



DIA



REPORT

DETECTIVE INVESTIGATORS' ASSOCIATION
of the District Attorneys' Offices, City of New York

Summer 2013



The DIA was one of 18 uniformed unions that joined together under the banner of United Uniformed Workers of New York City in order to collectively endorse candidates for New York City Mayor and Council races.

On June 5, those unions gathered on the steps of City Hall to officially endorse Bill Thompson, one of many in a crowded field running in the Democratic primary to lead our City.

"The DIA is proud to say it strongly supports and endorses Bill Thompson for Mayor," said DIA President John Fleming at the May 5 press conference. "This City needs a man who will employ a balanced approach to the tough problems

Photos and story on pages 4-5

DIA ENDORSES BILL THOMPSON FOR MAYOR

PRESIDENT'S MESSAGE

JOHN FLEMING



This is usually the time of year where very little happens and we can enjoy the summer season. Not this year.

In short order, we find we have a decision on our long-awaited hearing of who is responsible for negotiating with us...we are participating in a close mayoral election...and Police Officers in this City find themselves under attack from local politicians who look to set aside good public policy for politics as usual.

On July 10th, the Board of the Office of Collective Bargaining (OCB) released its long-anticipated decision on who is responsible for bargaining with the DIA. You can find the entire decision on our website on the news page. Basically, however, the Board found that the City of New York and the District Attorneys' Offices are **not** joint employers under the New York City Collective Bargaining laws. Further, it found that the City does **not** have to continue to act as the bargaining agent.

In the hearing, the DIA and the DA's offices argued the City was a joint employer. In its decision, OCB stated that although the City provided a substantial level of funding to each office, that alone does not constitute a joint employer relationship. OCB focused heavily on the fact that the City plays no role in hiring, firing, performance evaluation, work duties, promotions, supervision, or daily control over Detective Investigators.

OCB further stated that the City, through the Mayor's Office of Labor Relations, served as a "representative" of the DA's for collective bargaining.

So what does this mean for us? All sides are still evaluating the decision, but I have directed our lawyers to send a copy to PERB and request dates to resume mediation. You and your family have waited more than three years for a contract that should have been completed in 2011.

If there is no appeal, the District Attorneys will now participate directly with the Union for matters related to collective bargaining. There are several options. First, they can continue the impasse process and go to arbitration; second, they can negotiate with the union and sign a deal; or third, they can appeal this decision to the courts that will further delay a new contract.

The decision does have two important areas I would like to point out. On page 8, it states that during the last round of negotiations, the DA's supported our position that the Union be offered the uniform deal.

Also, Mark Paige, Budget Director for the City of New York, clears up who would pay for our contract when he states: "If a legally enforceable contract or award was issued we would expect the City would be responsible for liability arising there under." In other words, the City pays just like it would in the past.

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DETECTIVE INVESTIGATORS' ASSOCIATION

DISTRICT ATTORNEYS' OFFICES – CITY OF NEW YORK, INC.

PO Box 130405
New York, NY 10013

646.533.1341
877-DIA-2747

www.nycdia.com

JOHN M. FLEMING
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RWD Group
(845) 364-0222 • info@rwdgroup.com

It is our feeling that with the

City removed from the equation, we can work well with the DAs to ensure a contract is completed that best reflects the tremendous role we play for the DA. I personally hope that the District Attorneys would not take any actions that further delay a contract we all so justly deserve.

With morale so low and the turnover rate so high, it is now in the DA's power to get this done. In the past, many administrators in each of the six offices voiced frustration over the City's strategy to keep us from signing a uniform deal. Now nothing precludes the DAs from securing such a deal for their Detectives. We have already notified counsel for the DAs that we are ready to sit down at the table to get this done.

Next, the DIA, along with 17 other uniform unions, joined together and vetted each of the candidates running for Mayor of New York City. In the end, all but two unions agreed on Bill Thompson. On June 5, during a press conference at City Hall, the DIA laid out our case for Bill Thompson. We and the other unions see him as the most balanced candidate. He has consistently looked to work with unions, not against them, and we are calling on all members to vote for him in the primary this September. We strongly support Bill Thompson and urge you to support him, too.

As Police Officers, we must fight to get the right person in office. Recent legislation has been passed that will severely undercut the ability of our fellow Officers to do their jobs. Do not think this just affects them; we as Police Officers also could become subject to the "Racial Profiling" bill and the implementation of an Inspector

General could have negative repercussions on the District Attorneys and their ability to investigate allegations of police misconduct.

How any Council member could have thought passing the Racial Profiling bill was a smart move is shocking, to say the least. If any part of New York City government deserves closer inspection, it would be the City Council. The sponsors for the IG bill and the Profiling bill cry for independent oversight for Police Officers to "insure effective transparency and oversight." This oversight is a duplication of effort and just plain wrong. With this new Racial Profiling bill, Police Officers at all ranks throughout the City will be handcuffed when it comes to doing their jobs effectively.

As we enter the second half of the summer, I wish you and your family a safe and happy summer season. We will keep you updated on these issues as they progress.

DIA Developing Wellness Program

By John Fleming, President

The DIA has become concerned over the increasing number of Detectives suffering from heart-related problems. To address this, I have spoken with Mt. Sinai Hospital in an attempt to develop a specialized wellness program for our Detectives.

I met with Dr. Roberto Lucchini, Director of the Occupational and Environmental Medicine Department and other administrators to discuss a proposal I sent them earlier this summer. They were quite receptive and are going to develop a program that would be a "one stop shopping" for medical needs our members face.

For example we currently have no medical resources for cases of "fit for duty" claims or specialized tests which address the needs of the police profession.

We chose Mt. Sinai because so many of our members already have a relationship with the hospital through the World Trade Center Program. They also are world renowned for Occupational

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DIA ENDORSES BILL THOMPSON

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we now face. He is committed to public safety and keeping our streets safe. He is a man of character who will work with the men and women of labor to ensure that the rights of the middle class are preserved and protected.

"He will not look to vilify the workers of this City as so many others have done. This race is not about any one issue, but it is about bringing all the parties to the table to make touch choices to ensure this great City stands tall.

"We have closed the book on a mayor who has a long history of subverting democracy. Let's all welcome in a man who respects democracy and respects the

rights of all men and women in our five boroughs," Fleming said.

"As Mayor, I will keep New Yorkers safe," Thompson said. "I will make sure the City is prepared to respond to any challenge. These professionals are on the front lines of doing just that — protecting our communities and responding to crises like fires, accidents and hurricanes. They do their jobs without much fanfare, but always with dedication to the city and its people. I will use every tool to keep New York the safest big city in the world, from adding 2,000 more Police Officers who will work with our communities to tackle crime to ensuring our first responders are prepared and supported to counter any challenge."

The United Uniformed Workers of New York City represents





FOR MAYOR

more than 200,000 City workers and their families. Our political coalition is united and committed to having our voice heard and to playing a major role in the upcoming citywide elections.

The United Uniformed Workers of New York City was formed to identify and elect a mayor and citywide office holders who will best preserve and improve the lives of the hardworking, middle-class members of the UUNYC. We are determined to elect a mayor and citywide office holders who recognize the importance of the services we provide and respect the great contributions made to New York City by our hardworking uniformed men and women.



Dependent Verification

MEMBERS ADVISED NOT TO SUBMIT INFO UNTIL FURTHER NOTICE

On June 19, 2013, the Municipal Labor Committee (MLC) filed an improper practice charge against the City of New York regarding the dependent audit presently being conducted. The concerns regard the failure by the City to discuss such issues as securing member and dependent vital information, amnesty and a proper appeals process. While we agree that the City should only pay health premiums for eligible dependents, we also feel that the MLC concerns are extremely valid and need to be addressed before members respond to this dependent verification audit.

On July 10, 2013 the City of New York Office of Collective Bargaining issued a favorable decision with respect to the improper practice charge. This ruling allowed the MLC to go to court in order to seek an injunction of the audit process until all legal and bargaining issues of amnesty, appeals and information security are resolved.

On July 19, a New York City Supreme Court justice awarded the MLC a Temporary Restraining Order. The justice ordered the City and Aon/Hewitt to cease and desist any further action on the dependency audit process encouraging both sides to negotiate until all matters and concerns are resolved.

As such, the DIA continues to advise that all members **DO NOT respond** to the City/Aon Hewitt survey until the MLC and the City have reached an agreement on the areas of concern previously mentioned. We will keep you apprised of any update to the situation and will advise you when to submit the required documentation to the City/Aon Hewitt. You should compile the documentation for future submission as previously advised. Responses to the City's survey are not due to be returned until September 20, 2013. As such, there is ample time to respond if it ultimately proves necessary.

How Effective is a Police Officer WITH A BLINDFOLD ON?

For the first time in what seems like ages, the media has actually taken a positive stance on a union story with coverage of the City Council's asinine bill that all but blindfolds Police Officers when describing suspects.

From the *Daily News* and *New York Post*, to CBS News, Fox News and even the *Times of London*, all have given tremendous coverage to City Council Bill 1080 entitled "Prohibiting bias-based profiling." The legislation, introduced June 12 and immediately referred to Committee, basically would allow Police Officers to describe suspects as "a person" and nothing more.

DIA President John Fleming said the legislation, which unfortunately passed the City Council, is one of the most ridiculous bills ever introduced as it will prevent Police Officers from using race, gender, religion, creed, alienage, disability, sexual orientation, housing status or citizenship status when describing a suspect. The local law is intended to "...amend the administrative code of the city of New York, in relation to prohibiting bias-based profiling."

"This proposed legislation will cause the members of the Department to hesitate transmitting legal and detailed information of persons who commit crimes, potentially leaving our members vulnerable to personal civil liability. This hesitation will place the public and our members in harm's way," Fleming said.

The bill's sponsors, Council Member Jumaane Williams and City Council Speaker Christine Quinn, objecting to Public Safety Committee Chairman Peter Vallone, Jr. not immediately releasing the legislation out of Committee, sent the legislation directly to the floor for a vote. This is an unprecedented move and comes

on the heels of a group of 18 unions endorsing one of Quinn's opponents in the race for Mayor.

Racial or ethnic bias-based profiling is defined in the proposed legislation as;

"...means an act of a member of the force of the police department or other law enforcement officer that relies on actual or perceived race, [ethnicity, religion or] national origin, color, creed, age, alienage or citizenship status, gender, sexual orientation, disability, or housing status as the determinative factor in initiating law enforcement action against an individual, rather than an individual's behavior or other information or circumstances that links a person or persons [of a particular race, ethnicity, religion national origin] to suspected unlawful activity."

This legislation takes away a law enforcement officer's ability to stop a suspected perpetrator relying on the lawfully transmitted detailed description, containing the above mentioned descriptors, provided by a fellow law enforcement officer. A law enforcement officer must disregard the descriptors and only act on the "individual's behavior or other information or circumstances that links a person or persons [of a particular race, ethnicity, religion national origin] to suspected unlawful activity. "This proposal is ludicrous, completely incapacitates an officer from properly performing their duties, and jeopardizes the officer's and the public's safety," Fleming said.

Furthermore, the proposed legislation leaves a Police Officer who stops a suspected perpetrator, based on the aforementioned descriptors, liable to personal civil action:

"An individual subject to bias-based profiling as defined in paragraph 1 of subdivision a of this section may file a complaint with the New York City Commission on Human Rights, pursuant to Title 8 of the Administrative Code of the City of New York, or may bring a civil action against

HOW EFFECTIVE IS A POLICE OFFICER WITH A BLINDFOLD ON?

The New York City Council wants to pass a law that bans police officers from identifying a person by age, gender, color or disability.

If a police officer transmits descriptions beyond clothing color they can be sued for racial profiling. That's dangerous for the public and police officers.

Help the NYPD keep New York City safe. Contact your local New York City Councilperson and tell them to vote NO on Intro. No. 1080. Keep politics out of policing.

To reach the New York City Council call (212) 788-7210, or the member section at www.council.nyc.gov

Captains Endowment Association
Roy T. Richter, President

Lieutenants Benevolent Association
Louis Turco, President

Photo by Doug Kahn

(i) any governmental body that employs any law enforcement officer who has engaged, is engaging, or continues to engage in bias-based profiling, (ii) any law enforcement officer who has engaged, is engaging, or continues to engage in bias-based profiling, and (iii) the police department where it has engaged, is engaging, or continues to engage in bias based profiling or policies or practices that have the effect of bias-based profiling.”

On June 19, several uniformed law enforcement unions participated in a news conference on the steps of City Hall to voice disapproval of the proposed City Council legislation, which will leave Officers personally liable if they stop a person based on any of the aforementioned criteria.

In addition, the Lieutenants Benevolent Association and the Captains Endowment Association placed a half page ad in the *New York Daily News* and the *New York Post* on June 20 that drew the attention of media worldwide.

The Bill was sponsored by the following Council Members and the Public Advocate:

Jumaane D. Williams, Melissa Mark-Viverito, Rosie Mendez, Brad S. Lander, Fernando Cabrera, Robert Jackson, Maria Del Carmen Arroyo, Charles Barron, Gale A. Brewer, Margaret S. Chin, Leroy G. Comrie, Jr., Inez E. Dickens, Daniel Dromm, Julissa Ferreras, Helen D. Foster, Daniel R. Garodnick, Letitia James, Andy King, G. Oliver

Koppell, Jessica S. Lappin, Stephen T. Levin, Annabel Palma, Diana Reyna, Donovan Richards, Ydanis A. Rodriguez, Deborah L. Rose, James G. Van Bramer, Albert Vann, Mark S. Weprin, Ruben Wills, Darlene Mealy, Mathieu Eugene, Sara M. Gonzalez, and Public Advocate Bill De Blasio.

Despite continued efforts from all police unions, the Mayor and the Police Commissioner, in the early hours of Thursday, June 27, the NYC Council was successful in passing the “Community Safety Act” containing the Bill to create an independent Inspector General to monitor and review police policy, conduct investigations, and recommend changes to the Department (Bill 1079 was approved by a vote of 40-11) and the Bill “Prohibiting bias-based profiling” (Bill 1080 was approved by a vote of 34-17).

Mayor Bloomberg has pledged to veto the bill; however the votes as they stand now are enough to override a Mayoral veto. We encourage all our Active and Retired members living in the city, and their family members residing in the city, to contact their respective City Council members to voice their disapproval of this legislation. A vote to override a Mayoral Veto was expected to come on or around July 25th, as this newsletter went to print.

We can not abandon this fight to protect the physical and fiscal safety of our brothers and sisters in law enforcement, and the safety of the citizens of New York whom we swore to protect.

ABOUT OUR MEMBERS

DETECTIVE CASTIGLIA'S SON ADVANCES IN THE NYS GOLDEN GLOVES

Detective Investigator Arthur Castiglia (Office of the Special Narcotics Prosecutor) has good reason to be proud of his son.

In an intense fight most won't forget, NRPD officer Chris "Stigs" Castiglia of Champs Boxing Club in New Rochelle advanced to the quarter finals in a fist to cuff Golden Gloves victory for New Rochelle. Hammering down boxer Ken Nolan representing Judah Bros Boxing Gym of Brooklyn, "Stigs" was fast and furious in the ring taking home a unanimous 5-0 win in the super heavy weight novice division.

As the bell rang ringside at the Harlem PAL, both boxers entered the ring in full fledged battle hitting each other so hard the crowd was up on their feet watching an all out war begin in the first round. Blow after blow Castiglia was swift on his feet blocking swings from his opponent and landing hard rights keeping him at arms length.

Castiglia began boxing less than two years ago with his first bout as part of a charity event involving NRPD and NRPD, losing to a close decision. Stigs made the cut off age to compete in amateur boxing at a senior level, making him one of, if not the oldest boxer in the NYS *Daily News* Golden Gloves tournament. With only six fights on his record and 34 years old, that makes Castiglia's win that much more impressive when you consider he's boxing against competition that could be almost half his age.



DI ANNARELLA REPRESENTS U.S. STATE DEPT.



Pictured from left are Annarella, Brenda Sue Thorton, Department of Justice Legal Advisor to the US mission to the African Union, and Ambassador Fransisco Cateano Jose Maderia, Mozambican Ambassador to several African nations.

Supervising Investigator George Annarella (Special Narcotics Prosecutor) recently travelled to Addis Ababa, the capital of Ethiopia, to participate on a panel regarding UNDER Operations and the protection of sensitive information and intelligence.

The audience he addressed were part of the African Union countries of Comoros, Djibouti, Ethiopia, Kenya, Somalia, South Sudan and Tanzania.

Annarella travelled at the request of the U.S. State Department and the U.S. Department of Justice Connecticut section. In addition to Annarella, the panel consisted of attorneys from the United Kingdom, USDOJ, a Scotland yard investigator, and a Judge from France, all discussing undercover operations as they relate to activities in the U.S., some of the legal issues involved, as well as operational issues and tactics. Nearly three dozen people attended this workshop, including Judges, Ambassadors, Federal African Investigators, and attorneys from their respective counties.

CHIEF INVESTIGATOR

PONZI HONORED



On May 16, 2013, Brooklyn Chief Investigator Joseph Ponzi was recognized by the National Council of Columbia Associations in Civil Service at their 54th annual awards ceremony. The Chief received the 2013 Law Enforcement Leadership Award.

Chief Investigator Joseph Ponzi was born and raised in the Park Slope section of South Brooklyn and attended Brooklyn Preparatory High School in Crown Heights. He subsequently

graduated Brooklyn College in 1977, earning a BA in Political Science.

On October 31, 1977, Chief Ponzi was appointed to the position of Detective Investigator with the Kings County DA's Office and throughout his 35-year career has held every Investigator title in the office: Detective Investigator, Senior Detective Investigator, Supervising Detective Investigator, Deputy Chief, Assistant Chief, 1st Assistant Chief and in 2002 was appointed Chief Investigator.

During the period of 1980 to 1990, Ponzi served as the primary Polygraph Examiner for the DA's Office and the NYPD. During that time, he administered 1,500 examinations and elicited more than 125 murder confessions on cases that required an admission for an arrest and prosecution.

In 1989, Chief Ponzi, then a Deputy Chief, created the DA's Special Investigations Unit, which forged alliances with the NYPD, the DEA and the FBI. These Task Forces resulted in the dismantling of two notorious drug gangs, the Baby Sam Edmonson Gang and the Bush-Davis Gang.

From 1998 to the present, Ponzi has supervised a succession of high profile cases, including the arrest and prosecution of two sitting Supreme Court Justices and was personally responsible for securing the cooperation of Burton Kaplan, which resulted in the federal prosecution of the so-called Mafia Cops. Additionally, he is responsible for the administration, training and discipline of 80 Detective Investigators assigned to Kings County, and has served under three District Attorneys.

DIA Developing Wellness Program

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health medicine. The Board is excited over the development and implementation of this program. We currently have providers who work with the union and those relationships would still exist as we have members who faithfully use them. The next step will occur in early fall when we begin to put this program together. It is our hope to marry up our EAP program with this program so that our members will have the finest opportunities for medical treatment available to City workers.

Over the course of the past six months we have also worked with Mr. Andre Walker, founder & CEO of LHS Health Corp, ProtelCare Inc, and Sports Nutrition Laboratories. These companies are on the cutting edge in the area of preventive medicine, sports performance, sports nutrition, and medical laboratories testing and scientifically formulated all natural medical products and supplements.

Mr. Walker is health consultant for the National Association of Basketball Coaches, US Track and field athletes, youth, masters and current Olympic athletes, as well as various universities throughout the country. He has begun to develop supplements which are geared to improving quality of life in men and women of all age groups.

Certain members of the Board have used these products and have noticed positive results. For more information on these products you can go to www.labhealthsolutions.com or call 561-288-9044, Ext. 1 for orders, or Ext 2. to speak with customer service.



NY SAFE ACT

Retired Police Officers Exempt from State's New Bullet Limit



On January 15, 2013, Governor Cuomo signed into law the NY SAFE Act, which mandated that retired members of law enforcement could only have a maximum seven rounds in a magazine that could optimally hold 10 rounds and placed limitations on retirees' ability to own assault weapons. On March 25, 2013, NYS Assemblyman Joe Lentol (D-Brooklyn) introduced NYS Assembly Bill A.6356, "...to amend the penal law, in relation to exempting qualified retired law enforcement officers from certain limitations related to the possession of firearms."

On May 23, the Assembly approved the bill by a vote of 96-15. On the same day, the Bill was sent to the NYS Senate that had a mirroring piece of legislation, S.04536-A, sponsored by NYS Senator Marty Golden (R-Brooklyn). On the morning of June 21, after some heated testimony by Senators opposed to the bill, it was passed by the NYS Senate and returned to the Assembly. The bill was signed by the Governor on July 8.

A synopsis of the amendments impacting on the existing laws of the NY SAFE Act is as follows:

Section 265.00 of the penal law is amended by adding a new 2 subdivision 25 to read as follows:

...Qualified retired New York or federal law enforcement officer who separated from service in good standing from a public agency located in New York state in which such person served as either a police officer, peace officer or federal law enforcement officer and before such separation, was authorized by law to engage in or supervise the prevention, detection, investigation, or

prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest, pursuant to their official duties, under the criminal procedure law; and before such separation, served as either a police officer, peace officer or federal law enforcement officer for five years or more and at the time of separation, is such an officer; or separated from service with such agency, after completing any applicable probationary period of such service, due to a service-connected disability, as determined by such agency at or before the time of separation; and has not been found by a qualified medical professional employed by such agency to be unqualified for reasons relating to mental health; or has not entered into an agreement with such agency from which the individual is separating from service in which that individual acknowledges he or she is not qualified for reasons relating to mental health; and is not otherwise prohibited by New York or federal law from possessing any firearm.

Section 265.20 of the penal law is amended by adding a new subdivision e to read as follows:

Subdivision eight of section 265.02 and sections 265.36 and 265.37 of this chapter shall not apply to a qualified retired New York or federal law enforcement officer as defined in subdivision twenty-five of section 265.00 of this article, with respect to large capacity ammunition feeding devices issued to such officer or purchased by such officer in the course of his or her official duties and owned by such officer at the time of his or her retirement or comparable replacements for such devices, if: the agency that employed the officer



Legislative Update

qualified such officer in the use of the weapon which accepts such device in accordance with applicable state or federal standards for active duty law enforcement officers within 12 months prior to his or her retirement; and such retired officer meets, at his or her own expense, such applicable standards for such weapon at least once within three years after his or her retirement date and at least once every three years thereafter, provided, however, that any such qualified officer who has been retired for eighteen months or more on the effective date of this subdivision shall have eighteen months from such effective date to qualify in the use of the weapon which accepts such large capacity ammunition feeding device according to the provisions of this subdivision, notwithstanding that such officer did not qualify within three years after his or her retirement date, provided that such officer is otherwise qualified and maintains compliance with the provisions of this subdivision.

Subdivision 16-a of section 400.00 of the penal law is amended by adding a new paragraph (a-1) to read as follows:

Notwithstanding any inconsistent provisions of paragraph (a) of this subdivision, an owner of an assault weapon as defined in subdivision twenty-two of section 265.00 of this chapter, who is a qualified retired New York or federal law enforcement officer as defined in subdivision twenty-five of section 265.00 of this chapter, where such weapon was issued to or purchased by such officer prior to retirement and in the course of his or her official duties, and for which such officer was qualified by the agency that employed such officer within twelve months prior to his or her retirement, must register such weapon within sixty days of retirement.

The amendment, as it currently exists, is extremely vague in regard to what type of high-capacity maga-

zine our members may possess (i.e. 10 or 15 round) and how our members may satisfy the qualifier of a retired officer to "qualify in the use of the weapon which accepts such large capacity ammunition feeding device".

Once we have more clarification on the meaning of the bill's language, we will update our members on the website and via an e-mail blast.

TACTICAL FIREARMS COMPETITION

The DIA, in conjunction with F6 Labs, is developing a tactical firearms competition that will be open to all active members. This competition is designed to augment your in-service fire arms training.

F6 Labs, located in Hicksville, New York, is a state-of-the-art, multi-faceted indoor range designed to improve an officer's basic, operational, and advanced tactical skill set.

F6 offers interactive, live fire tactical training for active police officers. The DIA is currently coordinating with range officers throughout the five boroughs to develop a competition that will test the skills of our members. Prizes will be awarded to the top competitors.

Special Narcotics Trustee Juan Parra is coordinating the competition with range officers throughout the City. A memo will be sent to each command describing the competition. In addition, the DIA will be sponsoring HR218 certification classes in the fall. We will post more detailed information on our website at www.nycdia.com. We encourage as many members as possible to sign up and enjoy a day with your fellow Detectives at the range.



Legal Corner

WORKERS' COMPENSATION Rate Increased on July 1

The New York State Workers' Compensation Law was created to provide injured workers with lost wage benefits and necessary medical care. However, without knowing how to navigate through the system, workers may lose valuable rights and may lose out on collecting all they are entitled to receive. All workers must know how to report a claim, file a claim, and document their disability in order to collect benefits.

Effective July 1, 2013, the maximum weekly benefit will be going up to \$803.21 from last year's rate of \$792.07. According to Jordan Ziegler, Esq., DIA Disability Counsel, this is great news for workers who might be injured on the job. While the rate does change every July 1, there is no guarantee the change will be an increase, as it is tied directly to the state's average weekly wage.

There are two types of categories that Workers' Compensation claims fall into: Accidental Injuries and Occupational Diseases, Illnesses and Repetitive Strain Injuries.

ACCIDENTAL INJURIES:

The Workers' Compensation Law covers accidents that happen while you are at work. Accidents can include things like lifting, tripping and falling, or cutting your finger. They can involve auto collisions or injuries occurring at a construction site. An accident is an unexpected event causing a specific physical or mental consequence. What defines an accident is determined from the common sense viewpoint of the average person.

OCCUPATIONAL DISEASES, ILLNESSES AND REPETITIVE STRESS INJURIES:

An occupational disease is an illness resulting from the nature of the work you do. It is due to causes and conditions that are normally and constantly present on the job and are characteristic of your particular occupation. There must be a recognizable link between your illness and some distinctive feature of your job common to all other workers who do the same type of work you do.

Workers in every industry are vulnerable to suffering repetitive stress injuries (RSI). These are injuries caused by repetitive tasks, forceful exertions, vibrations, mechanical compression or sustained or awkward positions. RSI typically involves musculoskeletal pain, affecting ligaments, tendons, spinal discs, nerves and muscles.

Awards for permanent disabilities are based on whether you have a permanent injury subject to the Disability Duration Guidelines or your case fits into the Schedule Award category. The part of your body injured and the particular facts of your case determine which category your claim falls into.

There are time limits involved to file a Workers' Compensation claim. If you are injured at work, you must notify your employer within 30 days of the accident. You have two years from the date of accident to file a claim (C3 form) with the Workers' Compensation Board. For occupational diseases, the same two-year limitation applies, but the time to file runs from the date of disablement or when you knew or should have known that your disease was due to the nature of your employment, whichever is the later date.

For more information or to file a Workers' Compensation claim, contact Jordan Ziegler, Esq. at 800.692.3717 or at jziegler@workerslaw.com

VCF Deadlines

CLAIM FILING DEADLINES

SEPTEMBER 11th VICTIM COMPENSATION FUND (VCF)

There are two important deadlines for filing a VCF claim:

- The first deadline is the date by which you must register with the VCF to be recognized as a claimant. This deadline is different for each claimant as it is dependent on individual circumstances as explained below.
- The second deadline is the date by which you must file your completed Eligibility and Compensation Forms and the required supporting documents. This deadline is October 3, 2016 and is the same for all claimants.

Deadline 1: Register (file a REGISTRATION FORM) with the VCF:

In general, Claimants with a qualified injury who plan to file a claim with the Fund will have two years to file a REGISTRATION FORM in order for the VCF to consider your claim. Claimants who know (or reasonably should have known) of physical harm resulting from the September 11th attacks as of October 3, 2011, **must register by October 3, 2013**. If you subsequently learn of physical harm, you must register within two years of the date you learn (or reasonably should have known) that you suffered an injury as a result of the 9/11 attacks.

The final rule adding certain types of cancer to the List of WTC-Related Health Conditions took effect on October 12, 2012. Therefore, if you know (or reasonably should have known) as of October 12, 2012 that you suffer from a covered cancer, you must file your Registration Form with the VCF by October 12, 2014. If you learned after October 12, 2012 that you suffer from a covered cancer, you must file your Registration Form within two years of the date that you learn (or reasonably should

have known) that you suffer from the covered cancer.

To Register with the VCF: In order to meet the applicable two-year deadline, you must do one of the following:

- Claimants using the online system must complete and submit the registration form (and receive a VCF claim number).
- Claimants submitting a hard copy claim must complete and mail Eligibility Form Part I, even if the remainder of the form is not complete.

Deadline 2: File Complete ELIGIBILITY AND COMPENSATION FORMS and required Supporting Documents:

The Zadroga Act authorizes the VCF to receive claims for five years from the date the VCF opened, which was October 3, 2011. Regardless of the applicable two-year deadline for filing your registration form with the VCF, all claim forms must be filed by October 3, 2016. This includes your completed eligibility and compensation forms with the properly executed, original Attestations, Certifications and Exhibits.

If you need assistance filing your claim, or have questions about deadlines or the claims process, please visit the www.vcf.gov website. You may also call the VCF toll-free helpline at 1-855-885-1555 (or 1-855-885-1558 for the hearing impaired). If you are calling from outside the United States, please call 1-202-353-0356. Staff are available to answer your questions Monday through Friday from 8:30 a.m. to 5:00 p.m.

RDNY AWARDS DINNER

Honors

CHIEF INVESTIGATOR WALTER ALEXANDER

New York County DA's Office

Walter Alexander is the embodiment of what a career Police Officer should strive to be. A loving husband. A doting father. A good neighbor and a damn good cop. One of his children is following in his footsteps. His son Brian is a police officer, assigned to the 32nd Precinct.

Walter's career path started when he was hired as a Confidential Investigator with the Department of Investigations. From 1980 to 1989 — nine short years — Walter went from Investigator to Deputy Inspector General of the Taxi and Limousine Commission.

His myriad duties went from training Investigators, to Sting Operations regarding rigging of taxi meters, to capturing persons who targeted the TLC offices for burglaries. From 1989 to 1991, he continued his upward movement and honed his investigative skills as a Rackets Investigator with the Queens County District Attorney's Office.

About 1991, Walter left Queens and crossed the river to Manhattan. Because of his work ethic and skills, he was immediately placed in a supervisory position.

He handled very sensitive investigations pertaining to corrupt public officials. He developed informants within the financial community who assisted in the prosecutions of unscrupulous Wall Street brokers.

While leading the Official Corruption Unit, he and his team are credited with solving a brutal homicide connected to New York night clubs and their patrons. Peter Gatien operated several clubs in Manhattan that were operating without regard for the law. They were bribing public officials, turning a blind eye to drug usage and not paying taxes. Because of the work of Walter and his team, the public official is no longer a public official, the drugs dried up, taxes were paid and Gatien was sent packing back to his native Canada.

Under Walter's leadership a majority of the Supervisors and Investigators at the Manhattan District Attorney's Office Investigations Bureau are retired NYPD.

Due to his hard work, intelligence and diligence, Walter is now the Chief Investigator of the New York County District Attorney's Office.

Also honored was Daniel Tirelli, PBA Queens North Financial Secretary. Daniel was appointed to the NYPD at the ripe old age of 20 and has been serving his brother and sister Police Officers as an official of the Patrolman's Benevolent Association for nearly a quarter of a century. He began his law enforcement/police union career after two years of college and is still going strong.

The DIA congratulates both men in the prestigious careers in law enforcement.





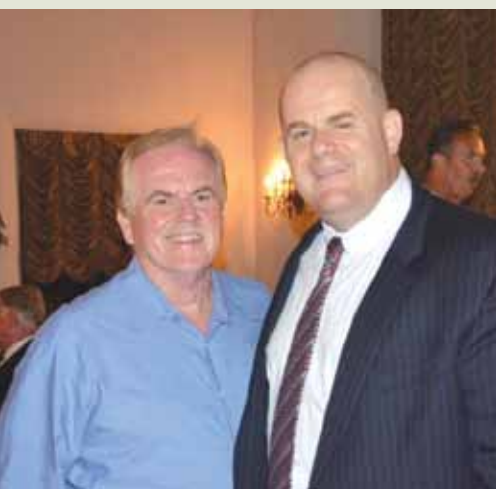
DIA Secretary-Treasurer Jack Freck, Manhattan Chief Walter Alexander, RDNY President Frank Connelly



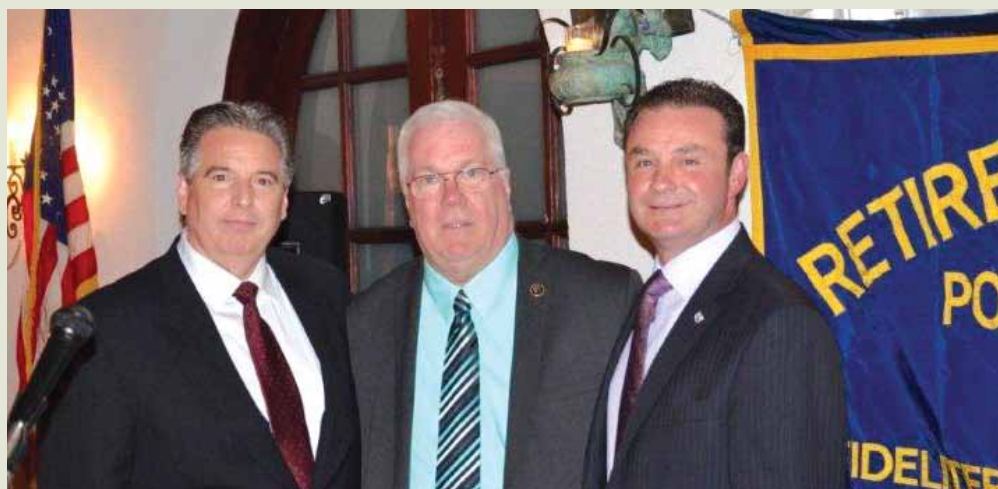
RDNY Members Jim Cowan and Bill Burns



The crowd stands to congratulate the honorees.



NYPD Assistant Chief Rich Bullucci



RDNY President Frank Connelly with evening honorees Walter Alexander and PBA Trustee Daniel Tirelli



Supreme Court Judge Gregory Lasak, Retired DEA Delegate Johnny Wilde, Assistant Chief Rich Bellucci



Manhattan DA Chief Walter Alexander and his family

DIA REPORT



Detective Investigators' Association
District Attorneys' Offices — City of New York
PO Box 130405 • New York, NY 10013

DIA STORE



DIA CHALLENGE COIN FOR SALE

Challenge coins are a memento that give personnel pride and affinity for an Officer's agency or department. They can be traced back to the military when soldiers used these as a source of pride. They were used to recognize the actions of soldiers who go above and beyond the call of duty. Today many police agencies have designed challenge coins for the very same purpose. Our new 2013 challenge coin is available for a cost of \$6. Please contact President John Fleming to purchase one.

VOTER REGISTRATION DEADLINES

PRIMARY ELECTION

Date: September 10, 2013
Registration Deadline: August 16, 2013

Absentee Ballot Request Deadlines

In Person: September 9, 2013
By Mail: September 3, 2013

GENERAL ELECTION

Date: November 5, 2013
Registration Deadline: October 11, 2013

Absentee Ballot Request Deadlines

In Person: November 4, 2013
By Mail: October 29, 2013

For more information, go to:
www.rockthevote.com/election-center/state/new-york-city.html