

A SHOOTING OR AN ACCIDENT... NO ONE LIKES TO THINK ABOUT IT!

IF IT HAPPENS TO YOU:

- Don't panic! Calm down and compose yourself.
- Don't rush into making a statement.
- Call the **PBA Hotline: 1-800-233-3506.**
- The PBA will provide you with an attorney prior to making a statement either on the scene or wherever needed.
- Wait until you talk to a PBA attorney before making any statements, oral or written, unless you have been given a direct order to do so.

As a PBA member, you're not alone. The PBA is there to protect your rights.

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EDITOR: Kaylan Storey, Public Relations & Foundation Manager, SSPBA, kstorey@sspba.org



RENEÉ DIXON, SSPBA CHIEF OPERATING OFFICER:

Reneé handles the day-to-day operations of the SSPBA under CEO Jack Roberts and has been with the Southern States Police Benevolent Association for 31 years.

"I strive to make sure that every member's concerns are handled with professionalism and care. If you have any questions or concerns, please do not hesitate to contact me at (800) 233-3506, ext. 349."



SOUTHERN STATES POLICE BENEVOLENT ASSOCIATION BOARD OF DIRECTORS



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WAYNE WELLER HONORED FOR MEMBERSHIP AND SERVICE TO VIRGINIA PBA

BY KAYLAN STOREY, PUBLIC RELATIONS AND FOUNDATION MANAGER, SSPBA

uring the annual Virginia PBA board meeting, board members honored and thanked long-time member, Wayne Weller. Retiring after 33 years in law enforcement, Weller was met with great love from his fellow VAPBA board members. They donned specially made baseball jerseys with number 33 on the back and toasted Weller for his many years of service with the PBA. During his time with the Virginia PBA, Weller held many positions including Virginia Department of Motor Vehicles Chapter President, Virginia Natural Resources Police Chapter President, Virginia Division PAC Chairperson and Virginia Division Vice President, to name a few.

Virginia PBA **Executive Director** Sean McGowan said. "From the first time I met Wayne I knew I was working with a true professional who was willing to place the good of the order above his personal needs and career safety. Wayne's actions were always guided by his steadfast desire to do the right thing regardless of pressure from agency administrations or politicians. Wayne



Pictured L to R: VAPBA Executive Director Sean McGowan; VAPBA Division President Joe Woloszyn; VAPBA member Wayne Weller; and SSPBA President Chris Skinner.



Members of the Virginia PBA Board proudly wear their jerseys in honor of Wayne Weller.

assisted in the formation and held leadership positions in two PBA chapters representing state law enforcement officers in agencies that had, among their administrators, those who were openly anti-PBA. By knowing the system, respectfully working within state and federal labor laws and within agency guidelines and policies, Wayne was able to successfully represent members in his chapters to the agency administration and to state legislators. Wayne gained access to all levels of elected officials, from freshman delegates to candidates for the office of Governor, and confidentially addressed those politicians as he worked to improve conditions for his fellow law enforcement professionals in Virginia." Virginia PBA Division President Joe Woloszyn said, "Wayne has been an instrumental leader on the Virginia PBA Division board. His commitment to helping law enforcement officers on all levels was vital to the division's success, and his actions have brought great credit upon himself, the law enforcement community and the Virginia PBA."



SSPBA CEO Jack Roberts proudly stands with his 35 year plaque. Pictured L to R are Mr. Roberts, SSPBA Past President Charlie Maddox, SSPBA President Chris Skinner and SSPBA COO Reneé Dixon.

SPBA marked a noteworthy milestone in March 2018 when the association's membership total passed the 50,000-member threshold. 31 years of providing much-needed services and benefits to law enforcement officers in the Southeast led to this significant achievement. This accomplishment provided an opportunity to reflect for the key leaders of SSPBA who have led the association through years of challenges and opportunities: SSPBA Past President Charlie Maddox, SSPBA Chief Executive Officer and Past President Jack Roberts, SSPBA Chief Operating Officer Renee Dixon and

SSPBA President Chris Skinner.

"I'm in shock," said Mr. Maddox, who began the Florida PBA out of the trunk of his car and who later served as the first Southern States PBA president. "I remember when we just had 50 members," he added.

It was CEO Jack Roberts who requested authorization from Mr. Maddox to expand the PBA in the early 1980s. Mr. Roberts initially began recruiting efforts in Georgia and North Carolina. He was elected as Mr. Maddox's successor as SSPBA president, and Mr. Roberts led the association as it grew to include members in 11 states. Mr. Roberts received a plaque acknowledging his 35 years of dedication and service to PBA and its members at this year's SSPBA board meeting.

Chief Operating Officer Renee Dixon has been a PBA employee since 1987 and has worked alongside Mr. Roberts and Mr. Maddox to ensure that SSPBA provides quality service to its members. With 31 years of service, Ms. Dixon knows this is a major milestone. Ms. Dixon said, "From the top down, when everyone's heart is in



the right place, we are able to take care of our members. That's what has led to our membership growth."

Chris Skinner proudly served as the Missisippi Division President for 20 years and was elected SSPBA president in June of 2012. Since his election as SSPBA president, membership has grown by 26,500 members. "I think the growth is quite remarkable. All the credit goes to our very dedicated group of staff and employees who see their job as a calling. It also reflects on our leadership at the division and chapter levels as probably some of the best we've had," said Mr. Skinner.

Over the years the association has embraced improvements in technology such as the ability for members to join online as well as a significant SSPBA social media presence. In addition, fulltime recruiters are now on staff, adding to the traditional methods of field staff recruiting and word-of-mouth recruiting efforts by members.

"We are so excited that we have been able to assist so many law enforcement officers in the Southeast," Ms. Dixon added. "We never forget that it's our members who we work for every day."

SSPBA LEGAL STAFF HOSTS CRITICAL INCIDENT ATTORNEY SEMINAR IN NORTH CAROLINA

BY JONI J. FLETCHER, DIRECTOR OF LEGAL SERVICES, SSPBA



PBA attorneys from Virginia and North Carolina attended the training presented by members of the SSPBA legal department.

BA welcomed 22 attorneys from North Carolina and Virginia to the annual SSPBA Attorney Conference on August 24, 2018, in Cary, NC. The event was hosted by the SSPBA legal department, NCPBA President Randy Byrd, NCPBA Executive Director John Midgette, and VAPBA Executive Director Sean McGowan.

The purposes of the attorney conference were to educate PBA attorneys on the procedures for representing PBA members involved in critical incidents as well as to strengthen the network of attorneys committed to the PBA cause. This year's conference was the first to include judges as part of the day's agenda. The Honorable Stacey B. Bawtinhimer of the North Carolina Office of Administrative Hearings and the Honorable Paul C. Ridgeway, Chief Resident Judge for Wake County, NC served as panel speakers and provided insight and tips regarding the representation of law enforcement officers.

Other speakers for the day included SSPBA Georgia Counsel Don English, SSPBA General Counsel Jim Wright, and Grady Dukes of the Dukes Law Network in Conyers, GA. Longtime PBA attorney J. Michael McGuinness of the McGuinness Law Firm in Elizabethtown, NC addressed the pressing issue of the rise of Giglio actions and untruthfulness allegations against law enforcement officers.

"Our office looks forward to this event every year because it's a chance for us to spend time with the attorneys who are on the ground representing our members," said Joni Fletcher, Director of Legal Services. "It's such a valuable networking opportunity for all who attend because the whole day is centered around the common cause of providing legal assistance to law enforcement officers. Our goal is to have our attorneys leave this conference with connections and resources that will assist them in the future as they represent PBA members."

PBA attorney James Little from Raleigh, NC stated that the conference was "very informative." He added, "Having been a PBA attorney for only a short period, this was a great tool moving forward. There was a great wealth of knowledge in the

room."

You can reach the SSPBA legal department at 1-800-233-3506.

THE GIFT OF POLICING: A HOLIDAY TRADITION

BY BRETT STANELLE, WEST CENTRAL GEORGIA CHAPTER MEMBER, PBA OF GA



Law enforcement and community partners gathered at Piedmont Columbus Regional with stuffed animals and gifts to give the children. Photo credit (2017), Piedmont Columbus Regional.

he holiday season means a lot of things to a lot of different people. For many, it is a time of giving back and thinking of those that are less fortunate. The same is true for public safety officials across the country, who band together in an effort to remind those they serve that they are a part of the community and not apart from it. These efforts lend themselves to establishing police legitimacy, something we could all use a little more of amid the tensions we face every day. Imagine for a moment your perfect holiday, spending time with family, enjoying fellowship and food, watching children play and open gifts, and any number of traditions depending on your faith and culture. It is not very likely that you pictured yourself in a patient room with a sick child. While this can be tough enough on parents and family, think of being that child, who for whatever medical reason, spent the holidays in a hospital bed as opposed to the comfort of their own home. I think a doctor at what was formerly known as the Midtown Medical Center for Columbus Regional Health said it best, "No self-respecting child wants to be in the hospital at Christmas."

There are a myriad of parallels between law enforcement and the health care profession, with one of the greatest being that our jobs take both of us away from our families day and night, weekdays and weekends, and even on holidays. They are tough jobs, but someone has to do them. We know that crime never takes a break, not even for the holidays. In many jurisdictions, we may even experience an increase in crime, particularly property crimes, usually beginning in November and lasting through December. In a similar fashion, injuries, illnesses, and ailments do not respect the boundaries of the holidays and often result in the most innocent of the population feeling isolated and distraught during times that many of us may consider some of the happiest moments of our childhoods. In 2014, it made perfect sense for the West Central Chapter of the Police Benevolent Association of Georgia to team up with doctors, nurses, and other staff at the local Children's Hospital for what would become the annual Blue Lights and Smiles event. Chapter President Joyce Dent-Fitzpatrick said, "Sometimes it's the little things that many of us take for granted that can make a child feel special, make them feel loved."

Each year since, a few days before Christmas, law enforcement officials and a variety of community partners gather at the Columbus State University Police Department parking lot. These partners include media representatives, elected officials, staff from local outreach centers, support personnel and, as of 2017, the recipients of the Chapter's commUNITY awards. In addition, who could forget the special guests. After all, what holiday event would be complete without Santa Claus, Mrs. Claus, and Cody the Cougar from Columbus State University! This has become one of the largest showings of support for the Chapter, drawing current members, retirees, and potential members who have not yet joined the organization. In 2017, the event further expanded to include the distribution of donated items to local outreach programs and formal recognition for community partners who have supported the organization in a variety of ways. While this is important business, everyone there knows the true mission, the kids.

When all is said and done, the participants line up around the parking lot, sometimes spanning several rows, and prepare for the convoy to the hospital. The group usually embarks on this journey just after dark, so safety is always a priority. The convoy travels, with lights and sirens, just over three miles to the Children's Hospital at what is now called Piedmont Columbus Regional. This facility serves as the region's only level two trauma center and is complete with both a pediatric emergency room and a pediatric intensive care unit. This convoy of so many law enforcement vehicles from surrounding agencies is truly a sight. Not to mention, we really know how to make an entrance. While the sirens are going for transit, the participants cut them off at the hospital, but the lights are still going as we enter the parking lot. I am a little biased, but I think it rivals reindeer and a sleigh!

While the convoy is en route, the nursing staff moves the patients who are able to be moved and their families to the windows. It reminds me of that verse in "Twas the Night Before Christmas... when there arose such a clatter and the children rushed to the window to see what was the matter." The hospital police are always kind enough to block out a section of the parking lot for us that is visible from the Children's Hospital on the 5th floor. Upon arrival, the participants leave the lights going for a few minutes and wave to the children before heading up to visit them on the ward. In 2017, Chapter board member Shannon Zeisloft acquired some donated flashlights and dropped them off in advance to the Children's Hospital. This allowed the kids to signal back to the officers. It was a heartwarming experience and an addition to be continued for future events.

The officers then unload coloring books, crayons, stuffed animals, toys, and other small gifts from their patrol units and venture off to the hospital. It has been our experience that the hospital staff will send as many children home as possible for the holidays, even if they are expected to return shortly after for additional treatment. Keeping this in mind, the officers realize that the kids they meet are likely to be staying for the duration. It is



Sonny Fitzpatrick, a special envoy for Santa Claus, visiting a child during the 2017 Blue Lights and Smiles event. Photo credit (2017) Piedmont Columbus Regional.

"In Memoriam"

right, the floor will be empty and we will not have anyone to visit since everyone will be at home with their families. So far, this has not happened and we have gotten to be a part of the patients' families, even if for just a night. I like to think that the experience sticks with the children and leads to more positive police encounters. The Chapter calls this event Blue Lights and Smiles and while the intent is to bring a smile to a child's face, I think that the impact on the officers is equally as prominent. The officers often leave with bigger smiles; feeling that they made difference in someone's life, and remembering why they wear the badge. Whether it is the holidays or not, challenge yourselves to be someone's hero and smile, for that is the true gift of policing.

bittersweet, because if everything goes

This article is dedicated to the memory of James "Sonny" Fitzpatrick (1951-2018), a faithful servant to his community and a friend of the West Central Chapter of the Police Benevolent Association of Georgia. Over the years, Sonny and his wife Shirley developed a strong personal connection with the North Pole. Some would even say that they looked strikingly similar to Santa and Mrs. Claus! Needless to say, Sonny pulled some strings and made sure that Santa's schedule was always clear for the Chapter's Blue Lights and Smiles event. While Sonny did not wear a badge, his service is a true testament to police-community relations and we are honored to have had his support and commitment. Rest easy friend, we will take it from here.

HAVE YOU BEEN CALLED TO ACTIVE DUTY?

The Southern States PBA proudly waives your dues as long as you are deployed through the United States military. Please be advised that private or contract employment will exclude you from membership with our organization. Please send us a copy of your military

orders that show the dates of your service by email, fax or mail.

We appreciate your patriotism and dedication in defense of our country.

Find out more online. sspba.org/activeduty

BY ANDY CARRIER, GEORGIA TROOPER CHAPTER MEMBER, PBA OF GA

here are many factors that come into play in defining a long, successful career in law enforcement. As a matter of fact, there aren't too many professions that demand more of a person than those who carry a gun and wear a badge. There are intangibles that we all think of, such as honesty, integrity, character and physical/psychological well-being. These areas are all considered when hiring prospective candidates. However, there is no sure-fire way to predict a rookie officer's staying power. Granted, some officers will leave law enforcement for various reasons, such as higher paying jobs, better hours or location. Then there are the officers who leave because of work-related stress, which most of the time, spills over into their personal lives, disrupting and corroding the family unit. Key factors that will always speak to an officer's successful career over the long haul are their ability to practice resilience, the psychological hardiness they possess and self-efficacy to follow through with commitment and determination.

Post-Traumatic Stress Disorder (PTSD) has become a common term used within our military. Over the past two decades, PTSD has found its way into the law enforcement field as an official diagnosis as well. Although, nearly all who make a lengthy career in law enforcement will experience Post-Traumatic Stress, not all who experience a traumatic event or critical incident, such as we face in law enforcement on a daily basis. Why is this? Why do some officers develop PTSD, while others who were involved in the same incident are not nearly as impacted? Let's first define what a critical incident is. According to police psychologist, Roger Solomon, a critical incident is any situation beyond the realm of a person's usual experience that overwhelms his or her sense of vulnerability and/or lack of control over the situation. In our profession, we like to be in control. It's how it's supposed to be. When control is lost, it can be cause for great panic. It's not in our DNA to be out of control of a given situation.

In the aftermath of a traumatic critical incident some officers seem to move forward well, while others struggle. The ability to forge on through adversity speaks to both past engrained experiences and learned behaviors. Michael Rutter, MD, believes that resilience is one's ability to bounce back from a negative experience with "competent functioning." Resilience is not a rare ability; in reality, it is found in the average individual and it can be learned and developed by virtually anyone. Resilience should be considered a process, rather than a trait to be had. It is a process of individuation through a structured system with gradual discovery of personal and unique abilities. Several studies have shown that fifty percent of the ability to utilize resiliency comes from parents, or those that had a direct impact on a child's upbringing. From this, it can be concluded that roughly half of one's ability to practice resiliency is engrained at an early age. The other determining factor is what is learned through teaching and training. So, yes, we can learn to be resilient as well. An example of this could be learned from the American Psychological Association's (APA) "Ten Ways to Build Resilience":

1. To maintain good relationships with close family members, friends and others;

2. To avoid seeing crises or stressful events as unbearable problems;

3. To accept circumstances that cannot be changed;

4. To develop realistic goals and move towards them;

5. To take decisive actions in adverse situations;

6. To look for opportunities of selfdiscovery after a struggle with loss;

7. To develop self-confidence;

8. To keep a long-term perspective and consider the stressful event in a broader context;

9. To maintain a hopeful outlook, expecting good things and visualizing what is wished;

10. To take care of one's mind and body, exercising regularly, paying attention to one's own needs and feelings.

In the early 1930's an American theologian named Reinhold Niebuhr wrote the Serenity Prayer. He first wrote this prayer to be used at a sermon at the Heath Evangelical Union Church in Heath, Massachusetts, fifteen minutes from where I grew up.

God, grant me the serenity to accept the things I cannot change, courage to change the things I can, and wisdom to know the difference.

Niebuhr must have had a congregation full of police officers when he preached this for the first time. In post traumatic growth research, it was found that the ability to accept situations that cannot be changed is crucial for adapting to traumatic life events. Researchers call it "acceptance coping," and have determined that coming to terms with reality is a significant predictor of post traumatic growth. According to psychologists Tedeshi and Calhoun, post traumatic growth (PTG) or benefit finding refers to positive psychological change experienced as a result of adversity and other challenges in order to rise to a higher level of functioning. Unlike resiliency, PTG is not about returning to the same life as it was previously experienced before a period of a traumatic incident; but rather it is about undergoing significant 'life-changing' psychological shifts in thinking and relating to the world, that contribute to a personal process of change, that is deeply meaningful. Police officers who have experienced traumatic growth report a greater appreciation of life; changed sense of priorities, warmer more intimate relationships, greater sense of personal strength, and recognition of new possibilities or paths for one's life and spiritual development. The "new

normal" can be a new and improved normal for many who choose to look at their traumatic critical incident through a different set of lenses.

Post traumatic growth is facilitated by relating to others, new possibilities, personal strength, spiritual change, and appreciation for life. In a perfect world, PTG evolves from peer support and close relationships. While resiliency attempts to lead us back to a baseline level of functioning, prior to a critical incident, PTG transcends the baseline. Resiliency and PTG are both crucial in surviving a 20 – 30 year law enforcement career. It bodes well for us to learn all that we can about both. We owe it to ourselves and we owe it to those who care about us.

About the author

Captain Andy Carrier joined the Georgia

State Patrol in 1989 after a two year stint with the Richmond County, Georgia Sheriff's Department. Over his career with GSP, he has served as a road trooper, adjunct and full time instructor, assistant post commander, post commander and assistant troop commander. Carrier also served at GSP HQ's in Atlanta, where he oversaw daily operations with the Honor Guard, Hostage Negotiations and the Critical Incident Support Team (peer support). As a hostage negotiator, Carrier was the primary negotiator in two lengthy, volatile standoffs that gained continuous national media coverage.

Captain Carrier holds a BS in Criminal Justice from Brenau College, a Master of Public Administration from Columbus State University and a Masters in Clinical Social Work from the University of Georgia. He is a graduate of Columbus State's Law Enforcement Command College and a graduate of the 245th Session of the FBI National Academy in Quantico, Virginia. Carrier is a licensed mental health clinician in the states of Georgia and South Carolina, specializing in trauma, grief and loss and is certified Eye Movement Desensitization and Reprocessing (EMDR) therapist. Carrier resides in Augusta with his two children, Justin and Meghan.



JEFFERSON AWARDS: KEVIN TAYLOR

BY ASHLEY KIRKLEN, WGXA TELEVISION, APRIL 19, 2018

Deputy Kevin Taylor is a member of the Middle Georgia Chapter.



think sometimes we all go through rough stages."

After 12 years in law enforcement, Deputy Kevin Taylor has seen the worst of his community while on the job, but it's what he noticed outside of work that bothered him most.

Taylor adds, "A lot of people in this community live paycheck to paycheck and doing the right thing and not going out there committing crimes in order to make illegal money to supply their family with their wants and needs."

He and other members of the force wanted to help those people make ends meet.

Deputy Taylor says he and his father went



through rough stages and he didn't want anyone else to go through that if he could help it.

In 2012 he started Operation Arresting Hunger, focusing on providing for families in need in Houston County. He says during the first year they served 15 families. Last year and the year before that it was over a hundred families.

During the holidays they also take dozens of kids to Toys R Us, give them \$150 and watch them shop 'til they drop.

Beaming with joy, Taylor commented, "When they see us at Toys R Us, they just have a good time."

He says it's an indescribable feeling.

If you'd like to get involved with Operation Arresting Hunger, contact the Houston County Sheriff's Office at (478) 542-

2125.

This article is reprinted with permission and can be found here: https://wgxa.tv/ news/jefferson-awards/jefferson-awardskevin-taylor

PBA MAKES ENDORSEMENTS IN RACES THROUGHOUT NORTH CAROLINA

ince March of 2018, PBA members volunteered their time to interview candidates running for various state and local offices. These candidates were asked the tough questions to include their views on numerous issues that are critically important to law enforcement, probation and corrections officers.

During this process, candidates were asked to meet with a screening committee and were afforded the opportunity to talk about their background and experience. They were then asked a series of questions and their answers were graded by committee members. The committee then discussed the results before making recommendations to the appropriate board for a final review and vote for endorsement. PBA members then went into overdrive to get these candidates elected. This included attending numerous campaign events to show our support. In all, over sixty members volunteered their time to be at the forefront of this time-tested process.

We want to congratulate our endorsed and elected candidates. We are looking forward to their service to their communities and the state of North Carolina.





WHAT THE CANDIDATES HAD TO SAY ABOUT THEIR ENDORSEMENT

"I will always stand with the 'Thin Blue Line' of men and women who keep our families safe. They devote their lives to our communities and yet too often, their needs

are overlooked until a crisis hits. They need a strong advocate in the Senate who won't back down to political correctness or political corruption and they can count on me. These good people are the salt of the earth, and I will never stop fighting for

them." Rep. Bob Steinburg -Senate District 1

"I am honored to receive the endorsement of the NCPBA. Law enforcement officers are the backbone of our justice system. Their confidence in and support of me is

remendously valuable in helping me spread my message of experience, honor and integrity. As the Voice of Law Enforcement in our great state, the PBA is very active in fighting for a high quality, independent judiciary. I am very proud to have them on

my side." Allegra Collins -N.C. Court of Appeals

"I back the blue, and I appreciate that the feeling is mutual. I gratefully accept the NCPBA's endorsement for NC Senate 39. Today, the challenges of serving as a law enforcement officer are greater than ever. I intend to see to it that state government recognizes that, remains behind them and hears their voice." Senator Dan Bishop -Senate District 39

"Every day, men and women in uniform work to protect us, without reservation or hesitation. They put their lives on the line and have our back. Who has law enforcement officers' back? The Police Benevolent Association. I have been fortunate enough to get to know the fine folks of the PBA. The dedication they have to support the men and women of law enforcement on a day to day basis is nothing short of incredible. With the constant pressures that are mounting against these patriots, the PBA steps up and provides the necessary support for our law enforcement officers to do their jobs. This is the reason I am so proud to have the 🌌 support of the PBA." Todd Johnson - Senate District 35

"It is an honor to receive the PBA endorsement. I have worked with law enforcement 25 plus years in public service and know firsthand how difficult their job has become. I have always and will continue to work hard for the men and

women who put their lives on the line every day." Rep. Stephen Ross - House District 59

"First and foremost, I have both friends and family in law enforcement. I work with them, I live with them and I go to church with them. I have a great deal of respect to their commitment to service and sacrifice to ensure our citizens are safe. Our law enforcement officers often place themselves in harm's way for the benefit of us all. To have this endorsement of the group who represents their interests

is an awesome honor and privilege. I intend to do all I can to continue to support law enforcement and to increase public safety for all citizens of Robeson and Columbus County." Senator Danny Britt - Senate District 13

"I am so honored to receive the NCPBA endorsement for NC House of Representatives. It is a privilege to work with "The Voice of Law Enforcement Officers" on important legislation that protects and benefits their members. As I did in our 2017-18 session, I will proudly stand with them again in the future to advance their priorities." Rep. Cynthia Ball - House District 49

"I have a deep respect for law enforcement officers that in large part stems from a beat officer where I grew up. He walked the streets and kept us safe, taught the kids what it meant to be good citizens, took time to talk and play ball with us when his duties permitted. I believe law enforcement officers are

hard-working, self-sacrificing, and dedicated individuals who do a job most of us would never do. They see many at their worst, yet endeavor to do their best. Receiving the North Carolina PBA endorsement means a lot as it comes from a group I deeply respect." Keith Kidwell

House District 79

"I am honored to join the list of esteemed elected officials and candidates endorsed by the NC Police Benevolent Association The PBA does a great deal to protect the rights of those who give so much to protect the rest of us and I intend to be a strong advocate for their members in the

NC Senate." Michael Garrett -Senate District 27

"As a candidate for NC House, I am committed to serving all North Carolinians, especially those who

sacrifice so much to create safe communities. I am honored to have the endorsement of the Police Benevolent Association and will work diligently to do right by the public servants they represent and the citizens they work hard to protect.' Ashton Clemmons - House District 57

"I am pleased to have earned the endorsement of the NCPBA this year. I strongly support the men and women in law enforcement who go out every shift and wear their badge with honor and integrity. We rely upon our first responders every single day and they always answer the call.

Rep. Dennis Riddell -House District 64

"It is deeply meaningful to receive the endorsement of the NCPBA. I have great respect for the work of law enforcement professionals who put themselves at both professional and personal risk every day to serve their communities. As the largest

law enforcement association in North Carolina, the NCPBA is the "Voice of Law Enforcement" protecting and advocating for its members who, themselves, serve all North Carolinians by working to provide strong, fair, and effective law enforcement across our state. I truly respect and support the work of the NCPBA for all its members and the citizens of North Carolina. Thank

you for endorsing and supporting my candidacy for the NC Court of Appeals."

Toby Hampson -N.C. Court of Appeals

"It is an honor personally for me to receive the PBA endorsement for several reasons. I am a supporter and friend of the various law enforcement agencies and have a great respect and appreciation for the work they do. I will do my best to support their issues in the NC General Assembly to address concerns they may have. I appreciate the

trust you have placed in me to advocate for your organization." Rep. Donny Lambeth -House District 75

"I am honored to receive the endorsement of the NCPBA, the women and men who provide public safety in our communities. I will continue to collaborate with your organization on public safety issues for the betterment of North Carolina citizens." Rep. Carla Cunningham - House District 106

"I'm proud to be endorsed by the NCPBA and I stand with the brave men and women of law enforcement who strive to keep our communities safe. In this time of unprecedented attacks on law enforcement, it is important that we stand for the rule of law and with our law enforcement officers."

Rep. Destin Hall - House District 87 "I'm honored to receive the endorsement of the PBA. I'm glad we were able to work together on common-sense improvements to our laws that will benefit our state as a whole. I firmly believe we must do the hard work of building bridges and enacting smart policy changes that will benefit our community. I look forward to working with the PBA to continue this hard work in the future."

Rep. Chaz Beasley - House District 92

"I am honored to have received the endorsement of the NCPBA because they serve as the voice of law enforcement officers across our state. As a candidate, and in my time on city council, I have supported strong, fair, and effective law enforcement. It is humbling to be trusted as an advocate for our officers in the community." Kirk Deviere - Senate District 19

"The NCPBA endorsement is pivotal for my campaign. I am running for NC House District 37 to improve the lives of North Carolinians. In order to do so we need to support and invest in our law enforcement officers across the state to ensure that they always have the means to keep our communities safe and the continued ability to improve relationships with our at-risk communities. Moving forward I look forward to closely working with the PBA and am thankful for their support." Sydney Batch - House District 37

"I understand the importance of this endorsement and I am honored to have received the support of the NCPBA. I'm committed to championing the issues of all law enforcement personnel. These public servants risk their lives protecting us and I witnessed this most recently during

Hurricane Florence. I will continue to support the brave men and women who wear a uniform and go to work to protect our state." Bobby Hanig - House District 6 "I am very proud to have the endorsement and the confidence of the PBA. As a US

Army veteran, a member of a military family going back more than four generations, and as a family member to many professional first responders who have put themselves in harms way every day, I understand the need to provide them with the resources and support they need so

that they may keep us safe." Rep. Holly Grange - House District 20 "Being endorsed by the NCPBA is a tremendous honor, and it validates my earlier career choices as a Correctional Officer, and Probation Parole Officer. As a member of the North Carolina General Assembly, I will draw from my experience in law enforcement and my relationship with the NCPBA to bring forth legislation that will protect both law enforcement officers, and the citizens that they are sworn to protect." Raymond

Smith - House District 21

"The PBA endorsement means a great deal to me, because it tells prospective voters where I stand with respect to law enforcement. I support our law enforcement officers. I admire them as people and I respect the service they perform for our communities." Senator Paul Newton - Senate District 36

"It's a real honor to have the endorsement of our law enforcement community who put their lives on the line for us each day. I remain committed to improving the working conditions of our law enforcement officers and the quality of life of their families. I appreciate the PBA, North Carolina's premier voice of our law enforcement community, and view their support as essential to strengthening public safety by helping us to understand and tackle the challenges of law enforcement." Senator Don Davis -

Senate District 5

"It is an honor to receive the endorsement of the PBA. I have great respect and admiration for the brave men and women who work in law enforcement. I am grateful for their support and I will continue working to support them in our state legislature." Rep. Jon Hardister -House District 59

"I'm honored and humbled by the endorsement of the PBA. The men and women who serve and have served this

country are our true unsung heroes. The greatest endorsement a man or woman can receive is one of their peers and for this I am truly grateful." Bobby Kimbrough - Forsyth County Sheriff

"I am truly humbled and privileged to receive the endorsement from the PBA who represent many men and women who proudly protect and serve in uniform. The PBA is a vital organization, that ensures officers are not only protected, but the PBA helps to serve as a vital role in guiding our own practices as administrators and ensuring that we provide what is legal, fair and just towards these men and women, who swore to protect and serve." Sheriff Ralph Kersey - Scotland County Sheriff

"Since being elected to the NC House I have interacted with many associations and their Governmental Affairs leadership. The PBA ranks very high in their relationship building, straight forwardness, guidance and support. This Legislator is so privileged to have the PBA as a part of my team and the members of the PBA are blessed to be represented by your organization. Rep. Donna White - House District 25

"I consider it a great privilege to support our working law enforcement and their families and am thankful for the PBA endorsement - together, we can continue to work towards ensuring protections and appropriate reform are in place to grow and retain this critical workforce." Senator Deanna Ballard -

Senate District 45

"I am proud to have received the endorsement of the NCPBA for my campaign to serve a fourth term in House District 74. The men and women of the PBA enforce our laws and risk their lives every day to protect the citizens in my district and across the state." Rep. Debra Conrad - House District 74

"I have been a 30-year member of this outstanding organization that serves as a voice for the men and women of law enforcement. I am extremely proud to have their endorsement and am looking forward to my continued work with them in the future." Sheriff Alan Norman - Cleveland County Sheriff

"There is no doubt of the essential services that police officers provide in our society EVERY DAY. Every day they put their expert training to work throughout the community. Every day they protect the countless lives of citizens by enforcing fairly the laws of our cities throughout our state. Every day they put their lives on the line for protection and safety of every citizen. I am committed to provide these men and women with the pay, benefits and respect they deserve when I am elected to N.C. Senate. They are my true heroes and exemplify what makes our cities great throughout our state and country." Harper Peterson - Senate District 9

'Our law enforcement officers are on the front lines everyday protecting our community. I am proud to be endorsed by the PBA and I stand with them and the men and women they fight for every day.'' Rep. Brian Turner -House District 116



BY KAYLAN STOREY, PUBLIC RELATIONS AND FOUNDATION MANAGER, SSPBA

f you only know one thing about Joe Naia, you know he loves to hike. He began hiking in 2000 and "the bug got him," as he says. When he's not out on the trail, he's working for the SSPBA as the Board Secretary and Treasurer as well as the PBA of GA President. He has been a proud PBA member for 25 years. He stays very busy with his work for the PBA, but he always finds time to enjoy the majestic beauty of nature. PBA of GA President Joe Naia has been featured in the Blue Review three times to highlight his hiking adventures.

The road that led Naia to begin hiking was bumpy. Naia says, "At the time, I was seven years sober. A few years of sobriety in an alcoholic's life can be very dangerous. You will start conning yourself into thinking that you can have a few drinks and stop again. This is not true. One day in March 2000, I was driving and told myself I would go fishing, knowing full well that I did not even have a fishing pole. I was really going to go somewhere to hide and drink. Instead, I drove towards the Georgia Mountains. I drove all night and the following morning I stopped at the top of Unicoi Gap, not knowing that the Appalachian Trail began right across the top of the Gap. I met several hikers who were stopping for a resupply. I asked where they were heading, and they said, 'Maine.' I told them I had never heard of Maine, Ga. They laughed and said. 'No, the state of Maine,'- more than 2,000 miles away. After this, I drove home and no longer had the desire to

drink. When I got home, I purchased backpacking gear and started hiking. I want everyone to know that alcohol is a very patient drug. It will wait for the alcoholic to pick it up again and again," Naia said. Joe Naia proudly celebrated his 25th year of sobriety this year.

When Naia first started long distance hiking, he admits he was clueless. At an outpost along the Appalachian Trail, he met a famous long-distance hiker and author, Nimblewill Nomad, who nicknamed Naia 'Walmart Joe' because of the impractical and bulky gear Naia purchased at Walmart.

Since we last checked in with hiking enthusiast and PBA of GA President Joe Naia, he has traveled to Peru. During this trip, Naia toured Peru with his friend, Luis Caride, and spent 18 days taking in the sights and learning the history of the country.

Naia and Caride began their tour in Pisco, a small city located in the Ica Region of Peru. They took a boat tour to visit the Ballestas Islands. According to TripAdvisor.com, the Ballestas Islands are located on the south coast of Peru and are known for their many caves and arches that form a shelter for the 1500 species of marine birds and sea lions. Naia recalls seeing two seals fighting over territory, "It was the coolest thing!" Near the town of Pisco, Naia and Caride also visited the Tambo Colorado, which was a large administrative complex from the Incan reign of the 16th century. The giant geoglyph of the Paracas Candelabra was the next landmark that Naia and Caride took in. The symbol measures 595 feet tall, which is large enough to be seen 12 miles away at sea. The design of the candelabra is cut two feet into the soil with stones placed around. According to legend, the geoglyph served as a beacon to sailors.

The famous sand dunes of Huacachina were next on the travel itinerary for Naia and Caride. Huacachina is a small village located in southwestern Peru with a permanent population of only 100 people, but proudly hosts tens of thousands of tourists every year. From the dunes, Naia and Caride boarded a plane to tour the Nazca Lines. The Nazca Lines are a series of large geoglyphs in the Nazca Desert. The Nazca Lines are believed to have been created by the Nazca culture between 500 BC and 500 AD. Some of the geoglyphs measure as large as 1,200 feet long! The designs include animals like birds, fish and monkeys. Other designs include shapes like trees and flowers. Scholars have different interpretations for the purpose of the lines, but most agree that there was a religious significance to their creation.

In the Arequipa region of Peru, Naia and Caride also visited Colca Canyon. Hosting 120,000 visitors annually, it is one of the better-known tourist locations in the country. The canyon reaches a depth of 10,730 feet making it one of the deepest in the world.



Naia and Caride also visited Cusco, a city in southeastern Peru near the Andes mountain range. Cusco is a popular tourist destination, hosting 2 million visitors a year. In the city of Cusco, the Plaza de Armas, or the main town square is known for the stone pathways and colorful gardens, where tourists love to take in the sights. Here, Naia and Caride walked around drinking coffee, but not without being pursued by the persistent street vendors. "The vendors just drive you nuts! Every two seconds, they are trying to sell you something," Naia said. "But the whole square was very, very nice."

The largest lake in South America, Lake Titicaca, was also on Naia and Caride's list. The lake lies on the border between Bolivia and Peru. The lake consists of five river systems that flow into it, as well as 41 islands. These islands are quite different though because they are manmade floating islands. Built by the Uru people, the islands are made using bundles of dried totora reeds, which grow in the lake. The reeds are anchored

with ropes and driven into the bottom of the lake. "Every time you walk, you sink the island two inches, but then it goes back up," Naia said. A few hundred of the Uru descendants still inhabit the islands. While visiting the islands, Caride and Naia stayed one night with a native family. According to Naia, each tourist stayed with a different family, and while there, the natives hosted a community get-together with food and dancing to welcome the tourists. "It was really neat. Everyone is self-sufficient there," said Naia. He even bought his wife a Peruvian hat, which was handmade by the islanders. "They were all really such sweet people," said Naia.

The two traveled the long journey to Machu Picchu one day during their trip. "We had to get up at 3:30 in the morning to take a two-hour trip by car to the train station. Once we got on the train, we took a two-hour ride, and then a 30-minute car ride to reach the top of the mountain. It was an elaborate thing to get to Machu Picchu," said Naia. Machu Picchu is a 15th century Incan citadel located on a mountain 7.970 feet above sea level. Most historians believe that Machu Picchu was built around 1450 as an estate for Incan emperor Pachacuti. Constructed with stone walls, it was obviously built to last; however, it was only used for 80 years before being abandoned. Most inhabitants contracted smallpox from travelers and died. Naia said. "Machu Picchu was the

prize. I loved it. For 50 years, I have read about it and seen pictures of it in school. I never dreamed I would be standing there. It is more beautiful than I thought it would be." Machu Picchu is one of the new Seven Wonders of the World. We can certainly see why.

The final stop for Naia and Caride was the Ausangate Rainbow Mountains in the Andes. "It's a spectacular rock formation. It is rainbow-colored. The colors range from turquoise to lavender to maroon and gold. It was unbelievable," Naia said. According to Forbes.com, the Rainbow Mountains are considered to be holy and are the site of daily worship for local citizens. The mountains are hard to get to and require days of hiking to reach the peak. This was no challenge for Naia though. Apparently, the guide underestimated Naia's abilities and was quite surprised when Naia was the first one down from the hike. "I got a kick out of it!" Naia said.

Driving in the country was treacherous. Roads had been destroyed and had

sharp drops of 10,000 feet. "We were on a stretch of the highway and I stopped counting after 100 monuments on the side of the road," Naia said.

Naia thoroughly enjoyed the trip to Peru. "It was a memorable trip and something I will always remember," he said. We can't wait to see where "Walmart Joe" goes next!



The beautiful Ausangate Rainbow Mountains.

REPRESENTATIVE BOB STEINBURG RECEIVES PBA'S HIGHEST HONOR



Representative Steinburg with NCPBA members in the House Chambers

n July 30th, the North Carolina Police Benevolent Association presented their "Legislative Excellence" award to Representative Bob Steinburg in the House Chambers. Rep. Steinburg has been a tireless advocate for prison reform and correctional officers. His efforts led to an increase to the survivor benefit for law enforcement officers killed in the line of duty from \$50,000 to \$100,000. It would also make correctional officers eligible for the same benefit and be retroactive to cover the deaths of the officers from Bertie and Pasquotank Correctional Institutes. Upon receiving this award, Steinburg said, "I consider this award to be the highest honor of my legislative career to date. It not only humbles me but at the same time inspires me to continue the fight no matter what, knowing the PBA has got my back."

Rep. Steinburg was born and raised in Oswego, New York, a city of about 18,000 people in upstate New York on the shores of Lake Ontario. His dad worked for the local newspaper and his mom worked for a bank. He has three brothers. Steinburg is an Episcopalian and served as an altar boy from the time he was eight through high school. He was also involved in church youth groups. According to him, "Those Christian values were all around me and have remained with me to this day. I was taught the difference between right and wrong and how important it was to look out for others less fortunate than myself. I always identified with the underdogs and would not tolerate anyone bullying someone who could not stand up for themselves. My role models were my parents, clergy, men, women and friends of good will."

While in high school, he was involved in various clubs and played basketball, football, tennis and track. He graduated from Oswego High School in 1966. After high school, he attended Corning Community College and was elected President of the student body. He graduated in 1969 with an Associate Degree. He also attended Murray State University and Morehead State University in Kentucky and eventually earned his B. S. degree in 1990 from Upper Iowa University in Fayette, Iowa.

Steinburg has been married to his wife, Marie, for forty-six years. He will readily tell you that his decision to marry her ultimately proved to be the best decision he ever made. Marie is also from Oswego and was from a very large second generation Italian family. "Marie continues to be very strong in her faith and has been the rock of our family," according to Steinburg. He likes to use a quote from Lou Gehrig to summarize his marriage..."Today I consider myself the luckiest guy on the face of the earth." Steinburg and Marie have two children, Bobby and Greg, and two grandchildren, Julia (age 8) and Anthony (age 5).

Steinburg first worked in radio as a disc jockey before spending most of his career in sales and marketing. His stops along the way included national companies like the Russell Stover Candy Company and Keepsake Diamond Rings (the A. H. Pond Company). He is currently the founder and owner of the WolfeStein Group, LLC, a sports marketing company.

In 1977, he and Marie discovered Edenton and northeastern North Carolina when the area became part of his sales territory. Steinburg says, "We liked the people, the values and the patriotism that abounded here then and does to this day. Neighbor helping neighbor. This region of the state is the best of rural America. We are proud to call it and North Carolina home."

Every elected official has those that have inspired them along the way. Steinburg is no different. His first political hero was President Dwight Eisenhower, and President Ronald Reagan was another. He states, "I admired their steely resolve and leadership. Reagan's ability to connect with the people resonated with me. I admired Jesse Helms when he was in the U. S. Senate for his fiery tenacity. His autobiography was a fascinating read. I also deeply admired the late Billy Graham for his God-given ability to bring millions to Christ. Dietrich Bonhoeffer, a German pastor and theologian in Hitler's Nazi Germany was one of the most courageous men of the 20th Century," Steinburg added. "Bonhoeffer is a must read."

When Steinburg was asked why he chose to enter politics, he replied, "There are those who strive to be a politician, to have a career in politics for reasons both good and bad. I see myself as a public servant with no other goal than to serve others, to right wrongs, to eradicate evil and corruption and to bring opportunity to those who have little or none."

Rep. Steinburg took up the cause of prison reform after the murder of Sgt. Meggan Callahan in April of 2017. He has been a leading voice in the General Assembly on this issue and has immersed himself in trying to solve a crisis of epidemic proportions. When asked why prison reform is so important to him, he stated the following: "Sometimes we find ourselves in a situation that we would never have envisioned. The events of last April at Bertie and then six short months later in Pasquotank changed everything. These monstrous acts of barbarism in my backyard touched me in ways so profound I cannot even begin to describe them other than to say I would do all in my power to help ensure nothing like this would ever happen again. First it was the personal interaction with the families, friends, co-workers; seeing the hurt and pain up close and personal and then beginning to learn this didn't have to happen. I began to dig in and ask questions and that led to throngs of individuals coming forward and putting their trust in me by pointing out conditions within the hierarchy of the Department of Corrections and many of the individual institutions as well. There appeared to be no trust or confidence in management by the rank and file, and procedures and protocols were lax. Correction Officers felt no one had their backs and that the inmates and their lackeys were in fact running the institutions. Gang activity was ever

growing. I then began to hear from inmates who were writing to say they felt the prisons were out of control and that if something weren't done and soon, another murderous incident was inevitable. Most sided with the Correction Officers and feared for them. The Department of Corrections is so broken, I knew someone had to step up to the plate and do something. I will not rest until we have achieved meaningful prison reform, so help me God."

During this process, Steinburg developed a close relationship with the PBA and assisting them and their members. Steinburg states "The PBA reached out to me and has worked with me every step of the way to provide me with expertise, guidance, encouragement, support and historical context of the inner workings of our prison system. They are committed to righting the ship once and for all. The PBA has a strong membership with good people who really care about their brothers and sisters in law enforcement and their families. I consider myself to be blessed to have the wonderful working relationship I have with the PBA leadership and its members."

THE NCPBA ANNOUNCES LAWSUIT AGAINST THE NORTH CAROLINA DEPARTMENT OF PUBLIC SAFETY ON BEHALF OF MEMBERS

n June 25, 2018, the NCPBA held a press conference in Raleigh, NC to announce the filing of a lawsuit on behalf of our members against the Department of Public Safety. This suit was filed due to what the NCPBA believes to be a deliberate and pervasive scheme by DPS administrators to deny benefits to our members that were supported and passed into law by state legislators.

According to North Carolina PBA Executive Director John Midgette, "The actions alleged here exemplify a systematic practice and attitude by senior leaders



NCPBA Executive Director John Midgette speaks to the media.

that has plagued the Department of Corrections for many decades."

The same shameful treatment that has denied our members lawful treatment and benefits exemplifies a culture of corruption that promulgates a system of workplace malfeasance, severe officer injury and even death.

"Our hope is that our effort here will begin a process of accountability, respect and support that has been denied to our correctional officers for far too many years," said Midgette.

Read the full lawsuit at www.ncpba.org.

BY KAYLAN STOREY, PUBLIC RELATIONS AND FOUNDATION MANAGER, SSPBA

very day we hear the news of a robbery or shooting. Rarely do we hear of one of the largest issues facing law enforcement – human trafficking. With a 32 billion-dollar annual revenue, human trafficking is second in revenue following only drugs. Major metropolitan areas and large sporting events are hotspots for human trafficking. Georgia, in particular, is a favorite for traffickers due to the expansive highway system and world's largest airport.

What can be done to deter and stop human trafficking in its tracks? With obstacles like these and an already heavy workload, how can officers be expected to help end human trafficking as well? The Georgia Bureau of Investigation (GBI) set up a specialized unit to investigate and stop human trafficking in Georgia. The unit known as CEACC (Child Exploitation and Computer Crimes Unit) is one of the largest units in the GBI. Currently, the unit consists of 28 people - 4 supervisors, 14 special agents and 9 digital forensic investigators. The unit also works to prosecute child pornography cases and runs the crimes against children task force. The task force currently has 225 affiliates throughout the state of Georgia. Also, inside the unit is the Georgia Internet Crimes Against Children (ICAC) task force which works to identify cyber crimes against children.

In an effort to help teach law enforcement



Rotary Club of Augusta President Ed Presnell

officers how to spot and stop human trafficking, GBI Assistant Special Agent in Charge Brian Johnston led the presentation to officers in Augusta, GA on April 18, 2018. The human trafficking awareness seminar was proudly sponsored by the Rotary Club of Augusta. Rotary Club of Augusta President Ed Presnell was the mastermind behind the event. He brought the idea to PBA of Georgia Staff Representative Patrick Cullinan and Georgia State Patrol Captain Andy Carrier. They all worked diligently to put together a first-class event.

In June of 2017, Presnell attended the Rotary International Convention with 35,000 other Rotarians. While there, Presnell had an eye-opening experience. "Ashton Kutcher gave a presentation on human trafficking. You would think with him being an actor, that he wouldn't really be familiar with something like this, but he was spot on. He never cracked a smile. He spoke about how human trafficking usually takes place at large sporting events," Presnell said. "It made sense that Georgia would be a hub for this kind of activity," Presnell added. Kutcher's speech opened Presnell's eyes and he knew he wanted to help law enforcement learn and be better equipped to help trafficking victims.

Presnell applied for and received a grant through Rotary International to host the

seminar. He worked closely with the GBI, Georgia State Patrol, CSRA Chapter of the PBA of GA and non-profit organization I'm Aware to put together the event. Thanks to the grant, the location and food were covered. Attendees were also offered 4 hours of POST credit for attending the seminar. Over 100 officers, nurses and civilians attended the training.

PBA member Patrick Paquette has seen firsthand what a trafficked victim looks like. He rescued a victim in January 2013. A few months prior to recovering the girl, Paquette attended a similar human trafficking training event. He knew how to spot the signs and help the young girl. "She had been with 11 guys that night at a motel," Paquette said. Paquette's story made national news and appeared in The Washington Post. Read the article on page 20. "We've all had that big drug case, but there is nothing more rewarding than seeing a child that says they are here today because of this officer. I'm honored that she is a success story. She just graduated college, has gotten married and now has kids. I challenge you to set out and recover a child," Paquette added.

WHAT IS HUMAN TRAFFICKING?

Human trafficking is the trade of humans for sex or labor purposes. Must be forced, fraud or coercion, or the child must be under 18, to be classified as trafficking. Force includes some sort of physical action, restrictions on movement or sexual force. Fraud includes a lie told to make the victim take part. Coercion includes threats, i.e. to kill the victim's family, etc. Human trafficking is called modern day slavery.

WHAT IS SEX TRAFFICKING?

Sex trafficking includes prostitution, pornography, stripping, erotic massage, escort services, phone sex lines, private parties, gang-based prostitution, familial pimping. A lot of trafficking is internetbased. Prostitution and human trafficking are all about money.

WHO ARE THE VICTIMS?

A common myth is that victims are all foreign. In reality, most are from our own neighborhoods. 80 to 90% of the victims come from abusive homes. The victims are usually the runaways – a child that ran away from home but has someone looking for them (i.e. a parent, teacher, etc.), or a "throwaway" – essentially homeless, but no one cares or is looking for them.

The average age for entry into prostitution is 12 to 14 years old. Most victims are not recovered at this age. Instead, many are recovered around 16 to 17 years old after they have been in the business for a few years.

The majority of victims are female. One out of three homeless children is exploited – usually within the first 48 hours of becoming homeless. The traffickers can tell that the child doesn't belong and know to target them. Most become victims through force/threat, peer recruitment, internet enticement, false modeling ads, seduced, or sold by a family member.

The victims undergo a great deal of physical and psychological trauma that stays with them.

WHY DO THEY STAY?

Many people ask, "Why didn't she leave?" The sex traffickers condition their victims through starvation, beatings, bribes (money, food, phone, etc.) The victims are also often running from sexual abuse in the home which makes them vulnerable and easy to manipulate. The trafficker, or pimp, usually starts by showering the victim with affection. Then they isolate the victim and make them believe that they love them and deserve the abuse. The victims believe they are in a relationship with their trafficker and do not selfidentify as victims. This makes it harder for law enforcement because the victim oftentimes will not ask for help. The victims are also taught to fear law enforcement.

WHO ARE THE TRAFFICKERS?

The majority of the offenders are male. They are usually US citizens between the ages of 18-34. Many times after they are apprehended, they will say that they were simply trying to "help" the child get out of the trafficking life.

IS HUMAN TRAFFICKING JUST A METRO ATLANTA PROBLEM?

Human trafficking is not just a metro Atlanta problem. Human trafficking may be easier to imagine in larger cities, but it happens everywhere. Victims come from all over. Traffickers also like to move their victims around, so they are unfamiliar with the area.

A great deal of trafficking takes place in residential brothels. Here they tend to vet the johns. They are also mobile and able to operate out of houses and apartments. A great deal of prostitution takes place in massage parlors. Internet-based prostitution continues to grow as well.



GBI Assistant Special Agent in Charge Brian Johnston speaking to the officers about human trafficking.

HOW TO SPOT A VICTIM:

There are many signs that may indicate a trafficked victim. They may include inconsistent personal information, no identification, signs of physical violence, tattoos or branding, no money, clothing, etc. They may also be in emotional distress. For example, the victim may not make eye contact with an officer. A lot of times, the victims are told that they cannot make eye contact with another male.

If you suspect you have found a trafficking victim, identify the warning signs and record them in your report. Treat the child as a victim.

QUESTIONS TO ASK POTENTIAL VICTIMS:

Where do you live?

Who do you live with?

What help do you need?

Is there someone you'd like me to contact?

Tell me about your family...

If possible, move the potential victim away from their trafficker. In cases like Patrick Paquette's, the victim may just need to feel safe enough to ask for help.

WHAT TO DO AFTER FINDING A VICTIM: If an officer finds a victim, they have to get them to the hospital as soon as possible. It is imperative that any physical evidence is found and that the victim gets checked by a medical professional.

The officer will also need to find shelter for them. Usually, DFACS will step in and take over custody. There are many resources available to officers and victims through the GBI, DFACS and GA CARES. GA CARES is the primary point of entry for victim services. The primary concern of the investigation is always the victim.

OCGA 16-5-46 GEORGIA LAW – SEXUAL TRAFFICKING LAW:

According to OCGA 16-5-46, officers can clearly charge someone who obtains a child for sexual acts. The law enforcement officer does not have to show that the johns/trafficker knew the age of the child.

Next time you are out on patrol, you may just have the opportunity to rescue a victim from human trafficking. For more information on the GBI CEACC Unit, please visit https://investigativegbi.georgia.gov/child-exploitation-andcomputer-crimes-unit.

PATROL OFFICERS ARE TRAINED TO SPOT DRUNKEN DRIVING AND DRUG TRAFFICKING. WHY NOT CHILD TRAFFICKING, TOO?

BY STEVE VOLK

This article originally appreared in The Washington Post on February 27, 2018 and is reprinted with permission.

When Deputy Patrick Paquette pulled to a stop on Interstate 20 in Georgia in January 2013, he didn't anticipate a career-altering experience. He saw a young man and a far younger girl standing on the side of the highway. Both were handcuffed. The pair had been detained by an officer who had pulled them over for speeding, smelled pot and discovered a bag of marijuana. To Paquette, a Greene County sheriff's deputy with 11 years of experience, it seemed like a routine case of drug possession. The man looked sullen. The young girl looked ...

Paquette took a closer look at the girl. She seemed to be about the same age as one of Paquette's sons and weighed down by some combination of sadness and fear. She kept glancing warily toward the young man.

Paquette moved the girl out of the man's sight and earshot and started asking questions. How old was she? "Seventeen." Who was the young man? "My sister's boyfriend." The two had traveled from her home, in Montgomery County, Ala., the girl told Paquette, through Georgia, seeing relatives. They had spent the previous night in an Augusta hotel. As she talked, she avoided looking Paquette in the eye.

"It didn't really add up," Paquette says now. "How many 17-year-old girls spend the night in a hotel with their sister's boyfriend?" By this time, he says, the signs that this wasn't a routine drugpossession case were "just slapping me in the face." The disparity in ages between the man, 29, and the girl; the unlikely story of their travels together; the girl's evident fear; the illegal drugs, enough for personal use but not enough to imply intent to sell — all of these factors suggested a more sinister story.

The drugs provided grounds for a wider investigation, so Paquette ordered a search of the girl's suitcase. Inside, he and the other officer discovered additional clues: dozens of condoms, lubricant, sex toys and a small pile of lingerie. The girl and the man, Johnathon Nathaniel Kelly, were still separated. Kelly could not see or hear the girl. But Paquette, returning to her, kept his voice low.

"Do you need help?" he asked.

"No," she told him.

She still refused to look at him, and Paquette didn't believe her. In a different situation, he might have gotten tough — and, with his rugged face and frame, he could easily intimidate. But he eased off, gently asking the girl to recap her story. Then he leaned down to look into her eyes.

"Do you need help?" he asked again.

The girl opened her mouth as if he'd just turned the key to it. "Sir," she said, "please get me some help," and began to cry.

Paquette uncuffed her, loaded her into the car and drove her to the station for an interview with a specialist in sex crimes. The girl, Rebecca (she asked that her last name be withheld, to protect her identity because she is a sex-trafficking victim), sobbed. "I've been praying," she told him, "every second I could, to be rescued." Kelly was arrested and later sentenced to 11 years for interstate transportation of a minor for prostitution.

The truth is, if Rebecca had encountered Paquette just months earlier, she would have been arrested. "Right when I felt like she was lying to me," he says, "I know I would have just said, 'Lock them up." But Paquette had recently



Deputy Patrick Paquette.

taken a Texas-based training program, called Interdiction for the Protection of Children (IPC), which taught him how to spot indicators of child-sex trafficking and conduct roadside investigations. Among the warning signs: drivers who are older and unrelated to their victims, who tell unlikely stories to the police, or who possess illegal drugs in amounts consistent with personal use - to keep their companions docile. Victims, Paquette learned, often lie to the police in obvious ways, sometimes appearing scattered or nonsensical - telltale effects of fear and trauma. They continually try to make eye contact with their abuser, as if looking for signals or orders. And they frequently possess sex toys, condoms, lubricant and lingerie inappropriate for their age.

Some of these details might seem obvious; but, surprisingly, before the development of the IPC program in 2009 by a Texas Department of Public Safety officer named Derek Prestridge, there was no comparable, comprehensive training program to help patrol officers — those most likely to encounter children in distress — identify missing, exploited or at-risk kids.

The success of the program has been, unavoidably, difficult to quantify. Before the creation of IPC training, Texas DPS kept no record of "child rescues." But Texas state troopers have made 341 such rescues since the program's inception; and in formalized follow-up interviews, virtually all of the troopers said the training was key to spurring them to action.

The DPS has made the training available outside of Texas, and states that have participated are also reporting upticks in child rescues. But the training is far from standard. According to Prestridge, now a captain, IPC training has reached 7,709 patrol officers and child services professionals; according to the Justice Department, there are about 750,000 police officers in the United States (the statistics don't seem to break out patrol officers). "If this training becomes routine," Prestridge says, "we could be saving thousands of children." Unfortunately, as he has learned, even the most promising approaches to the most disturbing problems can be difficult to

implement.

Thus far, IPC training has spread mostly through word of mouth and chance encounters. For example, after Cathy Meyers, executive director of Maryland's Center for Children, met Prestridge during a 2016 law enforcement seminar in Austin, she arranged a Maryland training session through the Governor's Office of Crime Control and Prevention. That's how Derek Prestridge wound up standing in a basement conference room of the Maryland Department of Transportation last summer, walking an audience of about 80 officers through the epiphany that led to this program.

One afternoon in 2005, he told them, he came across an article describing the breakup of a multistate sex trafficking ring, which regularly drove through Texas with captive children. The traffickers even used Interstate 10 through Prestridge's jurisdiction. "I wondered," he recalled, "if any of my officers had come in contact with this car."

These were the days before the state kept child rescue statistics. As Prestridge told the audience, he could readily discover that, in 2008, Texas state troopers recovered 1,812 stolen cars, arrested 12,615 fugitives and seized 69,063.99 pounds of pot — wryly noting the department's zeal to "record all the marijuana we recover, to the fraction of an ounce." But how many recovered missing or exploited children were listed? "That number," he said, "was zero."

He knew zero couldn't be true. Runaways are sometimes discovered on the highway, for instance. What was true was that no one had thought child-related cases were important enough to break out as a statistic. The lack of rigor wasn't specific to Texas; Prestridge surveyed 10 other states and found the same thing.

Now Prestridge stood before his audience and asked: "How many of you have ever said, at the start of a shift, 'I'm gonna get me a drunk driver tonight'?" Numerous hands rose.

"How many of you have said, 'I'm gonna bust a drug dealer'?" Again, many hands.

"How many of you have ever said, 'I'm going to rescue a child tonight'? Or 'I'm

going to catch a child molester'?" No response.

Prestridge asks this question at every training session — this was his 97th — and he's become accustomed to that reaction. "Why is that?" he asked. "Why don't police make that a goal before their shift?" His audience was silent. "I'll tell you one reason why," he offered. "Because there's no box to check."

The 44-year-old trooper, still fit, with dark brown hair trimmed cop-close, noted that there are boxes to check for arrests, confiscated drugs, speeding tickets, drunk drivers, even seat-belt infractions. Those boxes, he argued, invariably reflect and influence any officer's priorities. "This isn't to say that police don't want to rescue children," said Prestridge. "Of course we do. The problem is that we haven't really known how."

After identifying this worrisome gap in Texas DPS statistics, Prestridge looked for a training course about recognizing - and rescuing - endangered children. After all, police are taught readily observable details that are possible indications of drug trafficking: Vehicles that lean to one side on level ground could be hiding contraband; a tire jack on the passenger seat could signal narcotics hidden in the wheel well. When he found no comparable program for child trafficking, he gathered a team within Texas DPS — including Texas Rangers, criminal analysts and victim services counselors — to build a training course.

They found and interviewed police who had made child rescues, asked what raised their suspicions and searched for commonalities. They pored over reports of the ways trauma, abuse and trafficking victims think and behave, searching for best practices police could use in the field to gain trust and information. The initial effort took more than a year, culminating in 2009, when Texas DPS trained its first class. "We made our first rescue in 2010," says Prestridge, "and they kept coming after that."

The program triggered a policy change at Texas DPS, which now records a statistic for all "child rescues" generated by traffic stops, most of which fall into the categories of sex abuse, Internet crimes, familial abduction or sex trafficking. By 2014, Texas DPS had logged more than 140 rescues.

One particularly remarkable rescue occurred in July of that year. In Hidalgo County, then-Sgt. Virgil Verduzco of Texas DPS spotted a vehicle with a defective taillight. He stopped the car around 2 a.m., discovering a 20-yearold man, according to his license, and a younger girl. "Police normally think about guns and drugs," he recalls, "but the training really opens your mind to think about children."

Verduzco ordered the young man to exit the car and walked him behind the vehicle. "What's the girl's name?" he asked.

The young man didn't know. "We met through social media," he explained. "We're gonna hang out."

Verduzco left the man there, then approached the girl and asked for her mother's number. The woman answered, groggy with sleep.

Verduzco named the girl, asking: "Is that your daughter?"

"Yes," she said. "But my daughter's asleep in her room."

Verduzco requested that she check, and in a flash she returned, thanking him. He'd recovered a 14-year-old girl — lured out by an adult she met online — before her mother even knew she was missing.

Joel Contreras Jr. later pleaded guilty to enticement of a child.

In the early years of the program, Prestridge began supplying the training to a few outside agencies, where it was well received. In 2014, Texas DPS Director Steve McCraw gave him a mandate to share it with any police department that asked — anywhere in the United States. "It was an easy decision to make when we realized we had a new way to protect children," says McCraw. "Our great hope is that this program becomes part of the routine application of officers' duties everywhere — so that it is no longer considered unique."

That same year, Prestridge made an important connection in the federal government. He was attending an invitation-only summit on long-term missing children at the National Center for Missing and Exploited Children in Alexandria, Va., when he struck up a conversation with Michael Bourke, a forensic psychologist in the U.S. Marshals Service in Arlington.

Bourke's role as chief of the Marshals' Behavioral Analysis Unit requires him to develop psychological profiles of fugitives on a case-by-case basis — a kind of daily, ongoing experiment testing preexisting models against individual examples. "I was impressed by Derek and what he had to say," says Bourke, "but I was also a little skeptical. ... I knew you had to be careful vetting these indicators" of child trafficking.

Prestridge told Bourke about one potential indicator he'd been mulling: Some IPC-trained police reported that the trafficking suspects they arrested often bore tattoos on their neck or face. Bourke didn't "see how there could be a connection" but volunteered to conduct an experiment using the U.S. Marshals' national database. He pulled 600 random samples of people arrested for trafficking children and 600 arrested for assault and found that, yes, child traffickers were more likely to bear tattoos on their face and neck (assault suspects were more prone to have tattoos on their hands).

The individual numbers were small — 20 hits among the sex traffickers, for instance — but Bourke said they were statistically significant enough that Prestridge could include facial tattoos as an indicator. And he joined the team. From his U.S. Marshals office, Bourke now vets Texas DPS's evolving list of indicators, which has swelled to 361, including large numbers of condoms, particularly of brands sold in bulk online; and loose hard drives or SIM cards, which are often used for transporting child pornography.

The program has also evolved to include a section on what patrol officers can look for inside homes. "The presence of any one indicator might not be that big a deal," says Bourke, "but when officers know them, and certainly if they see a cluster of them, they can use them in the field to guide their investigation."

The program has racked up results and received praise outside Texas. In April 2015, six children were rescued as part of a 72-hour initiative involving multistate trafficking checkpoints (similar to sobriety checkpoints) led by the Texas DPS. "That may not sound like a staggering number," said Col. Frank Milstead, director of Arizona's DPS, when announcing the results, "but I assure you if one of those six kids was your kid, that number is staggering." Arizona DPS Capt. Jennifer Pinnow says the IPC program has been "vital" in her state, which now tracks child rescues. recording 42 in 2016 and 57 in 2017.

In 2016, Prestridge won an award from the National Center for Missing and Exploited Children. Pete Banks, retired director of training and outreach at the center, says the IPC program "provides exactly what's needed, an intensive training that focuses on the population in law enforcement that can make the greatest difference."

The federal government is taking notice as well. Two FBI agents co-wrote a long, laudatory essay about the program in the bureau's Law Enforcement Bulletin in 2015. Alexandra Gelber, deputy chief in the Department of Justice's Child Exploitation and Obscenity Section, says she's "convinced of the program's merits" and likes the cost-effectiveness of using an existing resource: patrol officers.

But a program needs more than praise to spread across the country; it needs funding and a federal agency willing to take on the task of disseminating it. The fight against drug trafficking has benefited from money allocated to the war on drugs and the Drug Enforcement Administration's ability to spearhead training. In contrast, Texas DPS has been providing the IPC training on just \$95,945 in federal grant money it received in 2014 from the DOJ's Office of Community Oriented Policing Services. Larger federal grants, Prestridge learned, are too narrowly focused to cover IPC's range of crimes and victims. And even if Texas DPS found a pot of money somewhere, it simply doesn't have the staff to train the nation's patrol officers: Prestridge, who is assigned to the training academy, and his team hold many other responsibilities within the department.

Help may come from what might first seem like an unlikely agency: the U.S. Marshals Service. While marshals are mostly known as the officers who protect

the federal judiciary, operate the witness protection program and capture fugitives, they have long leveraged their ability to find missing bad guys into finding missing children. In 2005, they installed a program manager at the National Center for Missing and Exploited Children. In 2015, aided by a law allowing them to assist law enforcement agencies in missing-children

cases, they established a Missing Child Unit, which has assisted in the recovery of more than 1,000 kids. Late last summer, the service agreed to become what Bourke calls "the force multiplier" that will push out IPC training across the nation; the plan is for the Marshals Service to begin training local police departments this year. "We've already seen how successful the IPC program is by the number of children who've been rescued since its inception, and we are committed to seeing that continue with more training opportunities," says Derrick Driscoll, assistant director for the **U.S.** Marshals Investigative Operations Division.

Texas DPS and Bourke will train and certify classes of U.S. Marshals to present the program; those Marshals will then teach colleagues and classes of local officers. "We've got 3,000 deputy Marshals stationed all over the country with preexisting relationships at every level of law enforcement," says Bourke. "The growth of this thing, as we develop Marshals to disseminate the training, should just be exponential."

Back at the Maryland training session, Prestridge told a story involving the Washington region. A 16-year-old girl in Abilene, Tex., met a man online who took her to a series of hotels, seeing 12 customers per day, all the way to Pentagon City in Arlington. He then headed west again, on a circuitous path back toward Texas, and evaded two police encounters.

The first officer stopped them in Fairfax County, Va., for a routine traffic violation, and arrested the man for drug possession. The officer didn't recognize the large quantity of condoms, or \$4,000 in cash



the man possessed, as signs of sex trafficking. The man made bail the next day, and the pair continued their trip.

The second officer, a state trooper in Denver who pushed them back onto the road after their car ran into an embankment during a snowstorm, also missed the signs. Finally, about 15 minutes from Abilene, Trooper Connor Hardin, an IPC graduate, stopped them and recognized the indicators. He started asking questions, arrested the man and sparked an investigation.

By the time Prestridge finished this story, the second and final day of the Maryland class was nearly over. Attendees glanced at one another with a new resolve. Prestridge said he expected them to start rescuing kids, too. "One of you," he said, "at least one of you will." Afterward, Senior Trooper Joseph Ekani said the class made him recall a traffic stop involving a male driver with a young female passenger, lots of cash and a pile of prepaid phone cards (an IPC indicator because the cards allow criminals to make calls anonymously). "I could tell something was going on. I just wasn't sure how to proceed," Ekani said. "Now that I know what I know, I'm not going to let that happen again."

Since that first training, a small group of Maryland officers that underwent a special, intensive version of the IPC course has trained an additional class of 35 Maryland state and local police. The plan is to conduct new classes every six months, including a course that will begin on March 8 with 80 more officers. Though Maryland keeps some child-related statistics — calls to Child Protective Services, for example — like

> Texas initially, it has no category for child rescues. Maryland State Police spokesman Greg Shipley says that an initiative to gather this new statistic which could involve as many as 150 police agencies — is in progress, but he could not provide a timeline.

Prestridge says recording child rescues as a separate statistic is "important because it just sends a

message, through the whole organization, to be mindful of the children we see — and to be able to recognize and investigate any sign that something might be wrong."

That's exactly what Deputy Patrick Paquette did back in 2013 on that Georgia interstate, when he became the answer to Rebecca's prayers. Two years later, Rebecca invited him to her high school graduation. "I wanted him to see," she says, "that I am not wasting this second chance at life he gave me." Paquette attended, sitting there with a rare kind of satisfaction — and humility. "It was kind of overwhelming," he says, "and an honor."

Steve Volk is a writer at large for Philadelphia Magazine and a contributing editor for Discover.

PROTECT, SERVE AND...DELIVER?

BY ROBERT MAY, LEE COUNTY CHAPTER MEMBER, ALPBA

hen I was in the Academy a few years ago, we memorized The Law Enforcement Code of Ethics. It begins with these words: "As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives."

As law enforcement officers, we are constantly aware of our duty to serve and protect our fellow citizens. As we take up our gun and badge to begin a tour of duty, we have no idea what challenges we may face, or what we may be called upon to do in the line of duty. But one thing we do know for sure, we won't back down from any challenge or danger. We will serve and protect those who count on us.

But what if, instead of protecting the life of a fellow citizen, you were called upon to help begin her life?

Early in the afternoon of Thursday, March 8, 2018, Cpl. Lee McLeroy and Sgt. Ronnie Flournoy were relieving the two deputies who were assigned to the security checkpoint at the public entrance of the Lee County, Alabama Justice Center. I was one of those deputies, and as I returned from my lunch break and pulled into the parking lot, I heard radio traffic between the sergeant and corporal that sounded like there had been some type of medical emergency that was just coming to a successful conclusion. By the time I got into the building and to the court security office, I found Cpl. McLeroy there alone. He seemed to be dazed, with an expression on his face that said to me, "This is surreal. I can't believe that just happened!"

"What is going on?" I asked.

With that expression of wonder still on his face he replied, "I just delivered a baby in the front parking lot!"

Here is his full account of what transpired in his own words.

"A gentleman came running in the front door of the Justice Center and stated that he needed help. His wife was having a baby! He also stated that he worked with the Macon County Sheriff's Office.

"I told Sgt. Flournoy to notify dispatch to get EMS on the way, and I went out the front door to their vehicle. He had parked directly in front of the Justice Center. I walked up to the vehicle. His wife was in the passenger's seat, and much to my



Vickie McLeroy with her goddaughter, Alaya Robinson.

surprise the young lady was not in labor as I was expecting, the baby's head was actually sticking out between her legs!

"I got back on the radio and told Sgt. Flournoy to notify dispatch to tell EMS that the lady was not in labor, but that the baby was actually coming out! I knelt down next to her and told her that everything was going to be all right. It looked like the baby was attempting to breathe, but she still had amniotic fluid in her mouth and some type of whitish fluid in her eyes. Because her head was the only part that was out, I could not tilt her head to clear her airway, so I gently grabbed her by the head and just very easily pulled, and she slid right on out of the birth canal into my hands.

"There was a small blanket sitting on the console between the front seats, and I used it to hold the baby. I tilted her so that the fluid ran out of her eyes and mouth, and she took her first breaths. She cried very little, like three times, and then opened her eyes and looked up at me. It was a very humbling moment."

> The mother was obviously upset. I'm quite sure this was not ideally the way she had the delivery of her baby pictured in her mind. I told her, "Look what you did; you did good; the baby is fine."

"Just then I felt somebody tap me on the shoulder and I looked up, I had not realized that EMS had arrived! They took the baby from me. I turned around and saw the father who had been standing behind me. He had tears running down his face. I patted him on the back and told him that he had done fine, that the baby was fine. I didn't know what else to do, I gave him a big hug and told him he looked like he needed a hug at that moment.

"EMS took them on to the hospital; everybody was good."

Randy and Keyia Robinson named their baby girl Alaya. They asked Cpl. McLeroy and his wife, Vickie, to be Alaya's godparents, an honor which they gladly accepted.

Protect, serve, and if the need presents itself, deliver! Always ready, willing and able to offer assistance to those we serve. I'll leave you with a quote from the final paragraph of the Code of Ethics.

"I will constantly strive to achieve these obligations and ideals, dedicating myself before God to my chosen profession -LAW ENFORCEMENT."

EARTH ANGEL: TOGETHER, WE SHALL

BY BETH VICTORIANO, GULF COAST CHAPTER MEMBER, MSPBA



Krump ran in full duty gear with athlete rider Jerry in the Tunnel to Towers 5k in Biloxi. MS.

hen SSPBA member Jenn Krump raised her right hand and recited the police officer oath, she meant each and every word she said. "...I will never betray my badge, my integrity, my character or the public trust... I will always uphold the constitution, my community, and the agency I serve." To Krump, giving back to her community has been, and always will be, her number one priority.

After serving as a firefighter and paramedic for 15 years with the Presidio Fire Department, Krump joined the Oakland Police Department in 2008. After a brief layoff, she was hired by the Gulfport Police Department in 2011, where she has held several positions, including: patrol officer, undercover narcotics officer, narcotics investigator, criminal investigator, achieved a master's degree in criminal justice, and, most recently, was promoted to patrol sergeant.

While serving the community full-time through her career, Krump extends her commitment to her neighborhood even when she is not in uniform. When not wearing her blues or shaving her head to support childhood cancer at the St. Baldrick Festival, Krump can be found in pink and black - spreading the mission of Ainsley's Angels of America. Ainsley's Angels is America's special needs

deserves to be included, specifically in endurance races.

Krump and her partner, Sergeant Beth Victoriano (also an SSPBA member), have been ambassadors of Ainsley's Angels in South Mississippi since 2015. Because Ainsley's Angels pairs able-bodied runners with rider athletes who are unable to complete a race without assistance, this has provided individuals of all ages and disabilities the opportunity to get off the sidelines and



Krump honors the fallen officers from Oakland Police Department while running with an Ainsley's Angels team.

over the finish lines at local road races in Mississippi.

Each day, Krump educates, advocates, and celebrates the mission of Ainsley's Angels, and the opportunity it brings to all members of the community. Since starting their ambassadorship, Ainsley's Angels in the South Mississippi family has grown to include more than 227 runners, 41 rider athletes, and 100 guardian angels as part of their angel family. They participate in more than 25 races annually throughout the state while spreading the message of inclusion and rolling with the wind.

PBA PROVIDES SUCCESSFUL DEFENSE FOR ARKANSAS MEMBER CHARGED AFTER ON-DUTY SHOOTING BY JONI J. FLETCHER, DIRECTOR OF LEGAL SERVICES, SSPBA

f I had not had PBA, this would have been devastating financially," said retired Little Rock Police Officer Ralph Breshears after he was found not guilty of a Third Degree Battery charge arising from a

July 2017 on-duty shooting. The shooting occurred after Officer Breshears responded to a shoplifting call at an area Home Depot where the suspect, Rudy Avila, escaped from police custody, ran across the parking lot to a Chick-fil-A, carjacked a vehicle, and drove that vehicle toward Officer Breshears. Avila was shot in his arm. "What was strictly going through my mind at that point was to stop Mr. Avila from hurting someone else," Breshears said.

Pulaski County District Judge Wayne Gruber found Breshears not guilty in October 2018.

Officer Breshears was a Little Rock patrolman for 27 years. He retired, effective January 1, 2018, with the understanding that the shooting investigation was resolved. Then, on January 22, 2018—eight months after the shooting—the prosecuting attorney charged Breshears with the misdemeanor charge. The state alleged that Officer Breshears negligently used his weapon while apprehending a fleeing felon.

Breshears described his feelings regarding his arrest by saying, "I'm the guy that normally takes bad people in the jail, and now I'm walking around in there."

Based on the fact that Breshears was no longer employed in law enforcement at the time he was criminally charged, the prosecutor approached the case as if Breshears acted as a citizen in the shooting instead of acting as a law enforcement officer and argued that Breshears was guilty because he "could have" injured the owner of the car that fantastic job," Breshears said. "I couldn't have asked for better lawyers. Blake and Annie's brief shut the prosecution down immediately as they explained that we should never be in court over this incident."

> "Blake is highly recommended and is not cheap," Breshears said, "but PBA covered everything. This could have easily cost me about \$10,000."

Avila pled guilty to robbery and felony theft in April 2018 and received a 15-year sentence, according to The Arkansas Democrat-Gazette. Avila initially was charged with attempted capital murder for trying to run over Breshears, although that charge was dropped when Breshears was criminally charged. Avila previously was designated as a habitual offender in regard to residential burglary and theft of property charges.

As for why he was prosecuted for this incident, Breshears believes it is because he filed a discrimination lawsuit against the department in 2016 over a promotional issue. "The EEOC investigated the claim and found in my favor, but the City refused to acknowledge that they had discriminated against me," Breshears said. "This charge will follow me forever," Breshears added. "Although

I was never guilty of any offense, I was given a state and federal identification number as a result of these fictitious charges. These numbers and charges will follow me for the rest of my life. My next move is to try to recover my reputation which was severely damaged by the City and LRPD. But I am so thankful that I was a PBA member and did not have to cover my legal expenses out of my pocket."

Retired Little Rock Police Officer Ralph Breshears

Avila carjacked. "That would set a dangerous precedent," Breshears said, "because any cop could be charged for a shooting—unless it was on a shooting range—because there would always be the possibility that someone in the public could get hurt."

Attorney Blake Hendrix and Annie Depper represented Breshears through the PBA. "Blake and Annie did a



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WARDELL WILLIAMS AWARDED LIFETIME MEMBERSHIP

BY KAYLAN STOREY, PUBLIC RELATIONS AND FOUNDATION MANAGER, SSPBA

ardell Williams has been a member of the PBA for nearly 20 years. During that time, he has proudly served as the Senior Vice President of the North Carolina PBA as well as the President of the North Carolina Correctional Officers Chapter.

Wardell knows first-hand how diligently the PBA works to improve work-related issues for officers. This is proven by the NCPBA's work with Representative Bob Steinburg to increase the survivor benefit for law enforcement officers killed in the line of duty from \$50,000 to \$100,000.

When the time came to nominate an outstanding PBA member for the prestigious lifetime membership, Wardell's name came to many peoples' minds. Wendy Sellars, secretary of the North Carolina Correctional Officers Chapter wrote a heartfelt letter nominating Wardell for the honor. Her letter is included below.

Monday May 7, 2018

Dear Fellow Corrections Chapter board members, my name is Wendy Sellars and I am the current acting secretary of the NC Corrections Chapter. I would like to take this opportunity to recommend Chapter President Wardell Williams Jr., for a lifetime membership with the SSPBA.

Wardell E. Williams, Jr. currently holds the position of NCPBA Division Board Vice-President and President, NC Corrections Chapter. Wardell has been a member of PBA for almost 19 years. He started as a parole officer for the then Department of Corrections back in 1995. It was years later around 1999 that he was recruited by fellow officer and then NC Corrections Chapter President John Daniels. Under his tenure, Wardell's first leadership position was secretary for the Corrections Chapter. After John Daniels' retirement from DOC, he then became Vice-President under the leadership and tenure of Chapter President Bruce Barrett.

For the next 10 years, Wardell continued to learn the importance



of what PBA could do for their members. That period of growth and responsibility to members came from observing his chapter president(s), his then and current Executive Director, John Midgette, and the Division Board during that era. Wardell spent this period of time promoting PBA, working and developing his leadership abilities and understanding how PBA, a professional association, operated throughout the State of North Carolina. In the Fall of 2009, a great opportunity presented itself for Wardell to be elected as Vice-President on the NCPBA Division Board under the leadership of incoming Division President, Randy Byrd. The following year in April 2010, Wardell was elected to become President

> of the NC Corrections Chapter. During the past 8 years, Wardell has been re-elected President of the Corrections Chapter three times.

When Wardell first became a member of PBA in the late 1990s, there were less than 150 members within the chapter statewide. By the time he became Chapter President, that number was a little over 500. In April 2010, PBA had a meeting with Deputy Secretary Tracy Little and Deputy Secretary James French about issues concerning PBA members. During that meeting, information was made available about PBA possibly being eligible and meeting the requirements as a covered employee association under the Executive Order #45 HR covered professional program within the Office of State Personnel. Wardell was able to make contact by email with Linda Coleman, Director of the Office of State Personnel and her staff.

Over the next two months, correspondences were exchanged showing that PBA meets

the criteria of Executive 45 authorized by Governor Beverly Perdue. After diligence by Wardell and the PBA staff, we received the official notification letter from the Director of HR within the Department of Corrections indicating that PBA was one of three associations allowed access to employees within State DOC facilities and offices. Since that time, chapter membership with the awesome recruitment has seen growth from hundreds of members to thousands of members. Over the past eight years, the Corrections Chapter has had great and increased participation from board members with interactions with legislators at political events and screenings. We have had discussions with departmental management to address member concerns and issues. There have been countless requests for legal services and numerous conversations with members supporting their desire to see changes, such as officer safety, facility improvements, personnel and pay improvements, training and legal guidelines about their rights, how to protect themselves, or just listening as officers release and vent their frustrations about their

work environment. We have seen Probation/Parole Officers obtain law enforcement benefits and now our quest is to see major overall improvements for Correctional Officers with PBA's legislative efforts.

Wardell indicated that there have been so many situations over the years, but he will never forget the officers who have been involved with serious assaults, shootings and those who have given the ultimate sacrifice in the performance of their duties. It is never easy but humbling to have a conversation with family members about their loved ones lost due to an accident or intentional death while protecting the citizens of North Carolina.

The things that Wardell has learned over almost two decades of service within PBA is that PBA and its mission is bigger than the individual. If you can help someone, then your living will not be in vain. The legislative agenda we work and strive for PBA and its members can have short-term positive results or long-term diligence. Know that PBA will be diligent and in it to win for the betterment of their members.

Wardell grew up in Winston-Salem and graduated high school and later earned his college degree(s) from Appalachian State University. He has been employed with the NC Department of Public Safety for 23 years. He was recently promoted to a supervisory role as Chief Probation/Parole Officer. He has been married to his lovely wife for 17 years and is the father of two daughters. He is a Deacon at his church, United in Christ Ministries. Wardell believes that the motto of his Pastor in their relationship with God, holds true for PBA as well, "keep the faith and stay the course."

For Wardell, the PBA is one of the finest and most professional associations that he has had the privilege to be a part of. From day one, PBA has been about professionalism within law enforcement, dedication and care for



SSPBA lifetime member Wardell Williams and his family.

its members, and benefits/services that surpass all others. Wardell will tell you that no other association has allowed or afforded him the opportunities for growth, training, experience, and networking for its members, they serve such as the NCPBA.

Thank you for your consideration in this matter.

Wendy Sellars

After receiving his lifetime membership, Wardell said, "Being nominated and receiving the Southern States Police Benevolent Association (SSPBA) lifetime membership has been a tremendous honor that I do not take for granted. It is a privilege to be associated with other lifetime members who have contributed to the success and paved the way for this great association. I want to thank the SSPBA Board of Directors for bestowing this high honor and my fellow North Carolina Police Benevolent Association Board Members for their nomination and approval. I dedicate this honor to all the hard-working members of the NCPBA who are committed to their profession and this association. I'm proud to be a part of a great professional association that is dedicated to making a difference for their members and their families."

Wardell Williams is a wonderful asset to

the PBA and is a strong advocate for the rights of corrections officers. North Carolina PBA Division President Randy Byrd spoke about Wardell and his essential part of the success of the NCPBA. "We are extremely proud of Wardell on reaching this milestone in his PBA career. Wardell is a model for what a person with a servant's heart is all about and has demonstrated this throughout his life with his family, friends, church, community, career and his work with the PBA. Wardell truly is the bar we should all try to reach," said Randy Byrd.

North Carolina PBA Executive Director John Midgette regards Wardell as "one of the most authentic persons I have ever known. He lives by faith and forever emulates the principles

by which PBA works every day to support and represent our members."

North Carolina Central Piedmont Chapter President Eric Franklin added, "Wardell Williams is one of the most sincere and kindest people that I have ever known. The members of NCPBA should feel honored to have Wardell as their representative. I feel honored to be associated with this good man. Thank you, Wardell, for your hard work."

Thank you to Wardell and the numerous members that work every day to make the PBA the strongest asset a law enforcement officer can have.







The Race for the Fallen Glow Run benefits the families of fallen law enforcement officers through the Police Benevolent Foundation. The race is a great opportunity for your chapter and members to come together with citizens in the community for a GLOWingly awesome night of fun for a great cause.

To bring the race to your area, please contact Kaylan Storey at kstorey@sspba.org.

For more information about the race, including upcoming locations, visit:

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'COURAGE UNDER FIRE' Bristol Tennessee Officer Received NRA's Law Enforcement Officer of Year Award

BY ROBERT SORRELL

This article originally appreared in The Bristol Herald Courier on May 6, 2018 and is reprinted with permission.

Sergeant Matt Cousins is a member of the East Tennessee Chapter.

wounded Bristol, Tennessee police officer who helped stop an active shooter along the Volunteer Parkway on the morning of July 7, 2016, has been named the National Rifle Association's 2017 Law Enforcement Officer of the Year.

The organization is holding the 147th annual NRA Meetings and Exhibits in Dallas, Texas, this weekend and will present the award to Sgt. Matt Cousins on Monday.

"It's an honor to receive it, but at the same time, you know my biggest regret is that we didn't know about it sooner and that we couldn't stop him sooner before he killed Jennifer Rooney and before he injured the hotel clerk," Cousins told the Bristol Herald Courier.

Cousins was the second officer on scene that morning, when Lakeem Scott, now 39, opened fire on passing cars and the Days Inn.

The NRA is recognizing Cousins for his "quick thinking, courage under fire and life-saving actions," according to a news release from the national organization, which has about five million members.

"Never in my life, it's still kind of hard to wrap my mind around it, that I'm actually receiving this award for something that I feel that I just did my job," Cousins said. "I did what I was supposed to do and I did what I was trained to do."

The sergeant was scheduled to go home early that night, but he recalled it being very busy. Around 2:20 a.m., Cousins was at police headquarters on Anderson Street when dispatch began receiving multiple calls about shots being fired along the Volunteer Parkway.

He immediately left the station and traveled a few blocks south on Volunteer Parkway to the area of the Days Inn and O'Reilly Auto Parts.

"I was the second officer on scene — Officer [Ronald] Cowan arrived just before me — and [Cowan] was walking towards the hotel," Cousins recalled. "As I started walking up toward the hotel, right as I got to the corner of the parking lot and the side wall, I noticed shell casings from a rifle laying on the ground."

When Cousins, a K-9 handler, arrived on scene, he said he was initially there in a supervisory role.

"Once I saw the shell casings, I knew that I needed to go back and get my rifle," he said.

He advised Cowan to wait and Officer Jonathan Forbes also arrived on scene.

"I was beginning to walk back to my car as [Forbes] was walking forward, I said, 'Hey, I'm getting my rifle," Cousins said. "I popped my trunk on my car and as I was reaching in to get my rifle out, that's when I caught movement out of the corner of my eye and I see Lakeem Scott coming out from around the building. I identified that he had a rifle slung across his chest and a pistol in his hand."

Cousins told Scott, who had just encountered a delivery man behind the auto parts store, to drop his weapons.

"I told him twice and by the time I got the second 'drop it' out of my mouth he was shooting at me and I was shooting at him," Cousins said. "I had felt something hit my leg, my calf, during that initial exchange and I knew that I had to move for a better location."

Cousins said he began advancing toward the man and as Scott hit the ground, he was still trying to fire his weapon toward

the officers.

"I told him to drop it again, so he was shot again to stop the threat," Cousins said. "After that, it was, from then on, it was trying to get him into custody and get him separated from all his equipment while trying to maintain the scene and supervising the responding units to where they need to go."

Cousins served 23 years in the military, 10 years at the Kingsport Police Department and nine years in Bristol before the call. He said prior training regarding infantry response to an ambush and active shooter training on the police force kicked in that night to help him respond.

"So all of that training combined is how I reacted," he said." I didn't even think about it. Honestly, autopilot just took over. I knew what was going on and I knew what I needed to do to stop it and that's what I did. I'm honored and I'm humbled to receive the recognition but really, I was doing what I needed to do."

Scott, who was seriously injured, spent weeks in the hospital. In December 2016, he pleaded guilty to one count of first-degree murder in the death of Rooney, who had been driving along the Volunteer Parkway, and seven counts of attempted murder, which included the police officers, the motel clerk and other passersby.

Scott is now serving a life sentence at the Northwest Correctional Complex in northwest Tennessee.

The Tennessee Bureau of Investigation later revealed that Scott, a New York native, likely intended to ambush and kill officers. During the investigation, a phone was located close to where Scott was shot. Technicians discovered that the phone was dialed to 911, leading investigating agents to believe Scott was trying to lure officers there so he could ambush them.

Cousins sustained a minor injury in the

shootout.

"It was a ricochet off the ground from [Scott's] gun and the jacket of the bullet separated from the lead core and that's probably what struck me," Cousins said. "It was the jacket, because we found it at the back of my bumper."

After the shooting, he was given three days off, which he spent at home and in the mountains.

Although the Volunteer Parkway call was dangerous, Cousins said he's been involved with other dangerous calls over the years. Back in 2006, he was involved in another officer-involved shooting in Kingsport.

"I also went to Iraq," Cousins said. "I've been shot at a few times over there. This was a lot more up close and personal than over there."

The veteran officer said memories of the shooting still resonate today, especially when he travels Volunteer Parkway and passes the small memorial cross that remains in the median in memory of Rooney.

"We go through debriefings to kind of relieve some of that stress and talk about it and stuff," said Cousins. "I always think a lot about Jennifer Rooney and her family. What tears me up the most is when I just think that those two kids lost their mom and her husband lost a wife and for nothing. She was just minding her own business driving down the roadway, going to pick up papers."

Rooney, 44, served as a contract carrier for the Bristol Herald Courier and was en route to pick up the morning papers when Scott shot her, according to authorities. At least two other occupied vehicles were also struck during the rampage.

Deborah Watts, the 53-year-old Days Inn clerk who was shot and managed to call 911 for help, eventually returned to work at the motel.

"I think that shows pretty strong character for her to be working at the same place," Cousins said.

He has received previous accolades, including commendations in the military, and the Mark Vance Memorial Award in Sullivan County, which is given each year to an officer for service to domestic violence victims. He was also named the 2017 Tennessee Association of Chiefs of Police Officer of the Year.

But the NRA officer of the year honor – which is given to only one officer each year—is the highest accolade Cousins has received. The Police Department nominated Cousins, a NRA firearms trainer, for the award.

Cousins said he didn't act alone to stop Scott. He said Cowan and Forbes also engaged the man.

"I didn't singlehandedly do it by myself," he said. "I don't sit here and think I'm a superhero and I saved countless numbers of lives. Again, that's what I'm trained to do. That's part of my job. The three of us acted the way we are trained to act. That's what we did to stop the threat."

Cousins found it ironic that the NRA will present the award in Dallas, where five officers were killed in the line of duty on the same day as the Bristol shooting.

"It happened like 17-18 hours later," Cousins said. "It's tragic what happened here and there. It is ironic that the convention is in Dallas and I'm being recognized for something that happened the same day where they lost five of their brothers and sisters."

The Bristol and Dallas shootings occurred during a violent month in the United States, as tensions between the black community and police erupted. Shootings in Louisiana and Minnesota gained national attention.

Scott said he was upset that black people get no justice. He took some guns he recently bought and walked to the Volunteer Parkway, where he shot into some cars, according to a statement of facts filed in Sullivan County Criminal Court.

Cousins said he hopes a shooting like the one in 2016 never happens again in Bristol.

"Other recipients have been involved in some type of gun exchange," said Cousins, referring to past award recipients. "It's kind of upsetting or sad that people have to experience that type of activity and receive recognition for it. "

"The officers are just doing their job and trying to make it home at the end of their shifts," Cousins said.

Chief Blaine Wade joined Cousins this weekend in Dallas.

"The department is truly honored to have an individual receive national recognition for their service to the Bristol community," Wade said. "Sgt. Cousins' valorous actions on July 7, 2016, during a gunman's ambush on our officers saved our officers' lives and potentially many more lives in the community. We are truly grateful to have Sgt. Cousins as a member of the Police Department and our community."

NRA's Comments

The National Rifle Association is recognizing Bristol Tennessee Police Sgt. Matt Cousins for his "quick thinking, courage under fire and life-saving actions," according to a news release from the national organization, which has about 5 million members.

"Sgt. Cousins' courageous response to an armed threat to fellow officers and innocent lives reflects the highest standards of professionalism and training in law enforcement, and epitomizes the selfless service and bravery of police when facing immense danger in the line of duty," NRA President Pete Brownell said in the news release.

The NRA's Law Enforcement Officer of the Year Award was established in 1993 and recognizes an exceptional act or service by a law enforcement officer and is administered by the NRA Law Enforcement Division, according to the organization.

"Thanks to Sgt. Cousins' quick observation of the spent casings and realization that the suspect was armed, as well as his quick response to obtain his patrol rifle and his detection of the suspect moving in to ambush the officers from behind, he prevented further injuries or deaths," the NRA said. "Additionally, Sgt. Cousins' decision to advance on the still-firing downed shooter turned the tides of the gunfight, resulting in the quick resolution to the matter."

THE WRITER COP

BY O'NEIL DE NOUX, LOUISIANA RETIRED CHAPTER MEMBER, LAPBA

here are advantages and disadvantages of being a cop-turned-writer. Advantages? We know the life. We know how a cop thinks, how a cop talks, what a cop will do and we write from there. We are eye-witnesses who must learn how to write good fiction to get the stories and books published. We start a little ahead but until we learn how to write, all we have are anecdotes.

Disadvantages? It's hard for us to cut corners, just like in real life. We have to solve the crimes as real cops do and sometimes it isn't that interesting. That's why learning to be a good fiction writer is paramount. We have to know how to add excitement to mundane procedures. The dean of our field, Joseph Wambaugh, taught us this lesson we should never forget.

Another disadvantage is publishing's perception of police officers in fiction. Some agents and editors think television cops are real, that cops beat up prisoners all the time, violate people's rights, shoot everyone they can. Real cops like that end up in the penitentiary. Then again, a good story outranks reality. We are writing fiction, so when I read about a cop who's over the top, well that's fiction. It's just a little harder for us to write. We need to learn how to do this effectively. My recurring characters Dino LaStanza and John Raven Beau are larger than life and have shot far too many people. It took a while to make this work.

The reaction of the first agent I approached when I finished my first novel GRIM REAPER surprised me. The agent told me if I was going to write police novels, I needed to brush up on police procedures. I thought grammar was my problem. After all, I'd been a police officer for over a dozen years, including three hard years as a homicide detective next door to the murder capital of America at the time – New Orleans.

I wrote back and the agent told me there were no chalk marks around the bodies in my book, no descriptions of superforensic techniques that lead the police to catch the criminal. My detectives did not even use deductive reasoning.

That's because real police detectives do not draw chalk marks around bodies, dig bullets from walls with pen knives or alter a crime scene at all. Super-forensic techniques are TV and movie magic and a homicide detective who uses deductive reasoning isn't going to solve many murders. We arrive at conclusions from observations of facts to find the solution that fits all of the evidence. Amateurs, including many fictional detectives, use deductive reasoning, arriving at a specific conclusion from a general assumption. In reality, we rely on facts and only facts until one conclusion is possible.

A distinct advantage of a cop-turnedwriter is how we witness human cruelty first hand. We've smelled gunpowder at crime scenes, along with the coppery scent of fresh blood. We've seen unspeakable carnage. We've felt that bruising of the spirit, the deadening of emotions necessary to be able to do the job. There's no psychiatric term for the cumulative effect on those of us who work the long blue line. My buddies and I call it "The Purple Side of Blue." I wrote a story with that title once, then realized I've been writing about the purple side of blue in most of my novels as well. This insight is something unique we bring to the story.

We cop writers must remember the basics:

A **Good Plot** is the backbone of the police story. A well-plotted scenario will allow the writer to create memorable characters, unforgettable scenes, uniquely described settings; so long as the writer does not forget to follow normal police procedures. Deviation from the norm removes credibility from your story. Strive for believability.

Keep it **Action Oriented**. Although real police investigations include long, sometimes grueling days of unending canvasses, surveillances, and dead-end leads, you should be selective in order to keep your story moving forward. Short scenes featuring crisp dialogue can streamline the most mundane parts of an investigation. Leave out the boring parts.

Create **Well-Rounded Characters**. As in all fiction, the character is the heart of the story. Although the hero of the police procedural is usually a police officer, they are real people existing in a familiar world. What happens to them is extraordinary.

Create a **Distinctive Setting**. The setting is the skeleton your story is built around. It is more than just the description of a place or time period. It is the feeling of that place and time. Give the reader a distinct, well rounded setting stressing sensory details: the sharp smell of gunpowder, the salty taste of blood, the tacky feeling of rubber grips on a .357 magnum when the hero's hand sweats.

Accurate Language adds credibility. Through dialogue, you have an excellent opportunity to create emotion, from scintillating nails-on-the-blackboard passages uttered by creepy serial killers, to hard-nosed talk between overworked detectives. Cops curse. If we didn't we'd blow up.

Be realistic. Make sure of your facts. Revolvers do not have safeties, nor can a silencer be used on one. Detectives take notes. How many times have you seen a movie or read a book showing a detective taking notes? I've been a detective for sixteen years. I never shot anyone, but I certainly killed a lot of pens. A pen is the detective's most useful tool and mightiest weapon. Every killer on death row began his or her long trek through the criminal justice system with a homicide detective taking notes at a crime scene.

A **Definite Resolution** helps. Don't cheat the reader out of an ending to your story. Police cases end, usually with an arrest and trial, sometimes with a shootout. This is a natural climactic event. Even cases that are suspended or closed without a solution have a climactic moment, when the investigators come face to face with the nightmare of someone getting away with murder. In your resolution, you should remember that something is usually affirmed. Good triumphs over evil, or at least goes the distance. O'Neil De Noux is a New Orleans writer with 37 books in print and 400 short story sales in multiple genres. His fiction has received several awards, including the SHAMUS AWARD for Best Short Story, the DERRINGER AWARD for Best Novelette and the 2011 POLICE BOOK OF THE YEAR. Two of his stories have appeared in the BEST AMERICAN MYSTERY STORIES anthology (2013 and 2007). His website is: www.oneildenoux. com

CREATION OF HOUSE BILL 703

BY ANDY CARRIER, GEORGIA TROOPER CHAPTER MEMBER, PBA OF GA

In December of 2016, State Rep. Jodi Lott (Evans) attended a three day Post Critical Incident Seminar with Capt. Andy Carrier in Columbia, South Carolina to see what happens when members of public safety are helped, who were otherwise traumatized by critical incidents. Personally or professionally, some of the incidents heard at this seminar were heart-wrenching, unthinkable, life-changing events.

In August of 2017, Rep. Lott was invited to attend Georgia's first ever four day Sudden and Traumatic Loss Seminar on St. Simons Island. There, members of the Georgia Department of Public Safety (GSP), GBI and DNR State Peer Teams, along with members of local peer teams, out of state peer teams and mental health professionals assisted members of public safety and their spouses/significant others who were paralyzed by the sudden and traumatic loss of a loved one.

From September through December 2017, Rep. Lott and Carrier met with state agency heads, including DPS Commissioner Col. Mark McDonough, GBI Director Vernon Keenan and DNR Colonel Eddie Henderson and others to discuss the possibility of the creation of a new office responsible for the mental health and well-being of all officers in the state of Georgia.

In November 2017, it was unanimously agreed upon that the new office would be housed under the umbrella of the Department of Public Safety, since GSP first spearheaded formal peer support in 2009 and created their peer team, called the DPS Critical Incident Support Team, in 2010. Initially, the thought was the creation of an independent, stand-alone agency, but because of the upcoming election year, the



Governor Nathan Deal signs House Bill 703 into law.

creation of "more government" did not seem ideal and may have been met with some resistance.

Rep. Lott and Carrier wrote a rough draft that, with the help of other law makers (and their staff) was dropped into the hopper by Rep. Lott. It was assigned as House Bill 703. The bill was carried by Representatives Hitchens of the 161st, Lott of the 122nd, Powell of the 32nd, Frazier of the 126th, and Welch of the 110th. In December, Colonel McDonough and Capt. Carrier spoke to the House Public Safety and Homeland Security Committee on the importance of the creation of an office to address mental health concerns in public safety. HB703 was presented by Reps Hitchens and Lott during the committee hearing phases. Rep. Hitchens is the former Commissioner of DPS and was responsible for bringing peer support to the agency.

During the two House committee hearings, members of various state and local public safety agencies testified about how they were helped by peer support interventions in the aftermath of tragic critical incidents, or spoke of the need for a department to assist officers and firefighters/ medics in crisis. These meetings proved to be very successful, as both the House and Senate Committee members unanimously agreed to send HB703 to the respective floors for a vote. The bill received favorable reviews throughout the entire legislative process and ultimately passed in the House, 172-0 and in the Senate, 53-0. Governor Nathan Deal signed the bill into law in April 2018 and it became law on July 1st. Funding will occur in early

HB703 also changed the language of HB872 (2014 – Privileged/Confidential Communication Bill) from "officers," thereby extending confidentiality to all members of public safety (police, corrections, EMT's, medics, firefighters, troopers, agents, rangers, dispatchers, etc.).

2019.

The "meat" of HB703 is the creation of the Office of Public Safety Support (OPSS), to be housed in the Georgia DPS. The Office will have 12 full-time employees, including a director and two full-time metal health clinicians, who specialize in public safety. The OPSS will be responsible for peer support and mental health needs of all sworn/certified public safety personnel in Georgia, or nearly 115,000 personnel. Initial funding asked was \$1.5 million. OPPS will be funded with the full \$1.5 million.

The passage of HB703, and what it brings to the table, is a model that is not happening anywhere else. Several states from around the country are using HB703 as a guide to enact similar legislation in their respective states.

THE BENEFITS OF CROSS-TRAINED DEPUTIES

BY JEFF JUDD, TUSCALOOSA CHAPTER MEMBER, ALPBA



13 deputies in just a few short years, each trained as an EMT. EMT-advance or Paramedic. We now have medical units in all four areas of the county. Sheriff Ron Abernathy continues to be a great supporter of this program. Within the last year he has approved the purchase of Lucas 3 CPR devices for each of the units in addition to extrication gear for vehicle accidents. As we continued to grow

Pictured are several members of the Tuscaloosa County Sheriff's Office medical unit

n April 27, 2011, Tuscaloosa County was hit with a devastating EF4 tornado. This tornado made an 80-mile long track beginning in Greene County, crossing into Tuscaloosa County, and then continued into Jefferson County. After many long days of assisting with the rescue and recovery efforts, we began discussing what we could have done better for our citizens. After looking at the available resources, we felt that additional medical personnel would have been a great benefit, especially in the more rural areas of the county, which normally experience longer response times.

When we began looking at how we could improve should an event such as this could occur again, we discussed cross training our deputies as medics. At the time, we had two deputies who were EMT basics. The Sheriff's Office then recruited two paramedics and applied for a state advanced life support license. With no other program in the Southeast such as this, we started from scratch and began to build a medical response unit. We purchased several Ford Expeditions and outfitted them with all the necessary equipment to include Life packs, fully stocked drug boxes, trauma bags, airway bags, vacuum splints, etc. If you could find the item in the back of an ambulance, you could find it in the back of our units. This was in addition to the required law enforcement equipment. The units still had to have the ability to transport a prisoner should an arrest be made.

With some areas of our county taking as long as 30-45 minutes for an ambulance to respond, and the need to provide assistance to the volunteer fire departments when they experience manpower issues during the day, the four deputies were broken into two groups with a medic and an EMT each. One group was sent to the north part of the county and the other to the east part of the county. In April 2012, a year after this devastating tragedy, we went live with our program. Each unit was able to provide saturation patrols in the far outlying areas of the county. These units may start the shift with a domestic call or theft then move to a heart attack or a vehicle accident in a matter of moments.

The citizens of Tuscaloosa County, especially those who work with volunteer fire departments have been extremely pleased with this program. The service it provides to the community and the patients is a great benefit in times when most volunteer departments have little or no one in the area. This unit has grown to this program, Sheriff Abernathy approved the purchase of a medical response vehicle. This vehicle has the ability to transport a patient to the hospital should an ambulance not be available. Should the need arise, this unit is also available for our own deputies should one be injured during training or during any high-risk calls.

With this unit in place, and the involvement in patient care, we have seen the impact it can have on our citizens. For example, we have had calls where a person was unresponsive at a home only to be alert and talking as they are brought into the hospital. Patients who have had a stroke receive medical attention in a much timelier manner to increase their survivability rate. In most cases, the patient is assessed, treated and ready for transport prior to the responding ambulance's arrival.

The unit strives to provide exceptional law enforcement and EMS care to the citizens of Tuscaloosa County. The dedication and additional training required for each of these deputy-medics shows their willingness to assist and drive this department to a higher standard and provide a better quality of life to each of our citizens.

MOBILE COUNTY CHAPTER PRESENTS AWARDS TO COUNCIL MEMBERS

BY JOE BENSON, MOBILE COUNTY CHAPTER PRESIDENT, ALPBA



n April 2, 2018, the Mobile County Chapter of the Alabama Police Benevolent Association presented Mobile City Council Vice President Levon Manaus and Councilman John Williams with an appreciation award for their hard work in support of police officers in Mobile, Alabama. The chapter is especially grateful for their work in getting retired police officers a bonus since they had no bonuses or raises in over 15 years. These councilmen kept a promise they made when the Mobile County Chapter endorsed them for re-election.

RETIRED MEMBERS

Retired members pay only \$36.00 per year and enjoy benefits including legal services (from their member date) should covered legal issues arise from the time of active membership. Benefits also include a \$10,000 accidental non-occupational death policy, yearly publications and decals.



Find out more online. sspba.org/retiredmembers

MIRACLE

BY LT. KEVIN RAY, PIEDMONT TRIAD CHAPTER MEMBER, NCPBA

was hanging around the basketball court in a local neighborhood in the city where I serve as a police uniformed patrol supervisor. Sadly, it is one of those neighborhoods that myself, along with my fellow officers, end up spending quite a bit of time responding to crimes of violence. I was hanging around on this day because we had just responded to a fight call between two groups of teens and gunshots had reportedly been fired. The initial call indicated that someone might have been shot. As we were arriving, we observed a large group of teens and adults clearing the area in all directions and as is common, nobody wanted to talk to us about what happened. Fortunately, we never located any victim(s). We did however find evidence of gunfire and so we collected some shell casings and took some photographs. I was simply hanging around because these things have a way of flaring back up after the officers leave and I decided to try and deter that as long as possible.

As I sat there, I was looking at the basketball court and the playground in the park area and how trashy it was left looking by the retreating crowd of combatants. It was only a few moments later that I saw her, a little girl in a red and black shirt, walking down the sidewalk towards the park. She entered the playground area and sat down on the bottom of the slide. Alone, surrounded by beer bottles and refuse, watching some other boys who were not yet teens but older than her playing basketball, she sat. I walked up to her and said hello. In a quiet voice she said "hey" back. I spoke with her a little more and learned that she was 8 years old and her name was Miracle. I told her that was a very pretty name. As I stood there, I decided that I just could not walk away with her sitting there in that trashy park and so I went to get some gloves out of my patrol car and started picking up the trash.

I noticed she was watching me curiously as I made numerous trips to the trashcan. I decided to ask her if she wanted to help me clean up the park and she nodded yes. I went back to my car and got some gloves for her and I told her I got her purple gloves because I thought she might like that color better than my black ones. Miracle gave me the biggest smile and gladly took the gloves I brought her and put them on. For maybe ten more minutes Miracle and I picked up trash together while the boys played basketball. I asked them if they wanted to help us clean up and one of them responded with: "How much money do we get?" and I replied "You get to feel good about cleaning up the park." I guess that didn't interest them since they just went back to playing ball. Miracle and I just continued to work around them. As I was making a last trip to the trashcan, I had decided that I was going to give Miracle a five dollar bill I had in my uniform shirt pocket because she was just so happy to help me and never once asked for anything. As I turned around to go thank her, I saw that Miracle was walking away with who I presumed to be her mother that had come to take her home. There were some other older boys walking towards the park passing her as she was walking away with the adult. I overheard one of the boys say to her "I know you ain't out here helping the (expletive) police pick up trash." I called out to her and she turned to look at me but she was not allowed to come back and the adult just led her away by the arm while yelling at her. I spoke to the boy who had admonished her for helping me and learned that he was her brother.

I went back to my car and dwelled on this short encounter with Miracle. I found myself easily slipping into anger towards the woman who wouldn't let her come back so I could thank her. I am a 21 year veteran at my department and a supervisor. As a supervisor, I constantly have to try and help younger officers navigate the negative forces that prevail in this profession. Our exposure to the terrible things people do to each other, along with the reception we get for taking enforcement actions on people, takes its toll on all of us in ways I am sure people smarter than me have written books about. We shield ourselves from feeling emotions because if we do not we think we can't do our jobs when people

need us. But on this occasion, I was mad and, frankly, hurt as well. I couldn't understand why a grown adult would raise their children to hate or fear or shun me simply for my chosen profession. I suppose I still don't understand. I know all about the tensions across the nation and the sentiment that is being spread around and that it casts a shadow onto an entire profession. It is a sentiment that is getting my brothers and sisters killed while they write reports sitting in their cars. Still though, I was thinking to myself, I have to turn this somehow. I can't allow myself to be angry and spread that anger like a wildfire to other officers that look up to me. Then it dawned on me, that it isn't really the mother I should be focusing on anyway. After all, maybe she draws from some negative experience in her past that compels her to raise her children in this manner.

I tell this story not to feed the cynicism and bitterness that my fellow officers and I struggle with as we continue to put ourselves in harm's way every day we come to work. But on the contrary, I am telling it to feed our calling to this profession. The reason we do what we do is Miracle and that smile she gave to me when I gave her those purple gloves. What a fitting name she has. We do this job for her and any other person out here that just wants to live their lives and be able to go to the park without being afraid. This work we do, has been and always will be, worth the sacrifices we make. I hope that despite the way in which her mother is choosing to raise her, she will remember our short time picking up trash in a park. I hope that she grows up safe. I hope that when she is grown, somewhere in the memories of a childhood that was filled with gunfire at night while she slept, she will find a way to remember a brief ten minutes where a police officer worked with her to clean up a park where she played. I hope that I never forget that smile of hers and the internal beauty that resonated from it. I hope we find a way to bridge the gap between communities and their protectors. That is what I want to spread like wildfire, HOPE for a Miracle.

NCPBA SUPPORTS LAWSUIT FILED BY GREENVILLE OFFICERS

he North Carolina PBA held a press conference on August 21, 2018, in Greenville, NC regarding concerns of Greenville law enforcement officers. In response to egregious continued efforts to interfere with the efforts of Greenville police officers to enforce



official duties, obstructing justice, discriminating against officers, impairing and interfering with employment and contractual relationships between the officers and their city," said Midgette.

About two dozen PBA member were present for the announcing of the

state and local law and to protect the citizens of Greenville, several of those police officers filed a lawsuit against Kandie Smith individually and in her official capacity as a member of the City Council of Greenville for tortious interference with their contracts of employment and obstruction of justice, among other causes of action. North Carolina PBA and the local PBA membership stand with these Greenville officers as they challenge the improper actions of Ms. Smith.

PBA members and plaintiffs Joshua Smith and Travis Brinkley were experienced members of the GPD gang unit who were targeted by Ms. Smith. Another officer has joined the suit as a plaintiff as well. In their suit, they state that Ms. Smith "wrongfully and without justification abused her authority as a city council member to pressure the GPD into taking disciplinary action against Plaintiffs, two of whom were fired as a result." They are but a few of the Greenville officers who have found themselves on the receiving end of complaints filed by Ms. Smith for incidents of which she had no personal knowledge.

"The unprecedented and inappropriate

personal attacks against our law enforcement officers by some local politicians in our state has caused a chilling effect on the law enforcement community," said North Carolina PBA Executive Director John Midgette. "We are in hopes that this action sends a message to those elected officials who disrespect the rule of law and the men and women who risk their lives daily to protect it."

Two former police officers and one current officer are suing a city council member saying she interfered with their jobs.

A news release says Smith was sued "for tortious interference with their contracts of employment and obstruction of justice." The PBA says Smith pressured the police department into taking disciplinary action against the officers, two of whom were fired.

PBA executive director John Midgette says Smith schemed to interfere with police operations. Those included "staging encounters attempting to provoke officers, unreasonably and maliciously confronting officers, seeking to incite officers, interfering with and hindering police operations and performance of filing of the lawsuit.

The lawsuit claims the councilwoman filed a complaint against the officers after an assistant school superintendent for Nash-Rocky Mount Schools was arrested on May 13th.

In addition to being charged with being intoxicated and disruptive, Leondus Farrow was also facing a charge of possessing an open container of alcoholic beverage in the passenger area of a motor vehicle.

The lawsuit says Brinkley was fired, while Officer Smith was suspended.

It claims Police Chief Mark Holtzman, and/or other high-ranking officers "are thoroughly cowed by (Smith's) activism against the police, out of concern over potential racial incidents or political pushback."

"Holtzman himself stated to (Officer) Smith that he was taking disciplinary action against Smith in this case for political reasons," the lawsuit claims.

Read the full lawsuit at www.ncpba. org. Portions of this article originally appeared on newsobserver.com.



Follow us on Facebook to stay up to date with all of the SSPBA's legislative activity.

Congratulations to our 2018 PBF Scholarship Recipients!

Stone Dillion University of Alabama

Victoria Miller University of Southern Mississippi

Zachary Kas Campbell University

Hannah Capps University of Tennessee at Martin

Seth Cutshaw Walters State Community College

Kristyne Ramirez State University of New York at Old Westbury

Savannah Henry University of Central Arkansas Meghan Ross Gwinnett Technical College

Griffin Riner Birmingham-Southern College

Carly Brazier University of Alabama -Huntsville

Adam Johnson Campbell University

Jennie Allen University of South Carolina

Walker Chilton University of Mary Washington

Erin Smith East Tennessee State University **Isaac Edwards** *Virginia Tech*

Jared Moore Mississippi State University

Nathaniel Cameron Walters State Community College

Caitlin Burton Jacksonville State University

Clayton Collum Jacksonville State University

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ANNUAL RECRUITER MEETING BRINGS NEW FACES AND HONORS

BY KAYLAN STOREY, PUBLIC RELATIONS AND FOUNDATION MANAGER, SSPBA

he recruiting department of the Southern States PBA had its annual meeting in November this year. All recruiters gathered together to discuss the work in their respective covered states. The current recruiting team is the largest that the SSPBA has had to date. All eight recruiters work diligently to spread the word of what the SSPBA can do for those in law enforcement. The SSPBA has recruiters in Georgia, Alabama, Tennessee, North Carolina, Virginia, Arkansas and Mississippi.

Several awards were presented at the meeting. Virginia recruiter Jim Suttenfield was presented a plaque thanking him for his six years of service with the SSPBA. Jim will be retiring at the end of 2018, and Aaron Boston will be taking over recruiting efforts in Virginia.

Recruiting Manager Kris Jarvis has been with the SSPBA for seven years and was also presented with an award for the most members recruited in 2018.

If you would like to have a PBA recruiter visit your department and discuss the benefits of a PBA membership, please call our office at 1-800-233-3506.



SSPBA Chief Operating Officer Reneé Dixon speaks to the recruiters.



Recruiting Manager Kris Jarvis and SSPBA COO Reneé Dixon presented Virginia PBA recruiter Jim Suttenfield with a certificate of appreciation.



Recruiting Manager Kris Jarvis proudly accepts his award for most members recruited in 2018.



The SSPBA Recruiting Department. Back row L to R: Georgia and Alabama - Nick Meadows; Mississippi - Todd McKnight; Virginia - Jim Suttenfield; Virginia - Aaron Boston; Arkansas - Anthony James. Front row L to R: North Carolina - Tommy McKoon; Tennessee - Mark Runnion; and Recruiting Manager Kris Jarvis.

MAN'S BEST FRIEND - IN LIFE AND LAW ENFORCEMENT

BY KAYLAN STOREY, PUBLIC RELATIONS AND FOUNDATION MANAGER, SSPBA

he use of K9s in law enforcement has rapidly become more prevalent. More and more departments are investing in a K9 unit to help keep their communities safe. Positions in the K9 unit are highly sought-after and require a great deal of dedication. According to Policeone.com, "The K9 position is a very unique position to work in. A good K9 handler must be flexible, able to make decisions on the fly and be dedicated to the position more than what is required of normal positions within the department. The hours of work are long and frequently will interfere with family expectations. It can be highly stressful and often times dangerous."

When most people think of a dog, they imagine a house pet or companion. While this is a normal place for most dogs, more and more are finding their place in law enforcement. The most common breeds chosen for law enforcement include German Shepherds, Belgian Malinois, Labrador Retrievers and Bloodhounds. Each handler and dog team must undergo a great deal of training before hitting the streets. Therefore, the handlers must be very dedicated and willing to continuously work with their dog to ensure they are always trained and ready to work.

In order for a dog to be selected for police work, they must first be able to pass basic obedience training. According to Richmond County Sheriff's Deputy Donald McVean, "If the dog won't chase a ball/toy when they're a puppy, then they automatically wash out of the program. They have to have that drive to want to get the reward." McVean is one of the leading explosives detection instructors in the state of Georgia. Many of the dogs come through vendors and have been trained overseas. This may include Germany, for example, so they have learned German or Dutch commands. Many handlers continue to use these commands because that is what the

dog is used to hearing.

Why are dogs used in law enforcement?

Dogs are a reliable asset in law enforcement due to their strong noses. A dog's sense of smell can be almost 50 times as strong as a human's. This makes dogs able to sniff out criminals, explosives, drugs and weapons. They are also able to cover a lot of ground much faster than only officers alone. Some of the different purposes of police K9s include patrol, drugs, bomb/explosive detection, and human remains detection. After speaking with the handlers of some of these incredible animals, I learned just how valuable canines are to law enforcement and their ability to protect the public.

Officer Fromm and K9 Odin - Alexandria, VA



Officer Fromm and K9 Odin.

Officer and K9 handler Brian Fromm has been with the Alexandria Police Department for 22 years. He has also proudly been a K9 handler for 13 years. "The K9 program was something I learned about during the police academy. After seeing the K9 presentation, I thought it was really interesting and it looked like rewarding work seeing the bond that the handler and dog had. They showed how they cleared rooms and how to search a car. Just seeing the two of them work together, it seemed like it would be a lot of fun. It took some time to become a K9 handler. I worked as an officer first and then when an opening in the K9 unit becomes available, I put in for it and took my chances. It is a very, very sought-after position. It's very competitive, but I became a K9 officer in 2004. Our department currently has eight teams of K9s and handlers, and one sergeant who does not have a dog," Fromm said.

Fromm knows how important the dogs are to the department. He said, "It's extremely beneficial having the K9s. The big thing that we use them for is their nose and their searching. It's amazing how well they can search a building. My partner, Odin, and I can search a business in a fraction of the time it would take officers. We can do it safely as well. It's a huge safety advantage for the officers to not have to do the search themselves and have the dog go in." Fromm continued, "It's just how strong their nose is. You look at a police dog, like a German Shepherd or Belgian Malinois, their heads are just their nose. In comparison to a person, as much as our brain is dedicated to our eyesight and what we see and detect with our eyes, it's just like that with a dog and their nose. They see the world with their nose."

Every day varies, but Officer Fromm and K9 Odin usually report to roll call and see what is going on with patrol. They handle alarm calls and priority calls, like burglaries or robbery alarms.



They also do public demonstrations. Officer Fromm said, "The public is always very interested in seeing how we work with our dogs."

When asked what makes for a good candidate for a K9 handler, Officer Fromm replied, "Someone that is willing to be part of a team and work together to achieve a goal. They need to be able to help their dog out because dogs are just like people and some need a little more help than others. Generally, someone that's a team player; experience as a patrol officer working the streets; someone in relatively good shape because you're going to be out there running after your dog; and someone with a good family that's willing to take on the responsibility of a work dog. You treat them like a pet at home, but it's a working dog. It is the property of the city and there is responsibility with that."

Sergeant Courtney and K9 Boone – Front Royal, VA

Thank you to Marc Ramey for writing the following profile on Sgt. Courtney and Boone.

Sergeant Courtney began his law enforcement career as a Correctional Officer with the Virginia Department

Sergeant Courtney and K9 Boone.

of Corrections in January 1998. In April 1999, he attained a position as a Police Officer with the Prince William County Police Department where he served until 2004. In June 2004, Sgt. Courtney was hired by the Front Royal Police Department as a Patrol Officer. In late 2006, after determining that there was a need for a narcotics detection dog to assist officers in the field, he began researching the feasibility of such a program for his department. Sgt. Courtney reached out to the Director of the U.S. Customs and Border Protection "Canine Center-Front Royal" in an effort to help facilitate such a program. After months of research and negotiations, Sgt. Courtney presented a proposal for a K-9 Program to the Chief of Police. The former Chief was able to get the program approved by the Town Manager and Town Council and that is where it all began.

In March of 2007, Sgt. Courtney was chosen as Front Royal Police Department's first K-9 Handler and began thirteen weeks of intensive training at the Canine Center in Front Royal, VA. While there, he was introduced to his future K-9 partner, Boone. Boone was a German Shepherd born in the Czech Republic and was one year of age when training began. He served until he was 13 years old. In June 2007, Sgt. Courtney and Boone graduated from the center as a certified Narcotics Detection Team. Boone was trained to detect Marijuana, Hashish, Cocaine and all of its derivatives, Heroin and all of its derivatives, Methamphetamine, and Ecstasy. During the last 10 ½ years, Sgt. Courtney and Boone have assisted in numerous seizures of drugs, drug paraphernalia, and cash. When Boone was off-duty, he was a member of Sgt. Courtney's family, which include his wife of 24 years, Cindy, his 19-year-old son Nathan, and his 17-yearold daughter Madison.

In October 2008, Sgt. Courtney received the Elks Lodge Officer of the Year Award, was named the Front Royal Police Department's Officer of the Year by his peers and was promoted to Sergeant in the Patrol Division.

In 2017, Sgt. Courtney and Boone received the Elks Lodge Officer of the Year Award, as a team.

Sgt. Courtney and his partner have been a tremendous asset to the Front Royal community during their time together. A few months before Boone's retirement he developed an illness and passed away unexpectedly. Boone was a tremendous asset to the Front Royal community and he will be missed sorely by his police department, family and handler.



Officer Bettis and K9 Hector.

Officer Bettis and K9 Hector – Fayetteville, NC

Officer and K9 handler Dianne Bettis has been a K9 handler for 14 years. She said she always knew it was what she wanted to do when she joined the Fayetteville Police Department. "It's just my love of dogs," Officer Bettis said. K9 Hector is a yellow lab and is one of 15 dogs that the department has.

Officer Bettis knows how important the K9 unit is to the department. "The K9 teams are another resource that officers can utilize when they're doing investigations. They can bring a dog in and help them with a case. They're also a great way to interact with the community. People love the dogs," she said. Officer Bettis and K9 Hector work as an explosives detection team. "Each day we usually go to the airport, bus station, train station, downtown, etc. and do explosives checks," said Officer Bettis.

Deputy McVean and his work training bomb and explosives detection dogs – Augusta, GA

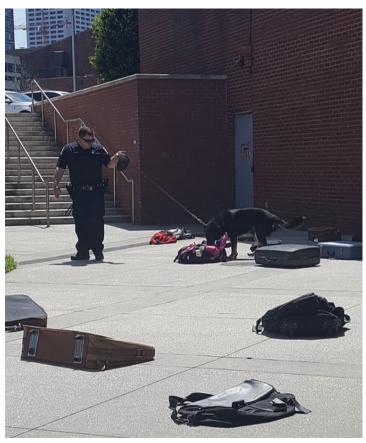
Deputy Donald McVean has been with the Richmond County Sheriff's Office for 20 years, 18 of which has been spent with the K9 unit. "I teach the bomb handlers course for the state of Georgia which falls under GEMA and Homeland Security. The course is a pilot program for the whole United States. There are over 50 bomb dogs throughout the state of Georgia that fall under this grant. I'm responsible for getting them all through the five-week training school. I also do recertifications for the teams," McVean said.

McVean knows the importance of bomb dogs in today's society. "With the way the

world is now with terrorism, bomb dogs are here to stay. They are a very valuable asset to any agency. They don't just find explosives. They get called out a lot for gun searches too," McVean added.

Most of the dogs in the program are German Shepherds, Belgian Malinois, Labs and one German Shorthair Pointer. The German Shepherds and Belgian Malinois come from Europe and the Labs come from the Bogota area of Colombia. Deputy McVean's love for the dogs is clear. I was fortunate enough to observe a recertification he ran earlier this year. He is a great instructor as he wants the handlers and dogs to succeed. He knows how important they are to their departments and the community to keep people safe. I watched as each team went one at a time and cleared the large Georgia Tech basketball arena. They moved quickly and efficiently through the large space. It was very interesting to see when a dog would find something and see how their behavior would change. "They may throw changes to alert their handler," Donald said. The dogs would also lay down or sit next to an item that had an explosive inside. This helped alert the handler to mark the item and then back out and call for backup.

He also has his own bomb dog at home named Cali. "She's a Belgian Malinois and a prior military dog. I got her when she was three and I've had her for three years. She's been my favorite and my family's favorite. I have 13-year-old twins and Cali follows my daughter upstairs and sleeps with her. It's harder to get Cali up in the mornings than my daughter," McVean said.



K9 team training to detective explosives in luggage.

Crime Scene Investigator Buhr, Jr. and K9 Morty – Charlotte, NC

The Charlotte-Mecklenburg Police Department recently added a human remains detection canine to their department. K9 Morty is part of the Crime Scene Investigations Unit and works with Crime Scene Investigator, Henry Buhr, Jr. Morty is trained to detect various human remains in assorted stages of decomposition.

CSI Buhr spoke about how he became a civilian canine handler. "We had a high-profile case occur last summer and we had to borrow a cadaver dog from a neighboring agency. Our command recognized that there was a need for that type of resource so that they decided to bring in a cadaver dog. They wanted the dog to remain with the crime scene unit (and all of our CSI team are civilians), so the dog would end up going to a civilian handler," Buhr, Jr. said.

Morty is a golden retriever who joined the Charlotte-Mecklenburg Police



CSI Buhr and K9 Morty. (Photo Credit: CMPD CSI Christine Cain)

Department in October 2017. Morty and CSI Buhr trained for almost three months. "Basically a lot of odor detection dogs are trained in the same kind of way. It just depends on the odors he's trained on. If he was a drug dog, he would be trained with the drug scents. So we use a broad spectrum of things that you would expect with human remains. We work with the Medical Examiner's Office to acquire materials for training," Buhr said. Morty's tell when he finds something is to lay down. "You can tell when he's getting in the area of something he's supposed to find because he get's excited and searches really hard so that he can get his reward," Buhr added.

Morty and CSI Buhr's work days vary. "As far as his line of work, it's unpredictable. For his first month, he wasn't used much. It's just based on what types of cases are active and how the detectives can use him. Then one month we had an explosion of cases and went out to six or seven calls. And he did recover a victim in a homicide case," Buhr said.

These dogs and their handlers are just a few exemplary examples of K9 handlers and their dogs. They know how to work efficiently to recover drugs, explosives and people when they are called on. Dogs are truly incredible animals and the handlers that work with them know how to bring out the best in the animals.

140 police suicides occurred in 2017. Suicide otals are 67% higher han LOD deaths.

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*USA Today statistic

ASHEVILLE CITY COUNCIL MAKES "UNPRECEDENTED" MOVE

BY ANGIE TULLIS, MOUNTAIN CHAPTER MEMBER, NCPBA



This was Mayor Manheimer's statement following a bungled set of motions, withdrawals, and amendments to motions by Council regarding police open data reporting on May 22nd.

Due to actions taken by Asheville City Council in this May meeting, the SSPBA filed a letter with Asheville City Council, citing various procedural and legal discrepancies pertaining to the vote, and the events leading up to it.

The initial step began in March 2017, with an attorney working for Southern Coalition for Social Justice, Ian Mance, citing racial disparity pertaining to traffic stops in Asheville. One of Mr. Mance's roles for the SCSJ is to travel around the state selectively pulling public records and data in an attempt to show racial disparity within police agencies.

Nearly a year later, in February of this

year, body worn camera footage of former APD Officer, Chris Hickman was illegally released to the media. Swift outrage was sparked within the community over allegations of excessive force. Asheville Police Chief Tammy Hooper handled the investigation appropriately, including allowing the District Attorney to view the video for any criminal violations in the initial parts of the investigation. Although, DA Todd Williams found no cause for criminal

charges at that time, several City Council members seized the opportunity to intensify racial tensions by condemning the chief's handling of the matter and cry outrage that they were not immediately made aware of the incident. One council member even wrote an internal communication on a city webpage accusing the police department of being structurally racist.

In response to these outrageous allegations, PBA member Rick Tullis, the Fraternal Order of Police and Chief Hooper met with Mayor Manheimer on March 9th to discuss the inappropriate conduct of council regarding the incident. Tullis expressed concerns that the political rhetoric was creating an environment not conducive to officer safety, and productive discourse. Additionally, he reproached City Council for presenting false and misleading information to the public regarding Chief Hooper's handling of the investigation, and the department as a whole. Mayor Manheimer issued an email of apology to members of the police department following the meeting.

On March 13th, at a City Council meeting, Councilman Keith Young was permitted to orate for six minutes regarding his personal displeasure with the department pertaining to the Hickman video. His troubling comments included, "My daddy always told me to speak softly and carry a big stick. Well you know what? The big stick is out." He continued by stating that he wished to "see a program that promotes minority recruitment with substantial pay" and that, "I am fighting for the poor, my minority folk, and disadvantaged." He failed to include the entire populace in his passionate speech and appeared only to be representing his own special interests.

In this meeting, Mayor Manheimer presented three legislative bills she intended to take to the General Assembly during their short session. They were as follows:

- Bill authorizing the release of BWC footage to councilmembers for viewing regarding complaints against police.

- Bill authorizing police department to provide citizens with the information allowing citizens to know how their complaint was resolved.

- Bill repealing civil service law as it applies to Asheville and establishing a citizen review board under the purview of City Council to hear complaints, issue subpoenas and render binding decisions.

NCPBA Staff Representative, Brandon McGaha addressed these proposals, indicating that PBA was not opposing citizens be provided the outcome of their complaints, nor allowing BWC footage to be viewed, with some limitations, by Council. He indicated that PBA would be in opposition to any attempt to remove or replace civil service board thereby eradicating employees' due process rights. On May 22nd the Council discussed the open data policy. There was considerable confusion throughout their debate regarding what was supposed to be items on the consent agenda. Adding to the perplexity of the already difficult debate, there were a series of motions, amendments to those motions, withdrawals of other motions, all of which led to the Mayor's comments above.

Two presentations were on the agenda and not supposed to be considered for any vote. Mance presented again to Council, using data which he had created to support his position that traffic stops and searches within Asheville are racially disproportionate. Chief Hooper countered him with a presentation that more accurately reflects the numbers, in fact, showing an overall decrease in consent searches related to traffic stops. She further presented data showing Asheville among the lowest vehicle stop disparity rates compared to other cities. The chief said, "We are not adopting a written consent policy," when asked by Councilman Young if the department would implement a written consent policy for every stop.

At this point, Councilwoman Mayfield interjected by making the comment, "I don't have enough information, or I have too much information, or conflicting information to make a decision." Although, she later voted in favor of the three motions brought before her.

Despite Mance's presentation not being on the agenda for a vote, and not giving the public proper notice for an item to be considered, Councilman Young initiated three separate motions, stating "we cannot tell the Chief of Police what to do, but we can tell the City Attorney and City Manager what to do."

- Direct the City Manager to take action with the Chief to implement a written consent policy.

- Direct the City Manager to take action with the Chief to implement a policy that prohibits officers from using criminal history, or nervous behavior as a reason to ask for consent to search.

- Direct the City Manager to take action with the Chief to implement a policy to

de-prioritize regulatory stops.

Councilman Kapoor and Councilwoman Wisler questioned the procedural correctness of the motions. Mayor Manheimer clearly appeared confused when she was asked how to proceed. Initially she proceeded to allow for public comment when Young "calls the question." This procedure is meant to call for a vote to end discussion on the motion(s), however, the Mayor improperly misinterpreted the intent of this latest move by Councilman Young. She then asked Young regarding hearing public comment. He shook his head no, and the mayor conceded to his demand, calling for a vote on the motions without allowing for public comment, or a vote from council members to end the initial discussion on the motions.

At the end of the meeting, the floor was opened for public comment. McGaha addressed the concerns, and explained that any attempt to obstruct an officer's legal authority would be met with legal action by the PBA. Tullis further commented that there was an injustice committed by not allowing for public comment on the motions prior to the vote. The mayor responded by saying, "It is unprecedented, but I did not feel I could use my discretion." She went on to state that city council does not necessarily have to take public comment on matters.

Asheville City Charter states:

Sec. 9. - Meetings to be open; opportunity of citizens to be heard.

All meeting of the council shall be open to the public and the council, by rules, must provide for giving citizens reasonable opportunity to be heard at its meetings in regard to matters thereunder consideration.

Sec. 23. - Council to deal with administrative service through manager.

Except for the purpose of inquiry, the council and its members shall deal with that portion of the administrative service for which the manager is responsible through the manager and neither the council nor any member thereof shall give an order to any city employee in the administrative service of the city, other than the city manager, relating to any matter in the line of his employment. Any violation of the provisions of this section by a member of the council shall be a misdemeanor, conviction of which shall immediately forfeit the office of the member so convicted.

As a result of the actions taken by City Council, SSPBA issued a letter to Asheville City Council in response to their improper directives. SSPBA expressed that Council was usurping the charter and violating the law by using the city manager as a proxy to direct the chief on matters of policy. The letter outlined the various concerns and strongly advised City Council to reconsider their vote.

PBA members met with Chief Hooper and Asheville City Council members on several occasions during the months of May and June attempting to collaborate on verbiage agreeable to all parties regarding the written consent policy.

On June 19th, City Council conceded and rescinded their previous votes on the improper motions made by Councilman Young, and instead adopted resolutions "authorizing" the city manager to work with Chief Hooper in creating policy surrounding written consent.

SSPBA stands ready, monitoring the situation, while simultaneously working with our legislators in the General Assembly to address problems within Asheville's City Council. As of this writing, no further revisions have been made to the policy other than what was agreed upon by the original parties, nor has there been any action from city council concerning the policies. Membership should be aware that organizations such as the Southern Coalition for Southern Justice and others like them are organizing everywhere in an attempt to bring about changes within our justice system that would ultimately strip law enforcement of much of its Constitutional and statutory authority as it pertains to searches, investigative stops, and use of force. These organizations are well funded and purposely collect and disseminate data misrepresenting facts in an effort to persuade, and sometimes coerce governmental bodies to implement restrictive measures that ultimately produce extremely unsafe conditions for the law enforcement officers and public.

AUGUSTA 162 CLUB HOSTS INAUGURAL BANQUET WITH WORLD SERIES CHAMPION AS GUEST SPEAKER

BY KAYLAN STOREY, PUBLIC RELATIONS AND FOUNDATION MANAGER, SSPBA

arlier this year, PBA of GA Staff Representative and mega baseball fan, Patrick Cullinan and some of his close friends decided to create a baseball club and foundation. Along with Augusta Rotary Club President, Ed Presnell; PBA member and Georgia State Patrol trooper, Andy Carrier; and UGA National Baseball Champion, Terry Childers, Jr. the idea of a foundation was born in May of this year. In the short time span of only five months,

their inaugural event was planned. On October 25th of this year, the Augusta 162 Club hosted their inaugural banquet at the Enterprise Mill Event Center. The room was filled with 150 baseball fans that came to enjoy the Club's first event in the community.

Augusta Rotary Club President, Ed Presnell said, "The club is titled 162 because that is the number of games in a baseball season." Presnell went on to say, "We knew we wanted to give

a portion of the proceeds we raise from this event to the Police Benevolent Foundation and the remaining balance will go to a memorial scholarship in honor of Terry Childers, Sr." Terry Childers, Jr.'s dad, Terry Sr. was a professional baseball player in the 1970s. He played for the Chicago Cubs, Milwaukee Brewers and Montreal Expos organizations during his eight years of professional baseball. He was also drafted in the first Major League Baseball draft of 1965, but he chose to go to college at the time. After retiring from playing, he worked as a coach at the college level. "Nobody loved baseball more than my father. He would make calls and try to help students get baseball scholarships. This was how we came up with the idea of a scholarship in



World Series Champion Darrel Chaney addresses the audience. the time to take pictures with them.



Pictured L to R: Ed Presnell, Andy Carrier, Darrel Chaney, Patrick Cullinan, Terry Childers, Jr. and Lamar Garrard. memory of my father," Childers, Jr. said.

Once the club was formed, the guys knew that they would like to plan events for their members and those interested to attend. They knew they would like to have a former player speak about their career and life, and that was where Darrel Chaney came in. "I started researching Darrel Chaney after my friend, Lamar Garrard, suggested him for our first event," said PBA of GA Staff Representative Patrick Cullinan. "Out of 250,000 professional baseball players, only 19,000 have made it to the major leagues. Of the 250,000 professional ball players, only 2,600 have ever made it to the world series. Darrel had 35 scholarship opportunities to play football after high school, but he chose to sign with the Cincinnati Reds.

He appeared in three World Series in his career. Then he went on to become a television announcer with the Atlanta Braves," said Lamar Garrard.

When Darrel Chaney took to the stage, he said, "My goal here tonight is to give you a message you can take with you." Chaney went on to say, "my dad said work hard, play hard, pray hard and tell the truth. Ernie Banks was my hero. He knew how to treat fans. He always took the time to take pictures with them

> He would always stand at attention and sing the words to the National Anthem. One day, Banks came to visit my little league team. He signed autographs and spoke to the kids and said, 'I want you to remember four things work hard, play hard, pray hard and tell the truth.' Nine years later, I was a rookie on the Cincinnati Reds team. During one of the games I got to first base and Banks put his arm around me and said, 'I knew you'd make it.' He remembered me from when I was just a 12-yearold kid that idolized him."

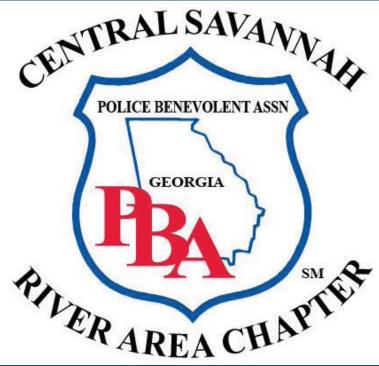
Darrel Chaney played for ten years in the major leagues. Chaney said, "You've got to be ready. You've got to be ready for whatever comes to you." Chaney said that if he could make sure that the attendees left with one thing, it was for them to "understand that your life matters. Tell others that their lives matter," said Chaney.

At the end of the event, Chaney was presented with a PBA rainslicker, PGA Masters towel and a baseball autographed by the four founding members of the Augusta 162 Club.

For more information on the Augusta 162 Club, please visit their Facebook page @162Club. For more information on the Police Benevolent Foundation, please visit www.pbfi.org.

CENTRAL SAVANNAH RIVER AREA (CSRA) CHAPTER REACHES 1,000 MEMBERS

he Central Savannah River Area (CSRA) Chapter of the PBA of Georgia made a major milestone this year. The chapter is the first active local chapter in Georgia to reach the impressive 1,000 member mark. Chapter leaders had a goal to reach 1,000 members by the end of 2018, and did so ahead of schedule. CSRA Chapter President Larry Bracken said, "the men and women of law enforcement in the Augusta area have seen the many benefits of being a PBA member, which made it easy to achieve this goal." The PBA of Georgia would like to congratulate the CSRA Chapter on reaching their goal and look forward to continued growth from all chapters.



CSRA Chapter President Larry Bracken, PBA of GA Staff **Representative Patrick Cullinan** and CSRA Chapter PAC Chair **David James graciously accepted** the Georgia Theatre Company's generous donation to the Police **Benevolent Foundation from the** 2018 Cinema for a Cause. Cinema for a Cause participating theatres included Masters Cinemas. **Evans Cinemas and Riverwatch** Cinemas. Thank you to the **Georgia Theatre Company for** always supporting the men and women of law enforcement.





The Police Benevolent Foundation (PBF) is especially thankful for businesses, like the Georgia Theatre Company, that take the initiative to create events that raise money for the PBF and support the law enforcement community.

The Police Benevolent Foundation is a tax-deductible 501(c)(3) organization established by the Southern States Police Benevolent Association (SSPBA) in 2005. The PBF provides funding to support SSPBA member benefits. For more information please visit www.pbfi.org.

USING MAGIC AND PUPPETS FOR CRIME PREVENTION PRESENTATIONS

BY GLENN HESTER, ATLANTIC CHAPTER MEMBER, PBA OF GA

hroughout my law enforcement career, I used the medium of magic and puppets to illustrate themes on crime, drug and bunco presentations for members of the general public. Seeing the audience reactions on these lectures, I worked up lesson plans to instruct other LEO's on how to do the same. retail scams, home scams and paranormal phenomenon scams. Con games use certain principles of magic to swindle victims and I exposed the principles of the scam without revealing any magic secrets.

Later in my career, I started to inspect and investigate crooked carnival games for crime prevention presentations and showed how to use a pig puppet to reinforce the Stranger Danger program I presented to them. I also instructed on the various con games that unsuspecting victim's may be involved with as well as showing the methods used to cheat the player on the midway at carnivals and fairs across our state. I was a nominee

> for the Governor's Public Safety Award in the early 2000's when my next chief, Robert Pittman, selected me for my work on cleaning up the midway and making the public and LEO's aware of the swindles and gambling on the midway.

I later used these lesson plans and personal experience to write three books on the subject matter. POLICE MAGICIAN showed how to prepare and present the magic and puppets for the different themes a LEO could speak on. CARNIVAL COP showed my experience investigating and inspecting crooked carnival games and detailed the mechanics of different games to show the principles of magic and science as well as the laws of physics that were used to gaff the games. DECEPTIVE PERFORMANCES show the many different scams in

the "short rackets" and gives many tips on how not to be a victim of these scams.

I retired from the Glynn County Police Department in 2013 but still do these programs around the state. Although I miss being a member of law enforcement, I look back on the years I worked these programs and hope it gave a better quality of life to those who witnessed the presentations.

My law enforcement career began in Sullivan County, New York in 1983 when I became a deputy sheriff with the county sheriff's office. It was during my five years there that I began what is now known as Police Magic. I left New York state in 1988 to begin my career with the Glynn County Police in Brunswick, Georgia where I retired in 2013 after serving 25 years with that agency.

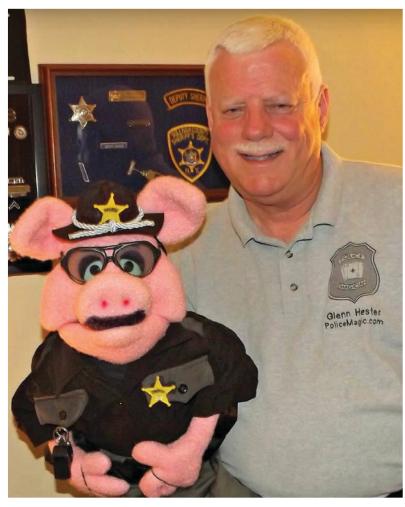
My chief, Carl Alexander, allowed and supported me doing presentations to schools, public events and other venues as it gave a positive outlook on the department and both children and adults were not only educated but entertained as well. For 11 years, I was assigned to the Administration Division doing crime prevention details to include Neighborhood Watch, Stranger Danger, Anti-Drug and Bunco presentations.

Adults and children were given valuable lessons on safety issues to protect themselves and remembered the messages through the Vividness Principle as they witnessed the messages through the magic tricks and remembered the theme of the lecture by the effect of the trick.

As a Police Magician, I also instructed on confidence crimes such as street scams,

after a complaint was issued during one of our local Fairs where a victim lost 300 dollars to a crooked game. For several years, I went on the midway to investigate, inspect and modify certain carnival games so the game would be fair to both the player and game agent without any mischief on the midway.

After becoming a POST Instructor, I did classes on using magic and puppets



TULLY V. CITY OF WILMINGTON NC SUPREME COURT RULES THAT POLICE OFFICERS ENJOY NEW CONSTITUTIONAL PROTECTIONS FROM EMPLOYERS' NON-COMPLIANCE WITH PERSONNEL POLICIES

BY J. MICHAEL MCGUINNESS, THE MCGUINNESS LAW FIRM



n Tully v. City of Wilmington, N.C., 790 S.E.2d 854 (N.C. App. 2016), aff'd in part, rev'd in part, 2018 WL 1124796 (No. 348A16), the North Carolina Supreme Court issued the most powerful and sweeping police employment decision of the new millennium.

In a unanimous decision, our Supreme Court breathed substantial new life into the North Carolina Constitution and ruled that Article 1, Section 1 of the North Carolina Constitution provides a claim for then Corporal Kevin Tully when he was denied his right to grieve and therefore unconstitutionally denied a promotional opportunity. This new "Tully" constitutional theory is predicated upon a rarely used clause in Article 1, Section 1 that affords protection for "the enjoyment of the fruits of their own labor."

There has long been uncertainty about whether and to what extent this "fruits of labor" clause afforded enforceable employment rights. Most of the previous cases arose in the context of occupational licensing. This important principle of constitutional law has now been clarified by our Supreme Court. This clause can now be judicially enforced, potentially in a wide variety of contexts. Kevin Tully and our Supreme Court have brought the police community a long overdue common-sense ruling that requires that employers play by the rules.

Our Supreme Court drilled down on the egregious abuses by the City of Wilmington that gave rise to the case. The position advanced by Wilmington both in its brief and in oral argument before the Court maintained that it was entitled to lie to Tully and other employees by ignoring personnel policies affording Tully the right to grieve a promotional opportunity. Police management lies have no legitimate place in law enforcement personnel systems. Agency lies to officers through the failure to honor personnel policies is now constitutionally actionable in civil litigation against police employers.

The Supreme Court did not recognize the Due Process Clause as an additional basis of relief for Tully. The Court reasoned that it was not clear that Tully enjoyed a property interest necessary for due process protection. A claim under Article 1, Section 1, however, does not require any property interest.

This article reviews Tully, its foundational underpinnings, and the broad implications for officers and police employers across North Carolina. Police employers may now be held constitutionally accountable for not honoring their personnel policies. Many of us have waited decades for this new Tully principle. A new day and new era have arisen.

Background

Tully arose from the denial of a promotion that was predicated upon a flawed promotional test and then a denial of Tully's right to grieve the denial of promotion. The Superior Court had granted judgment on the pleadings to the employer, the City of Wilmington. The Court of Appeals reversed and found that Tully had stated valid constitutional claims for relief. Based on a dissent, the Supreme Court accepted the case for review. Thus, the case was positioned for the potential recognition of new constitutional protections for police officers and other public employees.

The case was recognized both by the Court of Appeals and the Supreme Court as a case of "first impression," meaning that the particular issues before the Courts had not been previously decided. While there were several previous cases that provided bits and pieces of support for recognizing a direct constitutional claim in situations where employees were deprived of the fruits of their labor, no prior case had squarely ruled that Article 1, Section 1 could serve as a direct constitutional claim for relief in the employment context.

Tully's asserted state constitutional claims involving due process, equal protection and a violation of Article 1, Section 1 of 1, Section 1 of the North Carolina Constitution based upon interference with Tully's fundamental right to the fruits of his labor. The Court of Appeals observed that "irrational and arbitrary government actions violate the 'fruits of their own labor' clause." 790 S.E.2d at 858. Tully asserted multiple theories of constitutional protection including an arbitrary denial of promotion and the resulting grievance, and the employer's refusal to comply with its own grievance policy.

Facts

Corporal Kevin Tully is a highlydecorated veteran law enforcement officer who has served the City of Wilmington since 2000. As Tully's public employer, the City of Wilmington published personnel policies that were admittedly used to "govern" the relationship between the employer and employees. Tully sought a promotion and participated in the City's promotional process. Tully complied with his departmental policies and procedures as he sought the promotion.

The promotional process involves several phases and includes a written test. Tully was notified that he failed the test and thus was barred from continuing in the promotional process. When Tully received a copy of the purportedly "correct" answers to the test, he realized that several of the "correct" answers were based on outdated law, particularly the section regarding searches and seizures. Wilmington's promotional policy provides that" [c]andidates [for promotion] may appeal any portion of the selection process." Tully grieved but was informed that examination answers were not grieveable, thus his grievance was denied.

Through clear and specific policies, the City of Wilmington holds itself out as a "fair" public employer with a merit based promotional policy and a broad grievance policy applicable to any part of the selection process. The policies that appear fair on the surface were not applied to Tully therefore depriving him of the promised job benefits in the promotional and grievance policies.

Tully can perhaps be distilled down to

whether North Carolina public employers must comply with their own promulgated personnel policies which promise specific benefits to employees, or whether a public employer may arbitrarily refuse to comply with their own policies and selectively enforce its personnel policies.

This case was poised to determine the use and enforceability of grievances and grievance policies, which are considered essential tools to enable police officers and other public employees to protect themselves by trying to resolve workplace related problems. Wilmington's position and the reasoning of the dissent would essentially destroy entire police personnel systems statewide as grievance and other policies would be effectively rendered null and void if they are not enforceable.

Corporal Tully sought a promotion and discovered that an invalid test was used in the promotional process governed by City policy. Wilmington refused to permit Tully to grieve, in direct defiance of its own policy. Despite unambiguous language in the pertinent personnel policies created by Wilmington, the City of Wilmington refused to allow Corporal Tully to use his own grievance policy.

As provided in Wilmington's policies, employees know that policies "govern" as in Wilmington's promotional and grievance policies. Employees know that they can be punished for willful noncompliance with their employer's policies. Employees reasonably expect that their employers will play by the rules. Tully presented a simple issue: whether North Carolina governmental employers must comply with their own personnel policies.

Virtually all public employers establish personnel policies to recruit and maintain a qualified workforce to serve the public. In short, the government writes the rules, and employees are required to obey or else be disciplined. Wilmington imposes discipline on officers who violate personnel policies. E.g. Lightner v. City of Wilmington, N.C., 498 F. Supp. 2d 802 (E.D.N.C 2007), aff'd 545 F.3d 260 (4thCir. 2008). where Lieutenant Lightner was disciplined for alleged noncompliance with Wilmington personnel policies. There, Wilmington enforced its personnel policies on Lieutenant Lightner when it charged him with alleged policy

violations.

Wilmington willfully reneged on its direct representations to Corporal Tully to provide him "equal promotional opportunities to all members of the Police Department based on a candidate's merit, skills, knowledge and abilities ... " Wilmington Police Department Policy Manual, Directive 4.11, cited and explained by the Court of Appeals at 790 S.E.2d 854, 857 (N.C. App. 2016). During oral argument, Chief Justice Martin commented indicating that Wilmington had not been truthful to its employees by promising certain benefits in policies and then reneging on those policies. Wilmington's course of conduct in fact was based on pure outright willful lies.

Wilmington's personnel policy also represented to Corporal Tully that "[c] andidates [for promotion] "may appeal any portion of the selection process...." Policy F.1, cited in 790 S.E.2d at 858. Wilmington's Policy is clear: "This policy establishes guidelines that govern promotional procedures within the Wilmington Police Department and ensure procedures used are job related and non-discriminatory.... The procedures below will be followed... It is the objective of the city of Wilmington to provide equal promotional opportunities to all members of the Police Department..." (Emphasis added)

Wilmington's testing scheme afforded preferential treatment to less qualified applicants who purportedly passed the invalid test. Wilmington represented that employees could appeal from any portion of the selection process but then denied Corporal Tully's grievance by claiming that a test answers are not a grieveable item. Wilmington's policy also directly represented equal opportunity to police officers. This policy also affirmatively represents that Wilmington will provide fair and professional standards in its promotional process. The policy represents that Wilmington provides equal promotional opportunities to all members of the Police Department based on a candidate's merit, skills, knowledge and abilities.

The City of Wilmington made all of these important representations and then willfully broke them. What did the Tully principle derive from? In State v. Ballance, 229 N.C. 764, 769, 51 S.E.2d 731, 734 (1949), the Court explained:

These fundamental [state constitutional] guarantees are very broad in scope and are intended to secure to each person subject to the jurisdiction of the state extensive individual rights, including that of personal liberty.

The North Carolina Constitution is a beacon of civil rights. . . Martin, The State Constitution As a Font of Individual Liberties: North Carolina Accepts the Challenge, 70 N.C.L. Rev. 1749, 1753 (1992). Many have observed the revitalization of state constitutional law since the 1970s.[1] There has been much discussion in recent years of how most state constitutions, including that of North Carolina, provide relief in areas where the Federal Constitution does not reach. Several leading cases in the 1940s and 1950s better explained the reach of the North Carolina Constitution.

In 1992, Corum built upon that solid foundation. This case represents a logical application of those constitutional values. North Carolina has a rich constitutional history through enforcement of North Carolina's Constitution and its values, especially in the context of public employment where public servants are at such risk of retaliation and discrimination.[2]

In Whaley v. Lenoir County, 5 N.C. App. 319, 327, 168 S.E.2d 411, 416 (1969), the Court concluded that the personal and property rights guaranteed by Article I, Section 1 of the State Constitution were violated. See State v. Warren, 252 N.C. 690, 694, 114 S.E.2d 660 (1960); (Section 1, Article I of the Constitution of North Carolina guarantees to the citizens of the State the enjoyment of the fruits of their own labor and declares this an inalienable right.); Roller v. Allen, 245 N.C. 516, 518-522, 96 S.E. 851, 854-857 (1957). These and other cases provided Corporal Tully with foundational authority under Article 1, Section 1 of the North Carolina Constitution.

In King v. Town of Chapel Hill, 367 N.C. 400, 758 S.E.2d 364 (2014), the Court held that citizens enjoy an inalienable right to earn a living and that our Courts protect a fundamental rights which includes preventing arbitrary government actions that interfere with the right to the fruits of one's own labor. The Court explained:

"This Court's duty to protect fundamental rights includes preventing arbitrary government actions that interfere with the right to the fruits of one's own labor." 367 N.C. at 408, 758 S.E.2d at 371. The Court has held that Article I, Section 1 of our Constitution protecting the fruits of our labor created a fundamental state constitutional right. Treants v. Onslow County, 83 N.C. App. 345, 354, 380 S.E.2d 365, 371 (1986), aff'd 320 N.C. 776, 360 S.E.2d 783 (1987). The Court in Treants relied upon Roller v. Allen, 245 N.C. 516, 518-519, 96 S.E.2d 857, 854 (1957) (right to earned livelihood is a fundamental constitutional right) and McCormick v. Proctor, 217 N.C. 23, 6 S.E.2d 870 (1940) (Stacy, J., concurring) (fundamental right to earn a livelihood). As King explained:

Fee schedule provision implicates the right to earn a livelihood. State v. Harris, 216 N.C. 746, 759, 6 S.E.2d 854, 863 (1940) (While many of the rights of man, as declared in the Constitution, contemplate adjustment to social necessities, some of them are not so yielding. Among them the right to earn a living must be regarded as inalienable.). This Court's duty to protect fundamental rights includes preventing arbitrary government actions that interfere with the right to the fruits of one's own labor. N.C. Const. Art 1; Roller, 245 N.C. at 525, 96 S.E. 2d at 859.@ King, 367 N.C. at 408; 758 S.E.2d at 371.

In 1986, Former Chief Justice Exum authored Dusting Off Our State Constitution, N.C. ST. BAR Q., (Spring 1986) at 6, where he explained that there is a growing national trend in which state courts look more to their own state constitutions and less to the federal constitution to resolve legal disputes. Justice Exum observed how our Constitution contains language [that] is richer, more detailed, and more specific. He observed how our Constitution contained broad grants of power to the people. He explained that the ground in these richly detailed grants of individual liberties is much more fertile than in the mere prohibitions against abridgement of them found in the federal document.

North Carolina courts have interpreted the State Constitution to grant rights broader than the Federal Constitution.[3] Federal decisions do not bind North Carolina courts on issues of North Carolina constitutional law.[4]

In a variety of cases, the North Carolina Constitution has been used to restrain North Carolina governments from retaliatory, arbitrary and discriminatory actions.[5] Recent state constitutional cases derive substance from historic precedent.[6]

The Supreme Court has held that [a]ny exercise by the State of its police power is, of course, a deprivation of liberty. In Re Ashton Park Hospital, 282 N.C. 542, 550, 193 S.E.2d 729, 735 (1973). Accord State v. Harris, 216 N.C. 746, 758, 6 S.E.2d 854 (1940) (explaining the right to pursue a means of livelihood is both a properly right and personal liberty).

Scores of cases have found violations of employee rights in employee testing which is a crucial component of the selection process. See Isodore Silver, Public Employee Discharge and Discipline, Chapter 13 (3rded. Vol. I). Public employee testing has long been subject to constitutional limitations.[7] In May v. Gray, 708 F. Supp. 716 (E.D.N.C. 1988), Judge Britt granted summary judgment to the employee on substantive due process grounds in a case involving a testing dispute. The employee was discharged after a urine test suggested a positive test result for marijuana. Like Tully, he was afforded no opportunity to challenge the test result. The Court granted summary judgment to the Plaintiff employee on substantive due process grounds and reasoned that the employee was entitled to substantively challenge the test results.

Section 19, generally known as the Law of the Land Clause, enumerates multiple protections including procedural and substantive due process, and equal protection. It provides that no person shall be deprived of liberties or privileges or otherwise deprived of life, liberty or property except by the law of the land. This guarantee both procedural and substantive due process rights. In Re Moore, 289 N.C. 95, 97-98, 221 S.E. 307, 309 (1976). State v. Ballance, 229 N.C. 764, 51 S.E.2d 731, 734 (1949) broadly defines constitutional liberty:

These fundamental [state constitutional] guarantees are very broad in scope, and are intended to secure to each person subject to the jurisdiction of the state extensive individual rights, including that of personal liberty. The term liberty, as used in these constitutional provisions does not consist simply of the right to be free from arbitrary physical restraint or servitude, but is deemed to embrace the right of man to be free in the enjoyment of the faculties with which he has been endowed by his Creator, subject only to such restraints as are necessary for common welfare . . . it includes the right of the citizen to be

free to use his faculties in all lawful ways; to pursue any livelihood or vocation, and for that purpose to enter into all contracts which may be proper, necessary, and essential to his carrying out these purposes to a successful conclusion.

In Dombrowlski v. Wall, 138 N.C. App. 1, 13, 530 S.E.2d 590, 599 (2000), a near treatise on disparate treatment and North Carolina

constitutional law, the Court recognized state constitutional protections and reaffirmed numerous fundamental principles. These are in fact North Carolina constitutional maxims:

The Due Process Clause was intended to prevent government officials from abusing [their] power, or employing it as an instrument of oppression.... Since the time of our early explanations of due process, we have understood the core of the concept to be protection against arbitrary action. Hurtado v. California, 110 U.S. 516, 527 (1884).

We have emphasized time and again that the touchstone of due process is protection of the individual against arbitrary action of government, Wolfe v. McDonnell, 418 U.S. 539, 558 (1974), whether the fault lies in a denial of fundamental procedural fairness, see, e.g., Fuentes v. Shevin, 407 U.S. 67, 82 (1972) . . ., or in the exercise of power without any reasonable justification in the service of a legitimate governmental objective, see, e.g., Daniels v. Williams, 474 U.S. 327, 331. . . .

Arbitrary and capricious acts by government are also prohibited under the Equal Protection Clauses of the United States and the North Carolina Constitutions. The purpose of the Equal Protection Clause . . . is to secure every person within the state's jurisdiction against intentional and arbitrary discrimination, whether occasioned by express terms of a statute or by its improper execution through duly constituted agents. Edward Valves, Inc. v. Wake County, 343 N.C. 426, 433, 471 S.E.2d 342, 346 (1996). the Department of Justice to follow their own established procedures was held a violation of due process.420 F.2d 809, 811–12 (4th Cir. 1969); see also Poarch v. N.C. Dep't of Crime Control & Pub. Safety, 223 N.C.App. 125, 133, 741 S.E.2d 315, 320 (2012)(citing Heffner with approval), disc. review denied, 366 N.C. 378, 735 S.E.2d 174 (2012)."

This Accardi principle began to emerge in the 1940s but was substantially solidified in the 1950s in a handful of cases that arose during the McCarthy era when public employees began to suffer the wrath of the anti-communist movement. From that line of cases, a principle of monumental importance to public employees emerged: Public employers must scrupulously comply with

their own personnel policies.

The principle that agencies are bound by their own policies is generally attributed to a trilogy of cases decided by the Supreme Court, the most well-known of which is United States ex rel. Accardi v. Shaughnessy. 347 U.S. 260 (1954). The Accardi trilogy of cases all involved agency adjudicatory proceedings relating to either deportation by the INS or employment

discharges. The other cases in the trilogy include Service v. Dulles, 354 U.S. 363 (1957) and Vitarelli v. Seaton, 359 U.S. 535 (1959). In each case, the Court found that the Government was obligated to follow its own policies.

In more recent years and in high profile cases, the Accardi doctrine has been reaffirmed and applied. In United States v. Richard Nixon, 418 U.S. 683 (1974), President Nixon maintained that special Prosecutor Leon Jaworski could not seek judicial enforcement of a subpoena deuces tecum for the Watergate tapes. The Supreme Court rejected President Nixon's argument by expressly relying on Accardi, Seaton and Service for the principle that the administrative regulations in issue were in effect and enforceable under the Accardi doctrine. 418 U.S. at 696. Cf.Montilla v. U.S., 926 F.2d 162, 167 (2nd Cir. 1991)



The Accardi Doctrine

Tully invokes application of a settled body of law known as the Accardi doctrine. 790 S.E.2d at 859. In United States v. Heffner, 420 F.2d 809, 811-12 (4thCir. 1969) the Court explained:

"An agency of the government must scrupulously observe rules, regulations, or procedures which it has established. When it fails to do so, its action cannot stand and courts will strike it down. This doctrine was announced in United States ex rel. Accardi v. Shaughnessy, 347 U.S. 260, 74 S.Ct. 499, 98 L.Ed. 681 (1954).

There, the Supreme Court vacated a deportation order of the Board of Immigration because the procedure leading to the order did not conform to the relevant regulations. The failure of the Board and of ("The Accardi doctrine is premised on fundamental notions of fair play underlying the concept of due process").

Government is obliged to follow its own policies, even if those policies are gratuitous, self-imposed procedural rules that limit otherwise discretionary decisions. See, e.g., United States ex rel. Accardi v. Shaughnessy, 347 U.S. 260, 266-67 (1954); Service v. Dulles, 354 U.S. 363, 388 (1957); Vitarelli v. Seaton, 359 U.S. 535, 539-40 (1959); American Farm Lines v. Black Ball Freight Service, Inc., 397 U.S. 532, 538-39 (1970).Police employers have dodged the principles for decades. The Tully decision brings the principle home to North Carolina and requires management to play by the rules.

In addition to the Accardi cases addressed by the Court of Appeals, 790 S.E.2d at 859, other North Carolina cases address Accardi, especially in personnel cases. In Dietrich v. N.C. Department of Crime Control,2001 WL 34055881 (N.C.O.A.H.), Administrative Law Judge Beecher Gray explained the Accardi principle as follows:

Governmental employers must comply with their own regulations. See, e.g., Vitarelli v. Seaton, 359 U.S. 535, 546 (1959) (Frankfurther, J. concurring, joined by Clarke, Whittaker & Stewart); Securities & Exchange Comm. v. Cherery, 318 U.S. 80, 87 - 88 (1942); Service v. Dulles, 354 U.S. 363 (1957); Beacom v. EEOC, 500 F. Supp. 428 (D. Ariz. 1980) (public employee must be accorded benefit of agency's regulations). See United States v. Heffner, 420 F.2d 809, 811 (4th Cir. 1970), where the Fourth Circuit included a thoughtful discussion of Shaughnessy and other United States Supreme Court cases which stand for this central proposition. The Court observed that in Shaughnessy that the Supreme Court vacated a governmental decision because "the procedure leading to the order did not conform to the relevant regulations. The failure of the board and of the Department of Justice to follow their own established procedures was held a violation of due process." 420 F.2d at 812. "The Accardi Doctrine was subsequently applied by the Supreme Court in Service v. Dulles, 354 U.S.

363 (1959), and Vitarrelli v. Seaton, 359 U.S. 535 (1959), to vacate the discharges of government employees." 420 U.S. at 812. These principles have been cited as applicable in contemporary public employee constitutional litigation in North Carolina. See Sumler v. City of Winston-Salem,448 F. Supp. 519, 529 (M.D.N.C. 1978)."

In Renfrow v. N.C. Department of Revenue, 2015 WL 731505 (N.C.O.A.H.), Administrative Law Judge Fred Morrison explained the Accardi principle as follows:

"When a Government agency does not follow its rules, regulations, or procedures, due process is violated, and its action cannot stand." Ameira Corp. v. Veneman, 347 F. Supp. 2d 225, 226 (M.D.N.C. 2004). If dismissal from employment is based on a defined procedure, that procedure must be scrupulously observed. Service v. Dulles, 354 U.S. 363, 388-89 (1957) (reversing dismissal of petitioner for failure to comply with regulation)...The purpose behind the Accardi principle is "to prevent the arbitrariness which is inherently characteristic of any agency's violation of its own procedures." United States v. Hefner, 420 F. 2d 809, 812 (4th Cir. 1969)."

Renfrow was affirmed on appeal. 782 S.E.2d 379.

Implications of Tully

Tully will promote a broad range of benefits for officers and agencies. Tully will promote more effective agency decision making and police operations. Consistency in the enforcement of policies will promote more consistent and fair administration of day to day policing. A proper and effective personnel system is predicated upon a system of rules or policies which set out the governing principles of the working relationship. These rules or policies are vitally important as they guide the operation of the agency and set out the expectations of all parties. Following Tully, officers now know that everyone must abide by policy - officers and management. This will promote reliance and more trust. Most agencies have extensive manuals of policies. Thus, the Tully principle has the potential to be frequently enforced.

The Court's ruling and reasoning in Tully certainly suggests a broad potential application of the new Tully constitutional claim. First, this newly recognized North Carolina constitutional claim applies to all governmental employers, municipal, county and state employers.

Because North Carolina Sheriffs are governmental employers, the Tully principle clearly applies to our Sheriffs and their agencies. This is one area where Tully may promote near revolutionary change. Counties and Sheriffs often promulgate various types of personnel rules for the administration of personnel relations. Tully makes those policies enforceable rather than subject to denial at someone's whim.

Rule or policy violations by employees may give rise to discipline. Rule or policy violations by the employer may now give rise to a Tully claim in Superior Court for the enforcement of the rule or policy and resulting damages to the officer. This new Tully principle will likely play out in the lower courts for a while.

Conclusion

The North Carolina Supreme Court in Tully has brought us a new principle of constitutional common sense. For generations, some police management officials have boasted of their supposed rights to "do whatever we damn well please" in connection with personnel disputes. In response to requests for benefits and privileges afforded by agency policies, many police supervisors have scoffed that "they are our rules, and we decide what they mean and when we will use them." Those discriminatory views likely drove the Supreme Court in Tully to rebuke them and clarify the law. Wilmington's position in Tully was the extreme of the extreme by claiming that their own policies were meaningless. They are now enforceable.

Our Supreme Court has acted in the highest honorable tradition of the judiciary by interpreting old constitutional text in light of the current circumstances confronting the police community. The Court has breathed new life in the North Carolina Constitution affording constitutional remedies for police officers when agencies violate their own policies. So be it.



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