

Jeffrey Smith  
*President*  
Edward Sullivan  
*Executive Vice President*  
Michael Mesi  
*Vice President*  
Lou Hall  
*Treasurer*  
Todd Faubert  
*Secretary*  
Peter Cessario  
*Sergeant-at-Arms*



Jeffrey Smith  
*President*  
P.O. Box 273  
Richwood, NJ 08074  
[www.NJSOA.org](http://www.NJSOA.org)  
*Work* (856) 459-8000  
*Cell/Voice Mail* (609) 805-6337  
*FAX* (856) 582-2449  
*Office E-Mail* [fop183@comcast.net](mailto:fop183@comcast.net)  
*Work E-Mail* [JeffreyS.Smith@doc.state.nj.us](mailto:JeffreyS.Smith@doc.state.nj.us)

**NEW JERSEY SUPERIOR OFFICERS LAW ENFORCEMENT ASSOCIATION**  
**[www.NJSOA.org](http://www.NJSOA.org)**

Monday, May 19, 2008

Letter to Membership

State Law Enforcement Coalition For Safe Neighborhoods (Coalition)

As you are all aware, there have been numerous coalitions over the last several years. As you also know, the NJSOA has been an active participant in every coalition. Going into contract time, last year, we were involved in a coalition with the other uniformed unions. As you all may recall, we advised the membership that all of the unions were involved in the coalition and pooling resources to get the best contract deal. The plan was to stand behind whichever group got to the table first and assist with resources; experts, research, etc.

The Officers were involved in a PERC representation battle, we were still arguing with the State over the wording in our last contract, and the Captains are a small group, so the Sergeants moved to the head of the pack. The Sergeants picked an Arbitrator and moved towards arbitration. There wasn't much talk about their arbitration as they proceeded.

Several months went by, and not much changed. The Officers finally resolved their representation issue, we made progress on our last contract language, and the Captains were still hanging in the back. The Sergeants had an arbitration session, with no real progress towards a contract.

Just this month, we received a formal letter from Sergeant President Brzdek and Captain President Derby. The letter informed us that they had formed yet another coalition. Their coalition was called the "State Law Enforcement Coalition For Safe Neighborhoods." The letter was addressed to our union and the Officers union. The tone of the letter was such that it implied that the Officers union and our Association were oblivious to the issue of prison privatization. The letter "urged" us to join their coalition.

We formally responded to their letter, advising that we were unclear as to why a “new” coalition was formed, why we were approached in such a formal manner, and that we had always been an active and willing participant in every coalition. We further advised that we were also onboard with this latest coalition. We were then graciously accepted into their coalition. The Officers followed a short time later. There were several coalition meetings conducted. These meetings were always hosted by the Sergeants at their office in Roebling.

With regard to this latest Coalition, our involvement was limited to just a few joint meetings. The first meeting was limited to general discussion as to the importance of fighting privatization and ways we could possibly address it. At the second meeting that we were invited to, there was again general discussion about how to conduct coalition business. I suggested formulating some type of document establishing the Coalition as a democratic organization and providing an equal voice or vote to each participating group. This idea was discussed only briefly, but was dismissed by the group as unnecessary. There was also discussion about bringing in a consultant. A consultant was identified by President Brzdek, who advised, that he had already been in contact with him. President Brzdek further advised that the consultant was willing to travel to New Jersey and meet with the Coalition. President Brzdek was to contact the consultant and set a date that we could meet with him.

I was not able to attend the last Coalition meeting that we were invited to. Vice President Mesi attended in my absence. At this meeting, the consultant discussed with the group, a strategy for fighting prison privatization. Upon recommendation of the consultant and discussion amongst the Coalition members in attendance, a rough plan was envisioned. The basic plan discussed was to initiate a public awareness campaign, via 40 or so radio advertisements on 101.5, during traffic rush hours. It was further discussed that these advertisements could cost roughly \$20,000 to \$22,000. Tentatively, in theory, all Coalition members present assumed that the cost of these ads should be divided on a per-capita basis. To my knowledge, no party formally committed to any financial contributions for these advertisements. In fact, I believe that everyone expressed similar needs to appraise their respective memberships of the tentative plan, and the structure for paying for the advertisements. There was also some brief discussion about creating a joint account to fund the plan, but again there was no commitment from anyone.

While I was aware of some generic conversation with regard to establishing a joint bank account, I was surprised to receive a formal contract (“Joint Venture Agreement”) identifying specific dollar amounts to be contributed by each Coalition group, as well as specific operating procedures and policies. This contract contained some very specific legal language that appears to have been drafted by an attorney. The contract also called for each group to commit a per-capita share of \$50,000.00 to a joint bank account. The

contract called for placing these funds into an joint bank account that could only be removed with signature of all four union Presidents. We are not sure where the \$50,000.00 figure came from, or what the plans were for it.

First and foremost, we were not consulted or involved in drafting any such document (contract), thereby silencing any voice that the NJSOA could have had in addressing the concerns and interests of the NJSOA. It was also surprising given the fact that my suggestion to initiate a document giving equal vote to each member group was previously rebuffed. It appears that the significant difference between my suggestion for a coalition agreement, and the coalition contract that we received, is the formation of a joint checking account and deposit of funds. It was a concern that if we're not even consulted in setting up the initial coalition fundamentals, then what involvement could we expect once we handed over our money!?

Secondly, it would be fiscally irresponsible for us to relinquish control of our membership's funds by placing them into a fund that is not solely controlled by agents of the NJSOA. Lastly, the document doesn't appear to provide for any participating group of the Coalition to withdraw any of their funds remaining in the joint account if they decided to terminate their Coalition membership, or if the Coalition member groups reached some disagreement with regard to expenditure of funds.

I discussed with President Brzdek on May 12, 2008, that I could not take any action with regard to the expenditure of union funds without discussion with, and approval of our membership. This issue was discussed at our May 13, 2008 General Membership meeting. After discussion of the Coalition at this meeting, our membership approved us to work with the Coalition in fighting privatization, but that we would decide on an individualized and specific basis what financial resources we would dedicate as plans were made. The membership was not comfortable handing over money that didn't have a specific designated purpose.

On May 14, 2008, I contacted President Brzdek and advised him of our Membership's decision. I explained the thought behind our decision and our concerns with relinquishing control of NJSOA funds. I further explained that we were still committed to working with the Coalition in fighting privatization. The only thing that we were not in agreement with was the joint bank account. I advised that we were onboard with the radio advertisements and that our membership approved us to contribute to that cost on a per-capita basis. I further advised that we desired input on the advertisements, and that we would require copies of invoices or bills for the advertisements for our accounting of funds. I was lead to believe that this was immediately acceptable.

I was later advised by President Brzdek that he, the Officers, and the Captains had decided that the NJSOA was "out" of the Coalition. I was somewhat dismayed by this decision since I thought that the important issue was fighting privatization, and not administrative disagreements. Apparently the placement of our money in a joint bank

account was the most important factor, and our refusal to do so meant our expulsion from “their” coalition.

It is important that the membership know that we are completely committed to fighting prison privatization. We intend to carry on this fight despite decisions to exclude us from any Coalition. Since all four groups are in agreement with fighting prison privatization, it appears that the only issue of contention is that we refuse to place our members’ money into a joint bank account with no specific expenditure plan. We hope that the other groups reevaluate their position with regard to their requirement that we must concede to demands to deposit our funds into a joint account, or be excluded from any collective effort to fight prison privatization. We cannot forget that prison privatization is the issue that needs fighting, not our own internal administrative disagreements.

In closing, we have signified our willingness to participate in the latest Coalition, and any collective fight against prison privatization. The NJSOA shares everyone’s concern with the move towards the privatizing of any State services, and we remain committed to fighting prison privatization.

At this juncture, we are establishing an internal Privatization Committee. This Committee will meet to discuss the privatization issue, and means by which we can address it. We are also actively conducting research into the issue and trends that have moved throughout the prison industry. We are in contact with Corrections professionals from across the country, as well as activists that share our interest in derailing prison privatization. We are formulating plans and will keep the membership informed of any progress.

If you are interested in assisting in this very important fight; if you’d like to serve on the Committee or conduct research, please let me know as soon as possible. This will be a formidable fight, and we need all the help we can get. Thank you for your continued confidence and support.

Fraternally,



Jeffrey Smith  
*President*