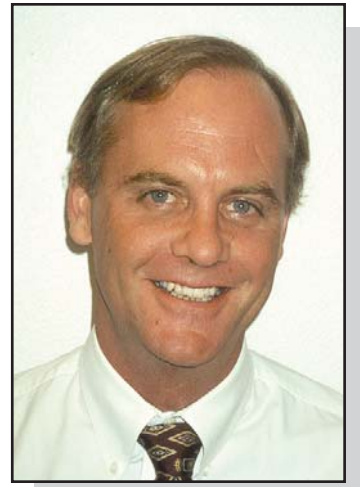


PBA In Action With Your **Political Consultant**



Making New Friends... Visiting Old Friends

To our members (who have a life), the legislative season begins in March with the official start of session here in Tallahassee. For your full time professionals, however, the real grunt work begins much, much earlier during interim committee meetings starting just after the November elections. It is during these pre-session meetings that we get key legislators to sponsor our bills and hold a flurry of meetings with Senators and Representatives who will sit in judgment of our legislation on law enforcement related committees.

The truth is legislative committee season is where the real sausage is made.

So far, we are off to a blistering start.

The political old-timers out there will testify that the true value of longevity is the commitment and loyalty of longtime legislative friends. These are folks who are proven supporters of PBA and what we stand for. We don't need to "sell" them on our legislative ideas; we have to fend off **their** requests to sponsor our bills. Perhaps the most magical of moments during committee season are reconnecting with old friends, reminiscing over past battles and successes and gossiping about the upcoming session.

I never tire of it.

Just as exciting and invigorating is getting to know all the new faces, the incoming flock of the newly elected eager to take flight with their most pressing issues. Because of term limits, there are dozens of these freshly minted leaders from all walks of life beginning their terms full of hope and promise. I never forget that among their number is the **next** batch of loyal PBA supporters of the future.

As a PBA member, you count on our small band of seasoned lobbyists to make the most of the pre-season (to use an NFL analogy). But unlike the NFL, these are the weeks that count if we are to have a successful session protecting our members.

Looking ahead, the political environment has never been as rosy for PBA as it is now. With the historic election of **Charlie Crist** as the "Peoples' Governor" to the rise of longtime friends and supporters **Senator Ken Pruitt** as Senate President and **Representative Marco Rubio** as House Speaker, I see nothing but blue skies for law enforcement for the foreseeable future.

Till next time.

Stay safe. ●

Jim Spearing

“Always remember this: If you don't attend the funerals of your friends, they will certainly not attend yours.”

~ H.L. Mencken

Discussing Career Issues from Your **PBA General Counsel**

CJSTC Begins Review of Disciplinary Rules

In January 18, 2007 the Criminal Justice Standards and Training Commission began review of its disciplinary rules and penalty guidelines through a joint management-labor task force. This bi-annual review is a statutory requirement which was proposed by the Florida PBA several years ago. It is designed to provide continuing review of the CJSTC officer discipline process and the penalty guidelines for officer discipline. The task force met in Ponte Vedra, Florida.

The task force is made up of twelve members, six from management and six from the state's police unions. This year the labor side was headed by **John Rivera**, President of the Florida PBA and a member of the CJSTC. In addition to President Rivera, several other local presidents are serving on the task force, including **Vince Champion**, president of the Coastal Florida PBA, **Mick McHale**, president of the Southwest Florida PBA and **John Kazanjian**, president of the Palm Beach County PBA. Florida PBA General Counsel, **Hal Johnson**, and Dade County PBA General Counsel, **Andrew Axelrad**, were also present to provide input and assistance in the development of revisions to the disciplinary rules.

The task force is considering a number of suggested changes to the disciplinary rules both from the CJSTC staff and the Florida PBA. While some of the changes can be considered technical in nature, many will have a substantial impact on officer discipline. For example, a proposal being considered by the task force will change the definition of excessive use of force and move away from the long-recognized use of force matrix. Instead, the new proposed definition will focus on the issue of "whether the use of force was objectively reasonable" from the officer's perspective. Another proposal will provide increased Commission oversight of domestic

violence situation, including violations of domestic injunctions.

Florida PBA President John Rivera raised a number of issues with the task force. As President Rivera stated, the PBA goal in surfacing the issues was two-fold: (1) "establish some finality to the local agency's disciplinary action" and (2) make sure the Commission's disciplinary rules "do not unfairly punish officers, especially when they have already been disciplined by their agency."

While the task force considered a number of issues presented by the PBA, two spurred a lot of discussion among the task force members. First, the Florida PBA expressed the need to limit the review of Commission staff of agency disciplinary actions to those violations specifically sustained by the agency. The second, and a source of major debate, was the need to provide officers a clear guideline on the timing of correction to misstatements or errors in written reports or internal affairs statements. Ultimately, the CJSTC agreed to institute internal procedures to ensure that staff review was largely limited to those moral character violations sustained during a local agency's internal affairs investigation. More importantly, the task force agreed to present several proposals to the full CJSTC on the issue of correction of errors and the timing of the corrections.

At this point in time, the task force's work continues. The specific language of changes in the disciplinary rules needs to be completed. Then the rule changes will be considered by the Commission for final review and action by it. Simply put, it is a work in progress.

The Florida PBA will keep you posted as the task force's recommendations move forward to final review and action. Rest assured, the PBA will be there, at every step of this process. ●



Hal Johnson

“I have found that being honest is the best technique I can use. Right up front, tell people what you're trying to accomplish and what you're willing to sacrifice to accomplish it.”

~ Lee Iacocca