

Jan. 3, 2008

Comm. Danaher,

My sincerest apologies for my outburst at what I hoped would be a constructive meeting. I was unable to contain myself when Lt. Fox made the announcement that he would always come down on the "conservative" side and take the permit. I am of the unshakable opinion that there is no "side" to this matter, only the rule of law which it is the obligation of your agency to strictly adhere to. I was reminded of the many heated discussions I had with then Sgt. Arciero over similar issues leading to his repeated insinuations that I ignore the law. I further vividly recall being lectured by Sgt. Osika, who was the supervisor of the unit (Sgt. Edward's successor) after he overheard me answering a question of a civilian employee by prefacing my response with the fact that the law was clear on the matter, that we were not only there to do what is legal but also what is moral. I was as thunderstruck then as I am now by this comment and I believe this attitude to be endemic. I firmly believe that all peace officers have taken an oath and have an absolute obligation to adhere to the rule of law to include the constraints the law may ostensibly place upon them. I further believe that all peace officers have an obligation to further public welfare by expressing their concerns with any perceived weakness in the law (which represents the public's will expressed through their elected legislators) through the legislative process. Instead what I see is an agency that continuously takes it upon themselves to "come down on the conservative side and take the permit" and/or "do what is moral". As a citizen I refuse to abrogate my role in this process and peace officers do not have the authority (or requisite wisdom) to save me from myself. It is a tragic error if you surround yourself with "wiz kids" and those who hold the arrogant belief that we are the state police and we can do whatever we want to do (as long as we couch it in terms of "public safety" and until the courts tell us to stop.) It is law enforcement, after all, and a public that is unable to glean from its laws what behavior society has proscribed because those entrusted with enforcing them make them up or ignore them as they go along, disdain for the law and the enforcers inevitably follows.

I'm sorry for my inability to calmly make my case. I reluctantly admit that I am not up to the challenge of dealing with these issues given my 41 year history with an agency that has often disappointed me.

My sincere wishes that enlightenment may someday come,
Michael Beal