

MDC-OFFICE OF THE
INSPECTOR GENERAL

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THE VOICE OF LAW ENFORCEMENT

DADE COUNTY POLICE BENEVOLENT ASSOCIATION, INC.

Via Facsimile (305) 579-2656 & U.S. Mail

August 19, 2003

Christopher Mazzella, Inspector General
Office of the Inspector General
19 West Flagler Street Suite 220
Miami FL 33130

Dear Mr. Mazzella:

I am in receipt of the copy of the Office of the Inspector General's (OIG) Draft Audit Report regarding the Dade County Police Benevolent Association (PBA) and the retirees health insurance supplement program. Let me begin by stating that the report is laden with inaccuracies and false statements. I can only assume that a full comprehension of the situation was not accomplished prior to the report being written. I will take this opportunity to clarify some issues and dispel the false innuendos the report creates.

First of all, the purported purpose of the audit, as presented to us by your office, was to determine whether Miami-Dade County funds were distributed in accordance with the collective bargaining agreement's terms and conditions, or other approved policies and procedures. The PBA fully cooperated with your office based on what was expressed to us. However, after reading the report it is quite evident that the intent of the author was not as purported and, quite frankly, casts doubt as to credibility of the OIG. Unless the OIG recently became a watchdog for private companies, a judgment on PBA internal policies and procedures is improper and oversteps the boundaries of its authority.

To base a report on assumptions, and then draw conclusions based on those assumptions, is irresponsible and unprofessional. The terms of the collective bargaining agreement between the County and the PBA are terms and conditions which were bargained for, agreed to and, ultimately, approved by the Board of County Commissioners. The intent of the parties should not be assumed by any non-party entity.

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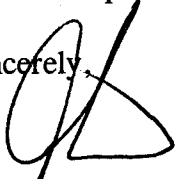
There has been no violation of any Florida statute, in fact, none has been cited. The report assumes that the PBA used the application of different policies, based on union membership, in the distribution of these funds. It is unfortunate that the author of the report has chosen to misrepresent the facts. The funds referred to in the report are not, nor have ever been, distributed in any fashion that violates state statute. Apparently, the author does not like the fact that the PBA charges a processing fee for the application. The fee is applicable to ALL who submit an application; however, as an organization, the PBA has chosen to waive the fee for its members. Whether one likes the policy or not, it is not a violation of law, nor is it subject to scrutiny by your office. To imply that it is, rises to the level of irresponsible oversight.

I find it particularly disturbing that the PBA internal policies and procedures consumed the entire report which was supposed to focus exclusively on County funds and their distribution. All County monies were accounted for, and there was no finding of misappropriation or mishandling of County funds. Yet, the report, at best, glosses over this fact. Moreover, the report fails to mention that all County funds were distributed in accordance with the collective bargaining agreement and with the full knowledge and consent of the parties involved.

It appears to me that assumptions were an acceptable means to reach conclusions and findings in this report. That only leads me to assume that the author of the report did not care to conduct a fair and full investigation, but rather chose to focus on personal thoughts and opinions on internal PBA business.

Again, the report is inaccurate, contains false and misleading information and draws baseless conclusions. That the OIG would support such a practice is unconscionable and unacceptable.

Sincerely,

A handwritten signature in black ink, appearing to be 'John Rivera', written over the word 'Sincerely,'.

John Rivera
President

cc: Donald Allen, Director, ERD