

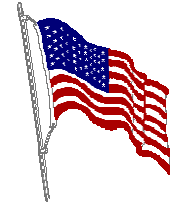
BROWARD 10-13 CLUB

An organization of retired New York City Police Officers

May, 2011



THE BLOTTER



Next General Meeting June 7th, 2011

Focal Point Senior Center 6009 NW 10th Street, Margate Florida 33063

Meeting starts at 7:00 PM Sharp

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50/50

Martin Finkelstein

The Presidents' Message

Dear Brothers and Sisters:



The snowbirds are gone! The early bird dinner menu's are back. There are plenty of parking spots at your favorite restaurant. The cop's are out in force. Traffic citations are being issued as if each day was the last day of the month. Thank God we are retired. Both New York and Florida are looking at way's to reduce pension and health benefits for all government workers. New York and Florida have Deferred Retirement Option Programs also known as DROP.

The name of the program may change from state to state. When I retired from the job I entered the DROP DEAD Program. Honestly I can't complain. Every month since April, 1986 my pension check has arrived in my checking via direct deposit. My health coverage is paid for by the City of New York. I still get union welfare benefits no matter how diminished they have become. Maybe, I'll get a 1% COLA based on \$18,000. I remember 1971,

I went to my local drug store to get a prescription filled produced my drug card and the co-payment was zero. Boy, has times changed. Now, some good news: Active and retired members of the service can now enroll/add Young Adult dependant age 26 and under to their health benefits coverage through the City of New York. Of course, there are some restrictions.

Please go to www.nyc.gov/olr under the Health Benefits Program Section for further information on the Federal Patient Protection and Affordable Care Act (PPACA) Young Adult Coverage to Age 26.

Continue on page 3

Telephone numbers to keep Handy

Your Broward Board

Alan Berkowitz, President 954-816-8163
 Mike Borrelli, V. President 954-574-0365
 Warren Ostrofsky, Sec. 954-651-2004
 Frank J. Orefice, Treas. 954-977-3880
 Thomas Puglisi, Sgt. AA 954-341-4095
 Martin Finkelstein, Dir. 954-234-0042
 William Gallagher, Dir 954-977-0616
 Tim Kennedy, Dir. 954-263-0798
 Dennis Lydting, Dir 954-973-3083
 Christine McIntyre, Dir. 561-477-9604
 Frank Tooley, Dir. 954-972-5983
 Rick Braswell, Chaplain 954-321-4111
 Rabbi J. Kaplan, Chaplain 954-346-5030
 Dr. John Halpern, Surgeon 954-553-1065
 Joe Scimeca, Honor Guard 954-340-7967
 Lou Weiser, Pensions 954-718-9739

PAST PRESIDENTS

PAUL MANNINO 1981
 SY Silver** 1982
 Bill Schilling** 1983
 Ray McDonnell** 1984/5
 Mike Borrelli 1986/95/96
 Ron Kavanagh 1987/88/92
 Paul Barasch 1989
 Bill Bett** 1990
 Paul Levy** 1990/91
 Frank Tooley 1993/94
 Richard Lapp 1997/98
 Robert Izzo 1999/00
 Alan Berkowitz 2001/08
 Louis Weiser 2009/10
 Alan Berkowitz 2011/

****DENOTES DECEASED**



Police & City Numbers

PBA NY Office 1-212-233-5531
 DEA NY Office 1-212-587-9120
 PBA Toll free 1-877-844-5842
 SBA 1-212-226-2180
 LBA/CEA 1-212-964-7500
 LBA/SOC 1-212-964-7500
 ID card Section 1-646-610-5150
 PBA Brwd Satellite 954-977-3880
 Social Security 1-800-772-1213
 Blue Cross of NY 1-800-433-9592
 NYC Health Line 1-800-521-9574
 Operations (Death) 1-646-610-5580
 Medicare 1-800-633-4227
 VA benefits Assist 1-800-827-1000

Employee Health 1-212-306-7600
 1-212-513-0470
 1-212-206-7300
Article 2 Pension 1-866-692-7733

Health & Welfare 1-212-608-9671
 1-212-693-5100

Health Insurance & Eyeglasses
 GHI 1-800-358-5500
 Empire Blue Cross 1-800-433-9592
 Davis Vision 1-800-999-5431

WEB SITES

www.broward10-13club.com
 Medicare www.medicare.gov
 Veterans Admin www.va.gov
 Social Security www.ssa.gov

Taps for departed members

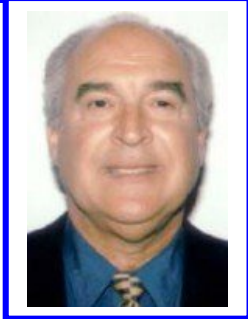
Remember 911 and those who gave their Lives for their country

Madeline Kiggins
 Jerry Carolan



Late Breaking News: The President of the Raleigh NC 10-13 Association Frank T. Sancineto, notified Richard Carroll COO of our national Association that his membership has voted to leave our national and join the National NYCPD 10-13 also located in New York. In case somebody recently in a coma, there are two National Associations representing the interest of retired NYC Police Officers. Putting politics aside, The Broward club wishes the Raleigh NC best of luck with their future endeavors. As Mike Borrelli would say "A club is only as good as the information it gives its members." The "Blotter" is our bloodline! Thank you Mike for a great publication!

Teachers' Variable Annuity Not Like Police, Fire



VSF

By JOEL FRANK The Chief

Q.: I'm a retired city Police Captain. For the life of me, I don't understand why there is such uproar over the Variable Supplements Fund (VSF). After all, the United Federation of Teachers (UFT) negotiated a similar benefit for its members back in 1969. I would like to know your views on this issue. J.B.

A.: You are wrong. A similar benefit was never negotiated by the city and the UFT. In the late 1960s, to its great credit, the UFT adopted a unique approach to public-sector retirement planning. It asked City Hall and Albany to give all Teachers' Retirement System (TRS) members (not just UFT-represented members) the opportunity to invest some or all of their own mandatory annuity savings contributions in the stock market as an alternative investment to earning just a guaranteed rate of return which was, at that time, set at 4 percent and is currently 8.25 percent. The request became law, and the TRS Variable Annuity Program began operations on Feb. 1, 1970. At first there were just two investment choices: The venerable Fixed Return Fund and the new Diversified Equity Fund. The TRS member was permitted to invest all or a portion of his or her mandatory annuity savings contributions in the Diversified Equity Fund. In recent years the investment menu has been expanded to six investment options. All investment market gains (and losses) belong to the employee. The city does not share in the gains, and does not incur any of the losses because the entire investment comes from mandatory employee contributions made to the Annuity Savings Fund (ASF). The taxpayer does not contribute to the ASF. During retirement, monthly annuity payments are added to the fixed city-funded pension to make up the monthly retirement allowance. The monthly retirement allowance will only be fixed if the member elected to invest all of his/her Annuity Savings in the Fixed Return Fund; otherwise the retirement allowance will vary from month to month based on the investment experience of any one or more of the five other investment options the retiree decided to invest his or her Annuity Savings in. The Variable Annuity Program has always been closed to members of Tiers 3-4. The Annuity Savings of these members earn a statutory rate of 5-percent interest.

Having said that, this is quite different than what the city negotiated with its cops and firefighters back in 1969. The Annuity Savings accounts of these employees were not affected by the agreement to establish the Variable Supplements Fund. These mandatory employee contributions would continue to earn a fixed rate of interest. At retirement the monthly fixed-annuity payment is added to the fixed city-funded pension to make up the fixed retirement allowance.

Now enter the VSF. In the late 1960s the public trustees of the Police and Fire Retirement Systems believed that common stock investing could, potentially, yield greater profits than what was being achieved by investing taxpayer-funded holdings in the bond market. The lure for greater profits would, if realized, reduce the taxpayer's annual appropriations to the two retirement systems. The public trustees needed the votes of the union trustees before such a fundamental change in investment policy could take hold. The unions agreed to the change, provided the city agreed to share some of those potential profits with the retirees in the form of a variable supplemental payment to their fixed-retirement allowances.

The city agreed and the VSF was established on Oct. 1, 1968. The retirees could only win. They could not lose because the VSF was established with taxpayer-funded holdings, the Contingent Reserve Fund, not their Annuity Savings Fund. In bad investment years, the retiree would always receive, as a floor of income, the fixed-retirement allowance. In May 1988, the parties agreed to convert this variable supplemental payment from one that was wholly dependent on stock market gains to one that is fixed and guaranteed, just like the fixed-retirement allowance. Currently the fixed supplemental payment is set at \$12,000 annually. Like the guaranteed retirement allowance, the annual \$12,000 supplement must be paid regardless of any gains or losses sustained by the investment holdings. The \$12,000 payment is simply a Defined Benefit add-on to the basic Defined Benefit retirement allowance.

So why is the Mayor so upset over this negotiated benefit? He apparently recognized that only the New York City Employees Retirement System—and only for Correction Officers—among the other six public-sector retirement systems of New York (three on the state level and three on the city level) has ever agreed to such an arrangement with any group of members.

Why was this fundamental change in investment policy done without negotiating a single VSF with any union whatsoever? Were the unions asleep at the wheel? To add insult to injury, this would have been an ideal time for the unions to, at least, negotiate a permanent Cost-of-Living-Adjustment (COLA) program. They did not. The loyal and dedicated public-sector employees of this great state waited until 2000 to see a miserly version of a permanent COLA program enacted. How miserly? The NYCERS web site states: "The COLA calculation is based on 50% of the Consumer Price Index (CPI). This figure is then multiplied by either \$18,000 or your Maximum Retirement Allowance (including any prior years' COLA paid under this legislation), whichever is less. The result is then added to any previous permanent COLA amounts. The sum of these COLA figures equals the current year's COLA payment."

For Many City Retirees, Little Gravy in Pensions

By DAVID SIMS the Chief

Amid Mayor Bloomberg's proposals to rein in what he calls runaway pension costs, some retirees who are just scraping by say the Mayor's depiction of lavish benefits doesn't square with their reality. The average New York City Employees' Retirement System member gets a pension of about \$33,000 a year; the average District Council 37 retiree gets \$17,200 a year, with many living on far less than that.

Cherry-Picking' Exceptions

Neal Frumkin, a retired Child Support Investigator who worked for the city for more than 34 years, said he thinks the inflated pension figures that are often featured in the media are a result of "cherry-picking." "The press seizes on somebody who had a high-paid managerial position, and they generalize the pension that person is receiving," he said in a phone interview. He said he knows retirees who make no more than \$1,400 a month from their pensions and Social Security combined.

"People are very much afraid, because they are beyond the age where you could look for work once again," he said. "Most of them have worked many years for the city and basically they, like I, felt that you had given up salary, the possibility of earning more money, for the knowledge that you'd receive a pension when you retire. That's sort of a trade-off in civil service."

His pension, Mr. Frumkin said, was higher—\$32,000 a year, or roughly \$2,650 a month—which reflects the qualifications needed for his job as well as his length of service. But he said he felt the same outrage when city retirees were portrayed as living the high life in news stories about Mayor Bloomberg's proposed pension cuts, which would include raising the retirement age to 65 for civilian workers, eliminating the use of overtime to boost allowances, and requiring 10 years' service before pension rights vest.

'Slapped in the Face'

"We who served careers in New York are basically being slapped in the face with this attack on the pensions that we've received," he said. "Our pay was modest, our pensions were modest, and we are basically the last bastion of workers who have these kinds of pensions."

Shirley Foster, a 70-year-old retired clerical worker from the former Board of Education, got an even tougher deal because she left after 9½ years on the job because of an injury she sustained from a fall at her office.

"Because I didn't put in the whole 10 years, I think that's why they gut me so much—I only get a check for \$186.44 every month," she said. "It's literally nothing; it's hard for me to even try to pay a bill with it, or use it for my main meals for the month. I also got Meals on Wheels, which gave me a lunch once a day, so that helps me out pretty good. But if I didn't have that, I don't know what I

would do.” Ms. Foster sustained her injury in 1999 and had to fight with the Giuliani administration to get even her modest pension, which only began “a year or two” after she retired. She sustained an injury to her spine and has been mostly homebound ever since, walking with a walker or cane and in “continuous pain.”

‘Fighting to Keep My House’

“With the help of my children, I’ve been able to keep the house going. But then I got sick, and there were hospital bills, medicine bills, and with the water bills and bills on the house, something has to give,” she said. “Now I’m fighting to keep my house, a 70-year-old woman fighting to keep her house.”

She said she felt she had been betrayed by the city’s promise of a stable paycheck and pension. “You know what I can’t understand? After being with the city for as long as I did, and I was a faithful worker, and getting hurt on the job, getting no money at all,” she said. Kathleen Rezek, who worked in the medical records department of Jacobi Hospital in The Bronx for 26 years, also relies on her city pension and Social Security to help her pay her bills at her local clinic, which she frequently visits because of health issues.

Now, more budget cuts might threaten her chances of getting help there, she said. “The clinic I go to, they’re cutting that too... They put me on a sliding scale because I couldn’t pay the money that the clinic wanted me to pay. I’m worried they’ll cut that, and I won’t be able to go to the clinic anymore and get help.”

She said she relied on the clinic for “Nutrition, dental, psychotherapy and physical therapy.” She has a monthly income of about \$2,200, which is her pension and Social Security combined.

Stu Leibowitz, the president of the DC 37 Retirees Association, said his members were being unfairly attacked considering that they had sacrificed larger wage increases for decent benefits at the bargaining table.

“We followed the puritan ethic of saving for our old age, and we’re being penalized for having done that,” he said in a phone interview. “From the union perspective, nobody gave us anything; we paid for what we got, we paid for the pensions.”

Referring to the political battle in Wisconsin over legislation that would strip public employees of collective-bargaining rights, he said, “They’re using public-employee benefits as an excuse for the attack on the unions, on public-sector unions.”

He added, “An employer legitimately can say I can’t afford the benefits you have, you guys have to start paying more towards your pension, more towards your health-care. But when he says I want to disassemble your right to collectively bargain, that’s a different story. The attack on benefits is camouflage for an attack on unions.”

NYPD Superior Officers Association Retired



Received a letter today (4/9/11) from State Senator Owen Johnson informing me the New York State Senate GOP Majority will not pass any legislation eliminating the \$12,000 Variable Supplement Fund benefit that Mayor Bloomberg's been calling a "Christmas bonus". Senator Johnson also added that he will not support any legislation eliminating the hard-earned benefits that New York City's public employees achieved through the collective bargaining process.

Since Senator Johnson and Assemblyman Phil Boyle's been helping the NYPD Superior Officers Association Retired protect these benefits that Mayor Bloomberg's been trying to eliminate to help close New York City budget deficit, I will copy both of them with this email as a "Thank You" from both active and retired NYPD/FDNY members for their help.

Fraternally,

Jack Coughlin, Director and Newsletter Editor
NYPD Superior Officers Association Retired



Center for Dermatology

Peter M. Wallach, MD. * Shari F. Topper, MD.
Jodi A. Fiedler MD. * Ricardo Mejia MD.
Diplomats, American Board of Dermatology

1480 N. University Drive, Coral Springs Fl 33071
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*NYU Graduate
*31 years experience



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We care

We care



Your Social Security

Question: My neighbor said my kids, 4 and 12, might be eligible for survivors' benefits since their mother died. Are they? **Answer:** If their mother worked and earned the required number of Social Security credits, both you and your children may be eligible for benefits. Apply promptly for survivors benefits because they are generally retroactive only up to six months. You can apply by calling Social Security's toll-free number, 1-800-772-1213.

Answer: People who are deaf or hard of hearing may call our toll-free TTY number, 1-800-325-0778, between 7 a.m. and 7 p.m. on Monday through Friday. For more information, read our publication "Survivors Benefits" at <http://www.socialsecurity.gov/pubs/10084.html>

Question: I'm expecting a baby this June. What do I need to do to get a Social Security number for my baby?

Answer: You can apply for a number at the hospital at the same time you apply for your baby's birth certificate. The state agency that issues birth certificates will share your child's information with us, and we will mail the Social Security card to you. You can learn more about Social Security cards and numbers by reading our online publication on the subject.

Just visit <http://www.socialsecurity.gov/pubs/10002.html>

RETIREMENT

Question: How long does it take to complete the online application for retirement benefits?

Answer: It can take as little as 15 minutes to complete the online application. In most cases, once your application is submitted electronically, you're done. There are no forms to sign and usually no documentation to mail in. Social Security will process your application and contact you if any further information is needed. There's no need to drive to a local Social Security office or wait for an appointment with a Social Security representative.

To retire online, go to <http://www.socialsecurity.gov>.

Question: My husband doesn't have enough work to qualify for Social Security or Medicare. Can he qualify on my record?

Answer: This answer applies to wives as well as husbands—even if your spouse has never worked under Social Security, your spouse at full retirement age can receive a benefit equal to one-half of your full retirement amount. This assumes you were married at least 12 months (or 10 years if you were divorced) and that he did not pay into a government pension plan that offsets Social Security. If he receives a pension from Federal, state or local government based on work where he did not pay Social Security taxes, any benefits he receives may be offset. Spouses cannot receive benefits on your record until you begin receiving retirement benefits, however. You can learn more by reading our online publication “Retirement Benefits,” at <http://www.socialsecurity.gov/pubs/10035.html>

DISABILITY

Question: I currently receive Social Security disability benefits. I now have a second serious disability. Can my monthly benefit amount be increased?

Answer: No. Your Social Security disability benefit amount is based on the amount of your lifetime earnings before your disability began and not the number, degree, or severity of your disability. For more information, go to <http://www.socialsecurity.gov/dibplan/dapproval2.htm>.

Question: Is there a time limit on how long I can collect Social Security disability benefits?

Answer: Your disability benefits will continue as long as your medical condition has not improved and you remain unable to work. Your case will be reviewed at regular intervals to make sure you still are disabled. If you still are receiving disability benefits when you reach full retirement age, we will automatically convert them to retirement benefits.

See <http://www.socialsecurity.gov/pubs/10153.html#6> for more information on disability

MEDICARE

Question: My uncle is interested in getting help with his Medicare Part D prescription costs, but he has about \$10,000 in the bank. Would he still be eligible?

Answer: Based on his resources, yes. However, there are other factors to consider as well including your uncle’s income. This year a person’s total resources are, in most cases, limited to \$11,010 (or \$22,010 if married and living with spouse) to qualify for Extra Help with Medicare prescription-drug costs. But the resource limits shown on the application include a \$1,500-per-person exclusion for burial purposes. So, if you expect to use some of your resources to pay for burial or funeral expenses, your resource limit is \$12,510 if you are single or \$25,010 if you are married and living with your spouse. Resources include the value of the things you own, such as real estate (other than the place you live), cash, bank accounts, stocks, bonds, and retirement accounts like IRAs or 401ks. There are exceptions. To learn more, go to <http://www.socialsecurity.gov> and visit the Medicare link. Or call us at 1-800-772-1213 (TTY 1-800-325-0778).

Mayor Looking to Roll Back Health Care for Workers and Retirees

By DAVID SIMS the Chief |

The Bloomberg administration Feb. 28 presented the Municipal Labor Committee with a list of health-benefit-reduction proposals including initiating employee contribution to plans, the eliminating of Medicare Part B reimbursements for retirees, and requiring 20 years of service to vest into retiree health benefits. MLC Chairman Harry Nespoli said union leaders remained adamantly opposed to the city's way of doing business.

The city has had two similar meetings with the MLC in recent weeks on pension changes and its plan to alter the Civil Service Law, and both times, MLC members complained that Labor Relations Commissioner James F. Hanley had simply presented them with a list of the city's goals and not engaged them in any meaningful discussion.

“When you go to two meetings in the last two months and they kick you in the head, say this is the way it's going to be, this is the way it's gotta be...there's an atmosphere at the table of, ‘Why should we cooperate?’” Mr. Nespoli said in a phone interview. “That's what I reflected to Commissioner Hanley. But I've been around, so I'm not going to shut the door on any meetings; I'm going to sit down and try and turn it around.”

The administration's list of “concepts” has five aims: to implement co-premiums on all basic plans, requiring employee contributions for the currently free Group Health Incorporated option; to establish co-payments and deductibles under the HIP-HMO plan; to eliminate Medicare Part B for all retirees; to eliminate the city's annual \$35-million contribution to the Health Insurance Stabilization Fund; and to require 20 years of credited service to have health benefits vest as a retiree.

The list is almost identical to one presented to the MLC exactly a year ago, on which no action was taken. “Just two years ago, we did over \$400 million in health savings, and \$112 million ongoing forever, and he's looking for help now to try and generate more money from the unions,” Mr. Nespoli said, referring to a deal struck between the MLC and the city in 2009. “I really don't know if there's anything at this bargaining table here because of what's going on.”

District Council 37 Retirees Association President Stu Leibowitz said in a phone interview that the demands “are not inconsistent with where they've been coming from for the last few years. The Mayor wants to pick on retirees, whom he considers a very vulnerable part of the population. He feels he can afford to make an example of the retirees, and he's unfortunately informed by this hysterical climate that says retirees receive too much.”

All of the changes would require legislative action, either in the State Legislature or the City Council. Mr. Hanley did not return calls for comment on the negotiations

CONTROLLERS CON

NY Post editorial



Union excesses don't seem to have dampened City Comptroller John Liu's drive to do labor's bidding.

As The Post reported Tuesday, Liu helped steer a \$150 million police pension-fund investment away from The Blackstone Group after an executive there rattled Liu's union pals. The exec's crime? Having the nerve to state the obvious: Public-employee benefits are choking taxpayers.

Liu's spokesman says his boss' recommendation against Blackstone wasn't based on the union-riling remark.

But Liu, who owes his job in fair part to the support of the union-front Working Families Party, also published an utterly ridiculous report this month claiming that public employees get paid less -- 17 percent less, on average, he says -- than private-sector workers. Bet the unions just loved *that* misleading little piece of propaganda.

Fact is, even Liu admits that city staffers lacking college degrees make far more than their real-world cohorts. And while public employees with post-grad degrees *appear* to earn less, it's because Wall Street pay skews the comparison.

Liu muddied matters further by unfairly contrasting highly educated city employees, mostly teachers, to highly educated private workers (bankers, surgeons, lawyers and other professionals).

And remember, regular clock-time for city government generally runs just 35 hours a week; private-sector workers often toil for twice as long.

There's more: Liu's report glosses over key pension and benefit differences. He considers public pensions and private 401(k) plans essentially comparable, for example -- even though the former are taxpayer-guaranteed while the latter bear huge market risks.

The truth? Most city staffers have pay deals that private workers would die for.

Liu did New Yorkers a huge disservice by not saying so -- but then, his union pals must be pleased as punch.

Ex-NYPD Bigwigs want extra pension

By PHILIP MESSING NY Post



Retired NYPD commanders awarded yearly pensions of \$77,000 and \$76,000 are complaining that's not enough -- and have gone to court trying to squeeze thousands of dollars more out of the cash-strapped pension fund.

The battle involves claims by John Timoney and Joseph Dunne, each of whom served both as chief of department, the highest ranking NYPD uniformed position, and first deputy police commissioner, a civilian slot and the second-most powerful job in the NYPD.

The fight is over a section of the city's Administrative Code concerning their pensions' "spouse-Survivor benefit," which allows husbands and wives to collect after a cop's death.

NYPD cops are expected to pay extra for this benefit, with the added costs deducted from their pensions at rates that depend on the age of the spouse. Timoney and Dunne insist that because of their high positions, they are covered not by that section of the code, but by one that specifically grants the benefit for free.

Karen Seemen, senior counsel for the city Law Department's Pension Division, told The Post their argument "is wholly unprecedented, has no support in the law, and is an example of public retirees who attempt to abuse the pension system." Paying for the benefit has never before been challenged by a retiring department chief.

But Philip Seelig, the lawyer who represents both men, insists that the Administrative Code "unambiguously" exempts NYPD chiefs of department from having to pay for the added benefit, according to court papers.

Timoney retired from the NYPD in 1996 with 28 years of service and went on to become the top cop in both Philadelphia and Miami. He was awarded an NYPD pension of \$86,333 annually, but wound up getting \$76,457.37 to account for the cost of the survivor's benefit, according to his court papers.

Seelig says the nearly \$10,000-a-year difference is money that has been wrongly deducted from his client's wallet for years -- and he wants Timoney reimbursed and his pension corrected to reflect the higher figure with the spouse-survivor benefit kept intact.

He quoted the code saying former chiefs of department are entitled to pensions "without any decrease resulting from withdrawals, loans, optional modification, payment of his or her contributions for old age and survivor's insurance coverage, or from any other transaction authorized by law."

Dunne, who was nearly killed at the World Trade Center on 9/11, retired in 2002 with 32 years of service.

His pension has yet to be finalized due to the ongoing legal battle, but he's getting about \$77,000 annually, which is some \$8,500 less than what he's entitled to, according to his suit.

Under city law, both men already get pensions computed at a higher rate than do other cops -- two-thirds of their final salary, as opposed to half -- because of their former status as chiefs of department.

Broward 10-13 News



It is with sadness that we report the death of one of our longest and dedicated member of our Club.

Jerry Carolan was always there at the meeting enjoying the camaraderie and telling his stories. He threw a party each year at his home and invited members who wished to attend. He was a true 10-13er.

Jerry Passed away on April 15th and he was honored at the viewing with the presence of our Honor Guard and Radio car. He will always be remembered as one of the Finest. The viewing took place at the Baird Cass Funeral home in Ft. Lauderdale, and he was interned at the Veterans cemetery in Lake Worth.

Attending the Allen West rally in Boca Raton on April 16th



It is always a pleasure to attend any rally or location where Allen West makes his appearance and speaks to his constituents. Listening to him is like a breath of fresh air. When he speaks about god, country and family values one just gets goose bumps.

In attendance you will always find members of the Broward 10-13 Club listening to this great individual, who is an honorary member of our association. Pictured above are 10-13 members, Bill Petraglia, Lynn Diesel and Paul Pontrelli

Other Broward news

In order to keep receiving our newsletter, please bring your dues up to date. The dues are \$10.00 for lifetime members and \$35.00 for regular members. Please send them to our office, The Broward 10-13 Club located at;
6009 NW 10TH STREET
Margate Florida 33063.

Mayor Assailed on Move To Delay a Police Class

by MARK TOOR The Chief

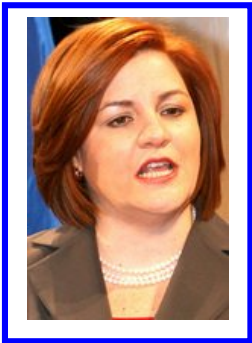


The Patrolmen's Benevolent Association and influential City Council Members last week criticized Mayor Bloomberg's decision to delay the police class that was scheduled to start this month and combine it with the class scheduled for July. "The NYPD is already at dangerously low staffing levels with 6,000 fewer police officers on our streets than in 2001," said PBA President Patrick Lynch.

"Canceling the April class of 540 police officers is a bad decision that will compound the existing staffing problem, compromise public safety and put our police officers at greater risk."

Second Delay for Class

It is the second postponement for the class, which was supposed to start in January. Moving the start date to July will allow the costs to be counted in the next fiscal year, which begins July 1, rather than the current one. The department now has about 34,500 uniformed officers, down from a high of 40,500 a decade ago



City Council Speaker Christine C. Quinn, in a letter to Mr. Bloomberg co-signed by Finance Committee Chairman Domenic M. Recchia Jr. and Public Safety Committee Chairman Peter F. Vallone Jr., said, "Further delaying or even possibly eliminating a class this size could jeopardize our continued efforts to keep New York the safest city in the country...Throughout nine rounds of budget cuts we have consistently fought to preserve funding for cadet classes."

"This decision was made without any public discussion and without consulting the members of this Council, who approved a budget that included this class," the letter said. "To make this critical funding decision without any discussion is simply a slap in the face, and shows tremendous disrespect" for the Council's cost-cutting efforts. "We urge you to reconsider this rash and misguided decision."

'Puts Public Safety at Risk'

Ms. Quinn told the Wall Street Journal that Council lawyers will research whether it's possible to block Mr. Bloomberg from delaying the class. "It's simply something we're not going to take lying down," she said.

“By the time any cadets hired in July get onto the streets, it will be January 2012,” Mr. Vallone said. “And as every month goes by, we lose over 100 officers to attrition.”

“Cutting into patrol strength is just ill-conceived,” Ms. Quinn told the Journal. “In the end, we will just have to pay through overtime for police officers regardless, but it is a decision that puts public safety at risk.”

A spokesman for the Mayor downplayed any risk to public safety. “The last three years were the three safest in New York City’s history, and crime is down again this year,” said Stu Loeser.

Unclear on Size of Class

While the April and July classes will be combined, he said, the number of recruits actually hired has yet to be determined and will depend on the city’s budget. The July class had been scheduled to have 900 members.

Police spokesman Paul J. Browne said that even “in adjusting to the tough fiscal reality,” the department had managed to reduce major crimes this year. “We’ll continue to fight crime with what we have,” he said.

The NYPD’s crime statistics have come under fire from some police experts, civil-liberties advocates and defense lawyers, who charge that some uniformed personnel reclassify serious crimes as lesser offenses or refuse to take complaints in order to keep the numbers down.

New York City May Need \$600 Million in Additional Budget Cuts, Page Says

By Henry Goldman (Bloomberg News) — Monday, March 21st, 2011; 4:21 PM EDT
(Edited for brevity and NYPD pertinence)

New York City may need to cut spending by \$600 million more because the state Legislature is unlikely to approve aid and other measures anticipated in a preliminary financial plan, Budget Director Mark Page said.

Page said Mayor Michael Bloomberg, whose **\$65.6 billion budget** eliminate a 2.4 billion deficit partly by cutting 6,166 of 75,000 teacher positions, may have to slash another 2 percent from schools and uniformed services, and 4 percent from other agencies.

[Liu: City Pension Costs Already Leveling Off](#)

By DAVID SIMS The Chief |



Pension changes already enacted locally should stabilize the city's retirement funds without any further action, City Comptroller John C. Liu's April 6 report on public-employee pension's states, concluding that most of the blame for rising costs stemmed from instability on Wall Street. The report made some waves by finding that lower investment returns rather than employee-related costs were the biggest cause of the city's increased contributions to the five funds.

Mayor Bloomberg, as well as Governor Cuomo and his predecessor, David Paterson, have pushed for reduced benefits for public employees, staking the financial future of the retirement funds on new pension tiers requiring higher retirement ages and increased employee contributions.

[Predicts Costs Will Decline](#)

Increased pension benefits granted by state legislation also played a part, the report said, but 90 percent of those increases came in 2000, "when asset values were at their peak levels." But because less-expensive plans for new hires have since been introduced, "as employees in the new plans replace older workers in the more-expensive plans, pension costs should decline," the report said. Those changes, however, so far affect only new Teachers, Police Officers and Firefighters, and only the United Federation of Teachers has accepted a version of the Tier 5 pension plan that is standard for new state workers.

Those 2000 increases, along with a similar batch in 1999, were enacted in exchange for union approval for the city and state to pull money out of the systems for their operational budgets.

In general, the report counters the oft-presented view of the pension systems as a deep debt burden for the city that continue to hemorrhage funds. Returns in fiscal 2010, at 14.2 percent, were well above the 8-percent assumed rate of return, showing a bounce-back to fiscal stability. It was not enough, however, to neutralize the dot-com bust of the early 2000s, along with the more recent fiscal crisis, that led to negative returns in 2001 and 2002 (both -8.3 percent) and 2008 (-5.4 percent) and 2009 (-18.3 percent).

Lower Returns Cost \$49B

“These lower returns created a Fiscal Year 2010 gap of about \$49 billion between what the pension funds were expected to possess in terms of assets and what they actually did,” the report stated.

The report pegs lower returns as counting for 48 percent of the additional costs the retirement systems have seen, with benefit enhancements accounting for 44 percent (40 percent of that number coming from the changes made in 2000).

Along with the 2000 changes, cost-of-living increases, a more generous final-average-salary calculation for police and fire funds, and service credits for Tiers 1 and 2 (along with reductions for Tiers 3 and 4) account for the benefit enhancements put in place over the last 10 years.

Some actuarial differences accounted for a \$1.7 billion (or 6-percent) loss over the same period as well, the report states. Such differences came about “as actual information about longevity, salaries, overtime, disability, early retirement, and buy-backs of service proved [they were] more costly than initially assumed.”

The report’s conclusion said that much of the inflamed rhetoric about the city’s dire situation should be ignored, and Wall Street’s unpredictability should be further reined in.

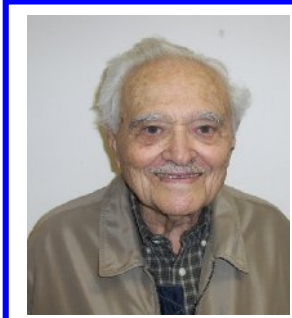
Pensions a Recruiting Tool

“Reasonable pension benefits are an effective tool to attract and retain qualified employees to municipal service,” it said. “The city’s immediate aim should be to increase investment income while reducing volatility, thereby containing pension expenses without pushing costs to future taxpayers.”

It added, “New Yorkers should be proud that in spite of tough economic times, the city has appropriately funded its pension liabilities and, with normal investment returns, the pension funds



A special tribute to one of our own Chief of Detectives Albert Seedman



Chief Seedman is not only an active member of The Broward 10-13 Club, but is also a member of The Palm Beach 10-13 Club; we are honored to call him one of our own. I was one of the first to buy his book called *The Chief* when it was originally published and now that it is out again, I can only say every cop and detective will find it very interesting. Like the Philip Cardillo story, which Chief Seedman is tied into, the incident will always be remembered.

The following article was sent to me by one Tommy Motto, who is also retired from the job and is very active with many retiree organizations across the States. May Tommy be around for many years to come.

For your information and to know the politics that were and are so obvious in the job that we loved so much, you must read the article below in its entirety to even understand what happened and what is happening to our country today.

THIS IS THE (ADDED/NEW CHAPTER) OF AN EXERPT FROM RETIRED NYPD CHIEF OF DETECTIVE ALBERT SEEDMAN'S BOOK CALLED "CHIEF", THAT WAS ORIGINALLY RELEASED IN 1973. NOW RE-RELEASED AND INCLUDED IS THIS NEW CHAPTER ARE ALL THE "PLAYERS" AND "DEAL MAKERS "FROM THAT INFAMOUS TRAGIC DAY.

THANKS TO THE EFFORTS OF AUTHOR PETER HELLMAN, ONE CAN PURCHASE HIS SOFT COVER ON WWW.AMAZON.COM OR ELECTRONICALLY ON KINDLE OR NOOK.

BETRAYED

By the nature of his work, and even more by personal inclination, Albert Seedman was never one to readily reveal information about his job as Chief of Detectives of the New York City Police Department. That went double when the probing came from a journalist like me. From the first hour I met him in his cavernous office at the very grand palace that once was police headquarters on Centre Street; I knew that, as an interviewee, he would be a tough nut to crack. If I posed a question that delved where he didn't want to go, which was often, the first response I'd get was a puff of cigar smoke in the face.

Eventually, after writing a cover story about Seedman in *The New York Times Magazine*, followed by two years of collaborating with him on this book, I was sure, maybe even cocksure, that I'd coaxed out of him most of the key information about his exceptionally eventful 30-year career in the police department. That included understanding the reason why, on Friday, April 28, 1972, he abruptly

resigned as Chief of Detectives. That was two days before his appearance on the cover of the *Times* magazine, habitual cigar clenched between his teeth at a jaunty angle.

Seedman hadn't lied to me about why he quit. What he'd done was to share only the periphery of his motivation, not its core. When Seedman finally revealed what was really behind his resignation, almost forty years after Chief! was first published, I asked him why he had waited so long.

He delivered the answer with emotion cracking his 92 year-old voice: "I loved the police department so much that I couldn't drag it through the dirt by saying what those bastards did."

What Seedman chose not to expose then was the recent and shameful conduct of the highest echelons of the department in a case centered on the murder of one of its own. By his own choice, it was his last case, and the only one which he had been forbidden to solve.

About ten days before the magazine was due out, Seedman called me and asked, "When is that story going to be printed?"

"It'll be out next Sunday, April 30."

"That wasn't my question. When does it get *printed*?"

"On the Tuesday night before it comes out."

Seedman growled and clicked off. On Wednesday morning after the press run, the most famous chief of detectives in NYPD history announced he was retiring. That Friday was his last day at work. On Monday, he started a new job as vice president for security at a department store chain. The *Times* profile became outdated news, and the editors were miffed. For me, the outcome was positive: Seedman was now free to co-write his memoirs, which he could not have done if he'd stayed on the job, and we quickly agreed to do it together. Negotiating with him over a book contract turned out to be a cinch compared to trying to extract information from him about the inner workings of his criminal investigations.

Seedman's resignation, as he put it to me back then, was the result of a disagreement over the future of the Detective Bureau between him and Patrick V. Murphy, then New York's police commissioner. Murphy had once been a patrolman but never a detective, and he did not buy into the glamour of the gold shield. His view was that "*The most important person in a police department is the general patrol officer.*" Detectives, by the nature of their work, were more independent and secretive than patrol officers. Murphy was by nature an administrator rather than a crime solver. It bothered him that detectives did not always keep to regular shifts. If they were working on a pressing case, the clock, and even the calendar, didn't matter. What mattered was getting the case solved. "How do we know where your people are, Al?" Murphy had once asked Seedman.

"I know where they are."

That answer was deeply unsatisfying to the commissioner. He wanted the detective bureau reorganized, so that there would be more oversight, and Seedman had done that for him. But Murphy had in mind a more fundamental change. He wanted to elevate the stature of patrolmen, while dialing back the elitist image of detectives. That meant reconfiguring the standard patrolman's dream of one day being awarded a gold shield. Catch a bank robber, or save a citizen, and you could be spot-

promoted to third grade detective. Above that, there was second and, top rung of the ladder, first grade detective to aspire to. The detective who had caught one of the city's most notorious killers, "Son of Sam" David Berkowitz, for example, was immediately promoted to first grade.

Murphy had indicated to Seedman that he wanted to eliminate detective grades. He also pondered removing detectives from their independent command chain and requiring them to answer to uniformed patrol officers. Seedman had done as much reorganizing as he felt was constructive. He did not intend to oversee the dismantling of the largest investigatory force in the country, second to the FBI.

Seedman was the most recognizable chief that the detective bureau had ever known. So long as he remained, the bureau would retain its mystique. "Once Murphy saw my picture on the cover of the *Times* magazine, I couldn't have stayed on as chief," Seedman told me back then. That seemed like a reasonable explanation of why he decided to resign pre-emptively. With a high-paying, security director's job awaiting him, he'd have a soft landing.

Arthur Fields, the publisher of our book, died on the day it went to press. Even without him, the book did well, briefly becoming a best seller. And then it went out of print for decades. Thanks to a program of the Authors Guild called Backinprint, along with the dawn of ebooks, our book got a new life. And that put me back in touch with Seedman after years of being out of contact. I wasn't sure if his unlisted number in Florida, where he had retired, was still the same, or even if he was still alive. But after one ring, I heard his familiar low and gravelly voice: "Hell-o," with the accent on the first syllable. Detail oriented always, he told me that he had taken care to renew the book's copyright, allowing us to go forward.

And now came an unexpected bonus: He was ready to tell the full and dispiriting story of his resignation. For the first time, he spoke to me of the Harlem Mosque case, in which the fear of racial rioting was deemed by higher-ups all the way to Mayor John V. Lindsay, to trump the proper investigation of the murder of a lowly patrolman.

The case began on April 14, 1972, 16 days before Seedman's profile appeared in the *Times* magazine. At 11:41 a.m. that Friday, a call was made to 911:

Caller: *"Hello, this is Detective Thomas of the 2-8 Precinct."*

Operator: *"Yeah."*

Caller: *"I have a ten-thirteen [officer needing help] at 102 West 116th Street."*

Operator: *"102 West 116th Street?"*

Caller: *"Right, that's the second floor."*

Operator: *"Second floor?"*

Caller: *"Right."*

Operator: *"Hold on."*

The nearest patrol car was just around the corner. In barely a minute, it pulled up in front of 102 West 116th Street in Central Harlem, a corner building notable for its bulbous gold dome. On its second floor was Mosque No. 7 of the Nation of Islam, or Black Muslims. Normally, the steel front door would have been closed, but it was now wide open. Patrolmen Phillip Cardillo and Vito Navarra dashed in. Right behind them were the second responders, patrolmen Victor Padilla and Ivan Negron. Nobody was at the reception desk in the small vestibule. The cops started to dash up the stairs to the second floor, weapons at the ready. They were met by more than a dozen young men of the Nation of Islam's security wing, called the Fruit of Islam. These dark-suited men blocked the way to the mosque, supposedly the source of the distress call moments earlier. Now came what seemed to be an attempted new distress call, this time from the responding cops:

Unidentified cop: [*Inaudible screams*]

Central: "*Ten-five...is there a footman requesting assistance?*"

Unidentified cop: "*—116th Street, central.*"

Mayhem had erupted in the lobby and on the stairs leading to the mosque. A scooter cop arrived and found a bloodied and dazed Vito Navarra on the sidewalk in front of the building. Its steel door was now bolted shut, with three cops still inside. Another arriving cop, Rudy Andre, heard a gunshot within. Peering in through small square glass windows in the door, he saw the ongoing struggle. The cops were desperately trying to hold on to their guns. Andre shot out the windows then fired several more times into the ceiling. At 11:46, a new call went out over police radios:

Central: "*Shots fire, shots fired, shots fired. 102 West 116th, repeating units responding. 102 116th, shots fired at this time.*"

Andre's shots, while apparently aimed over the heads of those within, caused the Fruit of Islam soldiers to retreat down the stairs to the basement. One of the three trapped cops managed to unbolt the door. Andre, bleeding from a glass cut, along with a small army of cops who had converged on the building, entered the vestibule. The stairs and floor were smeared with blood. Bloody footprints led down the stairs. The trapped cops had been beaten and one of them, Phillip Cardillo, 31, had been shot. He lay at the bottom of the stairway he had tried to ascend, mortally wounded.

A detective named Randy Jurgensen, who had been on a stake-out a few blocks away, was among the cops who rushed to the mosque. He would eventually undertake an obsessive, rule-breaking, stop-at-nothing, investigation of the case lasting more than one year. His book about it, "Circle of Six," written with Robert Cea, is a gripping read.

The scene he found was "*as close to a riot as anything I'd ever seen...a NYPD helicopter hovered low; the womp-womp-womp of its blades swirled up dust and debris....I stared at the four bleeding cops being dragged and carried into an RMP or ambulance.*"

Seedman was at his desk at police headquarters on Centre Street when “one of my clerical guys came in and said two cops had been shot in Harlem. I told my driver, ‘Let’s go.’” Arriving from the west, they hit gridlock two blocks from the mosque. Seedman told the driver to park the car and wait. He walked the rest of the way alone. Jurgensen, already on the scene, wrote of the chief of detective’s arrival:

“And then I saw a man walking through the crowd. His bold advance divided the masses in two. It was like Moses had appeared wearing a tailored suit. He was tall and tan with wavy salt and pepper hair. He looked like someone out of central casting, a throwback movie star from the forties. You couldn’t tell who he was by his threads. Every cop he passed saluted. He was chief of detectives Albert Seedman—my boss.”

In front of the mosque building, Seedman observed “a big, angry, crowd and a lot of noise, and a bandaged guy in an ambulance, but no riot.” In the vestibule, he saw cops in bulletproof vests searching for a gun that had been stripped away from one of the responding officers. Downstairs, a team of detectives were guarding sixteen Fruit of Islam men who were sitting in chairs facing the wall, twelve feet apart. Standard procedure called for questioning and fingerprinting each of the detained men. Among them was likely to be the cop-shooter.

Seedman was surprised to see Charles Rangel, the dapper Harlem congressman, appear in the basement. Rangel had just conferred in front of the mosque with Benjamin Ward, the NYPD’s Deputy Commissioner for Community Affairs. At the time, Ward held the highest departmental ranking attained by a black officer, and years later, Mayor Ed Koch would appoint him to be the city’s first black police commissioner. At the mosque, his priority was to keep the community calm. Rangel announced to Seedman that Ward wanted the mosque to be cleared of cops at once. This edict was seconded by Louis Farrakhan, minister of Mosque No. 7. “He was hanging around in the basement, but I didn’t have any idea who he was,” says Seedman. (Farrakhan had been an antagonist of Malcolm X, who had preceded him as minister of Mosque No. 7. Malcolm X was murdered in 1965 as a result of dissension within the Nation of Islam. Lenox Avenue, also called Sixth Avenue, on the side of the mosque, got an additional name in 1987: Malcolm X Boulevard.)

Seedman remembers that Rangel told him, “That crowd upstairs, they know you’re down here. I don’t know how long it will be before they come down. If you don’t leave now, I can’t guarantee your personal safety.”

“I’m not asking you to guarantee my safety, Congressman.”

As he had done countless times previously, Seedman was intent on getting a criminal investigation off on the right foot. He didn’t imagine that political fear would take precedence over law enforcement. But Mayor Lindsay was then gearing up for a run for the White House. He needed racial peace in his city. And so that became the urgent priority of his police commissioner. “Murphy had been desperate to find ways to deal with the threat of riots,” Seedman says. “He’d asked me to figure out what we could do.” One precautionary step that Seedman had quietly taken, with Murphy’s approval, was to borrow two buses from the transit authority. Each morning they were driven to the police academy, then on Manhattan’s East Side. “If we really needed to have a show of strength,” Seedman says, “we

could put helmets on the heads of two busloads of cadets and give them nightsticks and send them to any scene of unrest. Sometimes I'd stop by the academy to make sure the buses were there.

The bus option was "made to order for the mosque situation." Seedman called Chief Inspector Michael Codd, a tall, formal officer of the old school. As chief of department, Codd was the NYPD's highest ranking uniformed officer. Seedman requested permission to send two busloads of cadets to 116th Street.

"Codd used one word: 'Denied.' And he made it clear to me that we should abandon the mosque in order to minimize the threat of a possible riot. And then he hung up."

Seedman was stunned. Could this really be happening? He called back to the chief of department to reiterate the need for the recruits. This time, he was informed by a secretary that Codd had gone to lunch. With that brush-off, the chief of detectives felt a door was being slammed shut on his life as a police commander.

"I felt I had been betrayed," he says.

Seedman had already made a spot decision to move the investigation from its home precinct to the 24th precinct, just south of Harlem. "I knew that the 28th would be in turmoil, because of what had happened to its cops. It made more sense to run the investigation out of a neutral precinct house that was close by." Seedman looked at the sixteen Fruit of Islam men still facing the walls under police guard. Among them were eyewitnesses to the shooting. One may have been the shooter and that person, or another, may have been the caller whose false "10-13" call had set off the events at the mosque.

But higher authority had spoken. The chief knew he no longer had the power to keep them under arrest. "For a split second, I thought about disobeying Codd's order to get out of there. But I would have been fired. So I was a good soldier."

Turning back to Rangel, he said, "If you give me your word as a United States congressman that you will deliver these men to the 24th precinct house at 3:30 this afternoon, I will release them to you."

Rangel, with Farrakhan at his side, gave his word. "He was very cordial," says Seedman. "We shook hands on it. I felt like it was a peace treaty. I never dreamed that a man in Rangel's position would not keep his promise."

"Okay, let's go," Seedman ordered. In a state of disbelief at having to abandon the crime scene, the cops followed John Kinsella, Manhattan North detective chief, up the stairs. Seedman lingered a moment. When he got to the top of the stairs, he didn't see the others and didn't know they had slipped out a side door onto Lenox Avenue. "I would have preferred to be with them," he says. "Instead, I went out the front door onto 116th Street."

The milling crowd was "very dense," and "not friendly." Some in the crowd had attempted to set a stalled city bus on fire. Seedman began to walk the two blocks west to his waiting car. "Bricks were being tossed off the roofs. The guys up there were tearing apart chimneys to get their projectiles. One hundred and sixteenth is a wide street, so I moved off the sidewalk into the very center of it, where it was easier to dodge the bricks. It was a nice, warm spring day. People recognized me. Somebody yelled, 'Hey, Seedman, why don't you go back downtown to your Mafia buddies.' I felt like pulling out my gun and firing a few shots. That's when I really made the decision that I would retire."

That afternoon, neither Rangel nor the suspects showed up as promised at the 24th precinct. But Farrakhan did. He demanded the release of two Fruit of Islam men who had been arrested before the agreement had been struck with Rangel.

“That night, I had a party to go to,” says Seedman. “I didn’t have time to go home first, so I caught a ride with somebody else and sent my car to pick my wife, Henny. When I got to the party, I told her that I was retiring.”

The media was confused over the shooting at Mosque No. 7. Why had the police entered a place of worship with guns drawn? Who had shot patrolman Cardillo? Had he accidentally shot himself or been a victim of friendly fire? The deputy commissioner for public affairs, Robert Daley, passionately tried to persuade the brass to allow him to issue a statement unequivocally stating that the officers who entered 102 West 116th Street had done so in the belief that a cop in the second floor mosque was in need of assistance. As for who shot Cardillo, the powder burns on his uniform indicated that he had been shot at close range. But the brass held back from timely approval of a statement that the cops had acted properly under the circumstances.

Farrakhan was not shy about his own slant on the affair. “The two policemen came charging into our temple like criminals, and they were treated like criminals,” he said at a press conference on the day after the incident.

Farrakhan claimed that an unwritten agreement between him and the local police required that no officer enter the mosque while armed. If there was such an agreement, none of the responding cops seemed to know about it. In any case, it would have been superseded by the 10-13 emergency call. Later, Deputy Commissioner Ward, interviewed by the New York *Amsterdam News*, was contrite: “I believe my investigation showed, at least to my satisfaction, that there were some errors made on the part of the police. For those errors, and the consequences of those errors, I apologize to Minister Farrakhan.”

By then, Phillip Cardillo had been buried, leaving behind a wife and three small children. Traditionally, the mayor and police commissioner attend the funeral of a fallen officer. But neither official attended Cardillo’s funeral. Lindsay had gone skiing and sent his wife instead. Murphy and his wife had gone to Europe. That was the last straw for the commander of the 28th precinct, Deputy Inspector Jack Haugh. Immediately after the funeral, he quit the department.

Forced to abandon the crime scene and lacking witnesses and suspects after their non-delivery by Rangel to the 24th precinct, Seedman’s detectives had scant chance to solve Cardillo’s murder. The source of the faked call for assistance which set off the mosque case was never identified. But an obsessive, year-long investigation by Detective Randy Jurgensen did finally produce a credible witness to the shooting. His name was Foster 2X Thomas, who came into the picture when he was arrested for using a stolen credit card. A mosque member and baker in an on-premises restaurant, Foster 2X was preparing lunch when he heard the commotion on the stairway. He arrived in time to see another, very large, mosque member, Lewis 37X Dupree, lift Cardillo off the ground and wrestle away his service revolver. Then he got off one shot at close range into the cop’s midsection. At the mosque school, Dupree was the dean of boys.

At Dupree’s trial in November, 1976, Foster 2X Thomas testified calmly and cogently about what he had seen that morning at the mosque. But, lacking evidence that might have been gathered at the abandoned crime scene, including a two year delay in scraping bullets out of the walls, the testimony of a single witness wasn’t enough. Dupree’s murder trial ended in a hung jury which voted 10 to 2 in

favor of conviction. In a retrial in 1977, Dupree was acquitted. Later, convicted of drug running, he was sentenced to 15 years in federal prison.

Even after the two trials, the questions about what happened at Mosque No. 7 were not put to rest. In 1980, a Manhattan grand jury, convened by District Attorney Robert Morgenthau, determined that the police investigation which Seedman wanted to lead had been *“curtailed in deference to fears of civil unrest in the black community.”* It further found that *“The long-term interests of justice in apprehending criminals were overridden by the short term-concern of preventing civil disorder.”*

And still the case has not been put to rest. In 2011, almost forty years after Cardillo was murdered, a proposal is being considered by the local planning board to rename 123rd Street, where it borders on the north side of the 28th Precinct station house, Ptl. Phillip Cardillo Way.

The proposal is the idea of Deputy Inspector Rodney Harrison, commander of the 28th precinct, who spearheaded a petition campaign for the name change that got over 2000 signatures. As of this writing, the only memorial to Cardillo at his station house is his framed photo, hanging with those of 12 other slain cops from the precinct, on the wall opposite the sergeant’s desk.

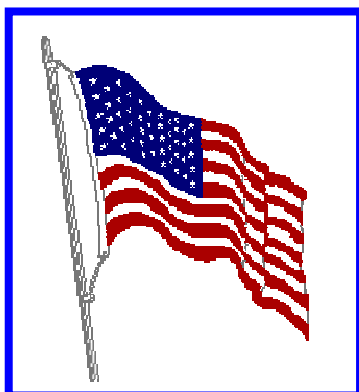
I asked Deputy Inspector Harrison what impelled him to try to rename a street after a cop who was killed when he was a child.

Harrison, a quiet-spoken black officer, explained that it went back to his days as a young undercover narcotics detective in Brooklyn. At midnight on September 21, 1996, dressed in mechanic’s clothing, he approached a narcotics dealer in a housing project to try to make a buy. The dealer was nervous. He said he didn’t recognize Harrison. Moments later, as Harrison and his partner were heading to their car, the dealer and another man caught up with them and shot his partner. Harrison returned the fire, wounding one of the assailants.

Displayed on the wall of Harrison’s office is the N.Y.P.D. Combat Cross, a gold Maltese cross suspended on a green ribbon. The second highest departmental medal after the Medal of Honor, it is awarded for “heroism while engaged in personal combat with an armed adversary.” Though his partner survived, Harrison remains “very sensitive to the issue of a cop being shot.”

Every spring, a parade of cops on motorcycles rides in honor of Cardillo. The motorcade goes first to his graveside in a Queens cemetery and then proceeds to Harlem to drive by the site of his murder. “I think that’s nice, but I felt like, let’s do something more,” says Harrison.

Would that the higher-ups had been as sensitive on behalf of Phillip Cardillo as he lay dying. All that Albert Seedman could do in protest was to resign and keep his silence until, having outlasted almost all the others, he was an old man of clear and painful memory who no longer smokes cigars.



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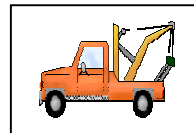
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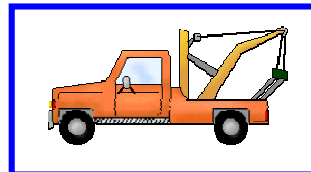
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