

Working Undercover:

Undercover officers frequently face danger and a variety of challenges. Page 3

**Internet Safety:**

A veteran FBI agent says parental involvement is key to protecting children from predators. Page 5

What If:

School violence continues to teach us painful lessons. Page 11

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FIGHTING CRIME IN CONNECTICUT

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Elder Abuse, While Widely Undetected, Steadily Increasing

By **TEALE CALIENDO**
Correspondent

Elder Abuse - The Numbers:

- **Only 1 in 14 incidents**, excluding incidents of self-neglect, come to the attention of authorities.
- **For every one case** of elder abuse, neglect, exploitation, or self-neglect reported to authorities, about five more go unreported.
- **Only 1 in 25 cases** of financial abuse are reported, suggesting that there may be at least 5 million financial abuse victims each year.

"I have a case right now where you'd shake your head," said John DeMattia of Connecticut's Elder Abuse Unit. "I have a daughter physically abusing her mother... it got to the point of broken ribs, broken nose...and (now) the mother calls me once a week begging me not to ask for jail time for her daughter because she needs her to take care of her."

DeMattia is a supervisory assistant in the State's Attorney's Elder Abuse Unit, which was established in 2000 to investigate and prosecute crimes against the elderly (victims 60 years and older). The unit's employees are trained to handle this special category of victims and victimizers because of the vital role "family dynamics" plays in the problem.

There has been a steady increase in the reporting of domestic elder abuse – abuse occurring in the homes where the elderly reside – according to the National Center on Elder Abuse (NCEA). Nearly 566,000 reports

of elder abuse were made nationally in 2003 (the most recent year for which statistics are available), 20 percent more than in 2000. It's projected the problem will only escalate with the graying of our population, but accurate statistics are elusive for a variety of reasons.

"The average age for living now is around 80, and the fastest-growing segment of the population is 85 and above," says Alice Deak, director of Information Services for the Southwestern Connecticut Agency on Aging.

"There are many 90-year-olds living in the community who don't go into nursing homes ...they stay in their own apartments or in assisted living facilities."

The NCEA says the numbers of abuse cases we know about is just the tip of the iceberg. It is estimated only one in 14 cases of neglect and one in 25 cases of financial abuse are reported.

While the state enforcement unit has 55-60 open cases and at least that many more under review, an accurate account of cases in Connecticut is not possible because some are prosecuted by local jurisdictions and not reported to DeMattia's office. Since 2000, the unit has averaged about 48 cases a year, and about 90 percent of them have been financial exploitation. The financial loss has skyrocketed to approximately \$250,000 but the unit now only accepts cases where the loss is \$500,000 or more, with some exceptions.

"As the first of the baby boomers hit the age of seniority in Connecticut (60), we expect that unfortunately the

- See **Elder Abuse** on page 15



Bridgeport Harbor supports a wide variety and volume of activity from a busy ferry schedule, shipping, commercial fishing, and recreational boating. Over five millions tons of cargo is shipped through the port annually.

Bridgeport Harbor Closes Security Gaps with Grants

By **FRANK SZIVOS**
Correspondent

After 9/11, Joseph Riccio, executive director of the Bridgeport Port Authority (BPA), realized even more than ever that the Bridgeport Harbor

was a vital link between New York City and Long Island and the rest of New England.

He recalls 9/11 vividly when I-95 was nearly empty, no planes were in the

- See **Bridgeport Harbor** on page 14

Good Legal Representation Can Be Very Expensive, or Free

By **RONALD WINTER**
Correspondent

There are two ways to go to court in Connecticut charged with a serious crime and still have an excellent chance at receiving the best legal representation with or without mortgaging the farm.

You can be rich and hire a really great attorney, or you can be poor and have a really great attorney assigned to your case by the judge.

In between, you still have a great chance of excellent representation, but not only will you pay for it out of your own pocket, but also you'll definitely feel the pinch, and depending on the seriousness of the crime, you could go deep into debt.

Ask Bridgeport Criminal Defense Lawyer Richard Meehan about the cost of defending a client charged with a major crime, and he will tell you right up front that hiring him is expensive, but he believes his clients get what they need.

On the flip side, Meehan is highly complimentary of the Connecticut public defender system. In his view, some public defenders, who are employees of the state and thus have their salaries determined by the government, range

from "excellent" to "outstanding."

The workload for the public defender's office also is far greater than for attorneys in private practice. Public defenders can't pass on a possible case if they already have a full slate of clients, and thus Meehan estimates that "the public defender's office has 80 percent of cases on the docket."

In fact, in 2006-07, the total public defender caseload in Connecticut was 80,854 – an increase of 522 cases from the previous year. Also, public defender offices were appointed to 80 murder and capital felony cases. In all five of the capital cases the state is seeking the death penalty.

\$400 per Hour

While the state limits the wages its attorneys receive, attorneys in private practice make the point that any successful law firm is a business, not a charity. Clients who are facing serious charges up to and including capital murder can expect to pay as much as \$400 per hour.

That is not what the lawyer assigned to the case will be paid, but that is what

- See **Representation** on page 13

1 of 5 Fatal Crashes Nationwide Involves Unlicensed Drivers, Says AAA

At least 20 percent of the drivers involved in fatal car crashes on both the state and national levels between 2001 and 2005 were unlicensed at the time of the crash, a AAA study reports.

Aptly titled "Unlicensed to Kill: The Sequel," the report by the AAA Foundation for Traffic Safety shows a persistent, deadly pattern among high-risk drivers and raises serious issues about the ability of the states to control the unlicensed driving situation.

During the four-year period, the study reports that more than 40,000 drivers involved in fatal crashes lacked a valid

license at the time of the crash. Of this number, 226 were Connecticut drivers. The AAA Foundation bases its figures on an analysis of the U.S. Department of Transportation's data on fatal motor vehicle crashes.

The current figures are consistent with prior AAA research that also indicated one out of every five fatal crashes on America's highways involved at least one driver who was driving illegally at the time of the crash. That study, called "Unlicensed to Kill," was based on data from 1993 to 1999.

The recent study showed that driv-

ers whose licenses had been suspended or revoked were 3.7 times more likely to be involved in a fatal crash than validly licensed counterparts, and that unlicensed drivers were 4.9 times more likely to be involved in a fatal crash.

The study also found that more than 17,000 drivers involved in fatal crashes were driving illegally with suspended or revoked licenses, and, of those number, a startling 28 percent had three or more suspensions or revocations on their record in the three years prior to the crashes.

In Connecticut, according to the

study, 238, or 11.5 percent, of all drivers involved in fatal crashes on state highways during that period had their licenses suspended or revoked in the three years preceding the crash.

The study recommends 16 remedial actions, including immobilizing or impounding vehicles of drivers who have had their licenses revoked or suspended; impounding vehicle plates, blocking re-registration of vehicles, and establishing mandatory jail time for multiple offenders.

For a downloaded copy of the study, visit www.aaafoundation.org.

Henry Lee Criminal College Appoints Ward New Dean



Dr. Richard H. Ward

Dr. Richard H. Ward has been selected as the dean of the Henry C. Lee College of Criminal Justice and Forensic Sciences at the University of New Haven.

Ward will assume the leadership of the Henry C. Lee College, named for the forensic scientist and criminalist who began the forensics program in 1975, effective mid-summer 2008.

Ward comes to UNH with strong experience in academic and higher education leadership positions. He is currently

associate vice president for Research and Special Programs at Sam Houston State University (SHSU). Previously, he served as dean of Criminal Justice at SHSU and as associate chancellor for special programs and for 16 years as vice chancellor for administration at the University of Illinois, Chicago. He has also served as vice president and dean of Graduate Studies at John Jay College of Criminal Justice.

Ward earned doctorate and master's degrees in criminology at the University of California, Berkeley, and a bachelor of science degree from John Jay College of Criminal Justice in New York. He has published numerous books and journal articles, has successfully garnered more than \$10 million in grants throughout

his career, and continues to be actively involved in the criminal justice professional and academic communities throughout the world.

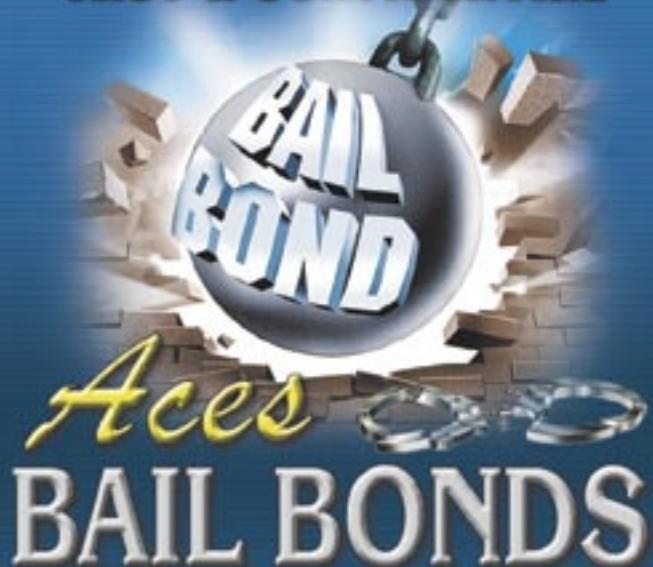
A leader in experiential education, the University of New Haven provides its students with a combination of solid liberal arts and real-world, hands-on professional training. A private university founded in 1920, UNH has a full-time undergraduate enrollment of more than 2,400 students—with 70 percent residing on its 80-acre main campus—and a graduate school enrollment that exceeds 1,700. The university offers more than 80 undergraduate degrees and more than 25 graduate degrees through its four colleges, in fields such as sports management, nutrition, foren-

sic science, music and sound recording, engineering, computer science, and criminal justice. University College at UNH develops programs and courses to meet the emerging educational and training needs of educators, businesses, and public and social agencies, focusing on academic excellence, convenience, and flexibility.

In the last 30 years the Lee College has become a world-recognized leader in forensics and has grown exponentially, from a small classroom equipped with a single fingerprint kit to a multi-disciplined department with state-of-the-art technology specializing in academic programs in criminal justice, forensic science, fire science, national security, and legal studies.

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Undercover Officers Face Mixed Bag of Challenges

By **RONALD WINTER**
Correspondent

Consider this scenario.

You are a U.S. Army veteran, with three years in the military police, including a tour in Vietnam.

You come home, enroll in the University of New Haven, and graduate with a bachelor's degree in law enforcement. By sheer chance, you take an exam for the Bureau of Narcotics and Dangerous Drugs – later the Drug Enforcement Agency – and even though you had considered joining the Vermont State Police so you could ski on days off, you pass and are accepted.

In a relatively short time you find yourself posing as a renegade biker and are on the verge of making your first undercover heroin buy.

All your training, experience, and education are racing through your mind, seemingly pent up behind a dam of coolness as a real biker pulls up alongside your motorcycle in a quiet section of a Connecticut park. You wait for just the right moment to show your colleagues watching from a hidden location that you have what it takes to outfox this guy.

He looks you up and down. You do the same.

Finally he speaks.

"Got the money?"

You respond.

"Yeah, I got the money. You got the (expletive)?"

"Yeah, I got the (expletive). You got the money?"

"I told you I got the money. You got the (expletive)?"

"I told you I got the (expletive). You got the money?"

This scintillating conversation continues for another moment and you finally say, "Why don't you show me the (expletive) at the same time I show you the money?"

The biker agrees. He slowly pulls back his vest, showing a package of heroin on his belt as you flash a wad of money on your belt.

He speaks again.

"OK, give me the money."

You respond.

"Give me the (expletive)."

"I ain't giving you the (expletive) until you give me the money."

"I ain't giving you the money until you give me the (expletive)."

Again, a round of scintillating conversation passes until you suggest exchanging your wares simultaneously.

The biker agrees, you cautiously make the switch, and he is on his way.

A few minutes later at a pre-designated meeting place, you are surrounded by fellow agents who had the buy under surveillance. They have the evidence, and you are no longer a virgin undercover cop.

Yet, as they congratulate you, your supervisor notices a certain lack of enthusiasm on your part and asks if you are OK.

"All that training and schooling for this? I could have put a tape recorder on my golden retriever and got the same thing!"

Welcome to the world of undercover police work and the realization that when you are dealing with drug users, drug manufacturers, drug run-



To be sure, even with the stress, danger, and long periods away from his family, there were some high points to his job. Duke, at right, was part of a team that seized \$1.5 million in cash from a drug ring. At the time it was the largest seizure of cash on the East Coast. (Faces distorted to protect identity.)

ners, and drug suppliers, you aren't exactly working with the top of the food chain.

The exchange above took place many years ago between a drug-dealing biker and a real-life undercover

federal agent who went by the name "Duke."

Duke is still active, although not undercover, and doesn't want to use his real name or give away his location. But in the 10 years he worked undercover, Duke traveled over much of the United States and made occasional forays into Canada and Mexico, working to develop evidence and cases on drug suppliers and their networks.

Because of his size – well over six feet, two hundred pounds – Duke was restricted to "playing the heavy," either a bodyguard, or a rogue biker making buys from gangs. Sometimes he said nothing but was on the scene to flash money at appropriate times. As it turned out, his college courses and professional training helped less than the roles he had played in local theater productions when he was a child.

"You have to look the part, and think the part, and not waver," Duke says. "Be simple, be convincing, and be brief."

"Working undercover is all about control," he says. To establish and maintain control requires simplicity. "Any curves from the other side have to be nullified. Circumstances change, and you have to be flexible," Duke says, but the need for control never changes.

When laying the groundwork to make the actual buy, "the target is nervous, until the relationship is established." But even a nervous target can be controlled, Duke says.

"You have money, and he is motivated by greed. But you have to be motivated by safety."

In fact, Duke says, safety is the number-one issue facing an undercover agent, and new agents have to learn quickly to terminate a transaction, regardless of how promising it may seem, at the first sign that things are not right.

"If you smelled something going bad, it went sour quickly and usually at night."

But even control can be overdone, and Duke laughs as he remembers calling off a planned buy right in the middle of the negotiations. Duke's supervisor was new and was micromanaging the team to the point that every possibility had to be reviewed, and then reviewed again. The list of "what ifs" went on and on.

When it came time to make the buy, Duke abruptly called it off and told the seller to come back another time. After the seller left, Duke returned to the team's meeting place.

When his supervisor indignantly demanded to know why he had ended the transaction, Duke replied with as much sincerity as he could muster, "He didn't do any of the things you said he would."

Thus another point was made – the team had the final say in how the transaction was accomplished, how the target was played, and who had control. Duke maintains that undercover work can't be accomplished from behind a desk.

In the long run, Duke said he got far more satisfaction from working on the surveillance teams than from setting up drug busts. "Surveillance is the key," he says, because the team "has to testify to verify the under-

Undercover Officers Walk Narrow Line

On the surface it would appear that there are considerable differences between undercover police, who spend days or weeks developing and executing a case, and those who work deep undercover, posing as members of organized crime families or other criminal gangs.

But a closer look reveals that there are more similarities than differences. The primary difference is that deep undercover officers must play their role for as long as it takes to build a case against the criminal target, and usually neither their police colleagues nor their families know their whereabouts or what they are doing. These cases can, and on occasion do, take up to several years in development before arrests are forthcoming.

But even deep undercover officers have safety nets, including contacts who know where they are and what they are doing. The deep undercover officer arranges a means of contact to higher-ups that enables the transfer of information with minimal risk of exposure.

Officers who work on cases that take less time to develop still need safety nets, and the length of time they work undercover still is dictated by the complexity of the case and how long it takes to develop evidence that will hold up in court. In their cases, however, there is a team approach that includes a partner and surveillance units.

On occasion undercover agents will find it

necessary to share their information, or at the very least notify local and regional units that they are working in the area. Experience has shown that building a trusting relationship is the key to working well with local field officers.

The very nature of undercover work and the need for teams to protect each other makes it difficult to be forthcoming with police from different departments. Initially it took time for local and regional task forces to work as partners with state and federal agents.

But cooperation between agencies can be instrumental in case development – or as one undercover officer puts it, "Who knows the area better than the beat cop? You're smart to develop a mutual trust, to avoid getting caught in a cross fire."

Often it is necessary for local agents to work with others from out of the area if for no other reason than officer safety. Undercover agents try to work well away from the areas where they live, have families, and lead a totally different life, but that is not always possible.

Chance encounters with criminals who are or have been targets of undercover work not only can destroy a case as it develops but can also be dangerous for the agent and family members, too.

-Ron Winter

- See *Undercover* on page 19

Cheshire Murders Inspire Interest in Self-Defense Training for Women

By **NATALIE MISSAKIAN**
Correspondent

There was a young mom looking to protect herself and her children, a single woman fearful of evening jaunts to the supermarket, and an older lady who lived for decades on an isolated road but recently stopped feeling safe there.

These very different women, and many of the others who gathered on a recent evening in a Cheshire gymnasium, had one thing in common: the deadly home invasion that rocked their town last summer had shaken the sense of security they once took for granted.

"Obviously we live in a small town that was turned upside down," said a 47-year-old woman whose name was withheld to protect her identity. "Being single and living by myself, you never know."

The women are students in the Cheshire Police Department's Rape Aggression Defense (R.A.D.) Systems course, launched by the department in March. The nationally recognized, women-only course is free to anyone 18 and over who lives or works in the town. The department received a \$15,000 federal grant to cover expenses.

Police said the demand for self-defense programs has skyrocketed since the tragic Petit murders last July, when two men killed three women in a Cheshire family after breaking into their home. The men followed the mother and one of her daughters home from a local supermarket.

"I think living in a small town, you get complacent," said a 37-year-old mother of two small children. "You're just thinking about the kids, putting them in the car. You're not really thinking about your surroundings, and that's when things go wrong."

The trainers, Cheshire Police Officers Brian Schechter and James Nemphos, said while the course involves some simple martial arts techniques, they are not trying to turn the women into overnight black belts.



A participant in Cheshire's Rape Aggression Defense Systems course practices her self-defense moves on Cheshire Police Training Officer James Nemphos. (Photo by Natalie Missakian)

Prevention and Awareness First

The program teaches prevention and awareness first, seeking to arm women with enough strategies to avoid becoming a target. When that fails, it shows them simple techniques to help them flee a potential attacker.

Statistically, it is in a woman's best interest to resist an aggressor, said Nemphos. A UCLA study of 94 victims

of attempted sexual assault found women who did not use defensive measures such as screaming or physical resistance all were ultimately raped, he said.

The R.A.D. moves are aimed at playing up a woman's strength, which is concentrated in her legs, hips, and

- See *Self Defense* on page 22



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Each year we present awards to the graduates of all Connecticut police academies with the highest scholastic average in each recruit training class in honor of Chief Samuel J. Luciano. Chief Luciano believed in the need to provide adequate training for every police recruit. He worked long and hard for legislation requiring a mandatory training period and for the establishment of a statewide police academy. Chief Luciano suffered a fatal heart attack prior to the completion of the Connecticut Police Academy.

The following graduates were presented the Luciano Award at the CPCA Winter Meeting: Jonathan Carreiro, Connecticut State Police -Troop I, Julian Cokic, Orange Police, Justin Gilbert, University of Connecticut Police, Renee LaMark-Muir, Hartford Police, Michael Luckingham, New Haven Police, John Martin, Connecticut State Police -Troop C, Joseph Miceli, Weston Police, Richard P. Monge, Manchester Police, Needasabrina Russell, New Britain Police, Michael J. Stempien, Stamford Police, and Jonathan Youens, Hartford Police.

CONGRATULATIONS

www.cpcanet.org

Internet Environment Traps Both Predators and Victims

By **LEISA TAYLOR**
Correspondent

Profile

Kathy Shumaker is petite, friendly, and the single mother of a nine-year-old son. FBI Special Agent Kathy Shumaker is determined, no-nonsense, and a protector of Connecticut's children from often horrific and unspeakable crimes.

"As a parent, you think of how your child looks at you so innocently, and then you think how all those victimized kids had that same innocent look," said Shumaker. "They trusted somebody who took them out of their world of safety and did horrific things to them just because they could."

A 22-year veteran of the Federal Bureau of Investigation, Special Agent Shumaker has worked the last nine years in Connecticut. She spent the vast majority of that time in New Haven as coordinator for the Computer Crimes Task Force, a specialized unit that investigates child pornography (possession, distribution, or production) and criminal sexual activity with a child. The latter involves either travel across state lines or use of the computer to engage in sex with a child.

Shumaker definitely has an issue with the computer, or more specifically the Internet, which she says has redefined the world of sexual predators. In fact, she maintains that if not for the Internet, 70 percent of these crimes against children would not occur. "In 1950, children were still molested, but it wasn't so easy. The Internet predators would not have gone to the effort to get a mailbox to have child pornography mailed to them in a brown paper bag. They wouldn't have chased after their daughter's friends."

Becomes Accepted

"But today, if you have a random thought about what it would be like to have sex with a 13-year-old, you can go online and watch guys do it all the time. They don't look like they're unhappy, so suddenly it must not be too bad. It becomes accepted. My whole theory of the Internet is that these are men who, had it not been for the Internet, would never have offended. People change on the Internet. Suddenly there is this whole new world. They're up all night on the computer and talking to this crazed 13-year-old who doesn't know what's going on. She's telling him everything he wants to hear, there's no pressure, and they develop a relationship. And yes, they will travel to have sex."

Shumaker concurs with Internet information that states that 90 percent of child sex offenders are middle-aged, white men. "If you look at your neighbor, that's what an Internet sex offender looks like. And that's what's so scary about it. They don't look like the disgusting guy on a park bench. They look like people you would trust your children with."

"I've arrested people who are millionaires as well as people who can barely scrape two dimes together. I've arrested everybody except perhaps a funeral director. We've arrested men when their wives were pregnant. Some tell me they're happily married men. We arrested one man when his daughter was getting ready to go to the prom."

Benign Beginnings

For some, the road to becoming a sexual predator may begin fairly benignly. For example, Shumaker said, "They may get to a point in their lives where maybe they're having a bad day or get bored, and they start looking at adult pornography. Depending on where they are in their life and how extreme the adult pornography is, they get bored with it. It doesn't do it for them anymore."

"If you look at enough adult pornography, someone's going to send you something illegal, and you're going to get a picture of a 17-year-old. So they start looking at younger children, and once they get satiated at that level, they learn there are chat rooms to talk to these girls. The



Special Agent Kathy Shumaker

(Photo by Martin Barrett of BarrettFam Creations.)

guy thinks, 'Hey, I can talk to them. That's easy.' But men have to realize that once they go down that road, they're going to lose everything. Their kids will not go to college, and they're going to lose their homes." Shumaker said there can be no worse combination than a 13-year-old girl and a 50-year-old man. "You put them talking to each other online, she has no sense of right and wrong, and he doesn't think of her as a real person."

"Every day, at some level, people are tested. It's as innocuous as a pretty girl walking by and the guy deciding to look or not look at her. That's basically what the Internet is, except magnified a thousand times."

- FBI Special Agent Kathy Shumaker

Not Seen as People

Making the predator understand the harm he's caused is one of Shumaker's goals upon an arrest. "With the Internet predators, I get satisfaction in making them realize what they've done, because they don't look at these children as people. I had one guy say to me, 'Yes, I downloaded the series.' I said, 'The series that you downloaded is a five-year-old girl whose uncle took her somewhere and molested her for years. She was too scared and too terrified to tell anybody. And every day that you got your hee-haws looking at her, you victimized her again.'

"The subject never thought of her as a person; she was just a series with a name next to it. Predators need to realize that they've changed people's lives. When people offend, that crime affects that child, the child's relationships, and future relationships. Even when children have been

treated and healed, it's always with them. Their life is now seen through that screen."

Shumaker feels stress can be a motivator in the work she does. "A supervisor of mine in Chicago believed that stress was good – that you needed it to do the job. And I think I believe that, too. If I'm not stressed, I don't feel like I'm working. But that's just who I am."

Shumaker is also humble. She does not like to advertise her achievements, which include several United State's Attorney's awards for cases she has successfully investigated. Additionally, Shumaker reaches out to the community to help educate children, parents, and schools about Internet crime. For example, she addresses parent-teacher organizations, and she was a participant in a 2007 seminar to encourage Fairfield County educators to teach students to steer clear of Internet predators.

A native of Ohio, Shumaker first thought of law enforcement while in high school. "But at the time I grew up, that just wasn't something girls did," she said. "My father said the FBI was not going to let a girl in, so I didn't pursue it. But when I was working on my master's degree (in communications), my father said, 'What do you really want to do?' And I wanted to be an FBI agent. There was a huge advertisement in the paper that day recruiting for the FBI. My father said, 'If you want to do it, you'd better get off your butt and apply and do it.' So I did."

The application process took a year, during which time Shumaker was teaching in Texas. "It takes a year to get in," she said. "I think it's a test to see how bad you really want it. That's why the FBI doesn't make it easy to get in. If you hang in there for that year, I think that's the first test of getting into the Bureau."

No Comfort Zone

Shumaker was accepted in 1986, and at the age of 29 was sent for training at the FBI Academy in Quantico, Virginia. "I went from an academic community to one where you had to run and shoot," she said. "I wasn't athletic, I had never shot a gun before, and I didn't know anything about the law. I had no comfort zone."

The training was rigorous, as Shumaker acknowledges. "It was a whole new environment," she said. "I wasn't who I used to be. I felt like Private Benjamin when she said, 'I want to be normal again.' I felt like that every day of my life at Quantico."

Her father's initial sentiment also proved true. "By the time I got in, we were still considered 'female agents' as opposed to just agents," Shumaker said. "But I owe a lot to the women who came in 10 years before me. In my class, there were eight women out of 40. It wasn't that I wasn't equal, it was just that I learned early on that as a female, you had to work twice as hard to be as good." Because the training was hard and challenging, Shumaker said her graduation was rewarding. "When I made it," she said, "I felt I had earned it. It wasn't something that was given to me."

Shumaker's first assignment was with foreign counterintelligence in the Phoenix office. However, she quickly discovered that her interests lay with another squad. "The bank robbery squad was like the run and gun, kick in the door type of fun," she said. "I loved that work so much that I used to take vacation time so I could work cases with the bank robbery guys. If I knew something was coming up, I would work my normal day and then go back and work with them. It was just the best work around." Needless to say, Shumaker was soon transferred to the bank robbery squad.

"Horrific Case"

It was a rape and murder case, however, that stays with her from her years in Phoenix. "It was probably in my second year," recalls Shumaker. "We were called up to Flagstaff on a kidnapping, and the girl that had gone missing was on vacation with her parents. The girl had

- See *Internet Predators* on page 16

VERSUS: Weighing in on "Three Strikes" Legislation

THREE STRIKES IS ONE OF THE STATE'S MOST CONTROVERSIAL ISSUES

Certainly one of the most controversial topics the state Legislature will grapple with in its pending session will be the so-called "Three Strikes" legislation. It is intended to remove repeat offenders from society for extended periods of time, or life, depending on the nature of their crimes. Lawmakers, however, do not agree on specifics of the law.

Connecticut already has legislation allowing increased penalties for multiple convictions but leaves the sentencing to the discretion of the court.

State Republicans want new legislation calling for criminals convicted of three violent felonies to be automatically sentenced to life in prison without the possibility of parole. State Democrats want a judge to review each case individually at the time of sentencing, arguing that misdemeanor and juvenile offenses could be counted as a strike.

Editor's Note:

While the most recent of bills to enact a Three Strikes Law dies in committee, proponents of such legislation, mostly minority Republicans and Governor Rell, plan to amend other bills with similar language before the session ends at midnight on May 7. Some lawmakers think it will be difficult to pass it this year.

Here are a sample of opinions expressed by our readers based on the issue.

Republican Legislator Supports Three Strikes

I voted in favor of the three strikes proposal during the Legislature's January 22 special session. It applies to about 100 cases per year. Under current law, these repeat offenders, on average, serve less

than eight years; under three strikes they would receive 60 years.

When President Clinton first proposed the federal three strikes law in 1994, I was very skeptical. It sounded like a slick slogan rather than prudent public policy. However, scientific research by criminologists demonstrates that those individuals who are convicted three times are very likely to commit dozens or even hundreds of crimes. For example, the younger of the two individuals accused in the Cheshire murders was convicted only once as an adult yet committed 18 burglaries before being caught.

At a September 2007 Connecticut Judiciary Committee Informational Hearing, James P. Fox, a California prosecutor and president of the National District Attorneys Association, testified that he vigorously opposed the three strikes proposition in 1993, but after working with the law since 1994, believes it is effective and has accomplished its purpose of incarcerating career criminals.

I will continue to support Three Strikes because science and experience show it works!

Submitted by Arthur J. O'Neill

(State Representative Arthur J. O'Neill (R) of Southbury has served in the state House of Representatives since 1988 and is a practicing attorney.)

Laws Need to be Applied Fairly

The three strikes and you're out means nothing if you are a violent convicted felon with a history of crime. It's just another law that is marginally applied, and a good lawyer will get you off or a

reduced sentence. The legal system has so many loopholes, compromising judges, and lawyers administering the state's laws. Until the court system and the professionals in the system – cops, judges, attorneys, and social services – decide to apply the law strictly and fairly it is just another public relations effort. Consistent violent criminals drain society.

So I say pass the strongest Three Strikes law possible, and just maybe some of it will be used as it should be. It is time we stop making the victim the criminal.

Submitted by Thomas Daly

Three Strikes Worked in California

If the legislators are going to usurp the power of sentencing from the judicial branch of the state government, then it is incumbent that the success of stringent Three Strikes Laws be evaluated. It poses the question, How successful has it been in the country's toughest state, California, since adopting the Three Strikes Law in 1994? When you compare the 10 years before Three Strikes to the 10 years since, there have been over 2 million fewer crimes.

That includes homicide, rape, robbery, assault, burglary, and auto theft. When you consider that fewer crimes means fewer arrests, prosecutions and incarcerations. The National Institute of Justice has estimated that the cost of prosecution for every murder is \$2,940,000. For every rape and sexual assault the cost is \$86,500 to take to trial. So for California, fewer murders and rapes alone have saved over \$20 billion dollars.

Those that oppose a strict Three

Strikes law say it will escalate the prison population dramatically, and will cause the need for more prison facilities to be built, courts would be clogged with more cases going to trial, just to mention a few concerns. Is this true, and are these immediate concerns going to prevent us from investing in the future security of the citizens and their families in Connecticut? There is a time that it is necessary to spend money to have a safer future.

Will Governor Rell's Three Strikes proposal with no parole pass? No it won't. It is necessary to view a criminal's violent conviction history. Let judges review the circumstances, let prosecutors and judges take a fair look at each case. Don't make it life with no parole automatically; make it 25 years to life with no parole. Let violent criminals think about life 23 hours a day in a room the size of a closet. Make it known to every convict in prison what the impact of the Three Strikes law is once they are released.

The citizens of Connecticut are compassionate and fair people. But when a violent criminal commits reprehensible crimes over and over and over, then it is time to lock them up. Three Strikes and you are in for a very long time.

Submitted by Jonathan Banks

Three Strikes Not the Answer

There needs to be a greater outcry to change the attitudes of society and the way people think in terms of someone who made a bad decision resulting in a criminal record. Three strikes is not the

- See *Versus* on page 22

Danbury Police Will Enforce Immigration Laws

By MARK BOUGHTON



Commentary

Illegal immigration has been and will continue to be a difficult challenge for our community, our state, and our nation. While the federal government has failed at one of its fundamental responsibilities, securing our borders, many communities across the country have had to struggle with the effect of a failed federal policy. Danbury is no different.

In Danbury, immigrants have long been a solid and celebrated part of the social and economic fabric. We have citizens from almost every continent, and more than 49 languages can be heard spoken across the city. We wear our diversity as a badge of honor.

Illegal immigration is a complicated and emotional issue. Immigration is good for America and for our community. The effect of unchecked illegal immigration on a community, however, is profound.

A recent investigative report revealed that Danbury Hospital spent millions for treatment of illegal immigrants that was not reimbursed. School enrollments are

expanding beyond anticipated projections because of illegal immigration. There has been stress placed on our social services and pressure on our housing stock. We have also apprehended a number of individuals wanted for serious crimes outside the United States. A cottage industry of manufacturing fake documents has developed, as well as cases of human trafficking and hundreds of unlicensed, uninsured drivers on our city streets.

After much consideration, Danbury's common council approved the federal Immigration and Customs Enforcement (ICE) agency's Access program, which will enable several detectives in our police department to receive training from ICE. Once trained, the officers will have the authority to enforce immigration law as part of any criminal investigation.

The intended objective of our partnership is not to deport every person who has sought refuge or a better life in

our country, but to add another critical piece to our law enforcement efforts by targeting criminals who are exploiting both legal and illegal immigrants. No one's civil liberties will be ignored, but recognition of such will not allow us to equivocate on our responsibility to law and order.

As mayor, my responsibilities are to provide a safe and healthy environment for all of Danbury's residents. On Dec. 2, 2007, at 4 p.m., I took the oath of office for the fourth time as mayor. I pledged to uphold all of our laws in a fair and compassionate way without regard to the status, ethnicity, or religion of our residents. It is my job to ensure that our police have access to training and to the proper tools necessary to enforce the law.

As mayor, it is my responsibility to support federal law enforcement agencies when they are working to secure our country. Finally, as mayor, it is my respon-

sibility to elevate concerns to our federal legislators regarding the impact of their failure to address this critical issue.

I'm honored to have served Danbury as mayor for the past six years. With a population of more than 80,000, our low crime and unemployment rates are outstanding. Our schools are exceptional, and we enjoy a vibrant arts and cultural atmosphere. We have an advancing university, a world-class hospital, a business environment that is poised for continued growth, and an abundance of parks and recreation areas. This year, Danbury is proud to be hosting both the Nutmeg Games—Connecticut's version of the Olympics—and the Connecticut Film Festival.

Danbury will continue to celebrate its rich diversity and will continue to be both a lawful community and a welcoming community. A partnership with Immigration and Customs Enforcement will only preserve that and keep our city a wonderful place to live, work, and be educated.

Mark Boughton is mayor of Danbury.



Commentary

The Most Valuable Course I Ever Had in High School



By **KENN VENIT**

"When I think back on all the crap I learned in high school, it's a wonder I can think at all. And though my lack of education hasn't hurt me none, I can read the writing on the wall."

--Lyrics from "Kodachrome" by Paul Simon ©

A high school classmate of mine was killed in a crash shortly after our graduation ceremonies. The police report said he was driving over 100 miles an hour when the crash occurred. Some of his closest friends unsuccessfully tried to start a fund in his memory. Most of the class chose not to contribute because his death was so senseless. Maybe that was wrong of us. Perhaps a memorial fund would have helped make generations of students at my *alma mater* aware of how he died, thus using his death to illustrate a very important lesson in life.

I was 16 and a junior in an all-boys public high school when proudly I received my driver's license. Part of my training for that license was a driver education course offered by my high school. It was the most valuable course I ever had there, or anywhere for that matter. A family friend also helped me learn how to drive, always emphasizing safety and warning of the potentially fatal dangers of recklessness and carelessness. Nearly a half-century later, maybe with the help of some Divine Intervention, I have never received so much as a scratch in any of the few (and always relatively minor) accidents in which I have been involved.

The course was titled, "Defensive Driving." We learned how to avoid accidents we might otherwise cause, as well as how to anticipate potential accidents others might cause. I still use all those techniques.

Back then, seat belts had not yet become mandatory. The AM radios had five push-buttons for stations – we would hit a button as soon as a commercial would come on, so we could keep the music playing. There were no cellphones.

"Making out" was something we did while parked, not while driving. Maybe there would be a quick kiss when stopped at a red light. At worst, I recall driving with my left hand while my right arm was wrapped around my date. (We were always supposed to keep both hands on the wheel in the "10 o'clock and 2 o'clock" position.) Perhaps I was a "square," but there never was any alcohol in the car, or in my system, when I was driving or for that matter, when I was a passenger in anyone else's car. The legal age for drinking was 18.

Today, there is an epidemic of teenage motorists being killed on Connecticut's streets and highways. The Governor's Task Force on Safe Teen Driving came up with a list of possible legislative actions to help remedy the situation including raising the age for obtaining a learner's permit to 16½ years, increasing penalties for moving violations by teen drivers (as Massachusetts is now doing), increasing behind-the-wheel training from 20 hours to 50 hours, and having an 11 p.m. driving curfew.

David Preusser of the Trumbull-based Preusser Research Group, informed the task force that crash rates for teens are highest when driving after consuming alcohol, driving at night, having teen passengers, and in the first few months after receiving a driver's license. He also noted that in Connecticut, crash rates are 50 percent higher for 16- and 17-year-olds than for drivers between the ages of 35 and 49. Furthermore, when teen drivers were involved in collisions, about 75 percent of the 16- and 17-year-olds were at fault, compared to a 45 percent "fault rate" for drivers ages 35 to 49.

The task force blamed television for exacerbating the situation by emphasizing excessive speed and reckless driving in commercials – no matter what the "disclaimer" may say regarding "closed track" or "professional driver." TV shows and movies also were cited for glamorizing the kind of behavior behind the wheel that often leads to death and destruction. Such behaviors, especially unsafe passing maneuvers and illegal racing, have been evident in fatal crashes in recent times involving teenagers in our state and in others.

While the First Amendment protects commercials and entertainment media, obviously presentations showing reckless behavior when driving may offset efforts in schools and by various organizations to educate teenagers in the proper use of motor vehicles – and to fully understand the critical responsibilities involved. Media aside, any driver, any day, may see such reckless behavior in real life, whether or not art imitates it.

I do not remember the name of my high school driver education teacher, or the name of that classmate who died at the wheel of a car going over 100 miles an hour shortly after graduation, but I do remember the lessons each taught me about life...and death.

(Kenn's opinions are his own, and not necessarily those of The Justice Journal. He is the immediate past president of the Connecticut Pro Chapter of the Society of Professional Journalists. Kenn teaches journalism courses at Quinnipiac University and Southern Connecticut State University.)

Note: Connecticut's Department of Motor Vehicles offers a downloadable booklet, "How Parents Can Help Their Teens Become Safe Drivers," at: www.ct.gov/dmv/lib/dmv/20/29/Howto.pdf

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Events & Notices

The Melanie Ilene Reiger Memorial Conference

A conference on "Angry Youth: School & Community Tragedies" will be held April 23-24th at the Maloney Center for Training and Staff Development at 245 Jarvis Street in Cheshire. The 12th annual conference, established in memory of Melanie Reiger, is sponsored by the Melanie Ilene Reiger Memorial Foundation and The Connecticut Department of Correction. Among the speakers scheduled are Peter Yarrow, member of Peter, Paul & Mary, founder of Operation Respect, and author of the bestseller "Puff the Magic Dragon"; Carroll Ann Ellis, director of Victim Services for the Fairfax County Police Department; William Modzeleski, associate assistant deputy secretary of the U.S. Dept. of Education Office of Safe and Drug Free Schools; and victims and survivors of the Columbine & Virginia Tech tragedies. For more information and registration see: <http://www.melanieriegerconference.com>

Amber Alert Kids ID Sessions

Sponsored by the Danbury Rotary Club, sessions will be held on Saturday, April 12th at the YMCA of Trumbull, time to be announced. Also at the Grace Baptist Church in Waterbury from 10-1pm on April 26th; and on May 3rd at the South Church in Hartford from 11-3pm.; June 7th at Fairfield Middle School in Fairfield from 10-4pm. For more information call Bob Vetter at (203) 748-1105.

Triathlon Fundraiser

Sunday, June 29th, Kids in Crisis is sponsoring a triathlon to be hosted by the city of Stamford. The event is being organized to raise funds for the Cos Cob-based Kids in Crisis organization. The event will include a 1-mile swim, a 24-mile bicycle ride, and a 6.2-mile run that ends in Columbus Park. There are 500 spots available. For further registration information go to www.kidsincrisis.org and click on the link to the triathlon.

Safe and Sound Class

Thursday, May 15th at Greenwich Hospital, Greenwich, 7 pm. The class is designed for parents and grandparents with children between birth and five years of age. It is 2-2 1/2 hours in length and covers issues of home safety and car seat safety. The fee for the class is \$40 (for up to 2 people) and registration is available by contacting the Tender Beginnings Department at Greenwich Hospital at (203) 863-3655.

Child Passenger Safety Seat Technician Course

Tuesday, April 22nd in Waterbury at 8am. The standardized child passenger safety technician (CPST) certification course is usually 4-5 days long and combines classroom instruction, hands-on work with car seats and vehicles, and a community safety seat checkup. Attendance is required for entire course. For more information contact Pat Zanic at (203) 346-3908.

Tuesday, June 3rd the same class will be offered in New Milford, 8am - 5pm. The course will run for four days and will give successful participants a national certification as a Child Passenger Safety Seat Technician. Two fees are associated with this class. The first is \$60 to National Safe Kids which is the certification body. The second is to Fairfield County Safe Kids for \$350. Breakfast and lunch are included each day. If you are interested please contact Bob Cordes at (203) 853-7115.

Greenwich Safety Town 2008

The Greenwich Chapter of the American Red Cross will be offering sessions about awareness and prevention skills for children entering a Greenwich kindergarten program in Fall 2008. Sessions are week long, for half days and will be June 9-13 and June 16-20 at the Greenwich Boys and Girls Club. Topics covered include automobile, pedestrian, fire, bike, gun, animal, playground, and water safety, along with information about medicines and poisons, traveling trains and buses, stranger awareness, and more. Morning sessions meet 9-11:30am and afternoon sessions meet 12:15-2:45pm. The fee for the week long program is \$140 and financial aid is available. Registration forms are available online at greenwichredcross.org or can be picked up at the Chapter office.

Common Sense, Secure Home Best Burglary Protection

By **BILL BITTAR**
Correspondent

It is early afternoon in a neighborhood in any Fairfield County community. The school bus has already picked up the children from their bus stop, and most people left for work long ago.

A car coasts slowly down the road, passing a brown colonial with a Honda in the driveway. A light illuminates a window on the first floor. The house beside it is closer to the curb. A "Beware of the Dog" sign is affixed to the front gate.

Then the driver notices three newspapers stuffed in blue plastic bags scattered on the driveway of the third house. A thick green bush pressing against the side of the white colonial looks like it needs to be trimmed. A high wooden fence beside it provides ample privacy from the neighbors to the right.

A smile spreads across the driver's face, and he finds a secluded place to park. He slips on a pair of gloves and picks up a bag of tools from his passenger seat.

Moments later, the burglary is in progress.



Connecticut State Police Crime Analysis Unit's most recently available statistics indicate that 3,462 burglaries were reported in Fairfield County in 2004, netting an estimated total of \$7.1 million worth of stolen property.

"I think often times people that fall victim to burglaries probably felt that

their home wouldn't be burglarized," Fairfield Police Lt. Michael Walsh said. "I think it's a rude awakening."

Most burglars on the prowl seek out the easiest targets, and police officers interviewed for this story say the best defense is having secure locks and an alarm, and using your head.

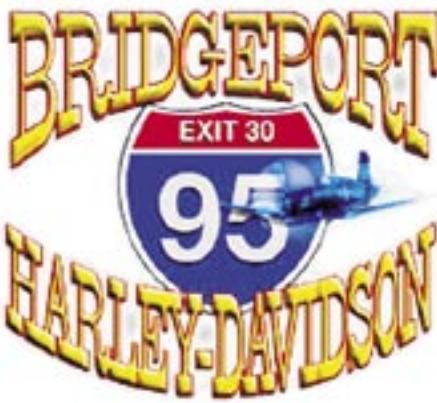
"A lot of it is common sense," Monroe Police Lt. Brian McCauley said. "If you look at your house, what do you see? Do you see open doors and windows? Large bushes by windows that are easy to hide behind?"

"Burglaries typically occur during the day when nobody's home," Stamford

Police Lt. Sean Cooney said. "The vast majority of burglars don't want confrontation."

All three lieutenants said homeowners should stop their mail and newspaper deliveries when going on a long vacation,

- See **Burglary** on page 12




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PCAC Honors Stamford Officer

Stamford Police Officer Glenn Coppola has been selected by the Police Commissioners Association of Connecticut (PCAC) as one of three Connecticut lawmen to receive its distinguished public safety award.



Glenn Coppola

Coppola has served the people of Stamford for 30 years and has made a significant impact on the department and the community with his professionalism and caring manner, according to a release by the department. He and his wife Peggy are well-known for their involvement in turning a personal tragedy into a positive for the community when they started the annual Timothy Coppola Memorial

Bicycle Helmet Giveaway, following their son's fatal injury from a riding accident. Since 1995, with the help of volunteers, they have given away more than 24,000 free bicycle helmets to area children.

Also being recognized by the organization are Cheshire Police Sergeant Philip Giampietro and East Haven Police Captain James LaBanca. Giampietro has distinguished himself as a leading educator and law enforcement advocate in the area of driving while intoxicated. Captain LaBanca is being honored for his numerous and varied contributions as one of the state's longest-serving police officers.

Norwalk Officer Dies in Shooting

Norwalk Police Officer Matthew Morelli was fatally shot while on-duty shortly after midnight on March 21, 2008, after calling in a report of suspicious activity while on patrol.



Matthew Morelli

Officers who responded less than one minute later found him shot and he was pronounced dead at the scene with a head wound.

Officer Morelli, 38 years old, had served for more than 11 years with pride and distinction and had received numerous departmental commendations and complimentary

letters from the public. While assigned to the patrol division, he had also served in the Community Policing Unit as well as a member of the SCUBA Team.

Officer Morelli was a veteran of the United States Marine Corps, honorably discharged in 1996. He served as an intelligence analyst, held a security clearance and was a combat veteran.

An intensive multi-agency investigation is currently under way. At time of press, the cause of death is still undetermined.

Hamden Officer Receives State, National Elks Association Awards

Lieutenant Kevin Samperi of the Hamden Police Department has been named both the state and national recipient of the 2007-2008 Enrique S. Camarena Award by the Connecticut Elks Association and the Benevolent and Protective Order of Elks of the USA.

The award honors law enforcement officers who have made a significant contribution in the field of drug prevention and is named after a young Drug Enforcement agent who gave his life

trying to stop drug traffickers in Mexico, just over 20 years ago.

Samperi, nominated by the Hamden Elks, began his police career at age 19 with the Ansonia Police Department. As a young rookie he worked with residents of a housing complex to remove drugs and drug dealers. With the Hamden police, he was assigned to undercover work as an investigator with the



Lt. Kevin Samperi

Street Crime Unit. His work there lead to his placement with the Connecticut State-wide Narcotics Task Force as undercover investigator where he assumed a leadership role as the primary undercover officer. Working in cooperation with state police, FBI, and DEA task forces, the group seized hundreds of thousands of dollars worth of narcotics,

paraphernalia, and firearms, resulting in the arrest and jailing of many high-level drug dealers.

Samperi, presently assigned as shift commander in the patrol division, has been recognized with numerous unit citations and awards, including the New England Narcotic Enforcement Officers' Association 2003 Special Achievement Award. He also has been cited for his accomplishments in a letter from Connecticut Governor Jodi Rell.



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Safe Drinking Water for Fairfield County

Joint Effort of Federal, State, and Local Agencies

By PAMELA FALCIGNO
Correspondent

The simple act of turning on a faucet to get clean, safe drinking water is easy to take for granted, but behind the scenes is a collaborative effort by federal, state, and local agencies and a complicated network of local reservoirs, treatment facilities, and distribution pipelines working to get it to homes and businesses in Fairfield County.

Both the adequacy of supply and purity of public drinking water to over 2.5 million people fall to the supervision of the Connecticut Department of Public Health (DPH), which is responsible for all aspects of public drinking water throughout the state.

Federal standards require testing for safe levels of more than 83 chemical and bacteriological regulated contaminants in drinking water, according to Darrell Smith, who manages the state DPH Drinking Water Section. Anything "out of line" during a routine water quality test is a "tip," says Smith, pointing to a potential mechanical problem related to water treatment, or even a security breach of the system.

Aquarion Water Company, headquartered in Bridgeport, which supplies drinking water to most of Fairfield County, conducts daily testing at its various treatment facilities and reservoirs for contamination from either natural or deliberate sources.

Should tests show a particular water source to be "unsafe" for the general customer, Aquarion would take that water supply off line and use an alternate supply, says Len DeJong, who as manager of Watershed and Environmental Management is responsible for overall security at Aquarion.

Aquarion has its own police department with full- and part-time officers certified by the state. They carry weapons and have arrest powers in towns where the water authority has responsibility. These include "service towns" where Aquarion supplies water to customers and where treatment plants are located, and "land towns" in which watersheds and reservoirs are located.

Use of water authority property is by permit only, and trespassing is the most common security issue. DeJong says the officers are good at judging innocence from a deliberate act of trespass. In the event of repeat trespass violations, police have powers to enact fines and issue arrest warrants.

"Nothing goes unchecked, if you will," says Smith. On a day-to-day basis, Aquarion is diligent in monitoring facilities by limiting access with chain link fences, surveillance cameras, and other devices.

Aquarion's chief of Law Enforcement and Security, Ralph Fensore, says that breaches in security must be reported



Unwanted visitors are warned by signs and deterred by barbed wire and fences that block water supply areas.

to the state DPH and incidents are forwarded to the State Police, Homeland Security, and the FBI.

Security alerts will also flow down from Homeland Security and may result in the issue of a general alert to all involved agencies.

Aquarion's police force works closely with many local police departments. "They are our eyes and ears," says DeJong. The Department of Environmental Protection and its conservation officers are also strong allies as they focus their patrol on land where the reservoirs are located.

The Connecticut Department of Emergency Management and Homeland Security acts as a coordinating agency for all those involved. That role was illustrated in an incident related by Deputy Commissioner Wayne Sandford.

A pontoon plane made an unauthorized landing on one of the Metropolitan District reservoirs serving Greater Hartford, and onlookers described what appeared to be liquid being poured into the water. Police were contacted but

upon arrival were unable to detain the plane, so they contacted the Federal Aviation Administration. The water source was temporarily shut down, the DPH was contacted, and samples were taken from the area of the landing. When the plane landed at its destination, state troopers met up with the pilot and discovered it was an innocent act of refueling.

"It was a good exercise for us," says Sandford, "because we were able to engage the FAA to track the plane, different law enforcement agencies to be there when they landed, and health department and Metropolitan District Commission to do testing of water. All tests came back negative, showing that the water was safe to drink."

All state and law enforcement agencies are aware of any potential vulnerability to public drinking water supplies. Groups meet on a periodic basis to discuss security issues, threats, and vulnerabilities to public drinking water systems. Full-scale and desktop drills are conducted for worst case scenarios for not only terrorist acts, but natural disas-

ters such as hurricanes which can cause power outages and contamination.

"The public needs to know that security and safety of the water is a high priority," says Sandford.

Connecticut's Wastewater Agency Response Network, or WARN, is a voluntary organization comprised of utilities providing assistance to each other in the form of personnel and resources during emergencies by means of a pre-arranged mutual aid agreement. The mission, according to the agency's Web site, is to support and promote state-wide emergency preparedness, disaster response, and mutual assistance matters for public and private water and wastewater utilities.

With renewed emphasis since 9/11, water companies are communicating and emphasizing to customers the need to contact police or the local water authority should they see suspicious activity near public water supply facilities or reservoirs.

For more information go to www.ctwarn.org.

(p.falcigno@thejusticejournal.com)



What If...?

By **CAPT. GARY MACNAMARA**
Fairfield Police Department
Special to The Justice Journal



School Violence Continues to Teach Us Painful Lessons

What if the word "Columbine" was only the name of a high school in Colorado? Prior to Tuesday, April 20, 1999, it was, but that was the day that changed "Columbine" from just a name, to a word synonymous with school violence.

In these days it has been used as a verb, as in "I will 'columbine' this school." It has been used as an adjective: "I will commit a 'columbine-like' attack," and as a noun.

That change was caused by two Columbine students who killed 12 students and a teacher in a devastating and shocking attack. The attack would change how our nation, and the world, would think about school safety and school violence and the way in which law enforcement would deal with future incidents in a school atmosphere. The major focus on lockdown procedures today came from studying the events at Columbine High School. It also sparked a huge debate on the effects of video games, violent movies, bullying, and school cliques in our high schools, and the role any of these may have played in the attack. Columbine lingers as a painful reference point in every instance of school violence since.

What if it happened again? What if, after all the lessons learned, all the preventative procedures implemented, and all the pain felt, another incident of school violence occurred? After all the attention and discussion, could it happen again?

It has, maybe more than we would like to admit.



Eight days after the Columbine shooting, the first fatal high school shooting in Canada in 20 years occurred. A month later, six students were injured at Heritage High School in Conyers, Georgia. The remainder of 1999 ended with at least three more school violence incidents resulting in one death and eight injuries. The year 2000 was no better. In February a 6-year-old girl in Michigan was shot and killed by a 6-year-old classmate in an elementary school. At least four more students were killed and two injured in four other incidents. Incidents

of school violence happened again, in at least seven separate incidents, in 2001. One of the worst that year occurred in March, when two were killed and 13 injured at Santana High School in California.

In 2002, the most violent incident occurred in Germany, where 16 were killed and 10 were injured. In fact, every year since Columbine, at least one significant incident of school violence has occurred in the United States. There are also less publicized events that occur in schools around the country everyday. According to the Institute of Education Services for the U.S. Department of Education, in 2005 through 2006, 78 percent of schools experienced one or more violent incidents of crime.

What if the devastating incidents of school violence continued to happen? Could it get worse? It did. On April 16th, 2008, members of the Virginia Tech community plan to remember the first anniversary of the shooting rampage on their campus. Thirty-three were killed and countless others were injured. The killing started in a dorm room, where two students were killed, and continued several hours later in an academic building, where the rest of the victims were attending classes.

Once again, as in "Columbine," "Virginia Tech" has become synonymous with school violence. Student

- See *What if* on page 20



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Burglary—

Continued from page 8

because the buildup is a telling sign of inactivity.

Grass and Snow Indicators

"If the grass is not cut or if it snowed three days ago and nobody shoveled the driveway, those are indications that no one is present—a green light for a burglar," Cooney said.

Walsh agreed with Cooney's assessment, adding, "Anything you can do primarily to make it so your home doesn't appear invitingly vacant would help."

Cooney suggests placing something in the front yard that you would not miss if it disappeared, like a tricycle, so your house looks more active.

"If you leave a car in the driveway rather than in the garage, it will look like someone's home," he said, offering another tip.

McCauley recommends that homeowners install outdoor lights with motion sensors so they know when someone is in their yard at night, and so a would-be burglar may think someone is home when they're actually away.

When You Are Away

Walsh said all first-floor windows should be shut and locked. "If windows are closed or locked, a burglar would probably have to break the glass," he said. "We sometimes get calls of breaking glass when neighbors are alerted. Burglars are sometimes apprehended by way of a quick response."

Cooney said a neighbor could be asked to watch your place. But in most cases, he added, you should tell only close family members or friends, people you can trust, that you are going on a trip.

Cooney explained how personal information could easily fall into the wrong hands. "The guy who runs the dry cleaner might be a good guy," he said, "but he may have a kid who does deliveries who tells a friend."

Lock your door and check to make sure it is secure when going out, Walsh said, adding that while no lock will make your home a fortress, a deadbolt is always a good idea.

"Deadbolts that actually enter into the doorjamb—the framing surrounding the door—are much more resilient to forcible entries," he said.

Just as breaking glass to climb through a window could give a burglar away, Walsh said such a deadbolt would make the intruder use a higher—and louder—degree of force.

McCauley said not to hide a spare key outside, because burglars are aware of the practice. But Walsh is not dead set against it as long as the key is not hidden in an obvious place.

What if I'm Home?

There are also precautions that should be taken when you are home, according to McCauley. Do not leave garage doors open, even when you are home, because

it advertises desirable items such as power equipment and ATVs, McCauley said.

He said people with alarms often make the mistake of shutting them off when they go to bed.

"You can disable the motion part of it so it's just an outside alarm for exterior doors and windows," McCauley said. "If people have questions about how to use their alarm, they should contact their alarm provider."

When someone breaks into a home and attacks or robs its occupants, such as in the deadly tragedy in Cheshire, it is called a home invasion, according to Cooney, who added that such crimes are rare.

A rare type of burglar, who tries to sneak in and sneak out when people are home, is called a cat burglar, Cooney said. Other times, a burglar and a homeowner may cross paths because the burglar mistakenly thinks nobody is home.

"If you hear someone downstairs, lock yourself in your bedroom, dial 911, and stay on the phone," McCauley said.

"Confronting a burglar is a personal decision," Cooney said. "But I would not advise risking your life for personal property. Do you want to risk your life over a piece of jewelry?"

"I would not advise a physical confrontation with an unknown person," he continued. "Obviously, it's a different story if he attacks you or threatens your children."

Whether they hear a suspicious noise and think someone has broken into their home, or see a suspicious person or vehicle in their neighborhood, Walsh said citizens should never feel uncomfortable about calling police to report it.

Protecting Your Valuables

No matter how vigilant people are at protecting their homes, burglars will still succeed from time to time. McCauley suggests keeping a list of valuables, increasing the likelihood that, following a burglary, they may one day be returned.

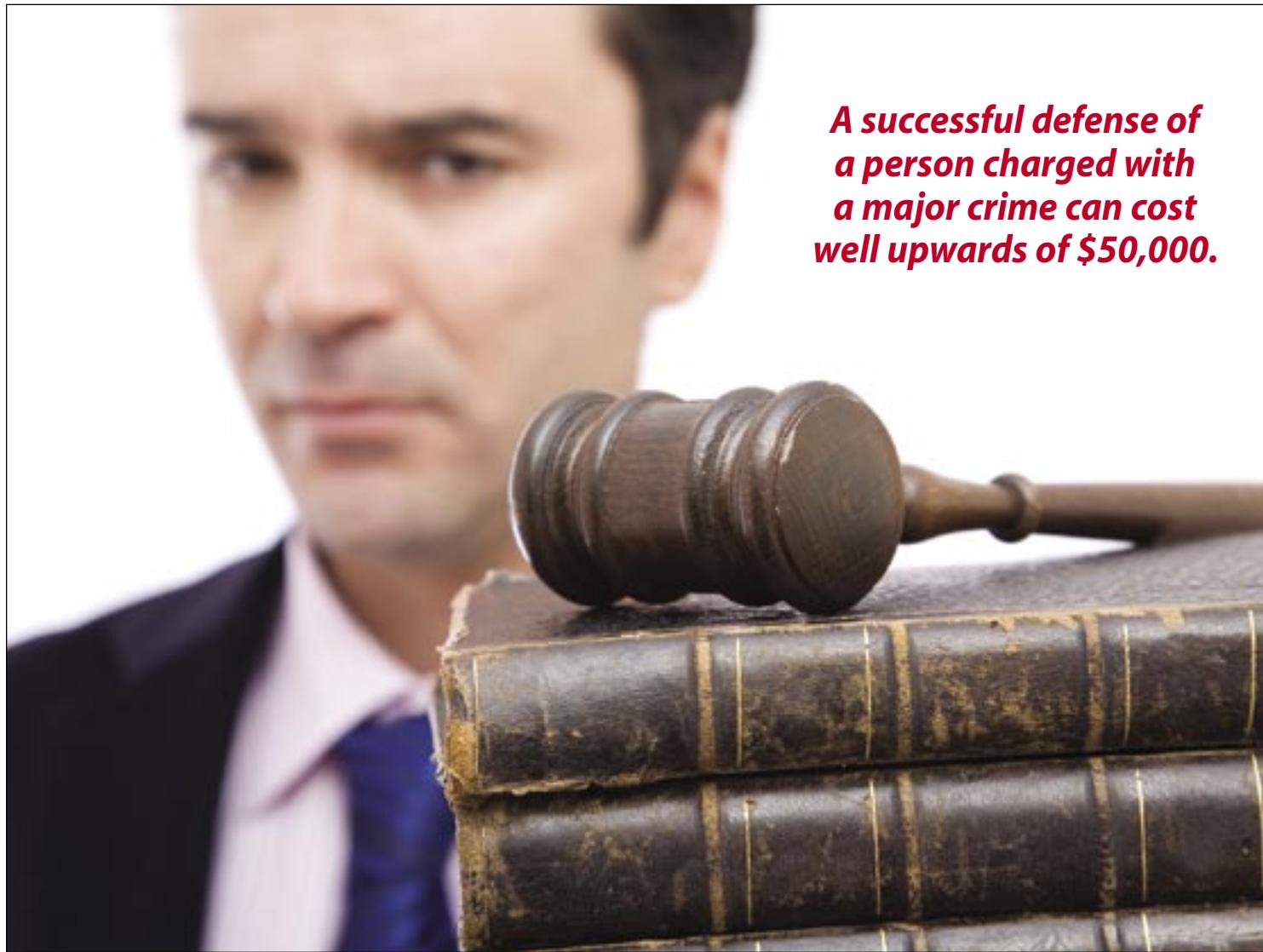
"If you are able to engrave them and put an identifying mark on them, they're easier to identify if they're stolen," McCauley said.

However, he said homeowners should never use numbers from sensitive information, such as a Social Security number.

"If you have valuables, it's not a bad idea to videotape the rooms in your house with everything in place," McCauley said. "Insurance companies recommend that." But if the proper measures are taken to discourage burglars from striking, Walsh believes most homeowners will never have to deal with their insurance companies.

"I think if we take the real commonsensical steps to make sure our homes are not easy prey, there's a good chance we can live burglary free," he said.

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A successful defense of a person charged with a major crime can cost well upwards of \$50,000.

Representation—

Continued from page 1

the firm will charge to pay all of its costs associated with defending clients. A typical law firm not only has attorneys on staff but paralegals, secretaries, and clerical staff, too. All of their salaries and benefits, as well as overhead such as basic utilities, must be paid in addition to the salary of the lawyer assigned to a case.

A murder case can involve as many as 100 hours of research costs incurred before it even goes to jury selection. In addition, depending on the case, legal firms may have to hire the services of a private investigator and other professionals to bolster the defense.

That doesn't mean that lawyers are only out for the buck and don't care about the financial status of their clients.

Take Attorney Joseph Walsh, for instance, of the Bridgeport law firm Cohen and Wolf, which handles a wide range of legal issues ranging from appellate law to criminal and personal injury to commercial litigation cases.

DUI Case Averages \$2,500

Walsh, the resident attorney in Cohen and Wolf's Danbury office, has been known to be a bit soft-hearted at times. Walsh estimates that a first-time offender who seeks representation for a driving under the influence charge can expect to pay an average of \$2,500 before the case is completed. That could go as high as \$3,500, however, depending on the lawyer handling the case and the circumstances. But Walsh said that on

occasion he has dropped the fee to the \$2,000 range.

"I don't charge that much if a person is in a bad spot," he says. Walsh notes that people who are convicted of driving under the influence of alcohol or drugs also are going to lose their driver's license, which may have an additional financial impact for wage earners.

Criminal cases involving misdemeanors or lower-level felonies will naturally cost more than a DUI case, because they usually involve more court appearances. The price range in those cases can be wide depending on the nature of the case.

Simple First Offense, \$5,000

A first-offender who has made a mistake and is remorseful still may end up paying up to \$5,000 for quality representation. But, as the case becomes more difficult and defending the client becomes more complex, requiring more court appearances, the fees steadily climb upward.

The truth is, when charged with a serious crime, most people can't afford a private firm, and most don't fall within the financial guidelines to qualify for a public defender.

But the average middle-class client still can obtain highly competent legal representation if care is taken to research the field. Most law firms take out ads in professional publications and telephone directories, many have Web sites, and some have regular television and radio

advertisements. But, the ads don't tell a potential client everything that is necessary to know before deciding on whom to hire.

Many lawyers advocate testing and certification by the National Board of Trial Advocacy, which maintains a database of lawyers that can be narrowed by type of practice and specialties, all online.

"Without a board certification it is hard to decide who to hire," Meehan says. He supports state laws that require specialty certifications as a means of consumer protection in the legal profession.

Nonetheless, even defendants of average means who are charged with serious crimes can end up so deep in a financial hole that they ultimately have public defenders handling their cases.

Most Don't Have Means

Patrick Culligan, managing attorney for the Capital Defense Unit of the Division of Public Defender Services says that in most cases involving serious crimes, and virtually all capital felonies, the bail is set at \$1 million.

Most defendants can't afford that bail. "Even if they own a home, they don't have enough equity" to make that bail, Culligan notes. As a result, the accused stays in jail, which usually means loss of jobs and loss of income, and then the case is referred to the public defender.

Not only is it outside the ability of most people to afford high-end trial attorneys, most consumers don't spend much time researching qualifications when they are in trouble. A lawyer is a lawyer, the saying goes, and when a defendant is in jail it is more important

that someone answer the phone when the call is made for help, rather than who that person may be.

It can easily cost \$5,000 just to get an appearance in a serious criminal or civil case. But appearing on behalf of a client is just the beginning of a long process.

Case preparation can include exhaustive interviews with witnesses for the defense and the prosecution, document reviews, and preparation for testimony.

Defense attorneys often rely on former police detectives or FBI agents for private investigations because their law enforcement backgrounds ensure they will "think like a prosecutor." Homicides and sexual assault cases are typical of those where a private investigator is essential.

It is important to find out before going to trial if there are flaws in a witness's testimony or if the story has changed from one interview to another.

Logistical Problems

In addition, lawyers can't do much of the pretrial questioning themselves because they would become a witness in their own case if a witness flip-flopped. The logistical problems associated with that scenario are extensive, since another lawyer would have to take over the case.

There are, however, ways to reduce the financial impact of adequate legal representation, since many of the driving factors behind high costs are ingrained in our present system.

For instance, once a case goes to trial it is not uncommon to spend two weeks on jury selection. In the present system, jurors are called to court only for one day.

In that day they first go through a basic orientation period and then another instruction period on the case they may be judging. Jurors may not be questioned on their qualifications to serve on a particular case until nearly 11 a.m. Then the voir dire process of interviewing individual jurors who are brought in to the courtroom one at a time can take up to an hour per person for both the prosecution and defense.

Selecting sufficient jurors for a 12-member panel, plus two alternates, can be an exhaustive exercise. In addition, the defense lawyer is working on the case, and thus billing the client, both before and after court.

Jury selection can take four full days in the courtroom. Trials themselves can run two or three weeks for serious charges, and again, the lawyer must prepare for each day of testimony.

Defense attorneys can spend days preparing each individual question for each witness, leaving nothing to chance. There are very specific rules for examining and cross-examining witnesses, in addition to pitfalls that can trip up the unwary trial attorney.

There also is enormous preparation time, as the defense attorney must review the state's evidence and prepare witnesses for testimony. All in all, a successful defense of a person charged with a major crime can cost well upwards of \$50,000.

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Bridgeport Harbor—

Continued from page 1

sky, and trains had stopped running or were on limited schedules. The exception that day was the ferry steaming into the Bridgeport Harbor, which was still open and running. It was the only link between New York and Connecticut and one of the limited options to leave Manhattan. Even the U.S. Coast Guard allowed foreign-flag vessels to dock in Bridgeport on 9/11, and cruise ships requested to offload passengers who were stranded at sea with no other ports open to them.

Since then, the BPA, a quasi-public entity that has jurisdiction over the entire Bridgeport Harbor, has taken significant steps to beef up this vital water link, applying for Homeland Security grants. In three rounds of federal funding beginning in 2003, the BPA has received about \$5 million to improve harbor area security.

The result today is Bridgeport Harbor has become a highly secured port, featuring the latest high-tech security equipment and a greatly reduced vulnerability to terrorist attacks. As Riccio pointed out, the BPA owed it to the region and the more than one million people who annually travel the Bridgeport & Port Jefferson Steamboat Company ferry that lands at the Water Street dock located at the waterfront.

“Bridgeport Harbor is a vital and active port,” Riccio said. “Between the commercial boats coming in here and the ferry passengers, we need to make our harbor as secure as possible. We’ve been fortunate to receive Homeland Security grants that have allowed us to create as safe an area as possible.”

It’s a big job protecting the Bridgeport Harbor area that stretches for a couple of miles and includes several businesses, such as Derektor Shipyard, Coastline Terminal for general cargo, lobster and oyster fishing companies, several private marinas, the Fairfield University Rowing

Club, and the PS&G power plant.

What’s more, ships and barges hauling coal and gasoline and oil tankers use the harbor waters. Approximately five million tons of cargo are shipped into the harbor annually. Derektor Shipyard, one of the premier builders of private yachts and high-speed ferries, also generates a great deal of maritime traffic in the harbor.

In Riccio’s opinion, BPA has spent the grant money wisely on state-of-the-art security equipment and software, which has also allowed it to put more stringent security measures and procedures in place. Some of those security improvements are:

- A second high-speed police boat, operated by the Bridgeport Police Department Marine Unit, is capable of speeds up to 50 miles per hour. The patrol boat is fully equipped with security and communication devices for patrolling the harbor and Long Island Sound;
- A command center of monitors based at the ferry terminal and headquarters of the BPA, to survey the harbor area;
- High-intensity lighting and fencing around the ferry terminal;
- Sophisticated sonar equipment for monitoring the harbor bottom as well as the submerged hulls of tankers docking in the harbor;
- Explosive-detecting devices to scan vehicles using the ferry as well as portable barriers to contain vehicles.

“Our security system is so sensitive, it can detect the difference between an intruder and the wind blowing,” Riccio said. “This allows us to make the entire maritime complex safe from any security threats.”

U.S. Representative Christopher Shays of Connecticut, a member of the Homeland Security Committee who represents the Fourth Congressional District, which encompasses Bridgeport



Bridgeport Harbormaster Joseph Savino on patrol in the harbor.

Harbor, has played a major role in helping to procure Homeland Security grants for the BPA. He places port security as a high priority for Connecticut.

“Our waterways are crucial to the economy in our region, so we need to take every step we can to keep them secure. The federal funding received has helped the Bridgeport Port Authority improve their surveillance and detection capabilities to help keep the port safe,” Shays said.

Bridgeport Harbormaster Joseph Savino, who works along with the Bridgeport Police Department Marine Unit to keep the harbor area secure, says it is a demanding job but he is relieved to have the state-of-the-art security equipment to keep a vigilant eye on the harbor.

“We’re happy to have all the security equipment that we can,” Savino said. “This is a busy port area. We also assist the Customs Department and the Coast Guard with patrolling and helping

stranded boaters. Our new boat is already paying for itself.”

Fortunately, there have been no terrorist attacks, but Savino, a retired Bridgeport police officer, and the Bridgeport Police Marine Unit have responded to several distress calls with the new 24-foot Boston Whaler. Savino recalls that the special dive door in the bottom of the boat allowed the police to rescue two windsurfers, who were in distress and floating out to sea. Because one windsurfer had a severe shoulder injury, the police were able to maneuver him onto the boat through the dive door.

“We’re still in training with a lot of our equipment,” Savino said. “But we can see how the sonar equipment gives us a much better understanding of what the bottom of the harbor is really like. We plan to conduct a study that will map out the exact depth of the entire harbor.”

While the BPA has installed state-of-the-art equipment with its federal funding, there is always more that can be done. Riccio is aware that security is a relative term, and no place is impervious to a sophisticated terrorist attack. The BPA plans to continue to apply for additional federal grants in the future to keep pace with the latest equipment improvements and to accommodate the changing face of the waterfront.

The BPA views the harbor as an alternative transportation mode to the highway and trains with a tremendous potential to grow in the future. To keep the port thriving as an important economic development tool for the Fairfield County region demands that it be secure.

“We’ve installed the best equipment to create as secure an environment as possible,” Riccio said. “It’s been money well spent that closes any gaps in our security and makes us significantly less vulnerable to terrorists’ attack or natural disaster. Our port is in a key strategic area. We’re taking the necessary steps now to make our future more secure.”

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(Photo by Robert J. Jiménez)

Elder Abuse—

Continued from page 1

number of elder abuse crimes will only increase," DeMattia observed.

DeMattia says the course of elder abuse gets progressively worse, and if discovered, the elder usually tries to shield the abuser from punishment. It is not only because the victim fears the abuser; shame and guilt also play into the reluctance to admit what's going on. It sometimes follows a lifelong pattern of protecting the abuser, who is usually a child or family member.

"The saddest part is, the son rips off the mom and the mom ends up broke. She is now forced to move in with the son...and that can escalate to physical abuse," explained DeMattia.

"Sadly...about 75 percent of the time it's a family member and usually involves embezzlement," DeMattia said. "They have power of attorney or conservatorship and they end up taking the money for their own use...leaving the parents destitute. It's almost insulting because it tends to be people in my age bracket, 45, and they tell me, 'I didn't steal the money...my parents are leaving it to me in their will, and it's mine.' They justify it as their inheritance."

DeMattia says he's heard that excuse so often his department coined the phrase, "accelerated inheritance."

"And, they will literally look at you and say, 'That's my money. My mom said I could use it.' I say, 'Yes, maybe to take fifty dollars or so...not to re-mortgage her house twice and lose it.' The victims," DeMattia says, "end up on Title 19, which means the taxpayers subsidize them, or in a nursing home, or living hand-to-mouth."

Such financial and emotional devastation also impacts an elder's physical health. Victims often make themselves physically ill after being robbed and wind up in a nursing home to live out their last years.

DeMattia decries what he sees as a change in our society in which we isolate or warehouse seniors. "When I grew up we were in neighborhoods where everyone knew everyone else and everyone helped everyone else. If someone got laid off you brought food over...you got your kids looked after. (But) as everyone became more affluent, no one wanted to know anything. It's all about privacy. We don't want to have grandma and grandpa and uncles living with us. We want to do our own thing so we end up putting them in assisted living or a nursing home. And everyone feels like they are heroes when they call mom or dad or grandma or grandpa

Types of Neglect and Abuse

There are several classifications of elder abuse outlined by the Prudence Crandall Center for Women in New Britain:

- **Passive Neglect:** The unintentional failure to fulfill a caretaking obligation.
- **Active Neglect:** The intentional failure to fulfill caretaking obligations.
- **Psychological Abuse:** The infliction of mental anguish, including name-calling and ignoring the senior, and behavior that is demeaning, insulting, and humiliating to the senior.
- **Material & Financial Abuse:** The illegal or unethical exploitation of funds, property, or other assets of an older person for personal gain.
- **Physical Abuse:** The infliction of physical pain, including pushing, shoving, restraining, slapping, and punching.

for 15 minutes."

DeMattia says this isolation makes elders easy targets for stranger predators. "When you are looking forward to a telemarketing call because you don't have any relatives or nieces or nephews or sons or daughters calling you, it's pretty sad. These people end up being the victims with whom I work because their own families aren't paying attention to them or the people that are out there preying on the seniors." DeMattia adds, "(Some) seniors are on an island and when they get abused they don't know where to turn or what to do."

Deak says keeping the elderly connected to society is vital. "There's a whole variety of services out there to assist the person from being isolated," she explains. "When people are at risk in the community, and that could include being quite frail or having mobility impairments, there are programs that can assist people in their homes. One of them is the Connecticut Home Care Program for Elders. If the person is eligible, a case manager can go out and do an assessment with the individual and/or with the family...(about) what kinds of services are needed."

In addition, Deak notes, senior centers are focal points in many communities, meals on wheels are offered, churches minister to the elderly, and in many communities adult daycare is also an option.

DeMattia's responsibilities include educating the elderly about those services, so he regularly addresses senior groups across the state.

"They respond," he says. "You see in their eyes how appreciative they are that someone is paying attention. I think a lot have the feeling that they are forgotten, and we get a lot of satisfaction in our job because we get to help."

But most often that help comes too late to salvage the elders' savings.

"We've arrested a lot of people who have gone to jail," DeMattia says. "But I can count on one hand the times we've gotten their money back. By the time my department gets involved, the money is gone. Even if the guilty party goes to jail, I'd much prefer getting the money back, so (the elder) doesn't have to worry about paying the rent or getting medicine. All I can do is put the person in jail. Then they come out, end up on probation, and pay \$50 or \$100 a month back to the victim for five years" – not much help to those at the end of their lives.

DeMattia says an alert public can help intervene in cases before it's too late.

"You know how everyone fears the nosy neighbor? Well, I like the nosy neighbor. Someone looking out his or her window sees something. We've developed cases from situations like that," he says. In addition, as with child abuse and neglect, there is a list of mandated reporters for elder abuse, including doctors, nurses, nursing home staff, patient advocates, and clergy.

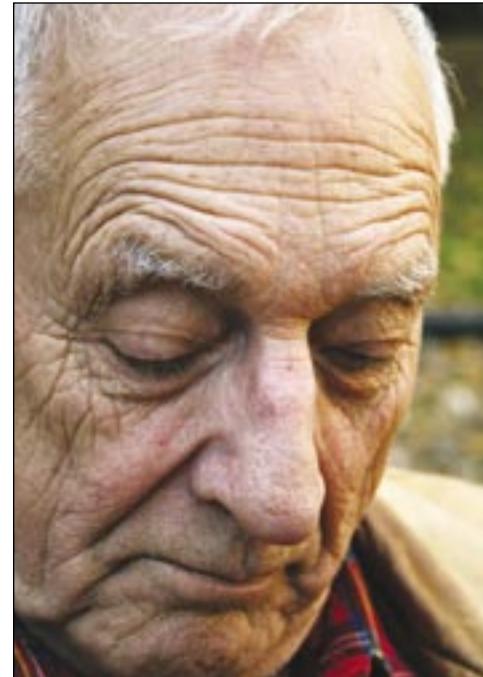
DeMattia loves his work, because he can see the difference it makes in the lives of seniors. "It's the best job I could do because of the group we serve. We in this department get a lot of satisfaction knowing that we get to help."

If you suspect domestic elder abuse and you are in Connecticut, call **1-888-385-4225; out-of-state, call 1-800-203-1234**. If you suspect abuse in a nursing home, residential facility, or assisted living community, contact Connecticut's Long Term Care Ombudsman Program at 1-866-388-1888. If you would like information concerning services and programs to assist seniors and their families, call your local Area Agency on Aging at 1-800-994-9422.

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FACT SHEET - NATIONAL CENTER ON ELDER ABUSE:

Elder Abuse Prevalence and Incidence



No one knows precisely how many older Americans are being abused, neglected, or exploited.

While evidence accumulated to date suggests that many thousands have been harmed, there are no official national statistics for several reasons:

- Definitions of elder abuse vary. It is difficult to pinpoint exactly what actions or inactions constitute abuse, and the problem remains greatly hidden.

- State statistics vary widely as there is no uniform reporting system.

- Comprehensive national data are not collected. In the absence of a large-scale, nationwide tracking system,

studies of prevalence and incidence conducted over the past few years by independent investigators have been crucial in helping us to understand the magnitude of the problem.

What Do the Studies Say?

Prevalence

- According to the best available estimates, between 1 and 2 million Americans age 65 or older have been injured, exploited, or otherwise mistreated by someone on whom they depended for care or protection.

(Elder Mistreatment: Abuse, Neglect and Exploitation in an Aging America. 2003. Washington, DC: National Research Council Panel to Review Risk and Prevalence of Elder Abuse and Neglect.)

- Data on elder abuse in domestic settings suggest that 1 in 14 incidents, excluding incidents of self-neglect, come to the attention of authorities.

(Pillemer, Karl, and David Finkelhor. 1988. "The Prevalence of Elder Abuse: A Random Sample Survey," *The Gerontologist*, 28: 51-57.)

- It is estimated that for every one case of elder abuse, neglect, exploitation, or self-neglect reported to authorities, about five more go unreported.

(National Elder Abuse Incidence Study. 1998. Washington, DC: National Center on Elder Abuse at American Public Human Services Association.)

- Estimates of the frequency of elder abuse range from 2 percent to 10 percent based on various sampling, survey methods, and case definitions.

(Lachs, Mark S., and Karl Pillemer. October 2004. "Elder Abuse," *The Lancet*, Vol. 364: 1192-1263.)

- Current estimates put the overall reporting of financial exploitation at only 1 in 25 cases, suggesting that there may be at least 5 million financial abuse victims each year.

(Wasik, John F. 2000. "The Fleecing of America's Elderly," *Consumers Digest*, March/April.)

Incidence

- In 1996, nearly 450,000 adults aged 60 and over were abused and/or neglected in domestic settings. Factoring in self-neglect, the total number of incidents was approximately 551,000.

(National Elder Abuse Incidence Study. 1998. Washington, DC: National Center on Elder Abuse at American Public Human Services Association.)

- In 2000, states were asked to indicate the number of elder/adult reports received in the most recent year for which data were available. Based on figures from 54 states and territories, the total number of reports was 472,813.

(A Response to the Abuse of Vulnerable Adults: The 2000 Survey of State Adult Protective Services. 2003. Washington, DC: National Center on Elder Abuse.)

(National Ombudsman Reporting System Data Tables. 2003. Washington, DC: U.S. Administration on Aging.)

Educating and Talking With Children is the Best Protection from Internet Predators

Anyone with a computer is a potential target of Internet predators, but the best way to protect your children is by educating them, believes FBI Special Agent Kathy Shumaker.

The profile for a child victim defies description, but there are conditions that make them vulnerable. "I can't tell you how many homes I've sat in and felt like I was in my own home," Shumaker said. "Their house is cleaner than I've kept my house. There's a stay-at-home mom and a hard-working dad. And I would say there are just as many boy victims as there are girls. I don't think it's accurate that the vast majority of victims are girls, based on what I've seen here. I think girls may be more reported because there is not the homosexual aspect."

Shumaker, a 22-year FBI veteran who recently completed a nine-year assignment as coordinator of the Computer Crimes Task Force in New Haven, added that a victim is often someone who tends to be a risk-taker, has low self-esteem, feels he or she doesn't have any friends, or can't talk to his or her parents.

"But you have to realize that it's not necessarily that every day they have low self-esteem," she said. "They could be online one day and they've failed a test or had their best friend say, 'That's an ugly dress' or 'I don't want to talk to you anymore.' And that is the day that John Smith is out there and says, 'Hey, I'll be your friend.'"

"That girl could be a perfect A-student every other day of the week, and suddenly, the girl is this guy's goal now. His job is to get her to meet him. Some will take months and some will do it in a matter of weeks."

To try and catch a predator, Shumaker would often go online with a fake name and pose as a girl. "Everybody makes it sound like it's hard," she said. "But these guys, once they get in that mode, they don't care. Once they get in that mindset, you could accidentally



make a comment like you grew up loving the Beatles, and it goes right over their head. Of course, if you loved the Beatles, you've got to be over 13, but they're not thinking like that."

Because of freedom of the press, cyber-sex — or just talking about sex online — is not criminal, but Shumaker believes it has harmful effects. "When you do that with a 13- or 14-year-old girl, it breaks down their inhibitions," she said. "So the next time they're talking to somebody, they've already been exposed to thoughts and ideas. They're more sexually aware and aggressive. So cyber-sex is still a subtle way of victimizing the kids."

Possession of child pornography is another way to victimize children. "With possession," Shumaker said, "you're looking at pictures of children who did nothing other than maybe have an uncle or a neighbor or a friend victimize them. It's not just possession, because every time those pictures are up, that child is being victimized again. And every day, some old guy looks at those pictures and gets off on that child being molested."

Shumaker says that the most rewarding (and also the hardest) cases are the ones where she is dealing with the victims. "So often," she said, "they are 13- or 14-year-old girls, and they feel so responsible. They feel guilty. They don't realize that this guy, who ultimately they had sex with, planned for months and was online looking for anybody who would bite. They fall in love with these guys and want to marry them. These girls don't see that it was somebody's mission to persuade them to have sex."

That mission can be well-planned. "One thing the bad guy will do is send adult pornography first, and if the kid says, 'Hey, that's disgusting' or never talks to him again,

- Continued on next page

Internet Predators—

Continued from page 5

gotten up in the morning and told her mom she was riding her bike over to the stables. And mom says, 'I'll meet you over there.' So mom gets in her truck, waves to her daughter, and drives to the stables. Well, the girl never makes it there. Mom comes back and sees the bike lying in the grass."

The case made a huge impact on Shumaker. "It was horrific," she said. "The mom hadn't done anything wrong. It just turned out that day that somebody had gotten up and said, 'I'm going to rape and murder a little girl.' And that's what

he did. The girl didn't ask to be targeted, and that parent did something any of us would have done. There was nothing she could have done to prevent that."

In 1991, Shumaker was routinely transferred to Chicago, where she worked on domestic terrorism, money laundering, undercover drugs, bank robberies, and violent crimes. It was there she encountered a kidnapping that was probably her most bizarre case. A 13-year-old boy who didn't show up for school had gotten on a bus with a stranger. It was subsequently learned that the boy had been talking to the subject online for about nine months.

Satanic Sex Rituals

"We got the boy off the bus in Kentucky," Shumaker recalls. "The guy had been taking him to Florida, where the subject was living with another boy who was a runaway. The subject had these satanic sexual rituals that he wanted the

boys to engage in.

"But what was really bizarre is that he had initially duped this family in Iowa into believing that he was an alien and he was going to make them wealthy by going up on the towers of financial buildings and taking all the pennies when people would wire money. And these people bought it! So he was living in their basement for a year and a half. They're thinking he's making the money, and all he's really doing is talking to boys online." The family eventually found some child pornography in the basement and demanded that the subject move out."

Shumaker worked in Chicago until 1999 when she transferred to Connecticut. After a year as the coordinator for a gang task force in Hartford, Shumaker was asked to head up the Computer Crimes Task Force in New Haven. "As I go through it historically now," she said, "my whole career has been a foreshadowing of where I ended up."

Where Shumaker recently landed was back in Meriden, focusing on child

prostitution cases. Shumaker said she made the move in the fall of 2007 to take a break from the pace of eight years with the Computer Crimes Task Force. "I tend to get extremely emotionally tied to the cases, and I think you sometimes have to," Shumaker said. "If you don't have any sense of emotion toward the cases, I don't think you should be doing them. But I think you need to take a break every now and then because you can become ineffective if you're always in the panic mode." She says she looks forward to the different pace and cases in her newest role with the Bureau.

At age 51, Shumaker has five more years with the FBI, where the mandatory retirement age is 56. She confesses she has no idea what she will do after retirement, although, of course, her job as a mother will continue. Even now, Special Agent Shumaker has her priorities. "I never say to my son that I have to go to work and it's more important than he is," she said. "I always try to make my son the most important."

(l.taylor@thejusticejournal.com)

Warning Signs for Victims

- Risk-taker.
- Low self-esteem, at times.
- Feel they lack friends.
- Can't talk to parents.

Educating Children—

Continued from previous page

he goes on to the next person. But 70 percent of the kids don't do that. Some of the kids look at it and say 'Whatever' or 'Why are you sending this to me?' Or they may want to be nice and not hurt somebody's feelings. The minute the bad guy sees that weakness, he moves in. Then he'll start sending child pornography and saying, 'You're so special to me, I'd like to meet you, I'd never hurt you.' He gets the girl thinking that it's her idea, so by the time the hookup actually happens, the girl feels responsible."

Shumaker resists efforts to place any blame on a child victim or on the parents. "I often hear that 'The parents should have known better,'" she said. "But you have a case where a girl is a normal adolescent with all the crazy urges and is taking risks. She's online with a guy who's decided to do whatever he wants, so he sneaks into the house and has sex with her while the parents are sleeping. I hear, 'Why aren't the parents aware of that?' But aren't they allowed to sleep at night? What are they supposed to do – sleep outside their kid's door? You cannot blame the parents."

According to Shumaker, education, education, education is the key to prevention of computer sex crimes. "You have to sit down and let your kid know the dangers," she said. "You can't take the computer away, because they need the computer. You don't want to deny your child the technology, so you have to let them know what's involved. You have to educate yourself and then be willing to sit down with your kids and say, 'This is what you're going to see out there.'"

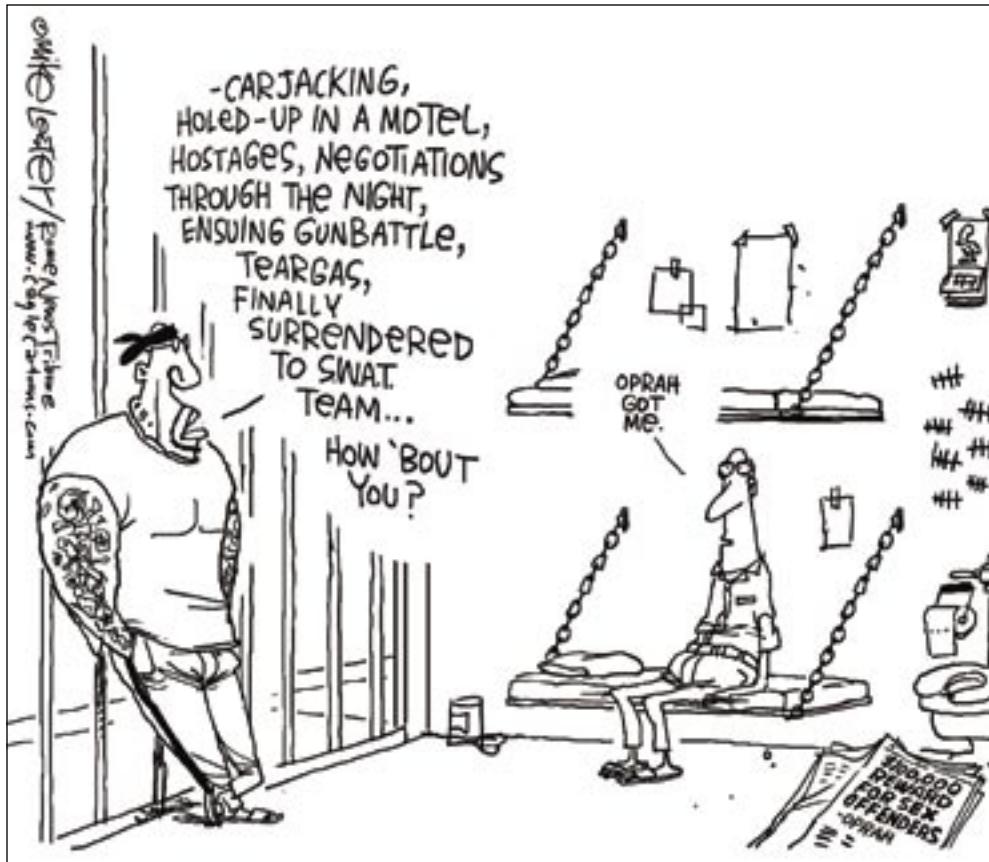
Shumaker is adamant that the education must start early. "If your mom tells you when you're 13 to stay off-line, guess what? That 13-year-old is going to go on the Internet. If she can't at your house, she's going to go to a friend's house. You need to talk to your kids when they're young. When I talk to my son now, and

he's in the fourth grade, he doesn't roll his eyes and think I'm crazy. If you teach them from day one that the Internet has issues, and there's good and bad on the Internet, they learn that as well as learning how to use the Internet. As they grow older, they can be more aware of the more sophisticated issues and problems out there. I think you will maybe head off that young girl on that one bad day. Maybe her antenna will be up a little bit when she's online, and when the guy hits on her, she'll think, 'I don't need you; you're just going to make my day worse.'"

A teenager's private password, of course, can be an obstacle for parents. Shumaker said, "I wouldn't let my son have a computer that I didn't have password control over or I didn't know his password, although that may be unrealistic. It's like having a gun in your house and the only one with the bullets is your kid. It just doesn't make any sense. I understand their need for privacy, but again, you need to start early and say, 'These are the rules.' On the other hand, you can have this perfect set of rules in your own home, and your child can go to a friend's house or to school or the library and open up a whole new account. So that's why you have to educate them."

As a child's sense of right and wrong can be tested on the Internet, so Shumaker views an adult's life as a whole. These beliefs, and her Christian faith, have helped her deal with the stress and pressures accompanying crimes of this nature. "I believe we're tested every day, and that's part of my faith," she said. "I believe God puts tests in front of us every day, and I think sex is one of the greatest tests. Every day, at some level, people are tested. It's as innocuous as a pretty girl walking by and the guy deciding to look or not look at her. That's basically what the Internet is, except magnified a thousand times."

- Leisa Taylor



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Due Process

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Serving Alcohol to Intoxicated Creates Criminal and Civil Responsibilities

Connecticut recognizes two theories of responsibility for those who serve liquor to intoxicated persons who, as a consequence of their intoxication, cause harm to others. The first focuses on persons, including businesses, licensed by the state to sell liquor, under a law entitled the Dram Shop Act. The second area of responsibility focuses on private persons and is referred to as "social host liability."

Although ancient in the derivation of its name, the Dram Shop Act has recently been amended to increase the penalty on violators. Section 30-102 of the Connecticut General Statutes provides in part:

"If any person, by such person or such person's agent, sells any alcoholic liquor to an intoxicated person, and such purchaser, in consequence of such intoxication, thereafter injures the person or property of another, such seller shall pay just damages to the person injured, up to the amount of two hundred fifty thousand dollars, or to persons injured in consequence of such intoxication up to an aggregate amount of two hundred fifty thousand dollars. . ."

The Act applies to the *sale* of liquor by those persons licensed by the state. The definition of "person" includes corporations and businesses. It also provides a strict time limit for notice of a claim to be made and lessens the time within which such a claim can be filed in court.

Under the common law, prior to the creation of the Act, one could recover against only the intoxicated person, the theory being that the proximate cause of intoxication was the consumption of alcohol, not the furnishing of it. The Act is not grounded in the law of negligence, but rather is considered a penalty for serving an already intoxicated person. The key is that there must be proof that the one served was intoxicated at the time. Merely furnishing liquor to someone who then causes injury does not create responsibility.

Prior to 2003 the amount that a single injured party could recover under the Act was \$20,000, and the aggregate limit was \$40,000. The aggregate limit is the total amount recoverable if multiple parties are injured by a single drunk.

As the Connecticut Supreme Court observed in a recent case:

"To prevail, a plaintiff simply must prove: (1) the sale of the alcoholic liquor; (2) that the sale was to an intoxicated person; and (3) that the intoxicated person caused injury to another's person or property as a result of his or her intoxication. . . Accordingly, the act covers all sales of liquor that result in an intoxicated person causing injury, irrespective of the bar owner's knowledge or state of mind. The act thereby provides an action in strict liability, both without the burden of proving the element of scienter [intent or knowledge of wrongdoing] essential to a negligence action and without the benefit of the broader scope of recovery permitted under such an action. It sets, in essence, a minimum recovery opportunity for persons injured as a result of the sale of liquor to an intoxicated person."

In that decision the Supreme Court attempted to broaden the rights of an injured person to recover under common law negligence. Such an action would provide a significantly greater amount that could be recovered as damages. The Legislature did not agree, and the most recent amendments to the Act increased the penalty to the \$250,000 limit but also made clear that common law negligence actions could not be brought against the liquor seller if the person served was 21 or older: "Such injured person shall have no cause of action against such seller for negligence in the sale of alcoholic liquor to a person twenty-one years of age or older."

One Supreme Court jurist, the late Justice Bogdanski, observed the difference in modes of transportation when negligence actions were not permitted, and our modern conveyances that substantially increase the risk of harm from intoxicated drivers: "When most people walked and few had horses or carriages, or even in the days when the horse and buggy was a customary mode of travel, it may have been that the common law rule of non-liability arising from the sale of liquor to an intoxicated person was satisfactory. But the situation then and the problem in today's society of the imbibing going upon the public highways and operating a machine that requires quick response of mind and muscle and capable of producing mass death and destruction are vastly different."

Social host liability attaches most frequently in the context of the parents who allow minor guests to consume alcohol and then the minor leaves and causes injury. In another landmark decision the Supreme Court reexamined the logic of its previous decisions rejecting a common-law action in negligence, and concluded that ". . .[social] hosts could be liable for injuries caused by one of

the minor guests, who, after leaving the party, operated an automobile while intoxicated and killed another guest. The court expressed doubt about the logic, when applied to a minor, of the common-law presumption that intoxication results from the voluntary conduct of a person who has exercised a knowing and intelligent choice to consume intoxicating liquor. Further, the court found it persuasive that our state's public policy, as manifested in numerous relevant civil and criminal statutes, reflects a continuing and growing public awareness and concern that children as a class are simply incompetent by reason of their youth and inexperience to deal responsibly with the effects of alcohol."

In recognizing a claim for social host liability grounded in common law negligence, the Connecticut Supreme Court has cited the National Highway Traffic Safety Administration statistics for the nation and Connecticut:

- "In 2000, 16,653 people died in alcohol-related motor vehicle accidents on our nation's highways, an average of one alcohol-related death every thirty-two minutes. Thirty-one percent of these accidents involved intoxicated persons with blood alcohol concentration of 0.10 or greater; in those accidents, almost one third of the fatalities were passengers, non-intoxicated drivers or non-occupants.

- "In 2000, approximately 310,000 people were injured in alcohol-related motor vehicle accidents, an average of one person injured every two minutes.

- "In 2000, it was estimated that about three in every ten Americans will be involved in an alcohol-related crash at some time in their lives.

- "In 2000, 158 people died in Connecticut in alcohol-related motor vehicle accidents, constituting 46 percent of all traffic fatalities. Connecticut had one of the highest alcohol-related traffic fatality rates in the nation, with only nine states having higher rates."

(National Highway Traffic Safety Administration, Traffic Safety Facts 2000, at www.nhtsa.dot.gov/people/injury/alcohol/facts.htm.)

The National Highway Traffic Safety Administration also cited these additional statistics:

- "In 1998, alcohol-related traffic accidents cost Connecticut more than \$900 million, including more than \$300 million in monetary costs and more than \$600 million in quality of life costs.

- "In 1998, the average cost to Connecticut per alcohol-related fatality was \$4.2 million. The estimated cost per injured survivor was on average \$105,000."

(National Highway Traffic Safety

- Continued on next page



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Undercover—

Continued from page 3

cover agent's story.”

In fact, his closest call to being discovered came when he was camped out under a camouflage tarp in a wooded border alongside a suburban home for three days, watching a suspect who was believed to be operating a drug factory.

A box of specialized chemicals had been delivered to the home, and the agents had to keep an eye on it to establish a chain of evidence.

But there lies one of the harder-to-understand aspects of surveillance work. After time, the person doing the surveillance begins to think that every move made by the target is a reaction to something the agent has done.

The longer the surveillance continues, the easier it is to believe the spotters have been discovered. From that point on, every move made by the subject gives the impression that he knows he is being watched. This is rarely true, but don't tell that to people who are on the stakeout.

“They get into your head,” Duke said.

In the case of the suburban drug lab, the suspect came out of his house, took a double-edged ax from his garage, and headed straight for Duke's hideaway. “He was almost on top of me with that ax, and I almost shot him,” Duke said, thinking he had been discovered and was about to be attacked.

But at the last second the suspect turned in a different direction, walked several yards further away, and trimmed some tree limbs.

Duke had had a double-action revolver pointed straight at the suspect's midsection. “My whole hand was shaking,” he said, describing how he quietly eased the hammer back from its cocked position.

There were other confrontations that became violent or near violent, such as when four members of a biker gang threat-

ened to use baseball bats to kill an agent making an undercover buy. They hadn't discovered his identity; they just intended to rob him of the money he was carrying.

The surveillance team saved that agent in what turned out to be an all-out brawl.

Like most people in his profession, Duke found undercover work to be demanding on his family. He wasn't deep undercover, like the police seen in movies who join gangs and organized crime families, living the lifestyle and often not seeing their real families for months or years at a time.

Nonetheless he traveled to far parts of the country, where he wouldn't be known, often staying for weeks. One of the hardest days of his job occurred when he reported in to join a team in a large municipality and was assigned the desk previously occupied by a well-liked and respected agent who had been killed in the line of duty.

Even when he worked closer to home, Duke would spend days on end working cases, and often not arrive home until very late at night.

“You have to consciously leave the job outside – don't bring it home, don't talk about it,” he advises. The job is demanding enough, and the divorce rate is high for married agents.

To be sure, even with the stress, danger, and long periods away from his family, there were some high points to his job. Duke was part of a team that seized \$1.5 million in cash from a drug ring. At the time it was the largest seizure of cash on the East Coast.

But after 10 years he called it quits and went to work for another federal agency, leaving both the stress and the excitement behind. He had a family by then, Duke says, and “I wanted a real life.”

(r.winter@thejusticejournal.com)

Due Process—

Continued from previous page

Administration, Impaired Driving in Connecticut, at www.nhtsa.dot.gov/people/injury/alcohol/CT.htm/facts.htm.)

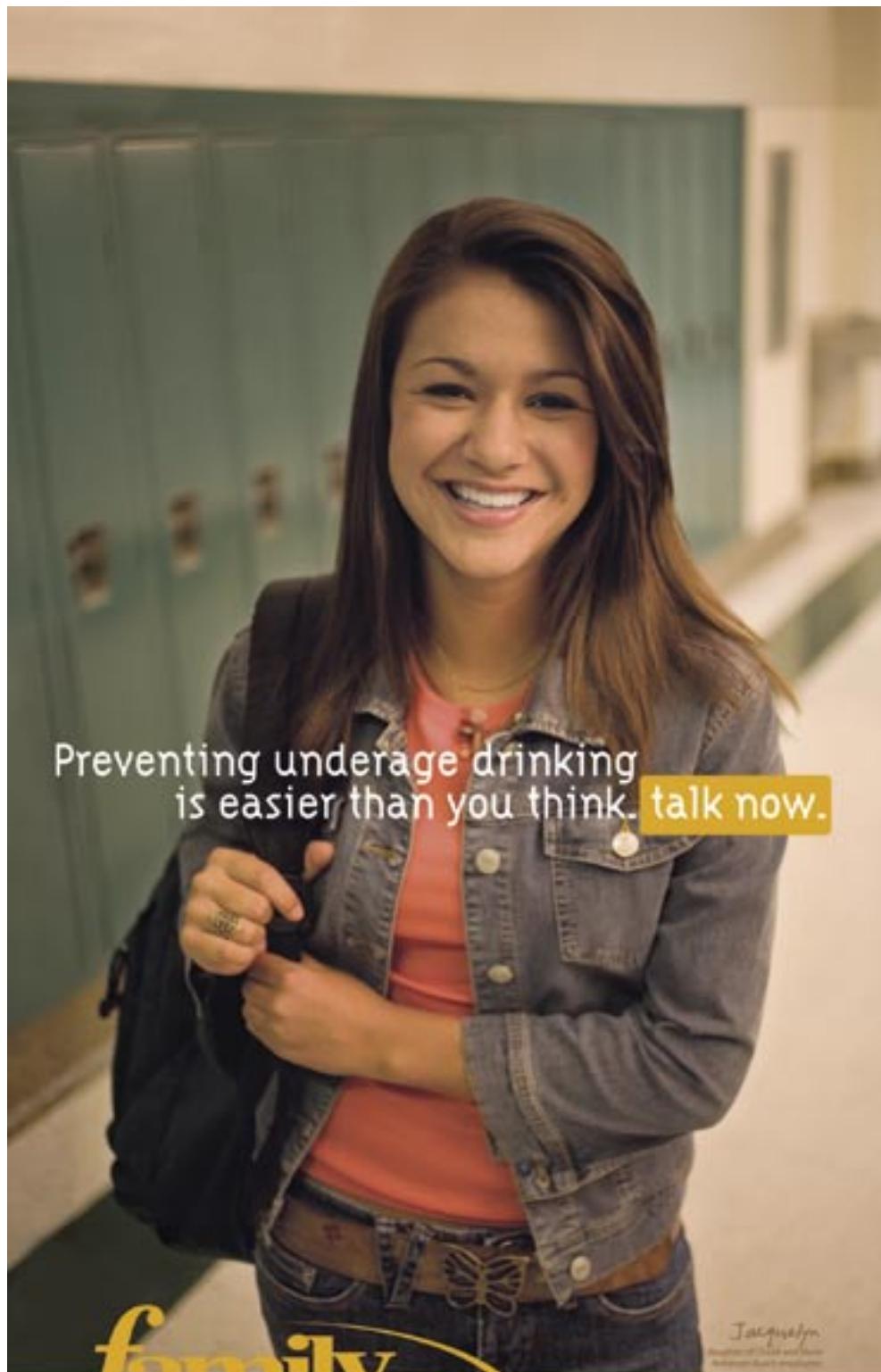
The Supreme Court concluded that an injured person has a right to sue a social host if that host negligently serves alcohol to an obviously intoxicated person and such guest consequently causes injury to another. Thus voluntary consumption of alcohol no longer serves to bar a negligence action against a social host.

In 2006 the legislature passed Public Acts 2006, No. 06-112, § 1, which amended General Statutes § 30-89 as follows:

“1. . . . (Effective October 1, 2006)
(a) No person having possession of, or exercising dominion and control over, any dwelling unit or private property shall (1) knowingly permit any minor to possess alcoholic liquor . . . in such dwelling unit or on such private property, or (2) knowing that any minor possesses alcoholic liquor .

. . . in such dwelling unit or on such private property, fail to make reasonable efforts to halt such possession. For the purposes of this subsection, ‘minor’ means a person under twenty-one years of age. (b) Any person who violates [this act] for a first offense, have committed an infraction and, for any subsequent offense, be fined not more than five hundred dollars or imprisoned not more than one year, or both.”

Thus the parent who permits minors to possess liquor faces not only civil responsibility, but potential criminal prosecution as well. As prom season approaches again, parents are reminded that they face the serious consequences of a major lawsuit if they fail to monitor the activities of their guests, regardless of age. Allowing a social guest, of any age, to consume alcohol to the point of impairment, in essence, makes the social host a guarantor of the safety of others on the highway when the drunken guest is allowed to leave.



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What If—

Continued from page 11

notification systems, lockdown capabilities, guns for students, and the response of mental health professionals to signs and signals given out by the shooter prior to his rampage are all being discussed. Some lessons learned from Virginia Tech are already being implemented nationwide, specifically the notification of students as soon as possible when an incident occurs.

Is there more that can be learned? I recently traveled to Blacksburg, Virginia, home of Virginia Tech, to share my experiences as the lead crisis negotiator during a hostage situation in 2002 on the campus of Fairfield University, with the emergency responders at Virginia Tech. Although the Fairfield incident was six years ago, agencies often find value in the experiences of others. I left learning just as much as I shared, having had an opportunity to discuss the events of that day in April at Virginia Tech with one of the lead investigators of that incident. Although at first glance it might appear as if life has returned to normal, the events of that day are clearly still felt on campus. The hotel clerk spoke about it, waitresses referred to it, and the memorials – pins, bumper stickers, and banners – were visible everywhere.

The responders that day will never forget it. Their day on April 16, 2007, started as any other on any campus in the United States. It quickly changed when two students were murdered in a dorm

room and escalated two hours later when shots rang out in Norris Hall, leaving frightened students and staff fighting for their lives.

Just prior to opening fire, Seung-Hui Cho secured the exits with chains, preventing escape and delaying the responders' entry to the building. Once he started shooting, he went from room to room killing his victims as some sat in their chairs. Others were killed while trying to hide, and still others were killed trying to prevent entry into some classrooms. Just as police made their way to the second floor, Cho took his own life, and the event ended as quickly as it started.

So what else can be learned, besides the highly publicized notification issues and mental health response to Cho's prior problems? If from the Columbine High School attacks we learned the importance of locking down areas of the school to delay and hopefully prevent the threat from reaching the staff and students, we must learn from this event and continue to make our schools safer.

First, teachers, staff, parents, students, and anyone else who has a stake in keeping our schools safe have to acknowledge and be aware that these tragedies can happen in their schools. They probably won't, but they can. Every stakeholder in the school should understand the dual role they serve.

The first role is part of the institution's primary mission. We want teachers to

teach, students to learn, maintenance personnel to maintain the operation of the building, and administrators to manage it all. Everyone's secondary role is that of crisis leader.

When do you change roles? Whenever there is a disruptive event – anytime something happens that is unplanned, noneducational, and disruptive – anything that interrupts that primary role.

When the shooting started at Virginia Tech, some people in the surrounding hallway and classrooms recognized it as such and took action, either trying to block the door or running from the area. Some of those who took quick action saved their own lives. Others initially dismissed the gunshots as maintenance noises in the basement and tried to continue their primary role. Remember, there may be an explanation for the disruption, but there may not. Teachers and students should not go on teaching and learning, without determining the reason for the disruption. If it is determined to be nothing, then continue your purpose. But if there is more to it, quick notification to authorities and quick initiation of safety procedures may help prevent further tragedy.

What else can we learn from Virginia Tech? Know what normal is, and don't dismiss what you may feel is *not normal*. In his book on fear, Author Gavin DeBecker speaks of intuition as a powerful tool. It is, but only if you follow it. If you feel something is out of the ordinary, report it. It may be nothing, or it may be a significant indication of a pending disruption. At Virginia Tech,

moments before the shootings in the academic building, several stakeholders noticed *not-normal*, but never reported it. It might not have helped, but it might have.

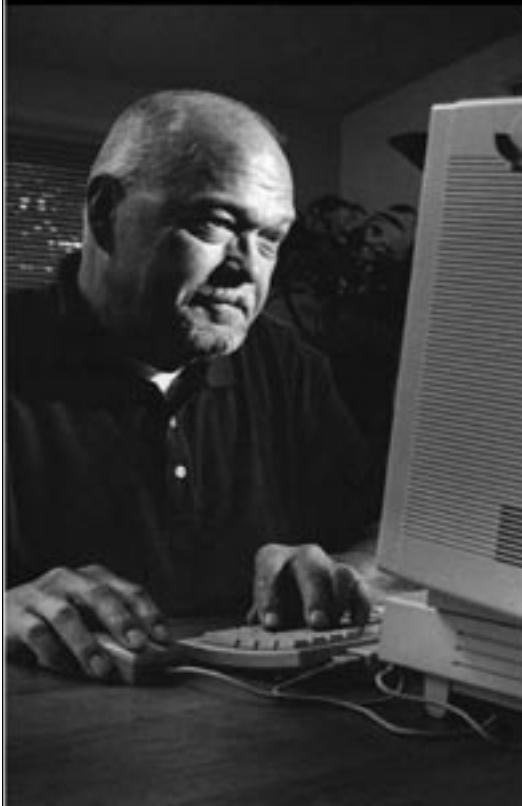
Even weeks before the shooting, clues of a pending attack, including an observation of someone chaining doors, were observed but dismissed as insignificant and were never reported. Police found the doors chained as the incident was occurring, and never knew of prior observations. Only after the incident were authorities able to piece together observations made by people prior to the attack that could have helped the police understand what was taking place as the events were unfolding.

What else did we learn? The lessons learned from prior incidents are helping to prepare those who may find themselves in similar incidents. By studying and learning the facts of the tragedies that have occurred we can continue to speak to all those involved in school activities, to ensure they have an understanding of their role in a crisis at the school. It may be frightening information, but it is nonetheless enlightening and important.

What if? That question always lingers in tragedies. If we learn how to make our schools safer because of these incidents, then we have fulfilled our mission. What if we don't? Then we are destined to repeat mistakes.

As the Northern Illinois University shootings, which left six dead just a few months ago, remind us, unfortunately there continue to be more incidents to learn from.

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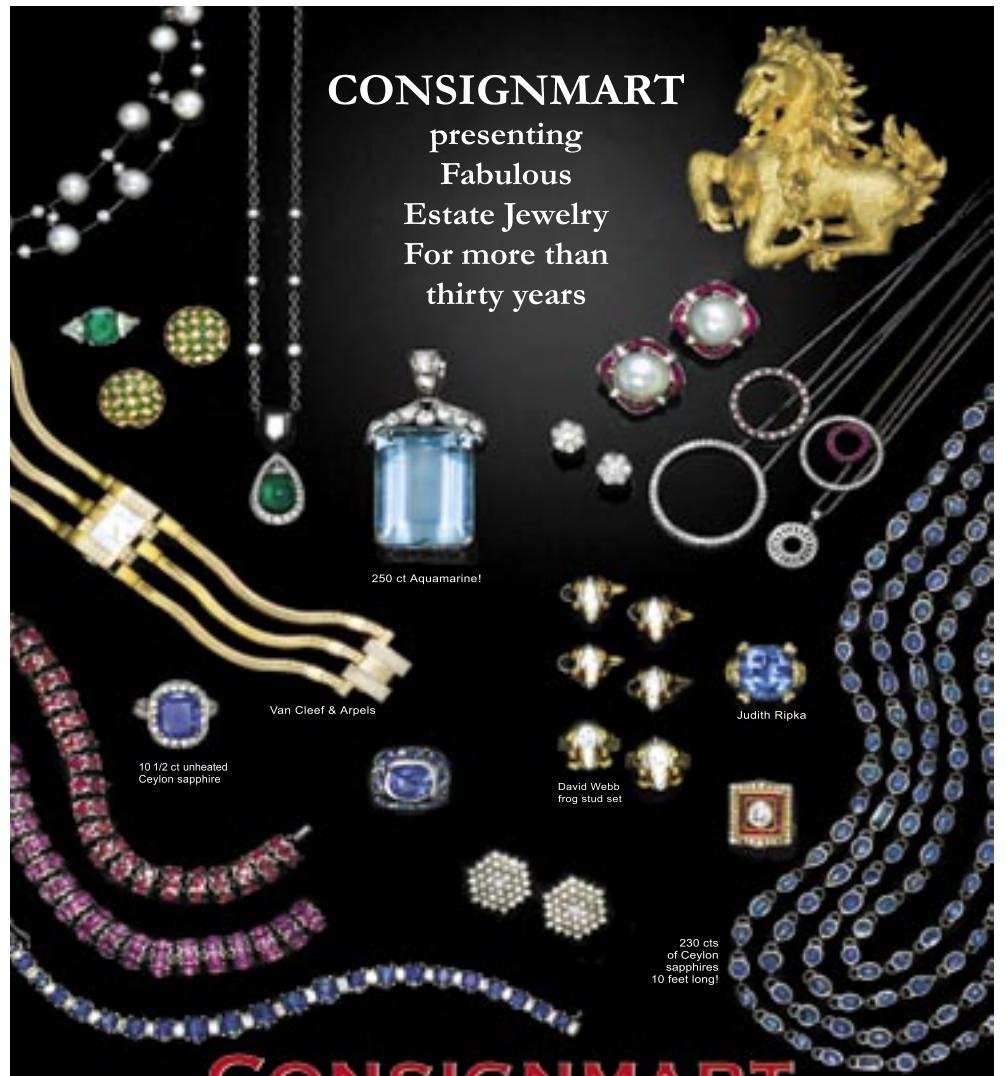
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SCAM of the Month

By GRANT STINCHFIELD
Correspondent



Tax Time is Opportunity Time for Identity Thieves

Thieves are now preying on taxpayers who are eager to receive their refund check, and the Internal Revenue Service (IRS) is warning people about a series of e-mail and phone scams designed to steal your identity.

Thieves are using the guise of the IRS to dupe people into giving up their personal information. That includes bank account numbers, birth dates, and social security numbers... everything a scammer needs to commit identity theft.

The latest scheme takes advantage of taxpayers eager to benefit from the federal government's new economic stimulus package. The scam artists use the new tax rebates as bait to trick people into giving up their private financial information. The caller or e-mail writer will claim to be from the IRS working to speed up the distribution of the new rebates recently approved by Congress.

"I was so excited when I got the call, I had just seen it on the news that I could get up to \$1,500 back this year," says Maya Butzer of Stamford. She says she was all set to give up her social security number to the man on the other end of

The IRS insists it will never contact taxpayers via e-mail. It always uses the United States Postal Service, and the correspondence will always be addressed to the taxpayer by name.

the phone. "He sounded so professional and he said he just needed my social security number and birth date to confirm who he was talking to," says Butzer. Even though Butzer could use the cash, she hesitated. "My husband told me never to give out that information over the phone so I didn't, but I almost did. Anyone could be fooled by them."

The IRS is sending out letters to families as part of an outreach effort informing them how to get their share of the \$168 billion economic stimulus plan. In May, the U.S. Treasury will start sending out payments to 130 million households as part of the package passed by Congress.

Another tax time scheme has the bogus caller telling the victim he is eligible for a rebate for filing his taxes early.

The caller, posing as an IRS employee, states that he needs the target's bank account number because the only way to receive the rebate is through direct deposit. If the victim refuses to give up the information, he is told he cannot receive the rebate. The call is a scam. The IRS points out, no legislation has ever been enacted that would allow the IRS to provide advance payments to taxpayers, and the IRS never forces people to use direct deposit.

Agents say all the information the IRS needs to process a tax return and refund is gathered on the filing forms. The IRS never gathers information by telephone. "Sometimes the scams will come in the form of an e-mail trying to get you to fill out a form on a Web site that looks like a government agency Web site," warns Linda Foley, director of the Identity Theft Resource Center, a nonprofit group based in San Diego, CA, formed to help people protect themselves from identity thieves.

"Other fraudulent e-mails come embedded with a virus that gets downloaded onto your computer. It then records all your keystrokes in an attempt to steal your passwords," warns Foley.

The IRS insists it will never contact taxpayers via e-mail. It always uses the United States Postal Service, and the correspondence will always be addressed to the taxpayer by name.

By far the most important step a person can take during tax time is to protect his or her private and personal documents. W-2 forms, 1099 forms, pay stubs, and credit card receipts being used to file taxes are often left unguarded and out in the open. It only takes seconds for someone with ill intentions to copy this private and personal information.

Identity theft is the fastest-growing crime in the nation. Thieves will do anything to steal a good name. The key is to take steps to prevent becoming a victim. Once someone's identity is stolen, it can take years to fix the damage. With tax time here, many people become so eager to receive their refund, they lose all common sense. Beware: The person pretending to be the tax man may actually be an identity thief in disguise.

(g.stinchfield@thejusticejournal.com)

State Experiencing Rash of Scam Calls

Many Connecticut consumers have received unwanted cell phone calls from telemarketers pitching extended auto warranties, and Consumer Protection Commissioner Jerry Farrell Jr. wants people to be careful.

"Don't fall for it," he says. "Consumers are often fooled by the pitch -- 'your warranty is about to expire, this is your last warning, this is a final offer.' Extended warranties are contracts, and any consumer who is interested in such a program needs to see it in writing and should not make a decision on the phone."

Farrell said his department is investigating the recent rash of unwanted calls to consumers.

"Connecticut was one of the first states to implement a no-call registry before it became part of the national Do-Not-Call effort, and we vigorously pursue companies that violate Connecticut law," Farrell said.

If your number is listed on the Do Not Call registry, automated, recorded messages also violate the Connecticut No Call law.

Federal Communications Commission (FCC) regulations prohibit telemarketers from using automated dialers to call cell phone numbers. Because automated dialers are standard in the industry, most telemarketers are thus prevented from calling consumers on their cell phones

without their consent.

However, cell phone numbers that are not registered are fair game for telemarketers, as long as an automatic dialer isn't used, so consumers looking to eliminate telemarketing calls should register both their cell and home phone numbers on the Do Not Call Registry.

There is no special Do Not Call list just for cell phones. Personal cell phone users have always been able to add their numbers to the National Do Not Call Registry — the

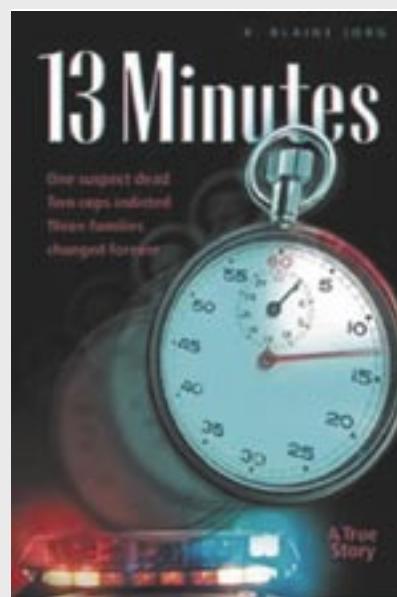
same Registry consumers use to register their land lines. To list your home and cell phone numbers on the Do Not Call Registry, visit www.donotcall.gov online or call toll-free 1-888-382-1222 from the telephone number you wish to register. Registrations become effective within 31 days of signing up. There is no cutoff date or deadline for registrations.

Business-to-business calls are not covered under the Registry.

Consumers can file automated dialer complaints online with the FCC at www.fcc.gov. Consumers who are registered with the National Do Not Call Registry should complain in writing to the Connecticut Department of Consumer Protection about any unwanted telemarketing calls they receive. Complaint forms can be found on the department's Web site at www.ct.gov/dcp.



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Self Defense—

Continued from page 4

abdomen. Men tend to rely more on their strong arms and chest.

“You cannot physically stand toe-to-toe with a male and hope to win that fight. Eventually, his strength is probably going to overcome you,” Nemphos told the women during a recent class. “The primary goal of R.A.D. is to escape.”

The instructors spent the first part of class discussing what-if scenarios, like what to do if you’re stopped by an unmarked police car and have doubts about the officer’s authenticity. (Answer: Call 911 to verify the traffic stop. No legitimate police officer would mind.)

Ready-to-Fight Position

After a series of warm-ups, the dozen women formed a circle around Schechter. Focusing their gaze directly at him, they swiftly turned on their feet and raised their hands into a ready-to-fight position.

“Get back!” they shouted in unison, practicing the warning stance he taught them. Then came a more insistent “No!”

as the women threw fists in the air.

Next it was time to practice on the trainers. As their instructors equipped their arms with thick foam pads, the women lined up and took turns going at them, each time yelling, “No!” as they struck.

The shouting and aggressive behavior doesn’t always come easy for women, who are often socialized to be polite in tough situations, so the hands-on experience can be lifesaving.

“You’ve just started doing these strikes, and some of you are hitting very hard already,” Nemphos reassured them. “As you get more confident with the moves, the speed and power will increase.”

Confidence Booster

The last night of the five-class series is a simulation course where the instructors, dressed in full-body padded suits, “attack” the women, who must escape their advances using moves they’ve learned. It is designed to recreate the adrenaline

rush of an attack.

“It’s very, very empowering,” Nemphos said. “It really lets them know what they can do, and it’s a great confidence-booster.”

R.A.D. was founded in 1989 by a Virginia police officer and has been taught to more than 300,000 women across the country. Nemphos and Schechter recently became certified trainers.

Privacy is a key aspect of the program. Participants were not permitted to reveal their identities for this article. The locations of the classes are kept secret, and the women are asked never to practice their moves at home on loved ones, since their success relies on the element of surprise and striking with intensity.

Although the R.A.D. program is offered by dozens of police departments in neighboring Massachusetts, only three other Connecticut departments – East Windsor, New Britain, and Suffield – offer the program, according to the R.A.D. Web site.

The program is also offered on several college campuses, including Fairfield University, Western Connecticut State

University in Danbury, and Southern Connecticut State University in New Haven.

Positive Reviews

Although concerns about liability can be a deterrent for some police departments, Schechter said R.A.D. Systems’ credentials make it a “low-liability, court-defensible” program.

“We asked several departments about their experience with R.A.D., and it’s had very positive reviews,” he said.

One participant said she feels much safer knowing she can rely on herself instead of depending on weapons like pepper spray or Tasers, which are often buried in a woman’s purse.

“If you have a gun or a Taser or some kind of equipment, you might not have the opportunity to take it out and use it,” said the woman. “And if you’re on a plane or traveling overseas, you can’t have a gun in certain situations.”

“I think it’s a very valuable and timely course that they’re offering, and I’m glad that the Cheshire Police Department is being proactive,” she said.

(n.missakian@thejusticejournal.com)

Versus—

Continued from page 6

answer. You have no right to paint everyone with the same brush because we are all different levels of consistency.

There are various crimes committed everyday in every part of our state, and some people should do life for some crimes. However, why must society continually degrade people who have a record and turned their lives around by denying them the basic things in life such as a good job, decent housing, and a second chance in life? Why must we continue to pay for a crime we have done time for and paid for, in life time installments every time we try to move forward, only to get stopped dead in our tracks? Why should the labels such as “ex-convict” or “ex-offender” or other labels be used to describe someone who got in trouble with the law? Why can’t we just be a person who made a mistake or a bad decision? It seems that when we go out and patronize, our money is no different, and when we vote (those of us who know we can vote) it doesn’t matter if we had or have a record.

I wish someone would tell me what does an ex-offender or ex-convict look like? Because where I sit, I don’t see ex-convicts or ex-offenders, I see people who made bad decisions who paid their debt to society (so they thought) and are looking to break the invisible chains and shackles that prevent them from moving forward. How long is long enough? That’s something to think about.

Submitted by Jacqueline Caron,
Founder/CEO of the Connecticut
Pardon Team, Inc.

“Deal-Away-a-Crime” System Needs Change

This past July one night of brutal criminal rampage brought to light the

desperate need for much needed reform within our state’s criminal justice system. The abduction, assaults, and eventual murders of three members of Petit family by two career criminals have come to stand as representative highlights of the endemic and pervasive flaws within our Connecticut courts and Parole system

Many of our state legislators seem to be banging the table with their shoe, amid the hue and cry from their citizens, claiming that a broad and sweeping sentencing law such as the three strikes law would serve to deprive prosecutors -and judges, - of their “discretion” in sentencing defendants of crime. This discretion is empirical, so it is argued, and at all costs must be preserved.

First of all it should be clarified that this concern is really about prosecutorial discretion: Practically speaking, criminal judges in this state have very little to do with the actual charges of which most offenders are eventually “convicted” – and the same with their actual sentences. That is unless there is a trial by judge or jury, and trials are extremely rare. The majority of cases never go to trial because they are routinely plea bargained by defense attorneys and prosecutors; often resulting in an even lesser criminal record and corresponding sentence This leaves a formal record for the criminal that does not reflect the severity of the crimes that he or she has actually committed. And with few exceptions, Connecticut judges will rarely overrule what a prosecutor has already worked out with the defendant’s lawyer.

This “deal -away- a -crime”- system wouldn’t be so abhorrent if it were limited to non-victim crimes, such as our overburdened motor vehicle dockets, petty larcenies and non-violent drug

crimes, (where treatment is more appropriate in any event). Unfortunately, for all the wrong reasons, it has become standard operating procedure in dealing with all violent crimes including felony assault, sexual assault, kidnapping and yes- even murder

A three strikes law (or steadfastly utilized persistent offender law) for violent offenders is a good idea as one part of a multi-prong re-formation of Connecticut’s Judicial system, There are several versions successfully being utilized in various states and they do appear to be reducing violent crime. Some of the first broader versions created unforeseen issues- sometimes creating severe sentences for less serious non-violent felonies, many of them drug-related and/or motivated. The argument is also being made that three strikes laws result in a disparity of high sentences for minority and low income offenders-This perhaps is an unintended effect of the fact that many repeat minority offenders rely on public defenders who are either less motivated, less adept, or simply lack the pull that an expensive private attorney may have with the local prosecutors office (in getting their charges reduced). Ironically, this is an important reason that one sentencing system is needed for violent offenders; to create a uniform steadfast system for sentencing our most dangerous repeat offenders.

There is no doubt that we must be diligent and meticulous in choosing and crafting our own version of a three strikes bill. We need to use our collective intellects experience and conscience in devising a bill that makes sense in its practical application. But there is one thing I am certain of, as an activist and a survivor of violent crime; that is; the main reason that our lawmakers are reluctant to pass a strict sentencing law, is the very same reason that it is so desperately needed. Something tangible needs to be stuck in

the cogs of our broken sentencing system. And while the main argument seems to be that the three strikes bill take away judicial discretion- it is this very “discretion” that has become utterly misused and abused, leading to a system ruled by “discretion” rather than law. The reasons for this misuse are many; professional laziness, apathy and cynicism-- cronyism, favor swapping, and yes, things like directives regarding prison overcrowding. None of these things seem to belong in the sacred place where committed professionals are supposed to be battling the rigors of life and death crime.

The truth is that precious few would seem to be battling anything anymore in our Connecticut courthouses, and it is the victims of crime that are paying the heaviest price. Not only the victims of the endless cases bargained down to next to nothing in viable punishment or accountability, but also the future victims of these same offenders, who, after receiving little to no actual prison time, go right back out, committing more violence, more crime, confident that they can depend on the same lackadaisical system which they have become experts at navigating, almost always escalating their crimes, and always against those defenseless.

And consider this, most of the victims of the countless bargained down” crimes remain nameless and their experience forever invalidated by the “deal” that belies the reality of the crimes committed against them. That is, until the next especially atrocious and brutal crime is committed by another irresponsibly paroled or under-sentenced chronic offender; and precious lives are stolen, and nightmares are all that remain for those that survive.

Submitted by Laurel O’Keefe
Laurel O’Keefe is a victim of a violent
crime and writes the blog,
chasingnormal.blogspot.com,

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