtue. Although there will undoubtedly be nitwit, Monday morning quarterbacks, who will moan that "it should have been more," blah, blah, blah, yadda, yadda, yadda; dismiss them for what they are. The BPPA fought the fight and won the battle for our members.



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State Election – November 2nd

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From the President: **Thomas J. Nee**



The view from here

A large majority of the BPPA membership like myself were raised in Democratic households.

As the politics from our early years has evolved, no longer does it seem that people are identified as Democrat or Republican seems they are better known as liberals or conservatives.

The term "liberal" and practice of liberalism, has forced many of my friends and colleagues to lean right and in the lap of the conservatives. What's wrong with this picture? Plenty!

Gone are days when the taxpaying working class had a champion who would defend their contributions. Gone are the days when a political party ideology was written in stone and not something that moved with the wind.

The Democrats are on the wrong path and the Republicans have never stood for anything that matters to the working class.

I have been asked a number of times recently who I'm going to vote for in the upcoming election. The answer is simple, **Tim Cahill**. Why is usually the second question and usually followed by your wasting your vote, he can't win.

My answer, usually longer is quite simple, **Deval Patrick** and the social liberal Democrats have vacated their taxpayer working class base and destroyed their hard earned benefits and **Charlie Baker** and the conservative Republicans threaten, if elected, to destroy more in the future, removing the predictability and stability of our future. Both major party candidates are

elitist millionaires who have no relationship to our way of life.

Why are so many from the taxpaying working class willing to give the liberal Democrats a pass on the havoc they have reeked on their lives and reward their poor decisions and lack of courage.

Why would the others choose to support the conservative Republicans who promise to remove Health Care from collective bargaining agreements, got existing "defined benefit" pension plans from current members and offer only "defined contribution" plans going forward.

If you don't think it's going to happen, think again, its all-out war against the working class, their benefits and their quality of life. There has never been a more important time for the working class to stand for something, or fall for anything. Independents or the unenrolled are the majority party in this state and its time for us all to band together and speak with one voice before it's too late.

The two party systems has stripped our choices and created an immobile partisan government that is desperately overcommitted in all the wrong ways.

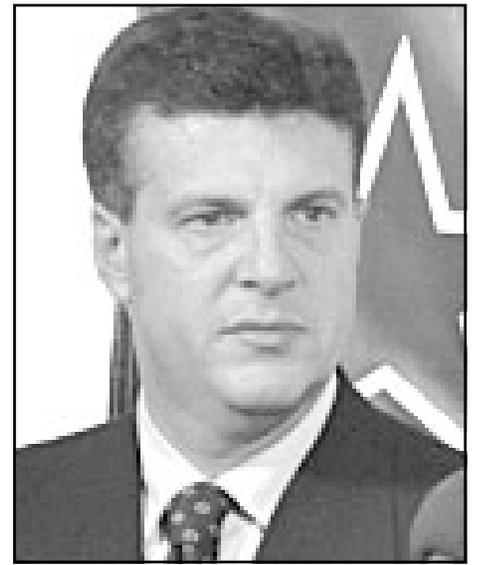
The conservative anti-government types perpetually cry less, less, less. The loudest liberals cry more, more, more.

Someday there will be an Independent political party movement that is willing to make choices that matter to the working class taxpayer. It's my hope that "someday" begins November 2, 2010.

Separated at Birth...



Fredo Corleone
from "The Godfather"



Paul Loscocco

"TURNCOAT!"
"BACKSTABBER!"
"GUTLESS!"
"SPINELESS!"



Blauer jackets, forced overtime and other issues

The BPPA has forwarded the paperwork to the department with the selections of the affected officers from classes 43-05, 44-06, 45-06, 1-07, 2-07 and 46-07. A list will be passed on to the Reps in the districts that will reflect the choice of each individual. Any officers that did not respond defaulted to the payment of \$106.00. There has been no definitive date set for either the payment or the fitting for the jacket as of this writing. The department has pushed hard for a timely remedy of this grievance and should be commended. Any further information will be conveyed through your shift representatives. Any questions please contact a member of the grievance committee, **Mike Sullivan** of B-3 or your shift representative.

Forced Overtime

As the BPPA attempts to come to an agreement on the detail and overtime guidelines the lone sticking point appears to be the number of hours an officer can work. In November of 2006 a Police Commissioner's Special Order was issued amending Rule 102, section 10 stating "No officer shall be permitted to work more than sixteen and a half (16-1/2) consecutive hours in any given twenty-four (24) hour period." The order goes on to exempt emergency situations and also an officer performing an eight (8) hour paid detail who is allowed to continue for one additional hour at the request of the detail vendor. The amendment in this example has been shortened but not taken out of context.

The problem with that language is the interpretation of the word "consecutive". There are officers that consider a 1/2 hour break between 3:00 p.m. and 4:00 p.m. a green light to work 23-1/2 hours in a 24 hour period because of the word consecutive... and there are officers who consider the Duty Supervisor's order to perform a last half, after an officer has completed anywhere from 12 to 16 hours during the day and first half, to be excessive and outrageous in a non-emergency situation. The health and safety of the officers and the public come into mind when dealing with compounding hours. There have been constant complaints from first half personnel about being ordered for a last half after having performed a day detail or court. Having a remedy that an ordered officer receives their next tour of duty off if they exceed 18 hours would be a helpful deterrent to the ordering of the first warm body regardless of hours.

The BPPA still awaits the green light from the department on the Detail and Overtime Guidelines. There is a section in the guidelines that deals with ordered overtime and 18 hours of work within a 24 hour period. To paraphrase, "the shift detail clerk in coordination with the chief clerk will prepare an ordered list on a daily basis in accordance with the low hour concept and availability, taking into account officers that have already worked that day. These officers should not be available for ordered over-

time if it would force them to perform more than 18 hours within a 24 hour period. No officer will be ordered prior to a city wide broadcast offering the overtime." **Pat Rose** did a fantastic job in modifying our guidelines and getting a unified consensus from the House of Reps which adopted the guidelines a year ago.

The ability of the department's computer to deal with a rolling twenty four hour period as opposed to a fixed 24 hour period is the immediate problem. The computer as presently designed cannot account for the officers continual hourly updating that is needed. Upgrading the software will hopefully be the only sticking point with the winter fast approaching.

Ultimately, an answer to what set of circumstances constitute an emergency when officers are ordered past 18 hours and should they receive their next tour of duty off when this occurs will continue to be pushed. NSTAR is said to have an 18 hour rule that takes into account the safety and wellness of their workforce. They receive the next shift off and considering the nature of our work, a neutral party might be inclined to agree with a resolution involving time off.

FDIT (Firearm Discharge Investigative Team) Transcripts

The BPPA and the BPD have come to an agreement prior to a Labor Relations hearing regarding an officer's need to review his or her prior statements with authorized counsel before an Internal Affairs interview. The review of the transcript in the past had been problematic and in some cases a year could pass between the FDIT interview and the IA interview and clearly could have a direct effect of how an officer would perform during the IA interview.

The city initially argued that the law only requires it to provide the FDIT statements if the employees are disciplined, and stated that it would provide the statements to employees after a decision is made to discipline the employee, so that the Union can prepare for the trial board.

The BPPA, in response to the Department's position, contended that allowing access to the FDIT transcripts after deciding to discipline an officer is too late to afford the officer with the due process required by the "just cause" standard. The disciplinary process begins well before the trial board hearing is convened. IA makes recommendations to the Police Commissioner whether the charges against an officer are to be sustained. By the time the trial board is held the Commissioner has already decided that discipline may be warranted and the true purpose of the trial board is to determine the level of discipline to be imposed.

In addition, some officer's statements have been under a microscope when compared with complainant's responses to similar questions at IA. Some officers have re-

ceived a "truthfulness" allegation for minor differences in detail of no consequence to the internal charge. The reviewing of any prior statements in preparation for any related setting should be taken extremely serious going forward.

Both parties have agreed that at the Union attorney's request the Department shall provide a copy of the officer's FDIT transcript 15 days before the officer's IA interview. Restrictions involving the FDIT transcript include: copies shall not be made for any other person other than for their own use in representing the officer. The transcript shall not leave the immediate possession of the Union attorney or his or her office.

Tim Cahill

Police officer's and public employee's wages and benefits are under assault. There is only one candidate looking out for our collective interests and that is **Tim**

Cahill. No need to talk about the Governor regarding the Quinn and details, police just don't fit into his core constituency but there is reason to talk about **Charlie Baker's** vision for public employees, he would like to take a public employee with less than 10 years of service and take them out of the defined benefit pension system and place them into a 401K. He would also like us to join the GIC (Group Insurance Commission) for health insurance. The GIC is horribly run in the business sense and without state subsidies would be under but for the ability to pass on any increases or debt from the previous year along with changes in plan design, deductibles or co-pays to the consumer. As you contemplate the upcoming vote for Governor, consider your own interest and despite the defections and predictions, vote for one of your own, someone you have a lot more in common with than these other two.

"I will honor my commitment"

- Tim Cahill

By **Jim Barry**, BPPA Legislative Agent

With just four weeks left until the November election **Tim Cahill** says, "I will honor my commitment and fight for the middle-class." Tim has stood tall, he has stood with the BPPA and he will honor his commitment. Nobody else running for Governor can say that with any truth on their lips. **The BPPA will honor its commitment to Tim Cahill.**

Politics as usual has played out as Tim was double dealt and back stabbed by the Republicans he brought into the campaign. That story has played out in the news the past few weeks to the shame of the Massachusetts Republican Party. Months ago the Republican Governors Association poured negative ads onto the airwaves bashing Tim's record. All these lies and now these backroom deals all targeting a way, anyway to scuttle Tim Cahill's efforts to stand tall for the middle class. If you can't win it fairly you don't deserve to win. Tim Cahill has campaigned on message for over a year. He hasn't lied or gone negative.

Deval Patrick's record speaks for itself. If there is any need to go into... It should be enough said that Deval just doesn't like cops or the middle-class all that much.

This 2010 election cycle, Secretary of State **Bill Galvin** is predicting over 2 million votes cast. Four years ago 2006 Tim Cahill pulled in more than 1.6 million votes compared to Governor Patrick's 1.2 million. The numbers are there. The Republicans are desperate, the Democrats are frightened and the middle class needs a champion. With so many still undecided in every poll... this race is still in play. Fold the tent because **Paul Loscocco** double crossed the campaign? Is four weeks enough time? Four weeks is what **Scott Brown** took to win the U.S. Senate seat. Polls show Tim in third place. Polls don't vote, people vote. There are plenty of folks out there who just haven't made up their mind yet. You vote and your family votes.

Yes there is still time before this election to make a stand for what is right for ourselves and our families. In order to win you need to get out and Vote for Tim, ask your families to Vote for Tim. It isn't going to happen unless we stand tall with the guy who is standing tall with us and for us.



Tim Cahill
Candidate for Governor



Insurance, scholarships and politics

As always, I hope to find everyone doing well. First order of business will be the dental program and why we have open enrollment once a year. The insurance company, Blue Cross and Blue Shield does this to keep the yearly premiums down. It stops people from jumping in and out the insurance. An example would be, if someone needed a crown on a tooth. They came to the Union and asked to be enrolled in the dental program. The Union signs them up. The newly insured then goes to have the tooth fixed and pays one month's premium. The insured then receive a benefit far greater than they paid. They either pay \$9.62 or \$24.68 depending on whether they have a

single or family plan. The insured then call us and cancels the benefit the next day causing the usage to increase with absolutely no chance of recouping the loss in the future. Like most things there is always an exception to the rule. These exceptions are a birth of a child, someone who was married (within 30 days), or a court order. These rules are not meant to aggravate or cause anyone a headache just keeps the premiums down in these tough economic times.

Scholarships

In November at the House of Representatives Meeting we will be drawing the names for the recipients of the scholarship

awards. If your child wins one of these scholarships, you will need to provide either a tuition bill or a college 529 plan account number, as voted by the House of Reps. Under a current motion of the House of Representatives any dependent child of an active member who died in the line of duty is eligible for one of these scholarships. Also any dependent child of an active member who died in a non-line of duty capacity and any dependent child of a member who while active has retired due to a disability (line of duty) is eligible for one of these scholarships. The closing date for submitting applications is November 15, 2010, at the end of the business day. An application

can be obtained from your district representative or by coming down to the union hall located at 9-11 Shetland Street in Roxbury 02119. The scholarship is limited to only one per child. I know some families have two parents that are patrolman but the standing motion is, one per child.

Politics

As everybody knows the BPPA has endorsed **Tim Cahill** for Governor. The reason this was done was because Tim is committed to letting us keep our benefits that we bargained. **Charlie Baker** and **Deval Patrick** are not. They do not care if we have made concessions over the past years to acquire these benefits. They just want sexy sound bites and to balance the budget off our backs. Charlie Baker wants to create a new retirement system for persons who do not have at least 10 years on the job. Deval Patrick did the Boston Globe's bidding on the cut to the states portion of the Quinn Bill, a benefit we bargained. I am not saying Charlie Baker and the Governor Patrick are bad people but their ideals are not the same as ours. I really believe they are disenfranchised from the actual middle class. Both are multi-millionaires who are only hearing what they want to from select groups. One candidate (Baker) says we give too much the other (Patrick) too little. There is no compromise or middle ground with either of these two. Both candidates have special interest groups paying for multimillion-dollar negative campaign ads against Tim Cahill. The media has not done a fair job of covering all the candidates or issues directly related to either of them. When the coalition of police officers from around the Commonwealth protested the Governor's Conference, did we get a fair amount of coverage. **NO WE DID NOT!** It was under played as though we were mad school children crying over a bad lunch. I am not saying Tim Cahill is the best thing since sliced bread but because he is on our side, the media can't stand him. He has taken hit after hit by the both print and television media. So when you go and vote in the general election in November, remember the guy who still lives in a blue-collar middle class neighborhood and has tuition bills that he is paying.

Blowing off steam: Problem? - Dump it on the cops!

No matter how stupid or inane, that's what John Q. Public's become accustomed to doing...

By **Jim Carnell**, *Pax Centurion* Editor
As a street patrol officer in Boston, I was recently summoned by radio call to a housing development for a matter pertaining to "the electricity was out". Upon arrival, I discovered that the building was fully electrified and all appeared to be in good working order. Checking further with the woman who had initiated the call, I discovered that she was calling because "the light on her phone had gone out". I informed the woman that I had absolutely no expertise in this field and could not repair her phone, and asked her why she had thought to call the police for such a matter. She replied that she had been told to always call the police for everything; whether the cable TV was out or the toilet wasn't working, it didn't matter. She had been instructed to "call the police when you need help". Obviously, "help" has a different connotation in 2010 America than when I was growing up in the 60's. "Help" in 1960 used to mean you needed emergency assistance from the police, the fire or an ambulance. Today, it means "I'm too stupid to perform even the most mundane task myself and I'm an utter moron so I'll call the police because they don't have anything better to do and after all ...

"I'm a taxpayer (even if they aren't) and I pay your salary..." (Police officers: check here ___ if you've heard that one ten thousand times before.)

I use this incident to illustrate an infuriating situation familiar to police officers across America: we have ceased to become law enforcement officers and have been thrust, by virtue of societal laziness/stupidity and "feel-good" policies formulated by our spineless police chiefs, into the role of "society's problem-dumpers". When I started on the Boston police force in 1982, we still chased stolen cars and roused drug-dealing scumbags from the corners. We let the gang-bangers and street maggots know that we - *the police* - owned the streets, not them. Obviously, I'm a dinosaur, because we don't do *that* anymore, not under the

threat of civil lawsuits, IAD complaints, and state/federal investigations.

Today, we're not so much police officers who enforce the law and arrest scumbags as we are "social agents". People call us because their bratty 9-yr. old won't do their homework, or because they had a simple argument with their teenager. (Grow up and become a parent, you losers: stop using the police as "the big, bad wolf" because of your unwillingness to act like an adult!) We get called because somebody has water in their basement, or because the phone service is out, or because of a pothole or a broken streetlight (part of James Q. Wilson's "broken windows" theory, I know; of course, Wilson himself never had to answer these inane calls...). I once had a call from an elementary school because an 8-yr. old child was "acting up." I asked the teacher what it was she expected us to do. "I don't know", she said, "but I've had it with the little bastard, and they told us to just call the police if the kids act up." Ah, the classic "dump it on the cops" theory in action! Thankfully, the experienced, old-time sergeant who responded with me grabbed me by the arm and we walked out of the building without saying a word. I would have liked to have told the teacher to grab the little troll by the neck and give him a good, swift kick in the arse, but then I'd have been writing a report to IAD.

As many cops know, we often get calls because someone's car is disabled or they've locked themselves out of their house. Now, if your car is in a bad position on the open road, I understand why you've called. But why do they call us when their disabled car is in a supermarket parking lot, a parking garage, or safely off to the side of the road? Call a damn mechanic or a tow truck, ya nitwit! Likewise, I understand the issue if you've locked yourself out of your car or house and the baby's inside or there's food cooking on the stovetop. That, I can understand. But if you've simply lost or forgotten your key, guess what? Honey, I don't have a spare, and I'm not kicking the door

in or breaking the window, because I can guarantee you, within minutes, they'll be on the phone to the desk sergeant demanding to know "who's going to pay for the damage". Get the yellow pages and call a bloody locksmith, will ya...?

Car or building alarm going off incessantly and you can't shut it off? Guess what? Neither can we! Why do people think the police are provided with secret codes that will allow us to automatically shut off wailing alarm sirens, 99% of which are false in the first place? And of course, very few alarm companies nowadays actually send an alarm repair/response unit because they prefer to use the police as their unpaid employees. Alarm repair/response crews cost money! But the cops are "free", and we can always blame them if there is an actual break-in found later, even though the police couldn't gain entry to the building in the first place without a keyholder physically present (who, if one is actually located to respond to the scene, expects the police to wait for an hour or more until he/she arrives and is then pissed off that "they've been woken up out of their bed for another false alarm". Yup, nowhere I'd rather be than waiting for your fat behind to arrive for your 15th false alarm of the year, Mr. Citizen...).

For John Q. Public, I have some startling, groundbreaking information: if your basement has **water**, call a *plumber* or call the *water department*. If your **telephone** isn't working, call your local *telephone service* provider. If you have a **pothole** or a broken **streetlight**, call the *public works department* or the department in charge of *streetlighting*. If your **electricity** is out, call the *electric company*. And if you get robbed or assaulted or have some issue relevant to the criminal justice system or law enforcement, **then CALL THE POLICE**. That's what we're **SUPPOSED** to be called for, not because you can't find the nose on your face or wipe your own behind!

Come to think of it, how come nobody ever calls the **fire** department for complaints about "**fireworks**?"

On a personal note

I'd like to thank all the members of the police department who attended the wake and funeral for my mother, **Dorothy E. Pratt**. I know that she would have gotten a kick out of all the fuss that was done in her honor. I was overwhelmed at the show of support to my family and me. Also, thank you to all the members who assisted in the funeral procession to Everett and stood in her honor at St. Francis Church in Charlestown. A sincere thank you to the Command Staff who offered their support.

In closing and as always, remember to keep your guard up and watch each other's back.



Thoughts of the day

Day in and day out, I am questioned by people on why I support **Tim Cahill** for Governor, or why we, as a Union, have endorsed him and stuck by him. Well first and foremost, as I have previously stated and written, Tim Cahill is a man of Integrity and Honor.

Tim comes from a working middle class family and is a working middle class guy. He understands what it takes to get through the day, what it takes to support and raise a family in this day and age. Being a middle class husband and father, who actually works for a living and doesn't have million dollar trust funds, Tim fully understands the importance and need for good health care.

Tim was a private businessman prior to his venture into politics and understands what it takes to run a successful business and what it means to take care of the employees that count on you and your decisions on a daily basis.

Tim has a proven track record in both his personal and political life. He is a man that displays high moral values and demands that of everyone around him, to include his own family.

He is a guy that could have been a strap-hanger, holding onto the treasurer's job for life, but recognized that the Democratic Party was no longer representing the middle class people of this state or country, being true to his beliefs, he left the party and declared his Independence, (once again showing his integrity and moral courage).

Tim is the only candidate that has stood by the Police in the Commonwealth of Massachusetts and has never wavered. He declared his support for us long ago and has championed many a fight, for us to be treated fairly and equitably along with a measure of respect for the job we do.

Tim honestly believes that he can fix the mess that this state now finds itself in and has proven himself to be a financial leader shown by his management of the Massachusetts Lottery. Under his leadership and management, the lottery commission has increased its' profit and has sent millions upon millions of dollars into the public safety sector along with funding new public schools throughout the Commonwealth.

He has a real understanding of our pension system and has already assisted in repairing the faults through previous reforms. He is the only candidate telling the truth about our pension system and understands that we are on the road to fully funding the system through employee contributions.

Conversely, one of the biggest promises **Charlie Baker** has made to an ill informed public, is to gut your pension system and kill it for anyone not yet vested (under ten years). Baker promises to take away your right to collectively bargain your health care and has promised to put you into the state run GIC which is the most mismanaged system in existence, which I can tell you from personal experience, will **NOT** financially cover your health needs or the health needs of your family. This from a guy that made millions from the Health Insurance industry, nice! Another of his purported reforms will be to LAYOFF 5,000 employ-

ees, in the middle of this recession, nice work Charlie!

As I have previously stated, Baker is not your old time centrist Republican, he is a rich opportunist that has pandered to every group in this state and will only hurt you and your family. As far as **Deval Patrick**, please, you have already experienced his so called leadership. He has made us the scapegoat for every ill this Commonwealth suffers.

Tim Cahill is the only candidate that has stood by the Police in the Commonwealth of Massachusetts and has never wavered. He declared his support for us long ago and has championed many a fight, for us to be treated fairly and equitably along with a measure of respect for the job we do.

The man had demonized us in the public eye and will continue to rip apart our contracts through his misguided legislation. He has outright lied to the public when it comes to paid details and has already started the demolition of the Civil Service Commission, one of the things that he and Baker agree upon!

When you discuss voting and taxes, please remember who pays your salary and where that money originates.

I realize that you will probably receive this *PAX* or be reading this article days or hours before you and yours cast your vote, just remember **PLEASE VOTE** and get all of your family and friends to vote! We are not a true Democracy if we choose not to participate! We as a group cannot support the apathy that we are surrounded by! We are Police Officers, we stand for and live by a certain Moral Code and Ethic, and we believe in a Code of Conduct and would never leave a partner in distress.

Tim Cahill has shown himself to be a worthy partner, need I say more!

What else is happening around the hall?

As you know we are all anxiously awaiting word from City Hall, of their finite calculations concerning the Municipal Police settlement. No we still don't have it and we still don't know.

We were promised that it would be paid out prior to the holidays; however, some of us are left wondering which holidays and or which year the city was referring to. As I previously stated, when we know, you'll know.

While we are on the subject, please don't listen to the naysayers that are selling the B/S about the Union or our President "leaving money on the table".

In case these 'haters' don't realize it, it's the year 2010, we are still in the middle of a recession, we are pretty much hated throughout the public sector, (thanks to our Governor and local media), no one, including the Union President, has or had a crys-

tal ball predicting what the hearing officer would have granted or not, (emphasis on **not**).

With the current state of the city and the onslaught of 'all public employees should be burned at the stake' attitude, I think the leadership would have been negligent in their duty not to accept the offer of \$16,500,000 to 'settle' the case. For those non-believers, please show me one infinitesimal bit of evidence to prove such

malarkey and I will dedicate an entire page of the *PAX* to printing it!

The questions are once again starting about the proposed 'Detail & Overtime Guideline' changes that were voted on and accepted by both the BPPA and the Detective Benevolent Society, after a very long process. The simple answer is, nothing has changed. The Unions are still operating under the 2006 Guidelines. The 2010 proposal has been submitted to headquarters and there it remains. This proposal was voted on and signed off by both Unions as

a complete document and no changes can be made without the document being returned to both Unions for another vote, for acceptance or rejection to any and all changes.

The collective bargaining agreement, (better known as the contract), did indeed expire on June 30th, 2010. As you are aware, we will continue to operate under and are bound by the provisions of the old agreement until such time as a new agreement is ratified by you, the body. Be advised that that your bargaining committee: President **Tom Nee**, Vice President **Ron MacGillivray**, Treasurer **Tom Pratt**, Representative **Dave Fitzgerald**, B-2 and Representative **Mike Leary** of A-7, have been meeting with the city and diligently working on your behalf. The committee updates your shift representatives on a regular basis, so please direct inquiries, questions and recommendations through your shift representative, they are your eyes and ears, use them.

I have reinstated the *BPPA Newsletter*, the first edition went out in September. The Newsletter will be published opposite months of the *PAX*, at a minimum. However, if we have breaking news or the need to get the written word out, I will publish the Newsletter as necessary, for your benefit. Like I said, you not only have the need to know, you have the right to know what's going on. *Be safe out there, look out for each other.*

Bargaining committee begins work: Tough negotiations expected

By **Jim Carnell**, *Pax Editor*

The BPPA bargaining committee has begun negotiations with the City of Boston for a successor contract, which expired as of July 1st, 2010. The bargaining talks are fully expected to be tough, lengthy, contentious, and in the current political climate, difficult, to say the least.

The members of the BPPA bargaining committee are: BPPA President **Tom Nee**, BPPA Vice President **Ron MacGillivray**, BPPA Treasurer **Tom Pratt**, Area A-7 representative **Mike Leary** and Area B-2 representative **Richard Fitzgerald**.

As all of us are well aware, the political climate towards public employees (police, fire, EMT's, teachers, etc.) is not exactly favorable. People are upset with the economy, the lack of jobs, the hopelessness and lack of change which was promised by the current administration, both in Washington DC and on Beacon Hill. Many people have lost their jobs or taken pay cuts, second or third jobs just to make ends meet. Therefore, the job of the BPPA bargaining committee is exceedingly difficult in this atmosphere.

The BPPA bargaining committee is working cooperatively with the Boston Po-

lice Superior Officers Federation (BPSOF) and the Boston Police Detectives Benevolent Society (BPDBS) to coordinate strategy. All of the bargaining units are well aware of what we are up against. Officers who *used to* have the benefits of the Quinn bill have suffered a severe cut in pay, thanks to the actions of Governor Deval Patrick, an avowed hater of police officers. A lawsuit has been filed by our attorneys (Attorney **John Becker**, **Sandulli, Grace, et al**) regarding Quinn bill benefits in conjunction with other municipal police unions. (Attorney Becker's comments regarding this matter are reported within this issue.)

Many officers have contributed their suggestions and ideas about what the priorities of the bargaining committee should/should not be. Many have suggested that simple, basic parity between police and firefighters should be a starting point (see related article). That would only seem to constitute fairness. But BPPA members should be cautioned to temper expectations and desires with a dose of political and financial reality. Your bargaining committee has a difficult job in front of them. Please do not listen to the bomb-tossers and guardroom experts who pontificate about bargaining matters.

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Sergeant-Detective, A -1

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- Matt Machera, Attorney at Law,
Formerly of the Suffolk County DA's Office

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- Mike Coppinger,
Patrolman, District 14

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- Maura Flynn,
Commander of the Paid Detail Unit (no relation)

"For years, Judie has provided superior service for me and my family. Her personal attention goes above and beyond. They really go out of their way!"
- Tom Richardson,
Patrolman, E-5, (retired)

"Judie (Flynn) has handled my Auto and Homeowners policies for years. Her professional, efficient, friendly service is second to none and she does it with a smile."
- Danny Rice, Detective,
Domestic Violence Unit

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- Chris Boyle,
Patrolman, Drug Unit

"Flynn Insurance is like Cheers - where everybody knows your name. They treat you like you're part of the family and even answer their own phones!"
- Bobby Murphy, EMT,
Boston EMS

Boston firefighters average \$10-12K per year above Boston police officers

By James Carnell, Pax Editor

According to recent statistics released by the City of Boston, Boston firefighter's pay will average *at least* \$10,000-\$15,000 above the comparative salary of a Boston Police Officer, even excluding Quinn bill educational incentives.

Firefighters, under their new contract will take home several hundred dollars more per week than a similarly-situated police officer. According to the statistics at hand, a Boston Police officer without any educational incentive plan - for comparative purposes - working nights and with 25 years of seniority or more, will be earning \$75,002 per year. A Boston Police officer with a Master's degree - earned through attending college - will now earn less than \$80,000 per year, after factoring in the cuts to the Quinn bill instituted by the cop-hating Governor Deval Patrick.

Meanwhile, a firefighter, with the same 25 years of seniority, will be earning almost **\$90,000.00** per year. Let's put it this way: a cop is supposed to remain awake and alert during his/her entire shift, is subject to intense scrutiny and criticism for every action taken and/or not taken, is often sued or complained about by the public or lawyers, and cannot work more than two shifts in a row, according to current rules and regulations. A police officer observed having a meal or getting a cup of coffee is often treated with the proverbial "hairy eyeball"

- at best - or outright hostility from a critical general public (which is why most cops no longer take their meals outside in the public's eye, but instead bring food from home to eat in the privacy of the station house). A cop is treated by many as a "necessary evil" at best, and something unprintable at worst, since we are always expected to deal with other people's problems at the worst possible time. Cops trying to make an extra dollar doing details or overtime are "greedy." We are supposed to be tin soldiers on duty and plaster saints off duty.

Firefighters can work 24 or more hours in a row, with virtually unlimited discretion from their managers, but cops have to get permission to even swap a shift with a fellow officer.

Firefighters are most often thought of as "heroes" by John Q. Public, while cops are "the bad guys who have nothing better to do." And by the way, there are many, many firefighter's paid details that exist in buildings under construction and at public events.

And now, to add insult to injury, a firefighter is - according to the City of Boston - worth about \$10-\$15K (And I may be being *conservative* in my estimates, according to other sources!) than a police officer! No wonder many a police officer has advocated getting rid of the Quinn bill and simply demanding basic parity with the average firefighter. It does, at a minimum, sound fair, doesn't it?

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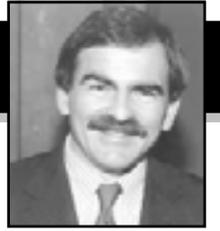
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Legal Thoughts

After a traffic stop, when is a police officer justified in ordering the occupants out of the vehicle for a safety patfrisk? When faced with such a situation, officers do not have the luxury of time to contemplate the constitutionality of their actions but instead must take decisive action for their own safety and the safety of fellow officers. In *Commonwealth v. Elysee*, 77 Mass. App. Ct. 833 (2010), the Massachusetts Appeals Court recently affirmed a motion judge's ruling in favor

the street, returned, and told the officer that he had been "jumped" by the Morse Street gang and was waiting for his friend who was inside the courthouse. His friend was not a member of a gang but also had a history of firearms charges. The suspect and his friend went across the street and continued to engage in a very excited and animated conversation. In light of the suspect's actions and the circumstances unfolding in the courthouse, the officer called for assistance from fellow officers

were asked to lower all the windows. The suspect and his friend were passengers along with a third individual who had a history of firearm violence. The driver did not have her license in her possession, so the officer had to return to his cruiser in order to confirm the identity of the driver. Out of concern for their safety, the officers called for backup.

When assistance arrived, the officers returned to the vehicle and noticed that none of the occupants was wearing a seatbelt. The fourth passenger was seated behind the driver and was not as familiar to the officers as the other passengers. The officer asked the fourth passenger for his name and date of birth to which he looked straight ahead and did not answer. When asked a second time, the passenger responded. He was then asked to provide identification which he provided after stating at first that he did not have it. The officer asked him if he was carrying any weapons and, again, he ignored the officer. The officer asked a second time whether he was carrying a weapon and the passenger stated that he was not.

The officer asked the passenger to exit the vehicle so he could conduct a weapons frisk. After the passenger exited the vehicle, the officer started to conduct a weapons frisk. Suddenly, one of the backup officers yelled, "Gun." A handgun was located on the floor where the passenger was seated. The remaining passengers

from *Gonsalves* at 665.

"While gang membership alone does not provide reasonable suspicion that an individual is a threat to the safety of an officer or another, the police are not required to blind themselves to the significance of either gang membership or the circumstances in which they encounter gang members." *Elysee* citing *Commonwealth v. Heon*, 44 Mass. App. Ct. 254, 256 (1998). In *Elysee*, the officers knew the suspect and his history with gang violence. The officers were told that the suspect had recently engaged in an altercation with a rival gang and had left the scene in a vehicle where the officers learned that three of the five occupants had been arrested in connection with firearms. More importantly, however, the Court noted that the rocking of the vehicle as the officer approached could have indicated that something was being concealed and would present a risk to the officer's safety. The Court concluded that the officers were justified in issuing the exit order of the occupant from the vehicle.

"An exit order is a real but limited intrusion on the occupants that allows the officers both to observe the occupants more fully and to separate them from the contents of the vehicle." The Court concluded that the evidence of concealment, when combined with the circumstances surrounding the suspect and his friend's

In the recent *Elysee* decision, the Court emphasized that the officer does not need to point to specific facts that the occupants are "armed and dangerous" but rather that there is "some fact or facts in the totality of the circumstances that would create in a police officer a heightened awareness of danger that would warrant an objectively reasonable officer in securing the scene in a more effective manner by ordering the passenger to alight from the car."

– *Elysee*, quoting from *Gonsalves* at 665

of Boston police officers who conducted a traffic stop, asked a passenger to exit and ultimately discovered two firearms in the vehicle.

Two officers from the anti-crime unit were outside of the Dorchester District Court when they witnessed a verbal altercation taking place in the courthouse between a suspect, who was associated with the Lucerne Street gang and members of a rival gang, the Morse Street gang. One of the two officers recognized the suspect as an associate of the Lucerne Street gang and learned from another officer that the rival gang members were taunting him and yelling, "We got you.

in the anti-crime unit. The responding officers were familiar with the suspect and his friend and knew they had a history involving gang violence. The officers stopped their unmarked cruiser near the courthouse just in case there was any escalation in violence.

The officers at the courthouse observed a black Mercedes SUV pick up the suspect and his friend outside of the courthouse at the corner of Wheatland and Washington Streets. The officer observed the vehicle turn right onto Washington Street without using a turn signal which he relayed to the officers in the unmarked cruiser. The officers in the unmarked

"An exit order is a real but limited intrusion on the occupants that allows the officers both to observe the occupants more fully and to separate them from the contents of the vehicle."

were ordered out of the vehicle and handcuffed. A subsequent search of the vehicle revealed a second handgun stuffed between the left rear and center rear seats.

According to federal constitutional law, no justification is required for police to order the driver and passengers out of a vehicle during the course of a lawful stop for a traffic violation. However, in Massachusetts, exit orders made in the course of a lawful stop must be justified. In *Commonwealth v. Gonsalves*, 429 Mass. 658 (1999), the court ruled that an officer must have a "reasonable belief that the officer's safety, or the safety of others, is in danger." The officer must have "specific and articulable facts" to justify an exit order.

In the recent *Elysee* decision, the Court emphasized that the officer does not need to point to specific facts that the occupants are "armed and dangerous" but rather that there is "some fact or facts in the totality of the circumstances that would create in a police officer a heightened awareness of danger that would warrant an objectively reasonable officer in securing the scene in a more effective manner by ordering the passenger to alight from the car." – *Elysee*, quoting

entry into the vehicle, the officers' knowledge of the three occupants' history with firearms and the fourth passenger's responses to the officer's questions, warranted the officer's exit order.

The observations made by the officers at the courthouse and the decisive actions of the responding officers most likely prevented another gang related shooting. Unfortunately, drive-by shootings still take place and officers will find themselves in situations where a possible shooting is imminent. The ability to issue an exit order when investigating gang related violence is vital to ensuring the safety of the officers. The Court in *Elysee* acknowledged the problem with gang violence and the importance of officers remaining vigilant when investigating or approaching gang members and found that an exit order will be justified when there is some evidence that the occupants in the vehicle are concealing a weapon. The courts' decisions may provide a guide for handling exit orders, but ultimately, it is an officer's experience and awareness of danger to him or herself or others that will control their actions.

Be safe out there.

"While gang membership alone does not provide reasonable suspicion that an individual is a threat to the safety of an officer or another, the police are not required to blind themselves to the significance of either gang membership or the circumstances in which they encounter gang members."

– *Elysee* citing *Commonwealth v. Heon*, 44 Mass. App. Ct. 254, 256 (1998)

"We got you." The officer knew the suspect had a history of gang activity and had been arrested previously on a firearm offense. The officer was also aware of the problem with gang violence in the community and that there had been numerous shootings in the area, specifically near the courthouse.

The officer spoke to the suspect outside of the courthouse asking him if he had any business there. When the suspect indicated that he did not, the officer asked him to leave. The suspect walked across

cruiser followed the Mercedes and eventually pulled it over based on the motor vehicle infraction witnessed by the officer at the courthouse. The driver of the Mercedes complied with the cruiser's signal to pull over.

As the officers approached the suspect vehicle, they noticed that the rear of the vehicle was rocking back and forth suggesting that the occupants were trying to conceal something. Because the windows were heavily tinted and the officers were concerned for their safety, the occupants

Collecting Christmas Gift Packs for Our Troops



As we have done in the past few years, we will start our Christmas collection for Boston Police Officers who are currently serving in the military.

The past years have been such a great success, because of all of you.

We currently have ten Boston Officers serving. We hope to collect items needed and money to cover the cost of shipping.

We also would like to purchase some PX cards and send them over in the gift packs.

We will start collecting ASAP – there will be boxes put in every District.

If any of you would like to volunteer in helping collect at your District, or helping pack and ship the items, all are welcome to join us.

We will need shoe boxes if any of you have some lying around the house, they would be of great assistance and appreciated.

We welcome any and all comments, thoughts and suggestions.

As always – keep safe.

– Rita Foley, Torifo@Hotmail.com

If you are interested in helping this year's Gift Pack effort:

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P.O. Gail DeCoste - Area C-11 • P.O. John Quinn - Area B-2**

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RECENT CASE SUMMARY

FACTS: Officer injured on-duty when police vehicle struck by suspect avoiding arrest. Officer was disabled and collected IOD pay and medical bills were paid under c.41 s.111F. Officer recovered and returned to full duty.

CASE: Officer sought free legal consultation and pursued claims against the vehicle operator and owner – and under his personal auto policy – for lost detail and overtime pay, and compensation for pain and suffering.

OUTCOME: Officer received gross recovery of: \$8,000 in Personal Injury Protection and \$10,000 in additional medical payment benefits, \$20,000 insurance policy limits for the defendant operator and owner, and \$80,000 in Underinsured Motorist benefits.

ATTORNEY: Scott Goldberg

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City and Officers jointly request SJC to hear Quinn Bill payment suits

As you may know, a group of BPPA members have sued the City for violation of the Quinn Bill. The suit asserts that the Quinn Bill's grant of 10, 20 and 25% educational stipends are not subject to change via collective bargaining. Similar suits have been filed by groups of detectives and superior officers. Because this case presents a purely legal question (see full explanation below), because this question is present in collective bargaining agreements around the state, because several other similar suits are pending, and because collective bargaining between the City and the unions is being hampered by the uncertainty surrounding this issue, the City and the officers have agreed to jointly petition the Massachusetts Supreme Judicial Court to hear the case in the first instance. If the Court grants the petition, it will mean that a definitive answer on the lawsuit will be known in a matter of months, as opposed to years. We hope to have an answer from the

SJC as to whether they will hear the case soon.

The underpinning of the suits is that the Quinn Bill guarantees statutory wages directly to officers. The Quinn Bill (codified at M.G.L. c. 41, §108L) mandates that officers "shall be granted" educational incentives related to law enforcement degrees. The Quinn Bill does not allow for payments to be reduced or reimbursed based on whether or not the state fully reimburses a Town for prior payments to officers. M.G.L. c. 41, §108L is clear. Assuming proper certification of a degree, an officer: shall be granted a base salary increase of ten per cent upon attaining an associate's degree in law enforcement or sixty points earned to a baccalaureate degree in law enforcement, a twenty per cent increase upon attaining a baccalaureate degree in law enforcement, and a twenty-five per cent increase upon attaining a master's degree in law enforcement or for a degree in law.

Thus, once a town adopts the Quinn Bill, the statute mandates that the payments must be made.

The provisions of the Quinn bill that call for a town to be reimbursed (that's reimbursed – meaning "paid back," i.e. the state sends the city money after the city pays the officer) are separate and independent of the base salary increases that the Quinn bill mandates. In other words, whether or not the state "fully funds" the Quinn bill is **IRRELEVANT** to whether or not a city is obligated to pay the stipends.

While the Quinn bill is clear in the level of "base salary increases" due to officers, many collective bargaining agreements, including the BPPA's, purport to modify those increases, specifically to allow for a city to reduce payments to officers if the state reduces funding. The officers' suits contend that such provisions are not legal. By law, a city and its unions cannot alter statutory re-

quirements unless the statute at issue is specifically listed in the public sector union law, M.G.L. c. 150E, §7(d). The Quinn bill is not listed in that law, so a city and a union cannot agree to change it. The Supreme Judicial Court has noted "that municipalities and public employee unions may not bargain over matters covered by" the Quinn Bill. *Rooney v. Yarmouth*, 410 Mass. 485, 493 n.4 (1991).

As noted, the BPPA contract with the City does purport to amend the Quinn Bill via a mechanism that transfers the risk of state underfunding from the City to the officer. The City acted under this provision when it cut officer pay in January. Thus, BPPA members with Quinn Bill benefits are now receiving payments that are **LOWER** than the statutorily mandated base salary increases. Because it is illegal to contract to lower Quinn bill mandates, the suit alleges that the contract must yield to the statute.

Charlie Baker's self-admission:

"...to the left of Barack Obama on most social issues..."

(continued from page A1)

creased deductibles and decreased benefits, and he has expressed half-hearted support for police details and almost no support for the Quinn bill educational incentive plan.

Anyone who is proud to be "to the left of Barack Obama on most social issues" is no friend of most police officers. The **ONLY** choice for police officers, our families and friends is **TIM CAHILL**, a proven friend of law enforcement who is not afraid

to take a position and tell the major media to go to hell. Tim Cahill does not pander to the communists and socialists who masquerade as journalists. I urge our members and their families to get out and vote for Tim Cahill. If Charlie "to the left of Barack Obama" Baker is the only option to the cop-hating **Deval Patrick**, then God help us all...

Superior Court rules police officers entitled to Quinn Bill benefits

by John Becker, Esq., Sandulli Grace, P.C.

A Boston Police officer and a Wellesley police sergeant received good news this week when Superior Court judge **Carol Ball** ruled that the state Board of Higher Education had to certify their master's degrees in criminal justice as eligible for benefits under the Quinn Bill educational incentive program. [The decision can be found here.] Boston Police Officer **Miguelangelo Pires** and Wellesley Sergeant **Glen Gerrans**, with the support of their unions, the Boston Police Patrolmen's Association and the Massachusetts Coalition of Police, sued the Board of Higher Ed after the Board refused to allow them to earn Quinn Bill educational incentive benefits for their master's degrees.

The case arose after the Legislature amended the Quinn Bill – which provides salary increases for police officers who earn advanced degrees in law and law enforcement – to tighten the academic requirements for the educational institutions where officers were earning their degrees. The new academic restrictions eliminated a number of schools from the list of eligible institutions, but a grandfather clause in the legislation stated that anyone enrolled in one of the previously-listed schools before January 1, 2004, could continue in that program and his or her degree would qualify for Quinn Bill benefits. Both Officer Pires and Sgt. Gerrans registered for classes in the Boston University master's program in the fall of 2003, but they didn't start classes until after January 1, 2004. After they completed their degrees in 2005, the Board of Higher Education refused to approve them. According to the Board, 'enrolled' meant 'taking classes', so in its view Pires and Gerrans weren't enrolled in time to fall under the grandfather clause.

The officers approached their unions, who enlisted the help of Sandulli Grace attorneys **Joseph Sandulli** and **Susan Horwitz**, who attempted to negotiate with the Board of Higher Education to resolve this issue, which did not involve many officers. Ultimately, negotiations broke down and Sandulli Grace attorney **John M. Becker** filed a lawsuit on behalf of Pires and Gerrans against the Board of Higher Education. The officers argued that the plain meaning of 'enrolled' is to register and that the Board's interpretation of enrolled as taking classes was inconsistent with common understanding and legal precedents. This week, a Superior Court judge agreed with the police officers and ruled that they were covered by the grandfather clause and so are entitled to Quinn Bill benefits for their master's degrees. As the judge stated, "the meaning of 'enrolled' is limited to registration, and as such, reflects the intent of the Legislature to permit police officers who have registered for degrees in criminal justice programs certified by the Board prior to January 1, 2004 to benefit from their efforts toward obtaining further education." Congratulations to Officer Pires and Sgt. Gerrans – their efforts toward obtaining further education are finally paying off.

A parable about illegal immigration: The Birdfeeder

By Saint James of Carnellia

ONCE UPON A TIME, in a land far away, lived a man who had a big backyard. The man loved his big backyard, and his big back porch that attached to his big house. But the man also loved birds, and he wanted to attract beautiful birds to his big backyard. So the man bought some birdhouses and birdfeeders and hung them out in his backyard.

Well, the very next day, some beautiful birds arrived in the man's backyard. Pretty, pretty, pretty birds! There were bluebirds and cardinals, canaries and flamingoes! And the man quickly refilled all of the birdfeeders and went out to get more birdhouses. But by the time the man came home, oh what did he see? Well, well, well, now there were **THOUSANDS** of birds, all of them setting up their nests in the birdhouses and munching away on the free bird seed. And instead of the pretty birds who had been in his backyard earlier, now there were dirty, nasty birds, like pigeons, and starlings, and ostriches and aardvarks (yea, I know, aardvarks aren't birds, but they came to see if they could get free shit, too...). And thousands of birds began divebombing his house and his backyard, and leaving bird poop everywhere, and fighting amongst themselves, and soon, the man could no longer use his own backyard! "Oh, whatever will I do", said the besieged man.

Soon, the man's friend came by and made a suggestion: "I have an idea", said the friend. "Why don't you take down the free birdhouses and the free bird feeders. And lo and behold, soon after the man took down the birdhouses and the birdfeeders, the birds all went away. And the moral of the story is:

If you want to get rid of a problem, stop offering free stuff to bums and pigs who take of advantage of your generosity. They will soon go somewhere else. Now, why is that so hard for our stupid politicians to figure out?

SJC Single Justice grants petition in Quinn Bill funding case

Good News! The Single Justice took the case, and has ordered us to file a joint statement of facts within 30 days. If, upon review, he agrees that the case is ripe for decision, he'll forward it to the full court for full briefing and decision.

*In solidarity,
Bryan Decker, Esq., Sandulli Grace, P.C.*



The Commonwealth of Massachusetts
SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
JOHN ADAMS COURTHOUSE
ONE PEMBERTON SQUARE, SUITE 1300
BOSTON, MASSACHUSETTS 02108-1707
WWW.SJCCOUNTYCLERK.COM
October 12, 2010

OCT 13 2010

CASE INFORMATION (617) 557-1100
FACSIMILE (617) 557-1117
ATTORNEY SERVICES (617) 557-1000
FACSIMILE (617) 557-1005

MAURA S. DOYLE
CLERK

Bryan C. Decker, Esquire
Sandulli Grace, P.C.
44 School Street, Suite 1100
Boston, MA 02108

RE: No. SJ-2010-0447

DANIEL ADAMS ET AL.
v.
THE CITY OF BOSTON

Suffolk Superior Court
No. 2010-2514-E; 2010-2547-F; 2010-2571-F

NOTICE OF DOCKET ENTRY

You are hereby notified that on October 12, 2010, the following was entered on the docket of the above referenced case:

ORDER: "...Therefore, without opposition, it is ORDERED that case no. SUCV2010-2514-E be consolidated with SUCV2010-2571-F and SUCV2010-2546-F, and transferred from Suffolk Superior Court for Civil Business to the Supreme Judicial Court for Suffolk County, where the consolidated plaintiffs and defendant will file a joint statement of stipulated facts within thirty days..." (Cordy, J.)


Maura S. Doyle, Clerk

To: Bryan C. Decker, Esquire
Terence E. Coles, Esquire
Leah M. Barrault, Esquire
Paul T. Hynes, Esquire
John M. Simon, Esquire
Kay H. Hodge, Esquire
Suffolk Superior Court Dept.

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPREME JUDICIAL COURT
FOR SUFFOLK COUNTY
DOCKET NO. SJ-2010-0447

SUFFOLK SUPERIOR COURT
No. SUCV2010-2514-E
No. SUCV2010-2571-F
No. SUCV2010-2546-F

DANIEL ADAMS, ET AL
BRIAN ALBERT, ET AL
FRANCIS ARMSTRONG, ET AL

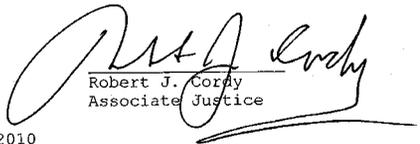
vs.

CITY OF BOSTON

ORDER

This matter came before the Court, Cordy J. presiding, on the parties' joint petition for transfer of the cases to the Supreme Judicial Court pursuant to G.L. c. 211, § 4A. The parties' have represented that four separate cases are currently before the Superior Court, which challenge the same interpretation of G.L. c. 41, § 108L, and its application to their collective bargaining agreements. Many more municipalities have negotiated clauses in collective bargaining agreements substantially similar to those at issue here. Because common questions of law are before several courts, and the issues are of great financial import to municipalities and police officers throughout the Commonwealth, the interests of justice require speedy and uniform resolution.

Therefore, without opposition, it is ORDERED that case no. SUCV2010-2514-E be consolidated with SUCV2010-2571-F and SUCV2010-2546-F, and transferred from Suffolk Superior Court for civil business to the Supreme Judicial Court for Suffolk County, where the consolidated plaintiffs and the defendant will file a joint statement of stipulated facts within thirty days. If this joint statement of stipulated facts presents an adequate record for reservation and report on the plaintiffs' request for declaratory judgment pursuant to G.L. c. 231A, I will promptly do so.


Robert J. Cordy
Associate Justice

Entered: October 12, 2010

Research has uncovered two officers Killed in the Line of Duty

In the Line of Duty officers forgotten but found, information sent to Washington D.C. to get certified

By Police Officer Robert E. Anthony, Chronologist, Boston Police Dept. & Archivist Margaret Sullivan

Patrolman Cornelius F. Regan End of Watch January 13, 1898

Patrolman **Cornelius F. Regan**, 36 years of age. On the morning of December 25, 1897, Officer Regan while on the city end of the Old Charlestown Bridge at 2:15 AM, heard a shout for help, and ran to the centre of the bridge and observed a man struggling in the ice water some twenty feet below. Officer Regan, removing his belt, climbed down a pile, ruining a new winter uniform, and holding out the belt at arm's length managed to place it within reach of the drowning man. Dragging the fellow over toward him he told him to hold onto the pile for a moment, but from the answer he received soon learned that the man was very much the worse for liquor. Finding he could not climb up the pile with the drunken individual, who was too far gone to assist himself in any way, Officer Regan cleverly clasped the belt about the man's body and tied him to the pile, then springing to the bridge secured a boat and brought him ashore. Officer Regan was soaked to the bone and his uniform was now covered in ice from the cold. A patrol wagon was summoned and the man was taken to Station 1, but when arrived there he resembled an icicle more than a human being. Officer Regan's clever work in rescuing the unknown man from his perilous position certainly was a feat out of the ordinary. Patrolman "Con" Regan as he was known to his fellow officers became sick and developed pneumonia that grew worse and cerebral meningitis developed and this cause his death, after several days of unconsciousness. Officer Regan was born in Quincy, December 12, 1862; He was appointed a patrolman November 4, 1885 and assigned to division 1. He leaves a wife and five children, the youngest but a few weeks old. Officer **Cornelius F. Regan** was buried at Holy Cross Cemetery, Malden, MA. His name was submitted by Commissioner **Edward Davis** to the National Law Enforcement Memorial in Washington D.C. to be certified.

Patrolman Walter E. Harris End of Watch November 19, 1906

Patrolman **Walter E. Harris**, 42 years of age. On the morning of May 11, 1906 while in the discharge of his duty as a Police Officer Patrolman Harris while on duty working out of Division 11 (Dorchester) while driving the Horse driven Patrol/ambulance wagon at the intersection of Adams Street near Lincoln Street Officer Harris was thrown from the wagon to the ground receiving a compound fracture of the left elbow along with internal injuries. Officer Harris was taken to the City Hospital in the Police Ambulance by **Sergeant Wayne**. Officer Harris had several unsuccessful operations for his injuries. On November 19, 1906, Officer Harris died following the second operation. **Dr. Frank A. Higgins** who performed the operation stated that "this was caused by the accident to Officer Harris on May 11, 1906." Patrolman **Walter E. Harris** was born December 1, 1864 in Annapolis, N.S. he was married to **Mary A. Harris** and they had one child, **Margaret E. Harris**, who was nine years of age when Officer Harris died in the line of duty. He was appointed a Reserve Officer to the Boston Police Department on April 11, 1895, made a Patrolman on October 12, 1895. Officer **Walter E. Harris** is buried at Cedar Grove Cemetery, Dorchester, MA. His name was submitted by Commissioner **Edward Davis** to the National Law Enforcement Memorial in Washington, D.C. to be certified.



Barney McGinniskin, a trailblazer for Irish in the BPD

By P.O. Robert Anthony,
Chronologist, BPD

In the annals of Boston history, he has long become a footnote. But he began a seismic cultural, social, and political shift that would redefine Boston for decades. In a city of Hallowed names, Adams, Revere, and Hancock; Longfellow, Emerson and Thoreau; Garrison, Douglass, and Higginson his hardly bespoke prominence or accomplishment. Be he was a pioneer. And Bostonians would feel the full impact of Barney McGinniskin's trailblazing for years to come.

★★★★★

"The strongest wind cannot stagger a Spirit... A just man's purpose cannot be split on any material rock, but itself will split rocks till it succeeds."

— Henry David Thoreau, on the perseverance of the Irish.

★★★★★

October 6, 1851, when members of the Boston Board of Aldermen approved **Barney McGinniskin's** petition or more accurately, Mayor **John P. Bigelow's** petition on behalf of McGinniskin they knew their decision would generate great controversy. A small percentage of Bostonians would agree with their actions, but most would condemn the vote unequivocally.

Controversy was one thing; it could be anticipated and managed. What the aldermen could not know, though, was the far-reaching historic implication of their decision (had they an inkling of what the future would bring, they almost certainly would have enthusiastically denied the petition).

These ramifications would not become evident overnight, though Bostonians certainly recognized immediately that significant change was afoot in their city; but the near-unanimous vote (there was one dissenter) of the Board of Alderman represented the kind of watershed moment that forever changes a community's face, personality, and direction.

Though monumental in its symbolism, the aldermen's action was described simply and routinely: the board confirmed Mayor Bigelow's nomination of Barney McGinniskin as the first person of Irish heritage ever selected as a Boston Police Officer. It was a decision that reverberated throughout Boston in 1851, and over the next fifty years, would redefine the city's power structure.

Forty-two year-old Bernard "Barney" McGinniskin was many things, none of them extraordinary or newsworthy: an immigrant who had lived in Boston for more than twenty years; a former driver of a horse-drawn omnibus; a grain-store employee working for one of Boston's leading merchants; a Catholic; a resident of the North End. But after the aldermen's vote on a fall evening in 1851, he added the groundbreaking designation of the "first police officer of Irish descent" to his geography, which thrust him into a debate about the city's future, helped him achieve iconic status among thousands of Irish who had arrived during the past decade, and eventually redefined the reputation of, and thus the expectations for his

entire ethnic group.

Like many of his countrymen, McGinniskin's road was not an easy one; not only was he Irish, a difficulty-enough handicap at the time, but his nomination was wrapped in a political maelstrom.

The Whig ascendancy in Massachusetts had been broken in the state election of 1850, and further eroded with **Daniel Webster's** seventh of March speech supporting the Fugitive Slave Law and **Thomas Sims's** return to slavery; this resulted in a controlling coalition of Democrats and Free-soldiers in the legislature. While statewide the Whig Party was perilously close to collapse, Boston Whigs still held the mayor's office and a majority of Boston's Common Council (the "lower house" in the city's bicameral legislative structure) and Board of Aldermen. Boston Whigs believed that conservative Irish Democrats who opposed abolitionism and were unhappy with the reform movement might be persuaded to join an opposing alliance.



Whether it would be called Whiggery or something else was immaterial. "As part of the intended rapprochement," historian **Roger Lane** concluded, "it was proposed, in June of 1851, to add an Irishman to the police."

A number of businessmen signed a petition on McGinniskin's behalf, and Mayor Bigelow asked City Marshal **Francis Tukey** to conduct a background check, which Tukey did on June 2, 1851, just weeks after the marshal had mustered the militia to escort Thomas Sims back to slavery. A week later, after interrogating McGinniskin, Tukey reported back that the Irishman "has a family, has been in this country 22 years, and has the reputation of being a temperate and quiet man."

Bigelow nominated McGinniskin to the force in September, and the Board of Aldermen gave its preliminary approval on September 19; a lone alderman asked for reconsideration for the October 6 meeting on the grounds that McGinniskin was a "poor Irish specimen was intemperate, and that his appointment had been smuggled thought the Board."

Mayor Bigelow delivered a stinging rebuke to this argument. In a speech later reported as far away as London, the mayor noted that the motion for reconsideration was made "on the grounds that it is a dangerous precedent to appoint a foreigner to stations of such trust." Yet, Bigelow pointed out; the city was represented in the legislature by person "born on the other side of the ocean." Bigelow himself had served in the General Court with two Irishmen, "and both possessed, in a remarkable degree, the confidence of the people, who elected them too many offices of important trust." Moreover, the city crier, **David Hill**, a veteran of the Mexican War, had been appointed without reference to his Irish birth, as had the late constable **Michael Riley**.

Recalling to memory a French hero of the American Revolution, Bigelow admonished: "An American who cherishes the narrow prejudice referred to should blush at teaching his children to honor the name of Lafayette, as being next to that of the Father of his Country." McGinniskin, Bigelow pointed out "present's recommendation from some of the best men in our community," and based on Tukey's investigation, "he stands the scrutiny of our lynx-eyed City Marshal." Nonetheless, in the weeks after McGinniskin's appointment, and even after he began work on November 3, it was Tukey who became the leader in the fight against the Irishman joining the police force; he

did so in defiance of the mayor and apparently as a spokesman for the force.

"Although it was true that Irishmen had served the city earlier, the men were convinced that their own department was something different," Roger Lane wrote, "And while Tukey's men often aided the residents of Irish districts with gifts of firewood and other necessities, and organized a regular charity for the benefit of poor Irish residents, 'the gap between a rough compassion and acceptance onto the force was not easily bridged.'"

In an open letter to the press, published on the day of the state elections, Tukey objected to McGinniskin's credentials, calling him a threat to the status of every other member of the police force. He was a "common cabman" from Ann Street in the North End, one of the most notorious locations for brothels, rough taverns, and crime. (Ann Street was later changed to North Street as residents sought to alter the neighborhood's reputation.) Ten years earlier, he had been convicted of a criminal offense as a participant in a brawl at St. Mary's Church on Endicott Street in

the North End. And although Tukey denied any prejudice, he objected to McGinniskin's "outrageously Irish" behavior upon arriving for work for the first time on the afternoon of November 3, announcing himself to the night force as "Barney McGinniskin, fresh from the bogs of Ireland!"

Tukey's protests notwithstanding, his objections also appeared personal in nature, McGinniskin was both an Irishman and a former omnibus driver, and Tukey had had problems with both since his appointment as city marshal in 1846. Poor Irish immigrants who had flooded the city in the wake of the Irish famine in the late 1840's accounted for numerous petty crimes such as thievery, public drunkenness, disorderly conduct, and assault, and Tukey was involved in apprehending many of the miscreants. During one brawl in the North End "a disgraceful disturbance among the Irish population of that neighborhood," according to one press account Tukey was knocked down several times and suffered an eye injury.

The so-called Hamilton Street rioters were eventually sentenced to one year in prison for the assault on Tukey and two other police officers. On another occasion, Tukey paraded notorious Irish pickpocket **John McDonald**, handcuffed, before his officers in the station house and implored the police to watch for him in the future, and to roust him from the city if they spotted him in a crowd.

Tukey also objected to the blatant disregard on the part of the Irish for the state's laws prohibiting the sale of liquor on the Sabbath. One Sunday, armed with warrants, Tukey approached the Jefferson House tavern on Ann Street. He found a notice posted on the front door that read: "This establishment is closed until Monday. P.S. Those whom we have agreed to supply with **WATER** will be served at the pump, at the back door." Tukey proceeded around back and found the "pump" in full operation, providing beer and liquor to dozens of patrons. He ordered the tavern closed immediately.

Tukey had little patience for omnibus drivers either, whom he often accused of transporting customers intent on breaking laws and of recklessly driving their teams through city streets.

In 1846, for example, Tukey investigated the claims of two passengers, one carrying nine hundred dollars and one sixty dollars, who took a cab to a house of "ill-fame... where they were furnished with champagne till they were no longer masters of themselves," according to one account. The man with the smaller amount of money was robbed by prostitutes; "the other, more cunning than his friend, had preserved his money by concealing it in his boot before his brains had been stolen from him." Tukey investigated the case, cited the cabdriver for deliberately transporting passengers to an illegal brothel, and arrested and locked up the prostitutes.

On another occasion, two years later, Tukey spotted an unattended omnibus on a busy street. He climbed into the driver's

(continued on page A14)

Barney McGinniskin, a trailblazer for Irish in the BPD...

(continued from page A13)

seat himself and was attempting to guide the horses, when the team "took off at a more rapid pace than the law allows." Tukey cited the Irish driver, but the driver turned around and entered a complaint against Tukey for "fast driving." In a public blow to his ego and his authority, Tukey pleaded guilty and was fined one dollar plus court cost, for a total payment of four dollars and fifty-five cents.

McGinniskin's ethnic heritage and work history as a cabman made him unfit for duty, in Tukey's eyes, and the Marshall refused to assign duties to the new officer. McGinniskin quickly sought public support in his efforts to counter Tukey's tactics. In a lengthy press statement, he reminded Boston residents that Tukey had offered a favorable report on his character when Bigelow asked for the background check. He did not deny his "from the bogs of Ireland" remark when he entered the police station, but took issue with Tukey's characterization that he had uttered the phrase in an "impudent, insulting manner, evidently with the intention of provoking a quarrel."

On the contrary, McGinniskin said, "I did so in a good-humored way, with the intention of placing myself at once on a free and friendly footing with my fellow members of the night police." McGinniskin said; "the manner in which I was received indicated that my greeting was taken in the kind and good-natured sense in which it was intended."

As for his arrest at St. Mary's a de-

cade earlier, McGinniskin argued that he was attempting to quell a fight that broke out when police apprehended him." For this I was indeed tried and fined ten dollars by the Courts," he said, "but this ... affords no evidence that my motives were not good or that I am of a riotous or quarrelsome disposition." Of far greater import, he said, was his long work history and the numerous recommendations he had received from prominent Boston Businesspeople.

"These facts I regard as sufficient to repel the charges against me, and to vindicate my character," McGinniskin wrote. For the next six weeks, both sides were at an impasse. Tukey refused to assign McGinniskin to work, and without authority, essentially removed him from the police force.

Mayor Bigelow had been defeated in the November election, and the marshal was hoping the new mayor, former Common Councilor **Benjamin Seaver** (whom the police had supported en masse), would officially fire McGinniskin after inauguration day in January. But Seaver resented the blatant politics Tukey employed; upon taking office, he vetoed Tukey's decision, and ordered the marshal to reinstate and assign McGinniskin. The *Boston Atlas* saluted Seaver for standing up against the "usurpation of the City Marshal, who clearly has no more right to discharge a Police officer than the City Treasurer or Physician ... Marshal Tukey is an efficient and competent officer, but he should

remember that he is a subordinate officer of the Government."

And so by January of 1852, Barney McGinniskin Irishman and Catholic was a working member of the Boston Police force. He not only sought his appointment, but when it was challenged by the city marshal, he fought back and won.

In so doing, McGinniskin injected hope among his Irish brethren in Boston, a people who had known mostly despair in the past several years. For the Boston Irish; McGinniskin's appointment was a signal that the poor and downtrodden could prevail, despite enormous odds. For Boston itself, McGinniskin's achievement represented something else: the beginning of a new era.

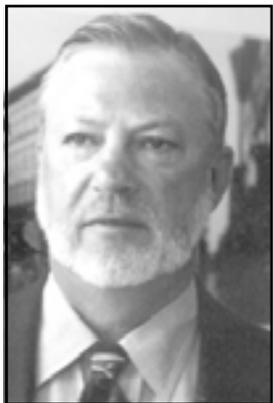
Well before they reached Boston, the Irish had journeyed to what must have seemed the gates of hell. Most had their characters forged in a crucible of want; most felt the brush of death's gingers before escaping their tortured homeland, and then suffered terrible hardship and deprivation on their voyage across the Atlantic. The near inhuman conditions they endured on their journey to Boston is an essential component of the Irish experience in the city their ordeal instilled in them a deep resolve to overcome the obstacles that awaited them on their arrival. Barney McGinniskin journeyed from Ireland in 1829, among the earliest Irish immigrants to land in the New World.

But most of his countrymen came to the United States in the decade before his

appointment as a police officer, and the majority of those crossed the ocean just a few years prior to 1851, desperate to claw their way from the scourge of starvation brought on by the great famine. A blighted potato crop coupled with the British government's apathy, outright hostility, or active genocide depending on one's historical interpretation and perspective produced six terrible years between 1845 and 1851, during which more than one million Irish men, women, and children died from the effects of prolonged hunger and disease, and one million more fled across the ocean on contagion-ridden ships.

The wretched conditions and misery inside Ireland bordered on the incomprehensible yet help explain both the desperation and Barney McGinniskin's appointment in 1851 was symbolic of those strides, but progress was not entirely linear; there were setbacks. When the anti-immigrant, anti-Catholic Know-Nothing Party took control of the Massachusetts state government in 1854, McGinniskin was fired, and Boston was again without an Irish police officer. But he had paved the way.

The continued upward mobility of the Irish, coupled with their bravery on behalf of the Union during the Civil War more than 10,000 Boston Irish were part of the 144,000 Irish who fought for the North did finally change things in Boston. By 1871, there were forty-five Irish police officers; by the end of that decade, there were one hundred.



Don Green

Don Green is a Quincy native and 1957 graduate of Quincy High School. After high school, he enlisted in the United States Marine Corps and returned to Quincy after being honorably discharged.

In 1966, working out of the Quincy Police Boy's Club, he became the light-heavyweight Golden Gloves Champion in Lowell. He boxed in the Amateurs for three years.

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 graduated from both Northeastern University and Northeastern University School of Law.

The first Law Offices of Donald E. Green was opened in Boston in 1982 and the second in Dudley Square in Roxbury in 1988. The most recent office was opened in Braintree in 2001 and is located at 222 Forbes Road, Suite 200, which is located across from the South Shore Plaza and behind the Sheraton Tara Hotel. This office offers a convenient location for Quincy and other South Shore residents. There is free parking and the office is handicapped accessible.

Don's law partner is his wife, Annette Hill Green, who grew up in Dorchester and is also a graduate of Northeastern School of Law. They married in 1997, have two young children and reside in Milton.

THE LAW OFFICES OF DONALD E. GREEN, P.C.

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- **Immigration**
- Worker's Compensation
- **Bankruptcy**
- Lead Poisoning
- **Criminal Defense**

Two free legal clinics are offered from 5:00-6:00 pm on the first and third Wednesday of each month at our Roxbury office. Each clinic offers free, private consultations regarding all legal matters.



Annette Hill Green

If you have any legal questions or concerns, please call Don or Annette toll free at **1-877-DON-GREEN** or you may email Don directly at dgreen@donaldegreen.com.

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Don Green

In Memoriam



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



Police Officer Francis A. Stanley

July 6, 2010



**Police Officer
Anthony J. Skzycki**

July 13, 2010



**Police Detective
Anthony J. Narciso**

July 20, 2010



**Police Officer
Augustine Genzale**

July 22, 2010



**Police Officer
James A. Burke**

August 8, 2010



**Police Detective
Edward T. Clark**

August 13, 2010



**Police Officer
Simon F. King**

August 17, 2010



**Police Officer
John R. Cornwall**

August 31, 2010



**Police Officer
Anthony J. Caggiano**

September 15, 2010



**Police Officer
John F. Manning**

September 19, 2010



**Police Detective
Robert J. MacAleese**

September 21, 2010

We apologize for any errors or omissions.

We're here for today's heroes.
And tomorrow's.



Putnam is proud to support the
Boston Police Patrolmen's Association
Scholarship Fund.



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BOSTON POLICE PATROLMEN'S ASSOCIATION SCHOLARSHIP FUND



A kid can dream, right?

And with Prudential's support of the Boston Police Patrolmen's Association Scholarship Fund, the children of Boston's finest can dream just a little bigger. It's our way of saying thank you to the men and women who make things just a little easier for the rest of us—each and every day.



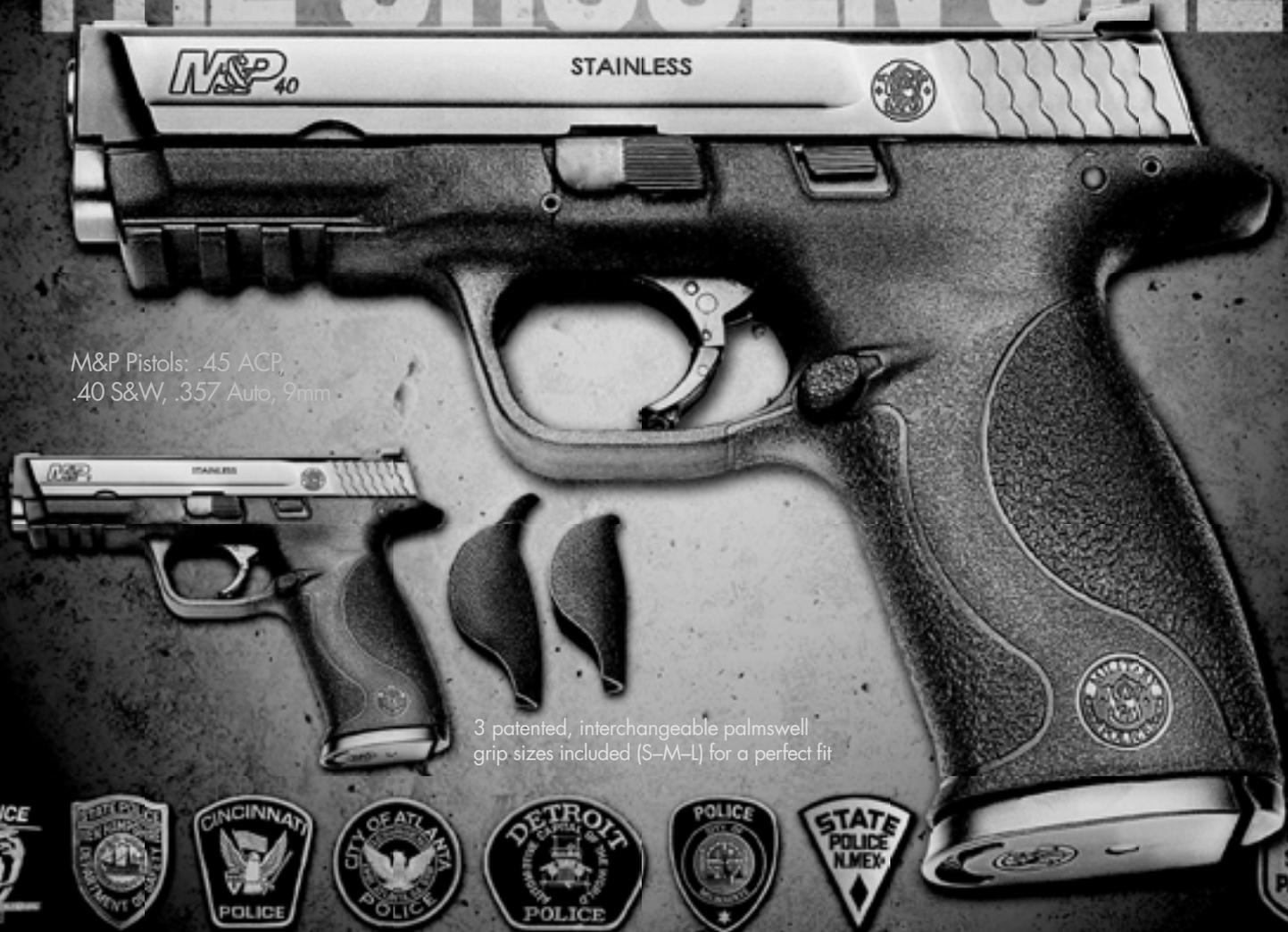
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Finally: the saga of the Munis

Since September 1994, the Boston Police Patrolmen's Association has been challenging the City's use of the Municipal "Police" in the Housing Developments. Finally, on August 20, 2010 the City accepted responsibility for its illegal conduct and agreed to pay \$16,500,000 in damages to certain current and former Boston Police patrol officers.

The history of this case begins in 1978, when the Boston Police Department established the Team Police Unit (TPU) consisting entirely of Boston Police officers who were responsible for policing BHA developments. The Team Police conducted the full range of police functions and was initially staffed with 77 Boston Police officers. However, by 1993 the City had reduced the number of officers assigned to the TPU to 17 officers.

Then, in 1994 the City claimed it intended to improve public safety in BHA developments, but instead of assigning additional Boston Police officers, the City created a Special Police Division (SPD) to oversee policing in the developments. **NO** Boston Police patrol officers were assigned to the SPD. Instead, the SPD used employees of the "Municipal Police Department," to provide police services to the BHA developments. Prior to 1994, no Municipal Police officer had ever patrolled any BHA property. The Municipal Police had been created by the City in 1979 for the limited purpose of providing security for City-owned buildings and property.

When the City instituted the SPD, it deployed 33 Municipal Police officers to provide the police services at the BHA developments. The City **DID NOT** provide any notice to the Boston Police Patrolmen's Association nor any opportunity to bargain over the City's decision to contract out the Boston Police Patrolmen's Association bargaining unit work. The BPPA therefore made several written demands to the City, that it bargain over any plan to transfer the bargaining unit work. The City claimed it had no obligation to bargain with the Union and refused to bargain.

M.G. L. c. 150E, § 10(a)(5) requires that public employers give a union representing its employees notice and an opportunity to bargain over any changes that affect wages, hours and other working conditions. *School Comm. of Newton v. Labor Relations Comm'n.* 388 Mass. 557, 568 (1983).

Therefore the Union filed a charge of prohibited practices under Massachusetts General Laws c. 150E, charging the City with violating the Law by transferring work performed by the Boston Police Patrolmen's Association members to non-Boston Police Patrolmen's Association individuals and doing so without first giving the Union notice and an opportunity to bargain.

After an investigation, the Labor Relations Commission issued a Complaint of Prohibited Practice on March 13, 1996, alleging that the City had violated its statutory duty to bargain in good faith. This Complaint is similar to a probable cause finding

in criminal court. A Commission, Administrative Law Judge (ALJ) then held two days of hearing in May and June 1996. There were numerous witnesses, including Officer **Jim Happney** from the Team Police and Superintendent **James Claiborne**.

On December 4, 1996, the ALJ issued a decision finding that the City had violated GL c. 150E by transferring Boston Police Patrolmen's Association bargaining unit work to non-unit personnel without first bargaining with the Boston Police Patrolmen's Association.

The City tried to challenge the findings of the ALJ, however, in March 2000 the full Labor Relations Commission adopted the ALJ's findings in all respects and affirmed the conclusion that the City had breached its duty to bargain in good faith and **ORDERED** the City to **CEASE** and **DESIST** the use of the Municipal Police in the BHA developments and return to the "status quo" before the change. It also **ORDERED** the City to "make whole affected employees" and bargain with the Boston Police Patrolmen's Association upon request.

The Boston Police Patrolmen's Association of course then demanded that the City comply with the LRC order by removing the Municipal Police from the BHA developments and pay all employees who should have/would have done the work had the City not assigned it to the Municipal Police.

The Boston Police Patrolmen's Association and City of Boston met twice on these issues but the City refused to remove the

Municipal Police from the BHA developments and refused to pay any damages. Instead the City chose to Appeal the Decision of the LRC to the Appeals Court. Meanwhile, the City continued to use the Municipal Police in the BHA developments.

On May 12, 2003 the Appeals Court issued its Ruling affirming the Decision of the LRC and finding that the City improperly transferred duties historically assigned exclusively to police officers represented by the Boston Police Patrolmen's Association, to the Municipal Police and that it failed to give the Union notice and an opportunity to bargain.

In its appeal to the Appeal's Court the City tried to challenge the LRC determination that the loss of the opportunity to perform the work on an "overtime basis" shows there was an adverse impact on the Union and its members. In its Decision, the Appeals Court specifically relied on the testimony of Superintendent Claiborne when he said "Yes," to the question of whether he could have filled the need for police in the projects "through overtime." The Appeals Court called the City's challenge to this finding "convoluted." The Appeals Court further relied on the LRC finding that the patrolmen lost the opportunity to obtain potential overtime pay. The Appeals Court also found "without merit" the City's argument that the "make whole" remedy was defective and said the City's contention was based on "flawed reasoning." The Appeals Court then reaffirmed that: The traditional remedy where a public employer unlawfully

refuses to bargain over a decision to contract out unit work is an order to restore the status quo until the employer has fulfilled its bargaining obligation and to make all affected employees whole for any economic losses they may have suffered." *Commonwealth of Massachusetts*, 36 MLC at 164, citing *School Comm. of Newton v. Labor Relations Comm.*, 388 Mass. at 557.

Now, finally, in September 2003 the City removed the Municipal Police from the BHA developments. On January 1, 2007 the City completely disbanded the Municipal Police.

Since 2005 the Union has continued to try to resolve the damages issues with the City however, the City was unwilling to accept the findings of the Court and the LRC on the issue of damages and refused to pay any reasonable assessment of damages. Therefore, the Union filed a Petition for Compliance with the Division of Labor Relations (DLR) (The DLR was previously the LRC). The DLR held a compliance hearing in July 2010. After the hearing in this matter the City **FINALLY**, accepted responsibility and agreed to pay \$16,500,000 in damages. Therefore the DLR issued a Stipulated Order, ordering the City of Boston to pay the \$16,500,000, in damages and described how the payments would be distributed to current and former Boston Police Patrol Officers.

It took 16 years, but the Union and its members have **FINALLY** been vindicated and the City learned the hard way that it can't ignore the law or the Union.

Sandulli Grace and MassCOP win arbitration awarding officer c. 41 Section 111F benefits based on injury that occurred while training for an upcoming physical fitness assessment

By Leigh Panettiere,
Sandulli Grace, P.C.

In November 2009, Sudbury Police Officer **Ryan Boyd** tore a muscle in his chest while lifting weights. Although he was working out at a private gym on his own time, he was doing so in preparation for an upcoming physical fitness assessment that was a mandatory part of his role on the METRO-LEC METRO-STAR "Regional Response Team." The Town refused to grant Boyd Injured on Duty Leave, arguing that the injury was sustained while Boyd was "taking part in a personal hobby that had no connection to his job as a Sudbury Police Officer?"

The Sudbury Police Association, MCOP Local 370, AFL-CIO, arbitrated the case, represented by Attorney **Leigh Panettiere** of Sandulli Grace, P.C. The Arbitrator agreed with the Union's argument and found that Boyd's injury "arose out of and in the course of his employment" because the Town required Officer Boyd to be in "excellent physical condition" and participate in an "ongoing physical fitness pro-

gram" while not providing him paid time to exercise nor a facility in which to do so. The Arbitrator also noted that Boyd's commanding officer had advised him and his fellow RRT members to keep training for the upcoming assessment.

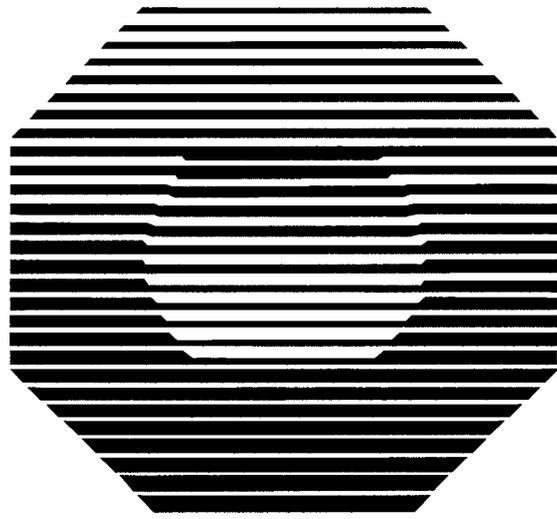
The arbitrator rejected the Town's argument that Boyd was engaged in a hobby that had no connection to his employment. The fact that Officer Boyd enjoyed weight lifting and had a long history of regular fitness training was irrelevant. The heightened physical requirements of Boyd's specialized team meant that he did not have the option to stop training. Also, the arbitrator noted that officers already committed to physical fitness are more likely to serve on a team that requires a high level of fitness.

The Town was ordered to restore Boyd's wages and benefits to the level they would

have been set at had his request for §111F benefits been originally granted. The town will also have to restore all of the paid leave time Boyd was required to use during his recovery.

This is an important decision for Massachusetts police officers and fire fighters. It is not uncommon for injuries to occur while training to meet required physical fitness standards, and this award provides strong support for the argument that those injuries are compensable.

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More hate From the media

By Mark A. Bruno

Why is that anytime the BPPA wins a grievance and is awarded money, the media just can't wait to comment? The dirt bags that write for the *Globe* editorial section couldn't wait to attack our union when they heard of the Muni case being settled. One darling thought we should donate our checks to the Boys and Girls Club. Yeah, right, like these miscreants would hand over their yearly bonus to charity? The BPPA has handed out more money to charity over the years to many organizations including the Boys and Girls Club. These writers should ask around about our numerous donations to cancer, autism, and many others. They are quick to point out their opinions of how greedy we are to accept these awards and settlements which we earned through the grievance process. To put it bluntly, we were robbed of work that should have been ours and were rewarded for this injustice

through the judicial process. I'm sure that this doesn't sit well with these leeches who do nothing but attack civil servants and their unions. How unfortunate that their own union sold them out.

One of these writers thought we should be paid our money in greasy bags instead of a paycheck. He claims that we are collecting pay for work we didn't do. Listen you moron, if you followed the lawsuit this was money we should have earned if the City had not violated our contract and allowed others to do our work. The City also could have settled this matter way back when it first started and the award would not have been so big. Instead they kept trying to appeal it in hopes it would go away. Well, guess what? It didn't go away and interest kept rolling over on what was some mere two million dollars. This settlement may have been much more if we let the process play out. Like everything else it is like

a roll of the dice. This agreement between the BPPA and the City seemed fair and equitable. After losing part of my Quinn Bill benefits, this at least takes part of the sting out.

I'll get back to the media later. Many officers felt this matter would never get settled, but it was not due to a lack of effort by your BPPA leadership and their attorneys. If anything it has been dedication and tenacious effort showed by this union that has brought this matter to fruition. This union over the past year has seen back-to-back win falls with the FLSA and Muni lawsuits. For this alone the BPPA leadership should be applauded for a job well done. If I hear anyone crying about how much they are getting taxed on these settlements, or that it should have been more, I will blow a gasket. One thing the miscreants from the *Globe* are right about is that we will get no sympathy from the public during our cur-

rent contract negotiations. Here is where all our efforts need to be in regards to protecting what is ours. Our current Governor is nothing more than a wolf in sheep's clothing. He is constantly attacking our profession through shifty legislation. He is trying to take our medical out of the collective bargaining process, and allow the City to drop us into the GIC. I haven't heard one good thing about this program which has cost the reluctant participants thousands in yearly deductibles and other expenses. The Governor is also trying to dismantle our retirement system. If the Governor should ever stop short in his step, both the *Globe* and the *Herald* will have their heads firmly planted you know where. I suggest using these papers for potty training dogs or wrapping fish. With that being said, public unions need to stand tall and be counted during the upcoming elections. Know who your enemies are.

Keeping up with technology

By Kevin Doogan

It's time that lawmakers in Massachusetts catch up with technology. Criminal activists, defense attorneys, and the liberal media have incessantly attacked law enforcement for alleged wrongful convictions and over zealous prosecutions. The media and the powers to be in Hollywood have tainted society to such an unrealistic state that the blatantly guilty are being acquitted and set free. Jurors have fantasy like expectations of evidence and when disappointed during trial they consistently set guilty criminals free claiming insufficient evidence. If police and prosecutors are going to be held to the unrealistic standards that Hollywood has set then it's time lawmakers take the handcuffs off of police and allow for technology to keep pace with crime.

Scores of convicted criminals have been released from prisons across this country. **Barry Scheck**, of the OJ Simpson Dream Team fame, has made a career for himself challenging convictions through DNA results. On television every other program is some type of CSI, police or court drama all of which tout conclusive evidence, DNA, video and audio recordings of confessions. The general public has such a distorted expectation of law enforcement's capabilities that it is amazing that anyone actually gets convicted of anything in Massachusetts. A recent statement from a Suffolk County Juror who sat on the murder trial of a young girl lured into a desolate field and then bludgeoned and suffocated to death pretty much sums up what I mean. This juror stated that the police and prosecutors had almost two years to prepare for trial and were unable to come up with any video or DNA for the murder. The police did however come up with confessions by the murderers but that obviously wasn't enough. How can a video appear when none was taken? What kind of trace DNA did this jury expect to be left behind in a desolate field? As ridiculous as this may sound, this is exactly what happened and why one of the two murderers got off.

The point I'm getting to, is lets have lawmakers change the current laws or put exceptions into the existing ones that allow

for police to use all available technology at their disposal to insure those who are innocent remain innocent and those who are guilty are found guilty. The first step in this process would be to require that individuals arrested and charged with a crime submit an oral DNA swab at the time of their booking. Law enforcement collects images of arrestees as well as their fingerprints during the booking process. As we are all aware a person's appearance can be easily changed and fingerprints can be altered or misread. To the best of my limited knowledge a person's DNA is constant and unalterable. It would be but an added few minutes to properly attain an oral swab of the suspect during booking. The existence of such identification would prove invaluable on all fronts. If the crime in question involved a DNA link this would conclusively implicate or exonerate the suspect as a contributor of that DNA. Once a DNA sample has been submitted it would be treated like a fingerprint. The profile could be placed in a database and compared to all unsolved cases. This way cold cases involving DNA can be solved and guilty criminals preying on an unsuspecting public can be held accountable. DNA is quickly becoming the standard of identification. Let's keep up with the times.

The next step toward insuring that the innocent remain innocent and the guilty get their just desert is to change the present Massachusetts wiretap laws. As it stands today the law requires both parties to consent for audio recordings. This law only seems to serve and protect the criminal element. Massachusetts is well behind the curve here, it's legal to photograph or video tape suspects but without consent however law enforcement can't audio tape them. What could be more helpful during an investigation than a quick reference to an actual statement? What would be more conclusive at trial than the audio recording of an interview? There would be little or no room for mistakes as to what was said or not said, and in what context it was said. Unscrupulous politicians may fear that a change in this law would open them up to be exposed for any of their indiscretions.

This may also be why they drag their feet with this type of legislation. It is not my position that everyone should be running around with a tape recorder or video camera but some kind of law enforcement exception should be enacted. Police are expected to investigate crime, interview witnesses and interrogate suspects. Police are required to write reports based solely upon the information received through such contact. People know and accept this, thus I don't believe there is any realistic expectation of privacy when anyone is talking to police. Lives are literally held in the balance, police are expected to get it right each and every time. The Supreme Court has strongly expressed their wishes that police interviews be recorded, so much so that if the interview or confession isn't recorded a jury instruction is now mandated. I ask why then is a vital tool like audio taping an interview left up to those who may or may not have the greatest reason not to allow

one? If everything we do as police officers is placed under a microscope and open for civil action, public debate and critique, why then can't we record our interactions with the public? Recording interviews and interrogations whether openly or covertly would serve to protect the innocent, insure accurate recall of statements and call into question those who choose to lie, mislead or conceal information.

Let's push lawmakers to make changes in these two areas. Adopting changes in these areas would slash the amount of wrongful convictions and prosecutions. These changes could cut court trials almost in half and save millions in unnecessary legal wrangling and appeals. Above all these changes would help to make sure the innocent remain innocent and help to make sure the guilty stand accountable for their actions instead of allowing them to continually victimize and prey upon the innocent.



Jane Fonda memorial, very heartwarming!

After more than 40 years, the Viet Nam Veterans of the United States of America raised a phenomenal amount of money to memorialize another one of Hollywood's loyal American citizens who went out of her way to aid and abet the enemy and congratulate them on their treatment of United States Prisoners of War. This memorial says it all!

BYRNE & DRECHSLER, L.L.P.
Attorneys at Law



Representing and providing counsel to members of the Boston Police Patrolmen's Association since 1993 regarding critical incidents, criminal and departmental investigations, and civil rights matters.

Many members have also sought our guidance and representation in a wide variety of matters, particularly personal injury claims on behalf of injured officers and/or their family and friends. We also provide representation in criminal and civil litigation, real estate and estate planning. We invite you to learn more about Byrne & Drechsler, LLP by visiting our website – *ByrneDrechsler.com*

JAMES E. BYRNE

THOMAS DRECHSLER

KENNETH H. ANDERSON • RICHARD P. MAZZOCCA • ERIC S. GOLDMAN

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**50 Redfield Street, Boston, MA 02122
(617) 265-3900 • Fax (617) 265-3627**

News Brieflets...

Compiled and commented upon by Patrick Carnell,
Canisius College graduate, Buffalo, NY

"Conservative Fox News host Greg Gutfeld has recently announced that he is planning on opening a gay bar two blocks from Ground Zero in New York City. That would put it right next door to the planned Cordoba House Mosque Gutfeld hosts the Fox News show "Red Eye" and is known as being a satirist. But this time, he claims to be serious. He has apparently looked into the space and has already obtained investors."

— Philadelphia Examiner, 8/12/10

Possible names for the bar: *Outfidels, Crotch Bomber, Allah's Closet, Naughty Arabia, Studio 72, Assassins, The Talibone, Fabulous Fatwa, Ba'ath House, The Prophet's Playhouse, Hajj Club for Men, and Between the Sheikhs.*

★★★★★

THE idea that changes in the sun's activity can influence the climate is making a comeback, after years of scientific vilification, thanks to major advances in our understanding of the atmosphere... Over the famous 11-year solar cycle, the sun's brightness varies by just 0.1 per cent. This was seen as too small a change to impinge on the global climate system, so solar effects have generally been left out of climate models. However, the latest research has changed this view, and the next report by the Intergovernmental Panel on Climate Change (IPCC), due in 2013, will include solar effects in its models.

— The New Scientist, 9/24/10

Imagine that... the big glowing circle in the sky that makes everything seem hotter when it's out might have something to do with how warm or cold it is. All this time we thought it was just Apollo's giant flashlight.

★★★★★

On Friday, Kerry knocked voters as clueless for not paying close enough attention to national issues and being too easily swayed by catchy slogans. "We have an electorate that doesn't always pay that much attention to what's going on so people are influenced by a simple slogan rather than the facts or the truth or what's happening," Kerry said.

— Boston Herald, 9/27/10

Just in case you are sufficiently convinced that they hold you in contempt when you vote next month. And it's rather unfortunate John Kerry, in this comment typical of him and his ilk, mentions "simple slogans." Why do "Yes We Can" and "Change We Can Believe In" come to mind?

★★★★★

One suspected home invasion robber is dead and four others may be wounded after the homeowner fought back and turned a gun on the intruders Thursday night. It happened around 8:30 p.m. near Tiedman Road and Herron Road. Pierce County Sheriff's Department spokesman Detective Ed Troyer says as many as five suspects broke into the home. The homeowner turned a gun on the suspects. Troyer says two of the suspects were shot. One died at the scene.

— King 5 News, Seattle, 10/7/10

My, how unexpected. Granted, the homeowner was, eh, an "entrepreneur" defending his pot-growing operation, but it's the principle of the thing, really. The story just as easily could have read, "Five Robbers Invade Home of Armed Drug Producer; Results Predictable."

★★★★★

The charities that backed a Richard Curtis film for the 10:10 environmental campaign said today that they were "absolutely appalled" when they saw the director's four-minute short, which was withdrawn from circulation amid a storm of protest... In several graphic scenes, committed environmental campaigners use a detonator to blow up recalcitrant members of the public, including two schoolchildren and the ex-footballer David Ginola. Distribution plans for UK cinemas have now been scrapped.

— The Guardian (UK), 10/2/10

Convert or die; simple as that. The "10 : 10" has since issued a begrudging apology regretting, mainly, that the general public doesn't share their "dark" and "edgy" humor, but really, they should be commended for honestly putting their beliefs on display. Most fanatical, undemocratic ideologies at least try to disguise their totalitarian leanings in a veil of moderation and sunny propaganda, but 10:10 weren't afraid of outright stating that anyone who questions their eco-fascist brand of environmentalism should be killed, publicly and violently, by those who "know better." "Haha, we were just kidding. But seriously, buy a Prius and start eating soyburgers or we start blowing up children."

★★★★★

Carl Paladino's prepared text distributed to reporters contained an inflammatory line that he didn't say when he gave his speech in Brooklyn, and his team is now disavowing it and faulting reporters who quoted him as having said it... However, there were other lines in the speech - saying Andrew Cuomo set the wrong example by marching in the gay pride parade, where the focus is not solely marriage equality, and saying kids shouldn't be "brainwashed" into thinking a gay lifestyle is "valid" and "equally successful" - that were criticized

— Politico, 10/10/10

Andrew Cuomo must be the luckiest Democrat in the country. After both Spitzer and Patterson imploded in less than three years, he catches a break when Giuliani decides not to run, and, proving that a benevolent universe hasn't completely abandoned the Democrats, he's up against this guy. At least the "values voters" will get a demonstration of how well red state social values go over in blue states.

BPPA Retired Patrolmen's Division News

Next Retired Patrolmen's Division Meeting Scheduled for November 4th



Directors of the Retired Patrolmen's Division of the BPPA:
John Murphy
David Mackin
Joe Vannelli
Joe O'Malley
Billy Flippin

Our next meeting will be Thursday, November 4, 2010 at 1:00 PM at the BPPA Office, 9-11 Shetland Street, Boston

and our guest speaker will be the former Mayor of Boston, Ambassador **Raymond Flynn**.

You will soon be receiving information asking you to verify the amount of quarter's members who are eligible for the settlement of the Municipal Police case are entitled to. Below is the Settlement Agreement regarding this case.

★★★★★

Wherefore, based on the stipulations of the parties, it is hereby ordered that the City of Boston, shall:

Pay a total of \$16,500,000 in damages to certain current and former Boston Police patrol officers, to be distributed as described below.

Damages payments will be distributed as follows:

- (a) The damages period shall be divided into 36 quarters, beginning October 1, 1994 and ending September 30, 2003;
- (b) Individuals shall receive an equal payment for every one of the 36 quarters described in paragraph 15(a) in which he or she was an active employee of the Boston Police Department and also a member of the Union (including employees paying both dues and agency fees to the Union) on the first day of that quarter; an individual may receive damages for a maximum of 36 quarters;
- (c) The damages payment for each quarter shall be determined by dividing the total amount of damages by the total number of quarters for which all the individuals described in paragraph 15(b) are entitled to payment; (for example, if the total amount of damages were \$1000 and there were a total of three individuals entitled to damages under paragraph 15(b), such that Officer A was entitled to payment of 10 of the 36 quarters, Officer B was entitled to payment for 15 of the 36 quarters, Officer C was entitled to payment for 25 quarters, then the payment per quarter would be calculated by dividing \$1000 by 50 quarters (10+15+25) for a payment of \$20 per quarter; in this example, Officer A would receive a total damages payment of \$200; Officer B would receive \$300, and Officer C would receive \$500).
- (d) From the \$16,500,000 total of damages, and prior to the calculation to be performed in accordance with paragraph 15(c), above, the City shall withhold \$100,000. In the event that, within 180 days of the original disbursements made pursuant to paragraphs (a)-(c), above, an employee submits a claim that he or she was inadvertently excluded from the initial disbursement and establishes that he or she is entitled to a payment under this Stipulation, such payment shall be made from the withheld \$100,000 in accordance with paragraphs 15(a)-(c) above. Upon the expiration of such 180 period, any amount remaining from the withheld \$100,000 shall be distributed in accordance with paragraphs 15(a)-(c), above, to the employees who were paid thereunder initially.

So Ordered.

★★★★★

You are entitled to passes that the BPPA has, they are the Children's Museum, Museum of Science and the Franklin Park Zoo (available upon request).

To be placed on the mailing lists for the Pax Centurion, please contact the Union.

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



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Thank you for keeping our city safe!





What the hell is going on in this country?

Did you know that we are spending millions of dollars changing government documents to make sure that the title “Taliban” and “Insurgent” or “Terrorist” are not in the same paragraph, unless it is preceded by “Pakistani”. Our latest effort in neutralizing terrorism is to talk about the “Afghanistan Taliban” like they’re the Democratic Party or the Republicans. Please give me a break. These thugs have been systematically murdering innocents and military alike in their quest to “Kill the infidels”. So what do we do, oh let’s order our military and intelligence forces to *Coddle* these murdering bastards by referring to them as some sort of political group. What are you thinking Mr. President, and Mrs. Secretary of State? Like DUH!?!? Are you kidding me? The press made the mistake of reporting this for about two days, before they got their marching orders and removed it from every written story. A new State Department report designating terrorist organizations notably excludes one group: the Taliban. The U.S. has been fighting a war in Afghanistan for almost a decade aimed at “defeating the Taliban.” Taliban members have repeatedly threatened and killed American citizens. Meanwhile, lawmakers have increased pressure on the State Department to add the Taliban to the list. Earlier this summer, after finding out the embarrassment it was going to cause, a group of congressional Democrats sent a letter to Secretary of State Hilary Clinton urging her to begin the process of categorizing the Taliban as a terrorist group, (better late than never). In June, Senators Charles Schumer and Kristen Gillibrand of New York and Frank Lautenberg and Robert Menendez of New Jersey proposed legislation that would immediately add the Taliban to the terrorist list. However, the State Department’s report (due on April 30 but finally released a couple of weeks ago), did not include the Taliban with groups such as al-Qaida, Hamas and the Real Irish Republican Army (RIRA). To qualify, an organization must meet only three criteria: It must be foreign, it must engage in terrorist activity and its activity must threaten the security of the U.S. or its citizens.

“It is hard to imagine this agency can see fit to issue a report that doesn’t include the Taliban groups,” Fred Gedrich, a foreign policy analyst and former State Department employee, told the media. They have killed more Americans and conducted more terror attacks on innocent civilians during the past 12 months than any other terror group. Gedrich and others troubled by the Taliban’s absence from the list note that the Taliban recruited and trained the failed Times Square bomber. Just weeks ago the Taliban claimed responsibility for the deaths of six American medical missionaries in Afghanistan. “Leaving these ruthless groups off the terror list undermines State Department credibility and could further endanger American troops, U.S. embassy personnel and others in Afghanistan and Pakistan, as well as Americans innocently going about their business in the United

States,” Gedrich said.

Further inspection of the State Department’s report reveals that not all the terrorist organizations listed meet the requirements as precisely as the Taliban does. The Mujahidin-E Khalq (MEK), for example, is an Islamist organization that seeks to overthrow the Iranian regime. Although a U.S. citizen has not been harmed by the MEK since the 1970s, it was designated a terrorist organization during the Clinton administration in hopes that rapprochement could be reached with Iran, (now there’s some forward thinking eh?). The MEK continues to be included on the list, while the Taliban has not appeared once. And the seemingly arbitrary decision on the part of the State Department has confused even the most experienced foreign affairs experts. It’s insane because we are talking about the most barbaric group in the world. So is the decision not to include the Taliban purely a political one? Some suggest it’s possible, that the U.S. government does not want to ruin its chances for some type of rapprochement with the more moderate parts of the Taliban, (as if they even exist). A couple of weeks ago the state department got busy trying to placate politicians and anyone else that asks by establishing the ‘Pakistani Taliban’ as a known stated terrorist group. That my friend is supposed to appease anyone that asks, *Why?*

Meanwhile our troops are still overseas fighting and dying in a war against the *Political Party Called the Taliban*, in some fairy tale land known as Afghanistan. Knock it off, spend the millions fighting the war, protecting American Soldiers, Sailors, Marines and Airmen. Stop wasting our tax dollars editing books and State department documents.

Veterans Day is only days away, I usually print a history of Veterans Day every year, however this year I would like to just remind you to simply Thank a Vet for his or her service. If you happen to be walking down the street and see that young man or woman in uniform just give a passing “Thanks for your service” as you walk by. You would be absolutely amazed at how this will brighten their day and it might brighten yours as well!

For you Veterans out there that are actually lucky enough to reach retirement age, let me pass on some valuable information. You actually qualify for a higher social security payment because of your military service. For any active duty performed between 1940 through 2001, (the program ended in January 2002), you can receive credit for up to an additional \$1,200.00 per year at time of application. This could add a substantial difference to your monthly allotment upon retirement. The trick is, you have to ask for it, it is not offered or mentioned. You must bring your DD214 to the social security office when you file upon retirement. The social security website is: <http://www.ssa.gov/retire2/military.htm>. Put this away in your file so you have it when the big day arrives. Remember, you don’t actually have to be retired from mili-

tary service, you just have had to serve between 1940 and 2001.

I informed you all some time ago about the ‘Stop Loss’ payment program. You are running out of time. If you served during operation ‘Stop Loss’, remember, they wouldn’t let you out after your tour was over, well the Government has finally ponied up some cash for holding you captive, but your chance to cash in is ending rapidly. Stop Loss Pay has been extended to December 3rd, 2010. The Defense Department will provide retroactive stop loss special pay to active, reserve and former service members who had their enlistment extended or retirement suspended due to stop loss. You would have had to serve between September 11, 2001 and September 30, 2009. You must provide proof that you were stop loss with your claim, a set of orders or a notation on your DD214 will suffice. The following are the websites for claims:

Army: <http://www.stoplosspay.army.mil> or e-mail RetroStopLossPay@CONUS.Army.Mil.

Navy: e-mail NXAG N132C@navy.mil.

Marine Corps: <http://www.manpower.usmc.mil/stoploss> or e-mail stoploss@usmc.mil.

Air Force: <http://www.afpa.randolph.af.mil/stoploss/>

This is worth about \$500.00 per month for every month you were held. I would recommend some fast action, the program will end December 3rd, 2010!

Congratulations to the newest chapter of the Marine Corps League! Some of our members have banded together and chartered a ‘Boston Police Marine Corps League’. From *SEMPER PARATUS* to *SEMPER FIDELIS*, I wish you all well in your endeavor. It takes a lot of work and a lot of patience, but you will reap the reward of a brotherhood that will never be matched!

I realize that sometime I can get a little carried away with the politics of the day in this column. I originally started the column not only as an oped piece but to keep you informed of policy changes and benefits that you may be entitled to. If you have information you care to share with your fellow Veterans, please feel free to send me that information to: prose@bppa.org and I will gladly include it in future articles. I would like to see this column continue and with your help it can.

As always, be safe and watch each others back out there, it’s getting a little crazy!

Collecting Christmas Gift Packs for Our Troops

As we have done in the past few years, we will start our Christmas collection for Boston Police Officers who are currently serving in the military.

The past years have been such a great success, because of all of you.

We currently have ten Boston Officers serving. We hope to collect items needed and money to cover the cost of shipping.

We also would like to purchase some PX cards and send them over in the gift packs.

We will start collecting ASAP – there will be boxes put in every District.

If any of you would like to volunteer in helping collect at your District, or helping pack and ship the items, all are welcome to join us.

We will need shoe boxes if any of you have some lying around the house, they would be of great assistance and appreciated.

We welcome any and all comments, thoughts and suggestions.

As always – keep safe.

– Rita Foley, Torifo@Hotmail.com

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In defense and support of... Teachers

By James W. Carnell, Pax Editor

Although the *Pax* is normally devoted to issues involving only policemen and law enforcement, I've decided to write this article about another beleaguered profession – the school teacher.

Many of us have seen or heard on the cable news channels recently about school superintendents in one city or another wanting to “get rid of bad teachers” or “close bad schools”. But as a veteran police officer, the thought occurred to me: so what exactly is a “bad teacher” and who gets to decide what teacher is “bad” and what teacher is “good”? I tend to think that political concerns and personal differences – as well as union activity – might tend to

color a school manager's decisions about what teacher is “bad” and what teacher is “good”. Having seen the same thing happen in the Boston Police Department over 28 years, I think I have a good idea about how these “impartial” decisions might be reached.

For example, our department is largely driven by “statistics”. Managers love “stats”. Which officer got the most arrests, the most parking tickets, the most moving violations? Well, according to the bean-counters at headquarters, whoever has the most stats ... must be the best cop, right? Uhhmm... not exactly. There are a few officers who would... and they exist in every profession, let's not kid ourselves... arrest their own

mother for another “stat”. They issue tickets and berate 78-year old grandmothers for the sake of another “stat”. They give struggling working men and women \$100.00 parking tickets, taking money out of their pockets, instead of a verbal warning or overlooking a trivial violation. I suspect that the Boston School system might be similar. Teachers who are active in the union or don't “toe the line” are probably considered “bad teachers”, while suck-pumps who kiss the bosses' backside are probably “good teachers”. I'll bet money on it...

As cops, we often get blamed for all of society's problems. Every problem known to man or beast somehow becomes the fault or the responsibility of the street patrol of-

ficer. “Dump it on the cops” seems to be the prevailing philosophy. But school teachers also suffer much the same fate. Think of it: dump 20, 25, or 30 juvenile delinquents who grew up in war-torn neighborhoods where working mothers and fathers are an unknown commodity, who don't know the simple difference between right and wrong, who are unschooled in basic laws of civility and proper conduct, and who have little, if any, respect for anything. Now, YOU go and try to teach them something, with the myriad of social/economic problems they brought with them into the classroom.

I know teachers can't say this, but because I'm outside their professional circle, perhaps I can: garbage in-garbage out. You can't expect to spin gold from straw. Parents- and I use that term loosely having met numerous alleged “parents” over the years at family trouble calls- are ultimately and finally responsible for their children's educational advancement- or lack thereof. If some junkie/crack-whore, alleged “mother” sends her kid off to school – (or is it professional babysitting?) – to get his/her free breakfast/lunch and after-school babysitting, and then expects Einstein to emerge, then I think they're sadly confused. Oh, I know, I know, I've seen all of the inspiring movies like “Mr. Holland's Opus” and “Stand and Deliver”, etc. etc. They're marvelous movies, but I suspect that the truth about actually educating the little spalpeens is somewhat... er, different.

The demands and expectations heaped upon our school teachers are very similar to the same expectations and criticism that we as police officers are subjected to. All of the problems of society are dumped upon teachers and police officers. Teachers get them during the day, Monday-Friday. We take charge at night and during the weekend. It's basically the fully-expected result of the 1960's “Great Society” ideology, wherein government and the welfare state took over responsibilities that should have been relegated and expected of the parents who bore them. And by the way, the thought occurred to me: **Michelle Obama** has launched a national attack upon “childhood obesity”. When I attended the James J. Chittick School in the 60's we actually *walked* to school. Do you think there might be some connection between busing the corpulent little darlings to school as opposed to having them get off their fat butts and *walk* to school? I wonder...

So next time you see a beleaguered teacher leaving school, shaking his or her head in disgust or perhaps commiserating over a drink at a local bar, give them a break and a sympathetic ear. They have just as tough a job as we do, and some would argue, often times tougher.



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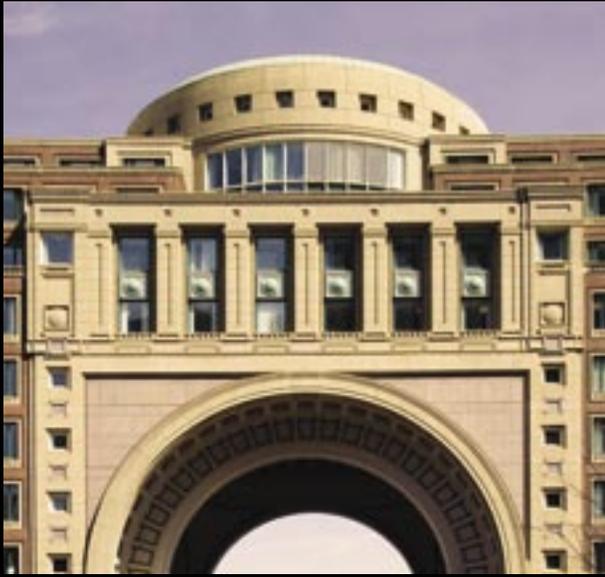
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Tennis anyone?

By Mark A. Bruno

With all the chaos and violence going on in our neighborhoods, it is a relief to see a program which affords young kids of these areas a safe haven to learn tennis. Boston Police Officer **Frank Williams** has taken his passion for the sport of tennis and turned it into a huge plus for the Boston Police Department. Starting with a handful of children from Area C-6, Frank managed to get the program off the ground. Eventually this planted seed blossomed into Citywide Community Service Officers bringing kids from their areas out to participate. There were many things that needed to happen for this program to take off and survive. There are many people to thank for their generosity through donations and time spent with these children.

The first people we need to thank are the Sportsmen's Tennis Club located on Blue Hill Ave. **Tony Wiley**, the Director, and **Joe Taylor**, Lead Instructor and Coordinator of Developmental Tennis, are two dedicated individuals who understand how important it is for a program like this to succeed. Knowing that children taken off the street and out of harms way into a safe environment is probably the most important accomplishment of this program. I watched Joe Taylor take these children through various running and stepping drills before they started knocking tennis balls around. He teaches these kids how to listen which helps them learn. Much like a teacher in school, he wants their undivided attention. Getting

his lesson across to these kids helps to teach them a lesson in life. I could see that Joe Taylor is well-respected man by his peers and students. The crowd varies from week to week. It could be about forty kids, or as many as one-hundred plus. Tonight the crowd was big. Kids from as young as five up to maybe sixteen took part in the evening's event. Commissioner Ed Davis decided to drop in and checkout the program. Our own CSO Officers throughout the city get involved as well as several instructors from the club who donate their time every week. I spoke to **Tony Wiley** and she stated funds were made available through a grant program (My Summer in the City) through the Boston Foundation. Tennis rackets were donated by Goodwill, and pizza from McGoo's Pizza is offered up at the end of every session. PAL also donated funds for this program. Many stores along Broadway in South Boston also donated toward the program. The group was invited to the U S Open in New York by the president of that organization who was impressed with the program.

The program itself was recognized nationally on CNBC as a worthwhile program for inner city kids at risk. The program was also written up on July 20, 2010, in the Metro section of the newspaper which usually hammers us. Many more donations will be needed to keep this program available for these inner city kids. Not enough attention is given to programs like this. We have

so many dedicated CSO Officers like Danny Long who teaches boxing over in East Boston. Many of these officers are passionate about helping the youth in their areas by getting them off the street and involved in these programs. **Frank Williams**, along with **Sgt. Joseph Watts**, **Officer George Billotte** and the CSO Office of District Six, have hit a home run with this program. It was a pleasure to see all these children running around, and just being kids. We need to keep them away from the streets and off



of their couches, away from violent video games and too much television. Officers like Frank Williams and others are mentors toward these children who grow up in impoverished neighborhoods. This tennis lesson

is the highlight of the week for these kids. They learn discipline, social skills, and to respect each another. These are the ingredients and the cornerstone that will make future model citizens for our society.

Soldiers abandoned

By Kevin Doogan

Recent sensationalized articles in the media articulating the fall from grace of a local war hero are despicable. Anti-war news media personnel condemn the soldier and paint with a broad brush without taking into consideration what state of mind or state of reality this soldier may have been suffering under. Add into the formula that this soldier's civilian occupation is in law enforcement and we have a media blitzkrieg against him.

Across this country soldiers are return-

ing from battle trying to reacquire themselves into society and failing. They get little sympathy from liberal media and little or no help from the government.

The government turns these battle-hardened soldiers loose on society to acclimate themselves at their own pace with continued failure. It seems a recipe for disaster that plays out over and over again. These soldiers struggling with post-traumatic stress disorder and battle fatigue are coming home but never really come back from the battlefield.

It doesn't seem fair to take battle-hardened soldiers, who have been surviving on adrenalin while on the battlefield and just toss them back into society. It is of no wonder why these men and women have such a high rate of suicide and criminal conduct.

The government needs to put mandatory debriefing initiatives and protocols in place to protect their soldiers and the public. Friends and family also hold some responsibilities with looking out for their loved ones.

When you see these soldiers self-medicating with alcohol, sleeping on the floor, still living out of gunny sacks and duffle bags it may be time to step in or make the call.

The severity of every soldier's military experience is unique but we owe each and every one of them a debt of gratitude for their sacrifice and service. Step up and protect those that stepped up and voluntarily protected us.

Don't become a victim

By Kevin Doogan

The Holiday Season is upon us and law-abiding folks aren't the only ones out there shopping. As we in law enforcement know all too well that robberies spike at this time of year. Don't let you or your loved ones be the next victim. Take the time and effort to school your families to **PAY ATTENTION TO THEIR SURROUNDINGS!**

A predominant amount of the random street robberies I have seen involve the same set of circumstances. I have seen this over and over and over again. A hapless victim is walking alone either from a MBTA station or a bus. This person has or is talking on their cellular telephone or using their iPod. These folks are tuned out to their surroundings and like a flash the robber is on them.

Robbery suspects work day and night,

they prey on young and old alike. But the common threads to a great deal of these robberies are that the victim is tuned out to their surroundings, has flashed or is flashing expensive property, is walking alone in an area where predators can easily conceal themselves and quickly escape.

School your loved ones not to unnecessarily place themselves in hazardous situations. Teach them to always be on guard, an ounce of prevention goes a long way.

Password protect your electronics when possible, register them so if lost or stolen you will have easy access to serial numbers and dates of purchase, monitor your credit, try not to weigh yourself down with packages, always have one hand free and above all be aware of your surroundings.

Spot the hazard before it's too late and have a safe upcoming Holiday Season.



Do you remember?
Swearing In Class 26-93

This is why there should be no victory mosque at Ground Zero!

'MEET ME IN THE STAIRWELL'

You say you will never forget where you were when you heard the news on September 11, 2001. Neither will I.

I was on the 110th floor in a smoke-filled room with a man who called his wife to say 'Goodbye.' I held his fingers steady as he dialed. I gave him the peace to say, 'Honey, I am not going to make it, but it is OK... I am ready to go.'

I was with his wife when he called as she fed breakfast to their children. I held her up as she tried to understand his words and as she realized he wasn't coming home that night.

I was in the stairwell of the 23rd floor when a woman cried out to Me for help. 'I have been knocking on the door of your heart for 50 years!' I said. 'Of course I will show you the way home – only believe in Me now.'

I was at the base of the building with the priest ministering to the injured and devastated souls. I took him home to tend to his flock in heaven. He heard my voice and answered.

I was on all four of those planes, in every seat, with every prayer. I was with the crew as they were overtaken. I was in the very hearts of the believers there, comforting and assuring them that their faith has saved them.

I was in Texas, Virginia, California, Michigan, Afghanistan. I was standing next to you when you heard the terrible news. Did you sense Me?

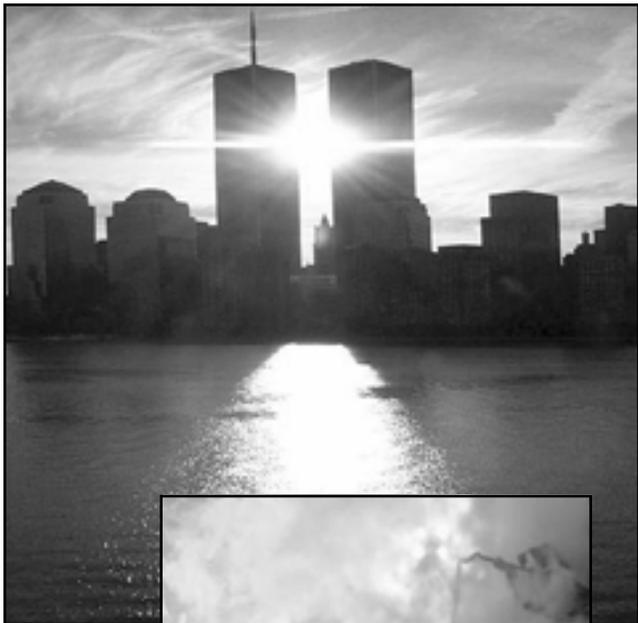
I want you to know that I saw every face. I knew every name – though not all know Me. Some met Me for the first time on the 86th floor.

Some sought Me with their last breath. Some couldn't hear Me calling to them through the smoke and flames; 'Come to Me... this way... take my hand.' Some chose, for the final time, to ignore Me. But, I was there.

I did not place you in the tower that day. You may not know why, but I do... However, if you were there in that explosive moment in time, would you have reached for Me?

Sept. 11, 2001, was not the end of the journey for you. But someday your journey will end. And I will be there for you as well. Seek Me now while I may be found. Then, at any moment, you know you are 'ready to go.'

I will be in the stairwell of your final moments.
– God





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Cruel Boston, I am rising up against your street violence

By Janel Lynch

I am Boston, and I am here to destroy the weak, weaken the strong, and open everyone's eyes to the reality of life on "the street."

DEAR BOSTON,

I want you to know that you have gotten to me, my friends, and my family. I can never forgive you for the times when you have injured or killed the people I love. Why won't you protect instead of destroy?

We were so good until December 22, 2007, January 17, 2008, and June 18, 2008, when you let someone brutally murder my friends **Emmanuel Benjamin Santil**, **Darrion L.J. Carrington** and **Qwamane Williams**. I still remember all the tears I shed, the burning sensation I got in my heart

whenever I heard their names or saw a picture of one of them, and how a little thing such as a song would break me down for hours.

I blame this all on you, Boston. Your nonchalant attitude for someone taking the life of another is why I found no reason to live to my fullest potential during my early years in high school. That's when I discovered that a person could be so heartless as to take someone's life, maybe even my own, with just one bullet or one jab of a knife.

I never did my homework or studied; being alone in a room, I saw only my friends' faces on my walls, and I heard their voices seeping in through cracks of the ceiling and windows. In class, only they were on my mind, not how to annotate a para-

graph or how to solve $(x + 8)2$. I didn't care, because I knew that once 2:50 p.m. hit, I would be back to face my enemy after a 45-minute bus ride.

After I failed biology and enrolled in summer school, I knew it was time to take control and prove that you could no longer affect my life and my decisions. Even if you hurt me, Boston, I would not let it show. But you really opened my eyes the night of that party at the Dorchester YMCA when you had someone open fire at me and my friends as we started walking home. Still, I wanted to live my life to its fullest potential, I wanted to be successful. It was time to pull my act together for real and not just speak about it.

During my junior year, you generally kept a low profile. I went from a being a D and F student to an A and B – thanks for the break, I guess. In March you tested me, but just like with my school tests I passed, even though it cut me deep that you would involve my friend with your madness. Now

she sits in a cell. Thanks for taking my best friend away from me. Regardless of what you sent my way, though, I rose above your challenge and even made honor roll for the first time.

Now it's senior year, and I am determined to do my absolute best, even though you have already sent another test my way by having my friend Justin shot in the neck. And now you are testing the entire city with yesterday's killings of four people, including a toddler.

I think it's time for you to give up, Boston, because I will no longer feed into your distractions. But I will promise you a couple of things: I will end my last year in high school on honor roll; and I will never leave you. My goal is to reform you and make you a positive city. After 17 years, I believe that if no one else can, I will.

Sincerely,
Janel

(Janel Lynch lives in Roxbury and is a METCO student at Weston High School.)

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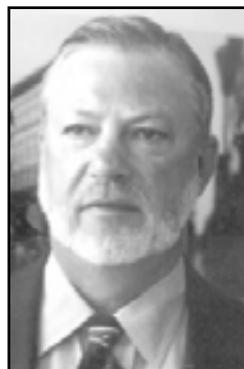
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Book Review: *The Ranks of Jody Brae* by Jonathan Michael Cullen

A Review by James F. Lydon, Jr.

Novels written in the first person are either very good, or they stink. The first person narrative is a very difficult medium to use because it limits a writer in certain ways. If the main character is speaking to the readers, then certain assumptions have to be made. One assumption is that the character is alive, or at least will be alive by the end of the book. That takes a little mystery out of the story. Novels written in the third person do not let the reader rest; any character is fair game and may meet their fate. Another assumption is that the character is as the character's words portray them. When the character is telling the readers that the character is a fine, upstanding, decent individual, that is usually who the character is. Any deviations from these assumptions could hurt the standing of the author with the reader. I have stopped reading authors altogether (Peter Straub, for example) because they betrayed me as a reader in the very last page of a novel written in the first person. Mysteries and hardboiled detective novels work very well in the first person, and autobiographies work as well, for obvious reasons. Horror novels written in the first person should be avoided, with certain exceptions for certain talented authors (H. P. Lovecraft, for example).

The Ranks of Jody Brae is a hardboiled detective novel set in Boston in 1964. It follows Detective Joseph H. Brae, a Korean War veteran who is assigned to the Boston Police Department Internal Affairs Unit and is working a case that deals with an epidemic of suspicious fires in Roxbury. Jody

speaks to us in the first person, which I was a little leery of, at first. When the late Robert B. Parker's legendary Boston private eye, Spencer, spoke to readers in the first person, it was comfortable. Spencer was an obviously stable character that quickly became established and perennial. What Spencer said, I took as truth. Seeing that Detective Jody Brae is a new character in a book that could stand alone, I was unsure of the character. Add the character's newness to his several obvious personal problems, including insomnia and alienation, and I became hesitant. Is he what he claims he is, or is author playing the readers in order to reveal a surprise at the end?

The author, a young Boston native named **Jonathan Michael Cullen**, could very well be playing his readers with Jody Brae. Cullen certainly has the skill to make that happen, and even to make it work. He uses words and incidents throughout the book in such a way as to lead the reader on so that they will keep turning pages. He never gives the reader everything right away, like when Jody Brae tells the

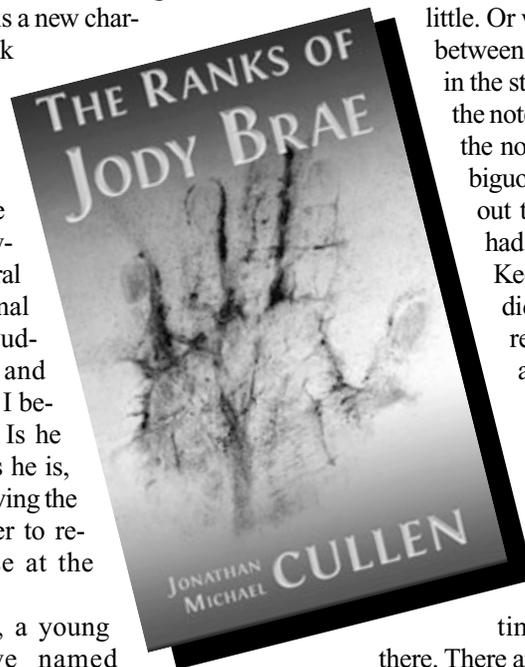
readers of the nightmare that keeps him awake almost every night. Right away, that is all you get: a repeated nightmare. The lack of details made me immediately wonder just what kind of a nightmare it was, and I wanted to know more about it. I kept flipping pages and kept reading until Cullen released more information, little by little. Or when a note was passed between characters at one point in the story? The importance of the note was elevated but when the note was read, it was ambiguous. If you wanted to find out the exact meaning, you had to keep turning pages. Keep reading. Never once did I feel forced to keep reading, it was more like a "friendly" extortion: "If you ever wanna find out what's going on, then you better stick with it".

Cullen has done his research on Boston in the 1960s; at times, I felt as if I was there. There are some inconsistencies with his description of the department and the way business is conducted, but, after all, he is not a cop and he did do an excellent job of capturing the spirit of a major metropolitan police department in that turbulent and incendiary time in America. His characters are memorable and interesting, and they live and breathe and eat up 1964 Boston as if they truly existed. When Cullen

described eating in a restaurant called Dragon Soup in Chinatown, I could almost taste the food there. When he talked about big old dinosaurs like Plymouth Valiants or Ford Fairlanes skidding in the slush and the snow, I almost felt myself pumping the imaginary brake. Was the novel perfect? No, but few are. My problems with *The Ranks of Jody Brae* were far outweighed by all the good qualities.

One issue I had was that Jody Brae, was not my favorite character. Normally, the main character is my favorite, but this time, Jody was beat out by some others. He was the deepest and the most developed, just not my favorite. I liked two other detectives more; one named Harrigan and one named McQuillan, and I also liked a mysterious individual named Levinsky. Brae came in fourth, which isn't bad. He was just a little melodramatic for me, but still a well developed character. The only other issue I had with *The Ranks of Jody Brae* was the sheer number of metaphors throughout. At one point, I felt that I was swimming through metaphors like a champion athlete cutting through the waters of the English Channel.

Would I read Jonathan Michael Cullen again? Absolutely. In fact, I look forward to his next offering. *The Ranks of Jody Brae* is a very well written crime novel with a heavy focus on Boston. It is written in the first person, but Cullen makes the narrative work with ease. If you do not like hardboiled detective novels, it might not be for you, but if you do, pick up *The Ranks of Jody Brae*.



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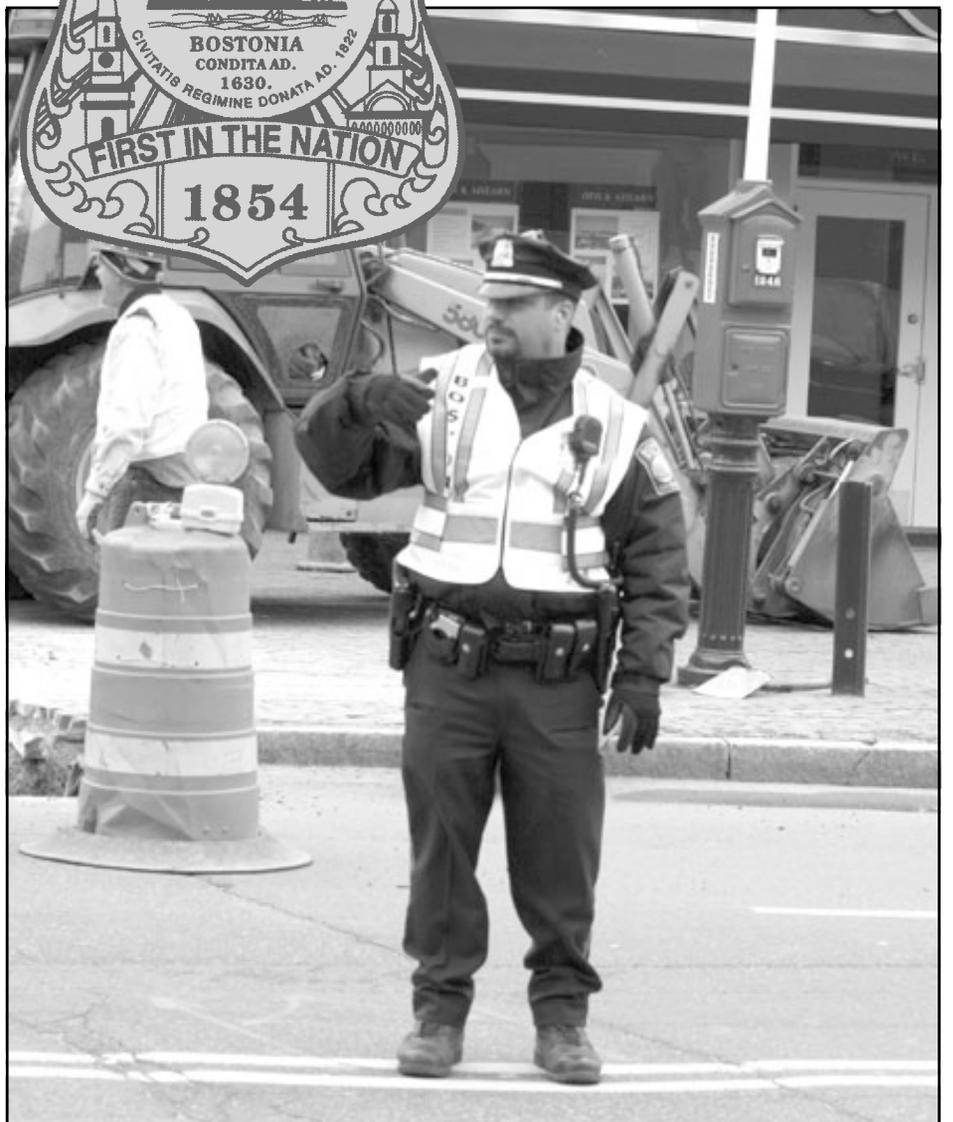


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And Governor Patrick says he's saving taxpayer money?

Recent Developments in Public Safety Relations...

Las Vegas looking into privatizing detention center

From The Las Vegas Review-Journal, September 28

LAS VEGAS, NV – Las Vegas wants to study privatizing the city's detention center as part of an effort to find ways to cut costs in a time of declining tax revenues and budget deficits.

Saving that money could come at some cost, though, contends the Las Vegas Peace Officers Association, the union that represents city corrections employees. The group took out a full-page newspaper ad in Sunday's *Review-Journal* denouncing the idea, saying that "public safety should never be for sale."

Deputy City Manager **Orlando Sanchez** emphasized that the study represents the beginning of the process.

"This is simply a study," he said. "This is an audit of how we operate and if it makes sense for us to go out there and see if there's a market for a private operator."

Still, the city's long-running desire to get concessions from the city's four bargaining units figures into the mix.

"We have been very fortunate with some of our bargaining units," Sanchez said. The firefighters union conceded some pay raises and other cuts, and the city agreed not to study privatizing emergency medical services for the next two years.

"We're looking at all avenues," Sanchez said. "If we're successful with our bargaining units coming to some sort of concessions, a lot of these processes will not have to occur."

Tracy Valenzuela, president of the Peace Officers Association, said dollar signs should not drive the corrections discussion.

"Privatization should not be driven by economics," she said. "We're talking about public safety here."

Privately-run prisons are not new. Corrections Corporation of America, founded in the early 1980s, has contracts covering 75,000 detainees in more than 60 facilities across the nation, many of them concentrated in Texas and the Southeast.

GEO Group, another industry leader, manages or owns 117 corrections, detainee or treatment facilities totaling about 80,000 inmate beds.

Corrections Corp. is set to open a 1,072-inmate prison in Nye County on Oct. 1 that will house inmates under a contract with the U.S. Marshals Service. County officials have welcomed the company, touting the 234 new jobs it's bringing to an area that needs them.

The company used to operate the Florence McClure Women's Correctional Center, previously known as the Southern Nevada Women's Correctional Facility, in North Las Vegas. The Tennessee-based company opted not to keep the contract in 2004, citing high medical costs for inmates.

State officials declared that the private experiment had failed and faulted the company for mental health and dental care provided as a "shambles." The state took over the facility.

If Las Vegas goes down the privatization route, "you've got to be careful," said **Ken Kopczyński**, executive director of the Private Corrections Working Group, which is critical of private detention.

"If it sounds too good to be true, it probably is," he said.

"One of the main pitfalls is inadequate oversight and access to records," he said.

Should privatization be considered, officials also need to look at how well-trained and experienced the corrections personnel will be, he said.

"Do you want professionals to do it, or do you want a guard who was hired at \$8.50 an hour?" Kopczyński said. "Ask all the vendors what their turnover rates are. Will they release that information? Do they even keep it?"

Kopczyński also works for the Florida Police Benevolent Association, which represents law enforcement and corrections employees.

Las Vegas' detention center budget is \$48 million, Sanchez said. The detention center has 279 full-time positions, according to city documents, and contracts out medical, food, linen, library and commissary services.

Most of the full-time positions, 190, are corrections officers, who have a base salary from \$54,193 to \$83,171 a year.

The department has more than 40 vacant positions now, and employees have participated in reducing the budget and cutting overtime, the Peace Officers Association advertisement said.

It also mentions the "Arizona 3," felons who escaped from a privately run prison near Kingman, Ariz. One of them was linked to a pair of slayings after the escape.

Las Vegas is well-aware of what's at stake, Sanchez said: "The main thing we have to be sure of is to keep the safety of the city in mind."

The city's detention center has 1,050 beds. There are contracts with Clark County for up to 175 prisoners convicted of gross misdemeanors and nonviolent felonies and with the U.S. Marshal's Service for up to 35 inmates.

The average daily inmate population is 845.

City detainees have been convicted of misdemeanors, such as lower-level DUI or domestic violence charges.

About 25 percent of those are "special needs," defined as someone who is homeless or with substance abuse or mental health issues.

The City Council could consider awarding a contract for a privatization study as soon as Oct. 6.

City's 'police-only' parking spots may go to firefighters

From Boston.com, September 29

WATERTOWN, MA – Watertown town councilors debated Tuesday whether to give 'police-only' parking spaces at the recently abandoned police headquarters on John Sonny Whooley Way to the town's firefighters.

"If we have ten guys at the fire station, we need ten spots. They have to park somewhere," said **Tom Thibaut**, head of the Watertown firefighter's union. "I see no reason why we can't use the spaces."

The parking spaces in question are located in the parking lot off Church Street in downtown Watertown, near both the police and fire station. Town councilor **Angie Kounelis** felt that they would be an ideal parking location for firefighters.

"Since firefighters work longer hours, it's appropriate that they have a designated parking area," Kounelis said at the Town Council's meeting Tuesday night.

However, as council president **Mark Sideris** pointed out, there is still no plan in place for what to do with the former police headquarters building. If rented or sold for commercial purposes, future tenants would require parking.

"We don't know if we're going to try to lease it," Sideris said. "I think we need to consider the parking spaces in tandem with whatever will be the final fate of the building."

The council voted to ask the economic development and planning subcommittee for their suggestions on what to do with the building and the parking spaces.

Town manager **Mike Driscoll** said that concerns about downtown parking had already been on his mind. In particular, he and members of the town council lamented public employees with parking permits parking in metered spaces or those designated for citizens visiting the town hall.

"My primary concern is to provide maximum parking," Driscoll said. "Some days, there will be town employees parked right next to the back entrance to the library, and mothers with young children are always trying to get in and out of there. It's not right."

Driscoll said he was meeting with town department heads to discuss parking practices for town employees, which would include firefighters. Driscoll also said that firefighters and other town employees could park in the driveway of the former police headquarters.

The police department's new headquarters at 522 Main Street were to be dedicated in a ceremony Thursday. However, councilor **John Lawn** said that reports of serious thunderstorms caused the department to reschedule the dedication. It will now take place on Thursday, Oct. 7 at 5:15 p.m.

Anchorage Mayor objects to ads against police layoffs

From The Anchorage Daily News, September 28

ANCHORAGE, AK – The Anchorage police union has begun an advertising campaign to introduce residents to an officer who might be cut from the payroll under the 2011 budget Mayor **Dan Sullivan** will propose Friday.

The mayor said the ads are premature and he's disappointed.

The ads, on radio and in print, feature **Jesus Rivera**, who the union says is one of 15 officers who will be laid off if Sullivan carries out a plan to cut the force. Hired last year, Rivera has been recommended for a medal of valor for chasing down a shooting suspect Sept. 12, the ads say. That was the recent incident outside Rumrunners Old Towne Bar.

"I knew he was armed. He just shot two people, and posed a threat to the public, so I made the decision to go in after him," Rivera says in a radio ad. A print version shows a photo of him with a direct gaze and an imposing presence.

The narrator in the radio commercial is **Walt Monegan**, former police chief.

Mayor Dan Sullivan was not impressed.

"For them to single out an officer and put out an ad is deceiving and I think meant to scare the public. It just seems unseemly to me," Sullivan said in an interview Monday.

Sullivan said the ads are deceptive because the union hasn't seen the city's budget yet. He also said no one knows yet what the Anchorage Assembly, which must approve the budget, will decide to do.

"If the union wants to be part of the solution instead of pointing fingers and being accusatory – they got big raises this year, next year – why don't they come to the table?" Sullivan asked.

On Sept. 1, Sullivan announced an \$18 million shortfall for next year even if property taxes are raised to cover inflation, or \$27 million if property taxes are flat, and said he was talking to city union leaders to see if they are willing to make any changes to their contracts that would save money for the city over the long run.

Union president **Derek Hsieh** said the union produced the ads – airing on 13 radio stations, with a print version in Sunday's *Daily News* – because it wants the public to know what's going on.

"It's important for the public to have an opportunity to discuss something as important as police layoffs, especially when it includes such high numbers," said Hsieh.

The union worked with an ad agency, Porcaro Communications, to create the ads. The union contract calls for layoffs to occur on the basis of seniority, Hsieh said. "A group we're calling the bottom 20, they picked him (Rivera) to be their spokesman," he said.

"If the mayor has information that these officers aren't getting laid off, that would be a surprise to me," Hsieh said.

Asked whether police department layoffs are likely, Sullivan said, "It depends. We're not releasing the budget until Friday and I don't want to get into details."

He has said every department will probably have to participate in cutbacks, though.

In recent months, the mayor has also mentioned plans to hold an academy to train new police officers in late 2011.

On Monday, he said, "That's definitely under discussion. We'll kind of judge that based on attrition rates."

Hsieh said it costs a lot of money to select and train new officers.

"I hardly see the layoff of newly trained officers as a cost savings in the long run," he said.

Wiretap charges tossed in videotaping of trooper

From The Washington Examiner, September 27

BALTIMORE, MD – A judge threw out criminal charges Monday against a Maryland man who videotaped his traffic stop by a plainclothes state trooper and posted the video on YouTube.

Anthony J. Graber III had been indicted under Maryland's wiretap law, which requires the consent of both parties to record a private conversation. His video shows the trooper pulling his gun and telling Graber to get off his motorcycle before he identifies himself as a police officer.

Harford County Circuit Judge **Emory A. Plitt Jr.** ruled that the wiretap law did not apply to a traffic stop because the conversation was not private.

"In this rapid information technology era in which we live, it is hard to imagine that either an offender or an officer would have any reasonable expectation of privacy with regard to what is said between them in a traffic stop on a public highway," Plitt wrote.

Harford County State's Attorney **Joseph I. Cassilly**, who obtained the indictment against Graber, did not immediately return a message seeking comment.

State police spokesman **Greg Shipley** said the agency respects the judge's ruling and that troopers will be made aware of it. Troopers who suspect a violation of the wiretap law have been told to present the case to prosecutors before pursuing charges, he added.

Graber, 25, still faces traffic charges including reckless driving and negligent driving stemming from the March arrest. He had been recording himself riding on his motorcycle with a camera mounted on his helmet before he was pulled over on an Interstate 95 exit ramp.

After he posted the video, state police obtained a search warrant and seized his computer and other items. Graber was indicted in April.

"This ruling upholds the fundamental right to hold police accountable to the public and constitutional principles they serve," said attorney **David Rocah** of the American Civil Liberties Union of Maryland, who represented Graber along with a team of private attorneys who took the case pro bono.

Newark sends out notifications to 2,200 employees of likely job eliminations

From The Newark Star-Ledger, September 28

NEWARK, NJ – As Newark Mayor **Cory Booker** went on national television Monday to tout additional donations to city schools, more than 2,000 city employees learned their jobs may be in jeopardy.

Today's notices informed 2,200 employees their civil service titles may be eliminated. The notifications are the first step in a layoff process which will likely result in about 800 city employees losing their jobs by early November. The layoffs include 165 police officers, about 90 firefighters and hundreds of sanitation workers whose jobs are expected to be outsourced.

The layoffs are an effort to reduce the city's long-term operating expenses, which this year helped create a deficit of \$83 million.

The notices come just days after Facebook CEO **Mark Zuckerberg** said he would donate \$100 million to city schools, and after other donors have stepped up.

Booker appeared on MSNBC Monday morning to promote the gift and discuss school reforms. But in Newark, the mayor was pilloried by local union leaders who accused him of mismanaging the city budget and concealing the depth of the budget crisis until after his May re-election.

"While Mayor Booker dances with the stars on national television, thousands of city workers are bracing to get layoff notices. Our workers don't have direct access to the likes of Oprah or Facebook CEO Zuckerberg," said **Rahaman Muhammad**, president of the SEIU Local 617.

"We want Mayor Booker to step away from the cameras, do some soul-searching, and come clean with the City of Newark."

Muhammad represents the 220 sanitation workers being targeted for layoffs. Neighborhood and Recreational Services, the umbrella department that oversees sanitation, is slated for 395 layoffs, the most of any city department.

Of the 165 police officers faced with dismissal, 54 graduated from the Department's 115th recruitment class in March, according to **Derrick Hatcher**, President of the Newark chapter of the Fraternal Order of Police. Those officers would have to train again at the city's police academy and retake the state civil service exam to be considered for re-employment, he said.

He questioned the decision to hire the officers in 2009, only to let them go a year later. "The Mayor utilized these individuals as pawns in his political game, and I think it's very unfair to play with the lives of these officers and this community."

Booker rejected the accusation.

"The FOP leadership should apologize to their members for selfishly refusing to make even the smallest concessions," Booker said. "They are not being fair to their newest members and they are showing no concern for the safety of our city."

The overall layoffs, combined with a possible 31 percent increase in municipal property taxes in 2010, are expected to yield \$110 million for the city over the next two years.

They will have little effect on the 2010 budget which has yet to be adopted by the city council.

City officials said no layoffs had been finalized as of Monday but the letters received by many employees left little room for doubt.

"This is to notify you that for reasons of economy and efficiency you will be laid off from your permanent full time position ... effective at the close of the working day on Friday November 12, 2010," reads one of the notices obtained by *The Star-Ledger*.

The notice was accompanied by an e-mail from Booker to city employees: "I want all employees to know that no letter or combination of letters received today is definitive in determining whether you are being laid off – the state still must account for seniority and underlying permanency."

According to state civil service officials, all employees whose job title may be affected must be notified. The layoffs are to be determined by seniority and targeted employees may have the chance to accept demotions to avoid layoffs. The city's layoff plan was approved Thursday by the Civil Service Commission.

One of the rookie officers facing layoff, who requested anonymity because he could be reprimanded for speaking publicly about the layoffs, said several members of his academy class left established careers to join the department.

"To go through the academy and have that strain put on you financially and emotionally, only to work out here for six months, and then find out you don't have a job, is extremely disheartening," the officer said.

Questions raised about Atlantic City Fire Staffing

From The Press of Atlantic City, September 26

ATLANTIC CITY, NJ – The fire chief looked around cautiously before he spoke.

Nearby, 35 firefighters were finishing work on a devastating fire that burned dozens of people out of an Atlantic City rooming house. It was about 1:30 a.m. Aug. 29.

That left only four firefighters to protect the rest of the city, he said, all of them on the west side of town in Chelsea Heights.

Driving time to the far end of the city is more than 10 minutes without Saturday night traffic. The National Fire Protection Association standard calls for a response time of four minutes for the first arrival and eight minutes for a full crew.

"I don't want to scare people," Chief **Dennis Brooks** said last week. "We're going to respond with everything we have every time we are called, and we're going to give 100 percent."

But the Memorial Avenue fire that burned 42 people out of their homes raises questions about department staffing, which has caused companies to close for most shifts this year as overtime was cut and 23 members retired. Another 30 members are set to be laid off Thursday.

The fire also sparked a limit on mutual aid response from the Downbeach fire departments of Longport, Margate and Ventnor, which were angered that Longport and others were called in to man empty stations without off-duty city officers being recalled to their posts.

"You're so understaffed, it's just ridiculous," said **Chris Emmell**, vice president of the Atlantic City firefighters union, who worked the fire that night. "The city's putting our citizens at risk."

Business Administrator **Michael Scott** said the union had nine months to work out something that could have saved the 30 jobs that will be lost.

"If the union had acted in an unselfish manner, by way of either opening their contracts or making some type of preparation months ago, we would not be at this situation now," he said of the cuts, adding that the administration is still working to possibly decrease the planned citywide layoffs – which include 63 jobs in other departments.

Closed quarters

Meanwhile, even without losing those people, Brooks has been closing fire companies when staff citywide drops below the 43 on a shift that allows the manpower for each piece of equipment in the city to be staffed according to national standards. That number for the city used to be 47, but the Ladder 3 company has been closed indefinitely.

The night of the Memorial Avenue rooming house fire, the Engine 7 company also had to close because of eight additional absences that night, the manpower sheet shows. Engines bring water to the fire, while ladder trucks do ventilation and high rescue.

"The residents have no idea this is going on," Emmell said. "They see an engine in the firehouse and they don't know it's closed."

At about 1 a.m. Aug. 29, Brooks called in help from Pleasantville, Absecon and Longport. They were not needed to fight the fire that began 90 minutes earlier. Instead,

(continued on page C14)

Recent Developments in Public Safety Relations...

(continued from page C13)

they filled the stations that were left empty. No off-duty Atlantic City firefighters were called in, a result of the chief's decision in February to try to save money – and possibly jobs – by not allowing overtime.

The out-of-town personnel were there for more than two hours, said Longport Fire Chief **Levon "Lefty" Clayton**, who sent five of his 25-man, all-volunteer department into the city that morning.

But it's not something he'll do again, he said.

"We can't afford to send our people to sit in their firehouses," said Clayton, a former member of the Atlantic City Fire Department. "On that fire, they didn't recall any of their (off-duty) personnel back, they just used on-duty personnel and had mutual aid companies in their stations. They hadn't exhausted their resources."

Clayton stressed that if Atlantic City needs firefighters to help them battle a blaze, he'll send in whatever is needed. But he won't call his volunteers away from paying jobs or much-needed sleep to sit in another municipality's firehouse.

The paid fire departments of Ventnor and Margate agreed: Help is only coming to a fire scene, not a firehouse.

Brooks ended overtime to fill vacant spots in February in an attempt to save jobs, he has said.

Last year, the city spent about \$306,260.17 on overtime for the Fire Department. This year, nearly \$122,000 of the \$250,000 overtime budget was spent, mainly during events such as storms and special events such as the air show.

When off-duty firefighters are called back to work, they get time and a half and are guaranteed four hours, Public Safety Director **Christine Petersen** said. Every recall costs the city about \$15,000. Usually, mutual aid comes in until off-duty personnel can get into work.

"There's no order not to do overtime," Petersen said this past week. "I think Chief Brooks made a decision to be very frugal."

Emmell said the firefighters don't blame Brooks. Instead, they look to Mayor **Lorenzo Langford**.

"He's using the chief as a pawn," he said.

Since February, the former 267-firefighter department has seen 23 retirements. Layoff notices went out last week, holding to the same 30 layoffs already warned about due to budget cuts. None of the planned layoffs – which affect the least-senior personnel – was avoided by the retirement of higher-ranking and higher-paid officers.

Even before those take effect Thursday, short staffs have caused Ladder 3's permanent closing, Emmell said. Most shifts have another company closed as well. With the additional loss, Emmell said two companies will permanently close, and in some instances, shifts will lose a third company.

Brooks previously said, before Ladder 3's closing, that when staffing falls below 47 firefighters on duty, rather than allow companies to go short-staffed, certain ones close – usually two per shift – and their personnel are redistributed to other companies.

Manpower

When the blaze began in the rooming house late Aug. 28 on the 1400 block of Memorial Avenue, the closest engine was a half-mile away. Usually there would be two at

Station 1, but the second was Engine 7. There were originally five men assigned to Engine 7 that night, but they were dispersed to other areas depleted by routine absences. The practice of closing companies allows each crew to meet a safer standard set by the National Institute of Standard and Technology.

A study the institute released in the spring shows tasks get done minutes faster with four- and five-man crews than with those of only two or three.

Four-person crews completed all tasks at a fire scene seven minutes faster – or nearly 30 percent – than two-person crews, and a little more than five minutes faster than crews of three, according to the study, which used a low-hazard structure fire to measure. Getting water on a fire was 16 percent faster – or nearly 1-1/4 minutes – with four people than with two.

The sheet listing manpower for Atlantic City the night of the rooming house fire shows several members working with other companies to make up for personnel shortages even before the eight additional absences.

At 11:39 p.m. Aug. 28, Atlantic City dispatch received a call from the John Brooks Recovery Center. Smoke was coming from the rear of the rooming house at 1401 Memorial Ave.

The call brought in the first alarm at 11:41 p.m. Within two minutes, a battalion chief was on the scene, the call log shows. Also called at that time were two engine companies, a ladder company and Rescue 1, which also has a ladder. The responders came from Stations 1 and 2 – both about a half-mile from the rooming house. They all were there within five minutes of the call.

By then, the battalion chief had called in three more engines from two stations about a mile away.

That brought to about 30 the number of personnel on the scene. At 11:48 p.m., Ladder 2 was called from Station 4 at California and Atlantic avenues, a little more than a mile away.

Leaders' updates to dispatch from the scene were constant as about 35 residents and seven children rushed from the building and firefighters worked to get the fire under control. One firefighter was hospitalized for lung damage from the smoke.

Mutual aid

At 12:50 a.m. Aug. 29, Deputy Chief **Scott Evans** radioed that the fire was under control. About that time, leaders realized there was just one company not on the scene: Engine 5 in Chelsea Heights. That's when the call for mutual aid went out to fill the empty stations.

That was too long to wait, said Atlantic County Fire Marshal **Whitey Swartz**, who monitors radio calls. He pointed out that it can take 15 minutes for a company to get from Pleasantville over the Atlantic City Expressway.

Usually, Ventnor would have been one of those called early that morning, but work on the Dorset Avenue Bridge caused Longport to temporarily take that spot. When things switch back, Ventnor will have new rules set in place before responding to the aid call.

"We'll come to the fire scene," Ventnor Fire Chief **Bert Sabo** said. "But the city must put a page out to start a recall of their off-duty guys."

"When the fire's over, we're going to return to our station," he said. "By manning (Atlantic City's) stations, all it does is put a burden on my city. We can't afford to pay for Atlantic City's shortage of manpower."

"What I think is going to happen is when they have a second-alarm fire, it's probably going to go to a third alarm right away (which is when off-duty personnel are called in) because he doesn't have sufficient manpower," Sabo said.

But Sabo – whose once-45-man department decided not to replace four recent retirements – has his own budgetary struggles.

"By no means are we saying we're not coming," he said. "I've been in the place where I've been at a fire and I need help. That's what mutual aid is for."

But what it's not for is cutting costs, the Downbeach chiefs say.

"I can't put a financial burden on my city to help out Atlantic City," Margate Fire Chief **Anthony Tabasso** said.

Margate is not on the first-call list for Atlantic City, but he and the chiefs of his neighboring municipalities are still looking to help in some way.

"We're in the process of trying to put together as quickly as possible kind of like a Downbeach task force," Tabasso said. "If they needed us to immediately come to a fire scene, (Margate) would send our truck with a ladder and Ventnor would send an engine, both with four people each."

"We do want them to be calling back their own personnel at the same time," he added. "Because when we leave, we have to do that and authorize overtime on recall."

Pleasantville Fire Chief **Bob Hoffman** said his firefighters will not limit how they help.

"Whatever Atlantic City needs, they'll get from us," he said.

Swartz said the county is working on a new mutual aid agreement that would be signed by all the municipalities. When asked if there would be any demands that the municipality in need recall its off-duty personnel at the same time, he replied, "That would be up to the town whether they made that call."

And Atlantic City's Brooks would not blame neighboring municipalities if they didn't come.

"They're struggling as much as we are," he said.

See if I got this right!!!

If you cross the North Korean border illegally, you get 12 years hard labor.

If you cross the Iranian border illegally, you are detained indefinitely.

If you cross the Afghan border illegally, you get shot.

If you cross the Saudi Arabian border illegally, you will be jailed.

If you cross the Chinese border, illegally, you may never be heard from again.

If you cross the Venezuelan border illegally, you will be branded a spy and your fate will be sealed.

If you cross the Cuban border illegally, you will be thrown into political prison to rot.

If you cross the U.S. border illegally, you get...

A job, a drivers license, social security card, welfare, food stamps, credit cards, subsidized rent or a loan to buy a house, free education, free health care, a lobbyist in Washington, billions of dollars worth of public documents printed in your language, the right to carry your country's flag while you protest that you don't get enough respect, and, in many instances, you can vote.

I just wanted to make sure I had a firm grasp on the situation!

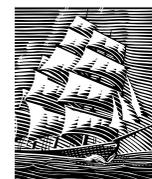
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EMS Division

Unity & Strength



I would like to take a moment to welcome the class 2010-1 to the ranks here at Boston EMS. There is a long standing tradition here of excellence. Please help us take the mantle up and make it something future generations will look to, and be proud.

— James Sullivan, Boston EMS

Front Row L-R: Lauren Aguiar, James Mellen, Patrick Rose, Christopher Johnson.

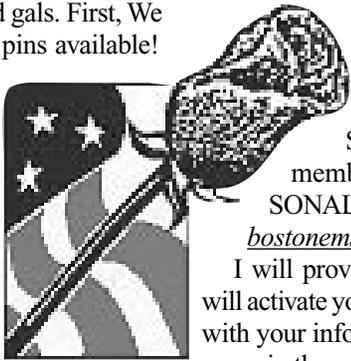
Back Row L-R: Thomas Hooley, Brittany Cheney, David Phan, Jason LaPointe, Tyson Perreault, David Carmichael, Denis Murphy.

Photo by EMT Lisa Hines

BPPA-EMS Division Announcements

Just a couple of quick reminders for you guys and gals. First, We still have National EMS Memorial Foundation pins available! Five dollars each, don't miss out!

Second, as a member of the BPPA-EMS Division you are also a member of the EMS Labor Alliance (EMSLA) This alliance is a network of organized EMS providers across the United States. The EMSLA website is being developed and we are compiling individual email address' for a member log in area. Member benefits will include discounted 511.tactical gear, unique training opportunities etc..



Please be patient as I said, the site is being developed and it might take a while to get the member's area on line. You will receive a welcome email from EMSLA once we go live.

So, if you are interested in taking advantage of the membership you already have, send me your PERSONAL email address. We will not accept *yourname@bostonems.org* for obvious reasons.

I will provide an excel spreadsheet to the webmaster who will activate your personal account. You can respond to this email with your info, or send it to *tobrien@bppa.org* please put your name in the subject title box. — James Sullivan, Boston EMS

VOX POPULI

Spam

Hi everyone, your friendly neighborhood editor here. The Vox this month will be a bit of a rant, join in if you like, harass me if you don't.

In my travels, I have come to realize that everyone here at our lovely place of work, have opinions. Some good, some bad, some ugly. Most have very strong opinions... you all know who you are... but most of us seem to respect the fact that the rest of us have opinions as well. I have marveled at the fact that so many type A personalities can reside in relative harmony, in such tight quarters.

Some of our friends at the Public Health Commission however are violating the rules of engagement. I know that many of you have expressed a disdain for the barrage of emails we as a group have received from them. I personally have been the recipient of everything from reminders about CPR training that I can take (because obviously I've never done that before), to solicitations for political parties, to religious messages, and what is likely the cream of the crop... a motivational email for females of a particular cultural delineation. They run the gamut from useless to blatantly offensive.

What makes them so offensive is that the sender has given no regard to the recipients. The Public Health Commission spends a great deal of time making policy to assure that they do not offend anyone. Seemingly their lack of consideration in this matter implies that we are not anyone, and more specifically, are no one. Can you imagine the fall out if I were to spam the Public Health Commission with a "Christian Caucasian Anglo-Saxon Male Day" email. I'd be fired. End of story.

When I started to see replies to these emails from the command staff, with messages like: "There is no need to respond to this email", I was comforted. My little brain said, "Oh good, someone with stars on their shoulder took care of this. I can keep my mouth shut." Only to be baffled the next time I received a similar email. I am not under the impression our command staff said nothing about it, so the option I am left with is that the Public Health Commission doesn't care what their "own people" think about being harassed at work.

Do I know what needs to be done about this? No, I'm under no illusions. I do however have a suggestion. Could our friends over at the Public Health Commission learn how to use their email properly instead of simply pressing "All Public Health Commission employees" before they hit send?

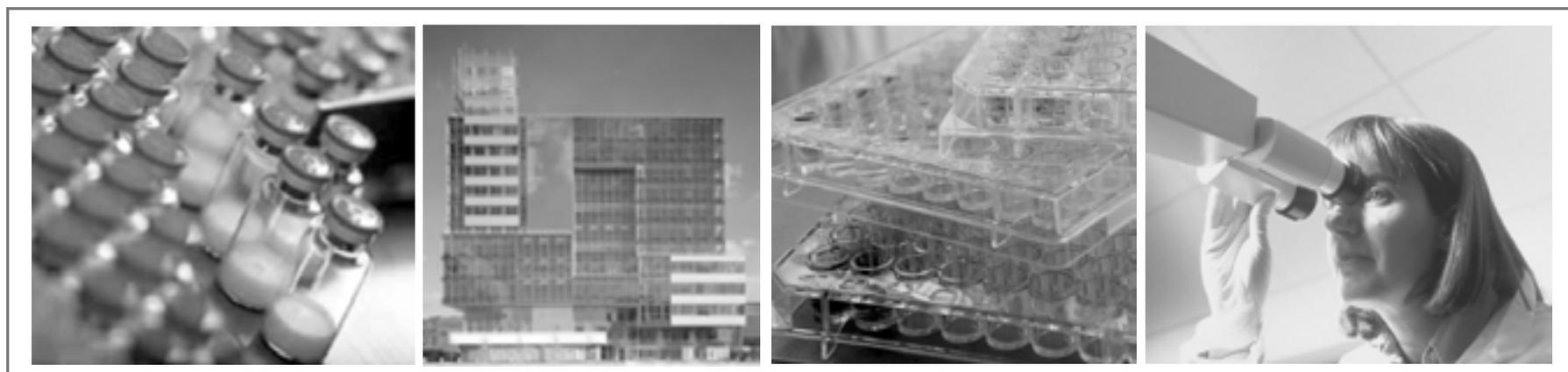
— James Sullivan, Boston EMS

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"You can't sit around and think of nothing"

By Jay Moccia

Welcome back from (what I hope was) a safe and relaxing Summer, full of fun, sun, and getting ordered every weekend for a shift or some stupid event. Where were all those guys from the "Detail/OT Meeting" who wanted to work? Oh yeah, they were there too!

Toyota is trying to rebound after a record recall due to unchecked acceleration. Their new slogan: "Toyota, once you start driving one-you just can't stop!"

The World Cup was held this past Summer in South Africa, with Spain emerging as the victor. I wouldn't say the games were boring, but I got more sleep watching than a fireman. A sure cure for insomnia! Those horns (yuvuzelas) were more annoying than the 1-877-KarsforKids Ad. AND, how did every Third World country manage to send legions of fans half-way around the world? I guess that's where all of Sally Struthers's "Pennies a day" went.

If you wear two Under Armour shirts, are you twice as cool?

Those guys at the "Hot Dog Eating Contest" should NEVER be referred to as "Athletes", unless you want to refer to me as "MVP". In either case, Det. Billy Dunn will remain "The Legend".

Why is it that on TV or in the movies, every Gun Shop has machine guns and rocket launchers. In Boston, you can't even buy a bullet. Heck, you can't even find a Gun Shop!

Any Guido or poser who "Fist Pumps" should be fist punched!

Rushing to the putting green, before a round of golf, is like cramming for an exam.

Bay State Senator John Kerry got himself a fancy new yacht, and in typical John Kerry fashion, he was for docking it in Newport before he was against it. Another case of Democrats' "Do as I say, and not as I do". The yacht is called the "Isabel", but probably should have been named: "Stim-U-Less" or "Reporting for Duty-Free"

On Sunday morning radio, almost all music stations feature talk shows. Why don't talk stations play music then?

I recently saw a bum with a laptop computer (plugged into a DPW ground outlet). I know it was his because the screensaver was a picture of a can of "Steel Reserve". Then, I wondered; why does a bum need a laptop? E*TRADE? Checking on the fortified wine futures in Tokyo!

Chef Gordon Ramsay is one of the most obnoxious people on TV, right behind those hags on "The View". His yelling and bullying quickly grow tiresome. Wouldn't you just love to see one of the contestants whack him with a hot pan or something?

People from Boston shouldn't wear those stupid T-Shirts that say: "Wicked Pissah" or "Green Monstah", unless you're like, five years old.

Speaker of the House Nancy Pelosi claims Unemployment Benefits are among the best stimulants to the economy! HUH??? That's like the Captain of the Titanic saying the iceberg will keep the cock-tails cold.

A Russian Spy ring was exposed (imagine! They voted in Cambridge) and the agents spent about eleven days in U.S. custody, submitting to brutal TV interviews.

Meanwhile, behind the Iron Curtain, our spies spent up to four years in the spa like atmosphere of the Soviet Gulag.

This Summer saw Pepsi release "throw-back Pepsi" featuring real sugar. Not to be outdone, Coca-Cola is set to re-issue "Original Coke" made with real cocaine!

Good fences make good neighbors, unless you're Mexico.

I was lucky to survive Hurrican't Earl. I don't know about you, but I am sick to death about these weather guys (and gals) crying "WOLF" every time we get a little storm. Stick your Doppler computer models in your Hurricane eye and admit you don't know what's going to happen.

When Operations goes "all out" for an Officer fluent in American Sign Language, and no one responds, do they send an Italian?

Terms I hate: "Baby Mama" and "Baby Daddy". Their use should be immediately banned unless you refer to their progeny as "the little Bastard".

It is nearly impossible to eat a crouton with a plastic fork.

A West Coast cop has become a Youtube sensation, while trying to issue a citation for jay walking to a young lady. In case you've spent the summer in Osama's cave, here's a recap: The Officer stops the offender by holding her arm, when he is set upon by her (female) friend who launches and lands a few punches on the Officer, who, as anyone else would do, responds by punching her back. The video quickly went viral, and the media picked it up. Like Rodney King, they began to only show the cop punch the "lady". The President of the Urban League decried the incident as "typical Police behavior" And they say We profite!

Obama's economic policy is like the plot in a porno movie. It's virtually non-existent but there's a lot of people getting screwed.

Our Union has sent out a letter asking us to create a "buzz" about Tim Cahill. Tim's a great guy, but at this stage of the race, the only way he could create a buzz is to sit on a beehive.

The Delaware GOP is getting behind Senate candidate Chris O'Donnell, making generous donations of "eye of newt, and wing of bat" to her campaign. With the mess that is Washington DC, magic might be the only way to fix it.

Please don't hog the server...if you go into a crowded coffee shop, ice cream parlor or the like with a group, all of you should order from the same counter help...Don't hog the server!

Getting that polite round of applause at a golf match is almost not worth it - ALMOST!

As you may have guessed, I'm not a big fan of Nanny Government, but the new "No Texting while driving law" couldn't come soon enough. I may even go back to writing movers! (Just kidding Captain, I write them.)

Who would have ever thought that "Dog Walker" would become a legit job.

Here's an idea that may solve our Illegal Alien problem: If they had an "anchor baby", let them stay, but charge them taxes and fees/fines retroactive to the baby's birth-

day. Can't pay up? Adios Amigos!

My idea to put tuxedos on the homeless holding doors around the city has been a miserable failure. Thankfully the rental insurance covers bodily fluids. Maybe I'll suggest musical instruments for them at the next meeting...stay tuned for the BSO; Boston Stoned Orchestra.

Several of Obama's Cabinet members are leaving for other interests, and he's been replacing them with people from Academia. Hasn't he ever heard the old expression: "Those who can do, those who can't teach." Good luck Mr. President.

Every man has his own way of doing things, and it's always right, and always the best. Just ask him.

Auntie Zeituni made a splash when she granted an exclusive TV Interview. Her glib and honest remarks may have been refreshing were she not living here Illegally (now legally) on the Dole for years. She claims in African culture, an aunt is a revered figure and she can pinch Obama's ears and smack him if he misbehaves...(an English teen called Obama a name that begins with "P" on Facebook and got a visit from the Secret Service and placed on the "No Fly" list). Claiming the "system took advantage of me" she was unashamed of her situation, and answered "Jesus" when asked who pays her attorney's fees (now I know some think he is, but the only place Obama can walk on water is a hockey rink). Auntie Z didn't care that she got money/housing/benefits from a system she never paid into, jumping the line over people who have lived here their whole life. She was brash and unrepentant. (I guess that runs in the family)

Asian Long Horned Beetles (or tree eating beetle) have been found in and around the Arnold Arboretum The grounds quickly filled up with eager volunteers who ran around capturing the beetles and chopping down the trees they call home. Imagine if there was that kind of effort regarding our two-legged Illegal pests.

I love the Fall Season, and almost all it brings, cool weather, football, apple picking, foliage, Oktoberfest Beer. But one acorn off your windshield at high speed, is enough to make you wish for winter.

Scone is Irish for dry muffin.

Liberals go wild when DNA is used to clear "an innocent person". OK, fine, that's good, and it's how the system should work, but try to get them to agree that the same DNA evidence should be used to seek a Death Penalty, and they'll tell you it can be flawed.

King Shamir Shabazz, Leader of the Philadelphia Chapter of the New Black Panther Party and his associates were cleared of charges of Voter Intimidation. It seems the USAG's office declined to prosecute after finding the clubs they were brandishing toward voters at several polling places were indeed "friendship sticks"...Yup, those TEA Partiers are a real threat!

President Obama has been hailed as a great listener, too bad he's only listening to himself.

Is it OK to talk during a sub-titled movie?

While patrolling Lansdowne St I met a great many lads and lasses over from Ireland to enjoy a Summer abroad. While they

didn't cause any problems, at closing time, they just wouldn't go home. Ireland, land of a hundred thousand welcomes-AND NO GOODBYES!!

If you only drink half of a 5 hour energy drink, does it only last 2-1/2 hours?

What do fat ugly people call their good looking friends at a singles' bar? "Chum?"

About forty years ago, Boston Public Schools were segregated, and a Federal Judge ordered forced busing to offer educational choices to underprivileged students. What followed was an odyssey of middle class flight, neighborhood destruction, and the addition of thousands of big yellow buses to an already congested city. Today, we find once again our schools are segregated, there is an education gap between communities, and big yellow buses continue to clog our streets. What now? Maybe a Federal Judge will order us back to Walk to Schools, close the education gap, revitalize our neighborhoods with an invigorated middle class and clear my commute of those %&^*%#@ big yellow busses.

Controversy from the NFL when a female reporter was subject to leers and jeers from several players. Although the (hot) Azteca TV reporter was not offended, another (presumably uglier) female reporter was uncomfortable for her and made the complaint. This leads to the obvious question; "What are they doing in there when the guys are changing/showering/undressed?" And if they claim they should be let in, then why aren't male reporters allowed in Female locker rooms?

Nationwide, violent crime is down, but here in Massachusetts, it's up. Although we have the third strictest gun laws in the country (behind only California and New York) criminals are still arming themselves and preying on innocent victims. Here's a novel idea: any criminal convicted of carrying a gun must do their mandatory time before doing whatever other time they get. Instead Mass Pols clamor for more gun control that only hinders law abiding citizens. It's sickening that people who play by the rules are punished for people who don't. If Officers on the street violate someone's Constitutional Rights (usually their 4th) they can be held accountable, facing suspension or even jail; yet everyday, Officers violate citizens 2nd Amendment Rights and are encouraged by politicians with no repercussions for their actions. Get your license to carry for you and your family and don't be afraid to demand your rights.

I can't smoke in a public building, or any place within fifteen miles of its doors. Where does President Obama light up-last time I checked, the White House was a public building.

You can't keep a good man down, but if you manage, keep kicking him!

One event from the Summer I recall is the Brighton Day parade. It sticks out above others because I couldn't believe some idiot at City Hall issued permits for a walk, road race, parade, move-in, movie, ball game, cavalry charge, bank holiday, pillow fight and polo match. Ok, I exaggerated, there was no ballgame. Really, though, does anyone up there at the Hall own a map? When you close streets in one area, then an adja-

(continued on page D10)

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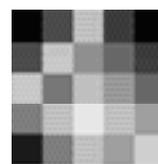
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Return to the Challenge

By James F. Lydon, Jr.

The morning of Sunday, September 26th, 2010, was nothing like the morning of Sunday, September 27th, 2009. There was no chill in the air. The sun was shining. The sky was clear save for a few puffy clouds that passed slowly by, looking down on White Stadium below. The Boston Police Fitness Challenge had returned to White Stadium in 2010, and everybody was ready.

The event this year was emceed by Sergeant **Gary Eblan**, and the festivities quickly got under way after a stirring performance of the National Anthem by Police Officer **Stephen McNulty**. As with last year's Fitness Challenge, the team competition was the first to be run. Forty athletes made up ten different teams, and before anyone even took a step on the trap, there was an upset. The Most Cool Team Name Award went to the Deadly Viper Assassination Squad, beating out last year's champions, Eight Bad Knees. Runners dashed off to zip through the quarter mile run, but this time there was no surprise at the difficulty of the stair climb, still nicknamed "Always on the Third Floor". Athletes took the track run at an even, experienced pace, and they moved to the stairs with much energy left. Right away spectators, including the attending Boston YPP (Youth & Police in Partnership), could see that the competitors were a lot more prepared for the Fitness Challenge. When the athletes reached the "OT", the strength and obstacle course down on the field, they powered through the course, fighting to stay in the game and finish. Once again, every single competitor found the inner strength to rise up and finish. The fact that the difficulty of the course had not change deterred no one. Not one person quit and each and every one of those competitors should be proud of themselves.

The team event was won by the team named DCU ... hey, wait a minute! This article is starting to sound a lot like last year's. Didn't the DCU win the 2009 Boston Police Fitness Challenge? Why yes, yes they did! Two time champions who now have something to brag about. There was a roster change in the team. **Patrick Byrne** and **Gerry Cahill** returned but they were joined by **Paul Quinn** and **John Downey**, who replaced last year's teammates, **Jimmy Galvin**, and **John McCarthy**. DCU finished with a time of 8:17, beating last year's winning time of 8:23.

After the team event, the individual competitors stepped up to the starting line. Many faces looked familiar as several athletes returned for the 2010 Challenge. Nothing was changed from last year's event: the individual course was still twice as tough as the team event. The individual

Friendly advice

Please, take care of yourself. A recent joint study conducted by the Department of Health and the Department of Motor Vehicles indicates that 23% of traffic accidents are alcohol related. This means that the remaining 77% are caused by assholes who just drink coffee, carbonated drinks, juices, yogurt, and shit like that.

Therefore, beware of those who do not drink alcohol. They cause three times as many accidents.

competitors once again cruised through the one mile run. As the teams had done, the individual runners saved their energy for the stair climb, which was three times as tough as the stair climb was for the teams. Once the stairs were behind them, the competing athletes fought their exhaustion and powered through the "OT" course, which consisted of twice as many exercise repetitions as the team event. Twenty-two people started the event and twenty-two people finished, leaving the Fitness Challenge with winners in the now five different categories.

LaTeisha Adams returned from last year and won the newly created Female Masters Category with a time of 18:45. Her time this year beat last year's time by 1:38. **Nora Baston** won the Female Category with a time of 14:26, logging in the best female time ever. Robert Ward won the Clydesdale Category with a time of 23:42. The final heat once again provided the spectators with some added excitement as **Paul Joyce** found another young athlete to challenge. Gerry Cahill of the DCU team found Paul Joyce neck and neck with him throughout the race, until Cahill finally pulled ahead. The pair, who had been battling throughout the course, like Paul Joyce and **Nick Bernazzani** did a year before, ended with finish times of 12:08 and 12:39, respectively. Paul Joyce beat his own 2009 time by 1:10. Gerry Cahill won the Male Category and Paul Joyce won the renamed Male Masters' Category.

On behalf of the academy, I would like to offer congratulations to all the winners of the 2010 Boston Police Fitness Challenge. I would also like to offer thanks to all those who helped make the event happen and to those who took time out of their days to come out to watch. A huge thanks goes out to the Boston Police Runners Club, who not only supported the Challenge but sponsored it. The Fitness Challenge would not have happened if not for the partnership with the Boston Police Runners Club.

Now that the Fitness Challenge is over, however, we are looking towards the next fitness event ...

On Sunday, November 7th, 2010, the 2010 Boston Police Strongman Challenge will be held at the Boston Police Academy. Sign in will take place at 8:00 am, and the events will begin at 9:00 am. This year, competitors will compete in five events that will mirror events used in professional strongman competitions, as they did last year, but there will be two changes. The bench press and the squat events have been removed. The tire flip event, the Farmer's Walk event, and the Atlas Stone event will all return, and two new events have been added: the car pull event and the log clean and press event. The events will be timed and divisions will be determined according to the competitors' body weight. The registration deadline for the Strongman Challenge will be November 3rd, 2010.

For more information on the Strongman Challenge, please visit www.bpdstrongman.blogspot.com. To see some new pictures about the Fitness Challenge, please visit www.bostonpolicefitnesschallenge.blogspot.com. I hope to see you at the academy on November 7th.



Veterans Day Trivia: **Bill Carroll**

See how many you can answer about this important day



1. What year did November 11 become a national holiday?
2. What was November 11, 1919 designated as?
3. What year did November 11 start being referred to as Veterans Day?
4. Every year November 11 is commemorated in Canada, what title has been given to that date in Canada?
5. What year did Congress pass a resolution for an annual observance on November 11?

(see answers on page D11)



Sports Trivia: **Bill Carroll**

How many can you get correct?



1. Can you name the two original members of the American Football League who have not won a Super Bowl?
2. Before signing with the Patriots what two NFL teams did tight end Alge Crumpler play for?
3. What Major League Baseball Hall of Famer who played in both the American and National Leagues holds the career record for base hits?
4. Who is the only major leaguer to have at least 100 rbis in 14 consecutive seasons?
5. What year did Pete Rose break Ty Cobb's record for most career base hits?
6. What 3 current NFL head coaches have coached their team for the longest time?
7. Can you name the two former NFL head coaches who won an NCAA National Championship and a Super Bowl?
8. What MLB manager who managed in 2010 has managed the most seasons?
9. How many National League teams has Joe Torre managed?
10. What 2010 MLB manager has managed the most seasons without ever making the playoffs?

(see answers on page D11)

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Why is it?

By Detective Michael Kane, RIU

- * Everyone is so angry at Mayor **Thomas Menino's** comments about torture? The Mayor was quoted as saying "If I see these guys in a dark alley, I'd do some things that would be worse than the death penalty... because it wouldn't happen in a second, I would slowly torture them". He was referring to the three suspects accused of robbing and killing the pizza delivery man, **Richard Nova**. Come on now we can't be too hard on the Mayor. He really didn't know that torture is already a standard practice in all of our prisons and jails throughout the Commonwealth. "CIA like" torture such as : three meals a day, unlimited use of the gym and pool tables, access to a prison canteen, those special "private" visits from thir girlfriends, use of a state of the art library, computer access, free medical and dental care, art classes, pizza parties for the "lifer groups", free legal advice, ability to earn their GED (at no charge), college courses on line, and the list of degrading treatment goes on and on and on. But Mayor you will be happy to know they are being tortured slowly.
- * Senate President **Theresa Murphy** makes herself look like the big fool she really is by calling members of the Tea Party "nutcases". Really Theresa? I thought these people were just exercising their rights as citizens who don't like the direction this state and country are heading? Is this foreign to you Theresa?

Or are you just use to people accepting the dismal performance of you and other elected officials?

- * **Lindsay Lohan** is not locked up? Can you say self destruction?
- * **Aunt Zeituni** thinks the hard working law abiding citizens of this country owe her **ANYTHING?** When asked about her public housing and monthly checks she receives she said "I didn't ask for it, they gave it to me. Ask your system, I didn't create it or vote for it. Go and ask your system"... I hate to say it, but the freeloader is right. Our system, the one we vote for, is broken. This system gives away housing, food stamps and money to illegals and freeloaders... but the hard working citizens who have worked all their lives and the veterans who fought for our country are turned away. There is something very wrong with our **SYS-TEM!**
- * Big fraud **Barney Frank** will probably get re-elected by telling everyone who will listen he didn't have anything to do with the Fannie Mae/Freddie Mac meltdown? And of course the *Boston Globe* will be leading the way for him with as many "feel good" stories they can make up.
- * *The Boston Globe* believes it's a good idea to charge people to read their rag on-line? It's still going to be the same old biased, half-truth, poor reporting that they have always specialized in. Don't they know there are dozens of free on-line news sites we can go



to and get the same information?

- * We all know that after the tragic shooting of a young child in Mattapan the media and politicians of this city will all start screaming for more gun laws. Haven't they figured it out yet? Criminals don't obey **ANY** laws!
- * The new texting law will be just like jay walking? No one will pay attention to it unless someone is killed. Then the police will be blamed.
- * Governor **Deval Patrick's** voice is so annoying to listen to? He is whining about something all the time.
- * I can't win anything on a scratch ticket? Where are all the winners?
- * **John Kerry** thinks he can insult the electorate by calling them "Clueless"? Does he mean clueless like he was when he "forgot" to pay taxes on his seven million dollar love boat that he and Terroresa use to visit their friends in Edgartown? Hopefully every voter in Massachusetts will remember that comment when they pay their increased taxes. I can't wait for this clown to be up for re-election.
- * That the terrorist in charge of Iran (**Ahmadinejad**) is allowed to speak in front of the United Nations? The United States representatives to the UN left when he began his anti-American tirade. Several other countries left as well. But many

stayed and listened patiently as this thug droned on and on. What was their excuse for staying? Did they think he actually had something of value to say?

- * I just had to chuckle when I heard that Bentley is re-calling some of their quarter-million dollar or more vehicles because there's a problem with the "hood ornament"? Are you kidding me? What no quality control? Attention **John Kerry...** better have Jeeves drive the Bentley to the dealer or worse... drive it there yourself.
- * I can't wait for "**Up Chuck**" **Turner** to go on trial? Working on your defense Up Chuck? What is it going to be? Hmmmmm, the Feds set you up? You were on prescription medication and weren't thinking straight? Or was it just plain greed?
- * President **Barack Obama** still can't understand why his popularity is so low? This guy is a community organizer, activist (??), socialist, apologist, who parades around the world telling everyone how sorry he is to be American. He hasn't gained the respect of foreign leaders and is perceived as being weak. Don't worry Barack, I'm sure you'll have a nice Oprah-produced reality show after you leave the White House.
Stay Safe!

How to save the airlines

Dump the male flight attendants. No one wanted them in the first place.

Replace all the female flight attendants with good-looking strippers! What the hell – they don't even serve food anymore, so what's the loss?

The strippers would at least triple the alcohol sales and get a 'party atmosphere' going in the cabin... And, of course, every businessman in this country would start flying again, hoping to see naked women.

Because of the tips, female flight attendants wouldn't need a salary, thus saving even more money. I suspect tips would be so good that we could charge the women

for working the plane and have them kick back 20% of the tips, including lap dances and 'special services.'

Muslims would be afraid to get on the planes for fear of seeing naked women. Hijackings would come to a screeching halt, and the airline industry would see record revenues.

This is definitely a win-win situation if we handle it right – a golden opportunity to turn a liability into an asset.

Why didn't Bush or Obama think of this?

Why do I still have to do everything myself?

Sincerely,
Bill Clinton

"You can't sit around and think of nothing" ...

(continued from page D5)

cent area, you screw up traffic royally all over the city. Wake Up and take a look before you schedule several events on the same day.

Radio blabber Rush Limbaugh took some heat for calling Obama a jackass. Mainstream Media was all a-twitter even though they routinely referred to George Bush as an idiot. He claimed there were 57 states, that they spoke Austrian in Austria, and Arabs invented Arabic numerals. Oh, sorry that was Obama. Although Bush did say Nuke-u-lar which drove me crazy.

Finally, if you got this far, we have an important election this November. A "good union" Democrat – Deval Patrick who cut our pay and put flaggers on our streets, vs. Republican Charlie Baker who wants to cut

our pensions and raise our Health Care, vs. Tim Cahill, who apparently just wants to ... what a choice, as one cop I spoke to put it, Do I jump off the Bourne Bridge or the Sagamore? One thing we should do is vote. There are many other races, and candidates to dump or support. One strategy to follow is "Blank" an incumbent with no opponent. When the Pols get around to checking the turn out against the number of votes they got, they may get the message the electorate is unhappy. Let's make November 2nd a riot at the ballot box and remind our elected officials they work for us not the other way around.

And, yes, you can use your EBT card at a Casino.

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This is only one state...

- 40% of all workers in L.A. County (L.A. County has 10.2 million people) are working for cash and not paying taxes. This is because they are predominantly illegal immigrants working without a green card.
- 95% of warrants for murder in Los Angeles are for illegal aliens.
- 75% of people on the most wanted list in Los Angeles are illegal aliens.
- Over 2/3 of all births in L.A. County are to illegal alien Mexicans on Medi-Cal, whose births were paid for by taxpayers.
- Nearly 35% of all inmates in California detention centers are Mexican nationals here illegally.
- Over 300,000 illegal aliens in L.A. County are living in garages.
- The FBI reports half of all gang members in Los Angeles are most likely illegal aliens from south of the border.
- Nearly 60% of all occupants of HUD properties are illegal.
- 21 radio stations in L.A. are Spanish speaking.
- In L.A. County 5.1 million people speak English, 3.9 million speak Spanish. (There are 10.2 million people in L.A. County.)

(All 10 of the above facts were published in the Los Angeles Times.)

Less than 2% of illegal aliens are picking our crops, but 29% are on welfare. Over 70% of the United States' annual population growth (and over 90% of California, Florida, and New York) results from immigration. 29% of inmates in federal prisons are illegal aliens.

We are fools for letting this continue..

This is only one state...

If this doesn't open your eyes nothing will, and you wonder why **Nancy Pelosi** wants them to become voters!

LET'S IMPEACH HER NOW BEFORE SHE DOES FURTHER DAMAGE!! WHAT AN IDIOT!! WHERE DO WE GET THESE MORONS?



Windfall tax on retirement income

Adding a tax to your retirement is simply another way of saying to the American people, you're so darn stupid that we're going to keep doing this until we drain every cent from you. That's what the Speaker of the House is saying.

Nancy Pelosi wants a Windfall Tax on Retirement Income. In other words tax what you have made by investing toward your retirement. This woman is a nut case! You aren't going to believe this.

Madam speaker Nancy Pelosi wants to put a Windfall Tax on all stock market profits (including Retirement fund, 401K and Mutual Funds!

Alas, it is true - all to help the 12 Million Illegal Immigrants and other unemployed Minorities!

This woman is frightening.

She quotes... 'We need to work toward the goal of equalizing income, (didn't Marx say something like this?), in our country and at the same time limiting the amount the rich can invest.' (I am not rich, are you?)

When asked how these new tax dollars would be spent, she replied:

'We need to raise the standard of living of our poor, unemployed and minorities. For example, we have an estimated 12 million illegal immigrants in our country who need our help along with millions of unemployed minorities. Stock market windfall profits taxes could go a long way to guarantee these people the standard of living they would like to have as 'Americans'.'

(Read that quote again and again and let



Nancy Pelosi is frightening!

it sink in.) 'Lower your retirement income; give it to others who have not worked as you have for it.'

This lady is out of her mind and she is the Speaker of the House!

Vote in November like your way of life depended on it - because it does!

Remember, when you think your day can't get any worse, at least you're not Mr. Pelosi!

Trivia Answers



Veterans Day...

(see questions on page D9)

- November 11 became a national holiday in the United States in 1938.
- November 11, 1919 was designated as Armistice Day signifying the one year anniversary of the end of World War I.
- November 11 began being referred to as Veterans Day in 1954.
- November 11 in Canada is referred to as Remembrance Day.
- Congress passed a resolution calling for an annual day of observance on November 11 in 1926.

Sports...

(see questions on page D9)

- The two charter members of the American Football League who have not won a Super Bowl are the Buffalo Bills and the San Diego Chargers.
- Before signing with the Patriots Alge Crumpler played for the Atlanta Falcons and the Tennessee Titans.
- Hank Aaron who played for the Braves and the Brewers had 3,771 career base hits which is the most for someone who played in both leagues.
- Alex Rodriguez is the only major leaguer to have at least 100 RBIs in 14 straight seasons.
- Pete Rose broke Ty Cobb's career base hit record in 1985.
- The three NFL head coaches who have coached their current squad the longest are Jeff Fisher, Tennessee Titans (17 years), Andy Reid, Philadelphia Eagles (12 years), and Bill Belichick, Patriots (11 years).
- The two former NFL head coaches who won a Super Bowl and an NCAA National Championship are Jimmy Johnson who won a National Championship with the Miami Hurricanes and two Super Bowls with the Cowboys and Barry Switzer who won three National Championships with the Oklahoma Sooners and a Super Bowl with the Cowboys.
- Cardinals manager Tony La Russa is the active managerial leader with 3 seasons managing with the White Sox, Athletics, and Cardinals.
- Joe Torre has managed five teams in his career with four of them in the National League, the New York Mets, the Atlanta Braves, the St. Louis Cardinals and the Los Angeles Dodgers.
- Royals manager Ned Yost has managed the most seasons (seven), without ever making it to the post season.

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