

RICHARD ALLAN POND

(DOB: March 25, 1952)

**RECORDS FROM POND'S EARLY LIFE
HYDE PARK HIGH SCHOOL TRANSCRIPT 1967 - 1971
MARRIAGE CERTIFICATE**

Records date from March 25, 1952 through September 29, 1972

Sources:

Boston City Hall

Palm Beach County Sheriff's Office: Personnel File

Total Pages: 3



REGISTRY DIVISION, CITY OF BOSTON

COUNTY OF SUFFOLK, COMMONWEALTH OF MASSACHUSETTS, UNITED STATES OF AMERICA

Reg. 7

Certificate No 54943

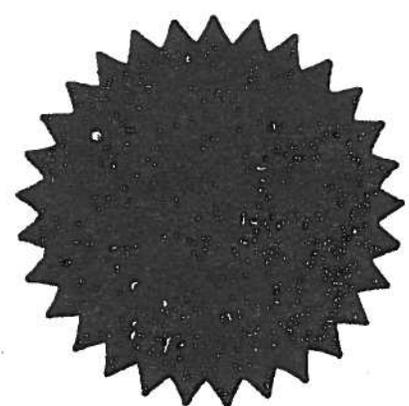
CERTIFIED COPY OF RECORD OF **BIRTH** IN OFFICE OF THE CITY REGISTRAR

II

I, the undersigned, hereby certify that I hold the office of City Registrar of the City of Boston, and have the custody of the Records of Births, Marriages and Deaths required by law to be kept in said City; and I certify that the following facts appear on said Records:

No. 4760 Date of Birth March 25, 1952 Name of Child Richard Allen Ford

SEX <u>male</u>	COLOR <u>white</u>	NAME, SURNAME AND BIRTHPLACE OF FATHER _____	NAME, MAIDEN NAME AND BIRTHPLACE OF MOTHER _____
PLACE OF BIRTH <u>Boston</u> <u>Mass</u>		RESIDENCE OF PARENTS <u>Boston</u> <u>Mass</u>	
OCCUPATION OF PARENT <u>Shoemaker</u>		NAME AND ADDRESS OF INFORMANT <u>J. M. ...</u> <u>M.D.</u>	
DATE OF RECORD <u>March 31, 1952</u>			



I further certify that by annexation, the Records of the following-named cities and towns are in the custody of the City Registrar of Boston:—

East Boston.....	ANNEXED	1837	Charlestown	}	ANNEXED	1874
South Boston.....		1804	Brighton			
Roxbury.....		1868	West Roxbury	}		1912
Dorchester.....		1870	Hyde Park.....			

WITNESS my hand and the SEAL of the CITY REGISTRAR on this 5th day of January A. D. 1952

J. M. ... City Registrar

By Chapter 314 of the Acts of 1892, "the certificates or attestations of either Assistant City Registrar shall have the same force and effect as that of the City Registrar."

Form No. 140

SUMMARY RECORD
TRANSCRIPT

BOSTON PUBLIC SCHOOLS
ACCREDITED BY NEW ENGLAND ASSOCIATION OF COLLEGES AND SECONDARY SCHOOLS INC.

HYDE PARK HIGH SCHOOL

LAST NAME: Pond
FIRST NAME: Richard
MIDDLE NAME: A.
SEX: M F
STUDENT NO.: 302189
DATE OF BIRTH: 1/15/52
CITY OF BIRTH: BOSTON
GRADING SYSTEM:
A-B HONORS
C PASSING
D-E FAILING
APPROX. JR. YR.
MID. SH. FINAL
IN CLASS OF: COLL.
IN CLASS OF: ALL

ENROLLMENT: W. B. Rogers
DATE ENTERED: 9/4/68
LEFT: [] REENTERED: [] GRADUATED: JUN 14 1971
GRADE: 09 H.R. YEAR: 1957-58 PREV. PTS.: []
GRADE: 10 H.R. YEAR: 1968-69 PREV. PTS.: 27.0
GRADE: 11 H.R. YEAR: 1969-70 PREV. PTS.: 47.0

GRADE	H.R.	YEAR	SUBJECT	GRADE	POINTS	GRADE	H.R.	YEAR	SUBJECT	GRADE	POINTS	GRADE	H.R.	YEAR	SUBJECT	GRADE	POINTS
9		1957-58	PHYS ED B	B+	1.0	10	123	1968-69	PHYS ED B	C	1.0	11	209	1969-70	PHYS ED B	A	1.0
9		1957-58	GUIDANCE	C	1.0	10	123	1968-69	HEALTH ED B	C	3.0	11	209	1969-70	ENGLISH 11	A	5.0
9		1957-58	ATHLETICS	C-	5.0	10	123	1968-69	ATHLETICS	C	1.0	11	209	1969-70	HISTORY BUS	C	5.0
9		1957-58	ENGLISH	B	.	10	123	1968-69	ENGLISH 10	C	5.0	11	209	1969-70	TYPING 1	B	2.5
9		1957-58	DEVELP READING	C-	5.0	10	123	1968-69	HIST WORLD	C	5.0	11	209	1969-70	BOOKKEEPING 1	D	5.0
9		1957-58	DEVELP READING	C	2.0	10	123	1968-69	SPANISH 1	D	5.0	11	209	1969-70	MERCHANDISING 1	A	5.0
9		1957-58	HIST ANCIENT	C	3.0	10	123	1968-69	BASIC MATH	C	5.0						
9		1957-58	CIVIC EDUCATION	C-	5.0				BIOLOGY	C	5.0						
9		1957-58	SCIENCE	C	5.0												
9		1957-58	GEN BUSINESS	C-	5.0												
9		1957-58	INDUSTRIAL ARTS	C	5.0												

WITHDRAWN	INDUS ARTS CURRICULUM	PRES	154	25	10	302189	27.0	WITHDRAWN	CURRICULUM	PRES	156	20	17	302189	20.0	WITHDRAWN	BUS EDUC CURRICULUM	PRES	161	19	17	502189	18.5
		ACCUM								ACCUM								ACCUM					

GRADE	H.R.	YEAR	SUBJECT	GRADE	POINTS
12	213	1970-71	PHYS ED B	C	5.0
			PHYS ED B	C	3.0
			PHYS ED B	B	12.0
			PHYS ED B	C	5.0

[Handwritten signature]



REGISTRY DIVISION, CITY OF BOSTON

COUNTY OF SUFFOLK, COMMONWEALTH OF MASSACHUSETTS, UNITED STATES OF AMERICA

CERTIFIED COPY OF RECORD OF MARRIAGE IN OFFICE OF THE CITY REGISTRAR

Certificate

No 18338

J

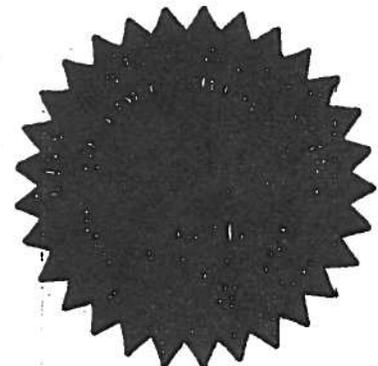
I, the undersigned, hereby certify that I hold the office of.....City Registrar of the City of Boston, and have custody of the Records of Births, Marriages and Deaths required by law to be kept in said City; and I certify that the following facts appear on said Records:

No.....3705... Date of Marriage.....September 29 1972..... Place of Marriage.....Boston Mass.....

NAME AND SURNAME OF GROOM AND BRIDE	RESIDENCE OF EACH AT TIME OF MARRIAGE	AGE IN YEARS	COLOR	NUMBER OF MARRIAGE (WID. OR DIV.)	OCCUPATION
Richard A Pond	Boston Mass	20	-	First	Youth Board Suprv
Nancy J Galante	Boston Mass	17	-	First	Dental Ass't

PLACE OF BIRTH OF EACH	NAMES OF PARENTS (MAIDEN NAME OF MOTHER)
Boston Mass	Gervis J Pond - Virginia M Mattson
Boston Mass	Domenic S Galante - Anna M Signori

NAME, RESIDENCE AND OFFICIAL POSITION OF THE PERSON WHO SOLEMNIZED THE MARRIAGE	DATE OF RECORD
Richard J Brody Priest Boston Mass	October 3 1972



I further certify that by annexation, the Records of the following-named cities and towns are in the custody of the City Registrar of Boston:—

ANNEXED	ANNEXED
East Boston.....1837	Charlestown } 1874
South Boston.....1804	Brighton }
Roxbury.....1868	West Roxbury }
Dorchester.....1870	Hyde Park.....1912

WITNESS my hand and the SEAL of the CITY REGISTRAR

on this 22nd Day of November A.D. 1976

William J. Kane

City Registrar

By Chapter 314 of Acts of 1892, "the certificates or attestations of either Assistant City Registrar shall have the same force and effect as that of the City Registrar."

RICHARD ALLAN POND

(DOB: March 25, 1952)

RECORDS FROM POND'S DIVORCE FROM NANCY POND

**MOTION FOR TEMPORARY ORDERS
COMPLAINT FOR DIVORCE
TEMPORARY ORDERS
FINANCIAL STATEMENTS
JUDGMENT OF DIVORCE NISI
LETTERS FROM OFFICE OF FAMILY SERVICES
COMPLAINTS FOR CONTEMPT
JUDGMENTS OF CONTEMPT
WAGE ASSIGNMENT ORDERS
CAPIAS WARRANT
JUDGMENT OF DIVORCE ABSOLUTE
COMPLAINT FOR MODIFICATION
MODIFICATION JUDGMENT
MOTION TO CORRECT JUDGMENT**

**COMPLAINT FOR DIVORCE FILED BY POND'S SECOND WIFE,
LESLIE POND (nothing followed)**

Records date from November 24, 1976 through July 7, 1998

Sources:

**Suffolk County Probate and Family Court
Plymouth County Probate and Family Court**

Total Pages: 32

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK

SS.

PROBATE COURT

No. 98308

NANCY J. POND

Plaintiff

vs.

Complaint for Divorce

RICHARD A. POND

Defendant

1) Plaintiff who resides at 1880 River St., Hyde Park, MA., Suffolk County was lawfully married to defendant, who now resides at 83 Beacon St., Hyde Park, MA Suffolk County, on September 29, 1972 at Boston, MA Suffolk County

2) The minor child ren, and date (s) of birth, of this marriage are: Elizabeth A., born March 7, 1973 Christopher A., born February 16, 1976

3) Plaintiff and defendant last lived together on November 11, 1976, which is (not) more than 30 days prior to the filing of this complaint, at 83 Beacon St., Hyde Park, MA Suffolk County

4) Plaintiff certifies that no previous action for divorce, annulling or affirming marriage, separate support, desertion, living apart for justifiable cause, or custody of child ren has been brought by either party against the other except

5) On or about November 11, 1976, the defendant at Boston, has been guilty of cruel and abusive treatment toward the Plaintiff and on divers occasions.

6) Wherefore, plaintiff demands that the court:

waive the 30-day requirement

grant a divorce for Plaintiff on the grounds of cruel and abusive treatment

grant her custody of the above-named child ren

order an allowance for support of plaintiff and said minor child ren.

order conveyance of real estate located at

standing in the name of xxx

was recorded in bk

xxxxxxxxxxxxxxxxxxxxxxxxxxxx

allow plaintiff to resume her former name of

By her Attorney,

[Signature]

Name:

Nancy J. Pond

Address:

83 Beacon St. Hyde Park

Phone:

GREATER BOSTON LEGAL SERVICES

Dated: 12/1/76

COMMONWEALTH OF MASSACHUSETTS

Suffolk

PROBATE COURT
No. 98308

6

ss.

Nancy Poal

Plaintiff

v.

Richard Poal

Defendant

Temporary Order

Pending a hearing on the merits or until further order of the Court, it is ordered that:

- 1) plaintiff ~~defendant~~ be and hereby is prohibited from imposing any restraint on the personal liberty of plaintiff ~~defendant~~
- 2) plaintiff ~~defendant~~ have the ^{Temporary} care and custody of Elizabeth A. and Christopher A. Pond

the minor children of he parties

~~3) plaintiff defendant be given the following visitation right:~~

~~4) plaintiff defendant pay to h spouse the sum of _____ forthwith and the further sum of _____ on each and every _____ hereafter, beginning on _____ for h support and that of the minor child _____~~

~~5) said payments to be made to the Probation Department and forwarded to (the Department of Public Welfare) (the plaintiff defendant) (the applicable city or town of _____)~~

~~6) the parties shall comply with a stipulation or agreement of the parties dated _____ which is filed with the court and expressly made a part of this order~~

~~7) plaintiff defendant pay reasonable medical, dental and hospital expenses of h spouse and minor child and maintain existing medical and hospital insurance~~

~~8) plaintiff defendant execute the _____ for _____~~

~~9)~~

12/2/76
Date

Robert L. Yates
Judge of Probate

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK ss.

PROBATE COURT
No. 98308

NANCY J. POND Plaintiff

v.

RICHARD A. POND Defendant

Financial Statement

FILED JAN - 8 1978

(Plaintiff)

All questions on both sides of this form must be answered in full or word "none" inserted. If not so completed, any statement will be deemed insufficient. The court may require a further detailed statement of any item. If sufficient space is not allowed for any answer, an attached sheet may be filed in addition to, but not in lieu of, the answer. The information contained herein is confidential and will be available only to the parties and to persons authorized under Mass. R. Dom. Rel. P. 401.

- 1) Name Nancy J. Pond Occupation Homemaker
- 2) Address 24 Concord Ave., Norwood, MA Social Security Number 033-44-3899
- 3) Employer _____
- 4) Address _____
- 5) Total gross weekly income (from line 14, on back page) 76.27
- 6) Net weekly income (line 5 less 15a, b & c on back page) 76.27
- 7) Total weekly expenses (total of 15e-j on back page) 81.99
- 8) Total assets (from line 19) 0
- 9) Total liabilities (from line 20) 0
- 10) Order requested or offered by you: _____

- _____ per week for child support
- _____ per week for alimony (spouse only)
- _____ per week for alimony (including child support)
- payment of reasonable medical, dental and hospital insurance
- maintenance of life insurance on the life of _____ in the amount of _____
- _____

11) Amount of weekly support now being received from any source \$76.27 /week
AFDC benefits
Source (e. g., welfare, pension, etc.) _____

12) Total gross income from previous year's tax return _____

I certify under the pains and penalties of perjury that my income and expenses, assets and liabilities as stated herein are true to the best of my knowledge and belief.

Jan 6th, 1977
Date

Nancy J. Pond
Signature

Mass. R. Dom. Rel. P. 401

Please itemize carefully and completely.

- 13) Income: List all income: gross weekly salary (including self-employment, additional employment income, bonuses, tips, overtime compensation), trust funds, pensions, public assistance, etc.

Sources (if salary, state name and address of employer)	Gross weekly amount*
AFDC benefits	\$76.27
_____	_____
_____	_____
_____	_____

*If received every two weeks, divide figure by 2 to arrive at weekly figure; if twice monthly, divide by 2.15; if monthly, divide by 4.3; if annually, divide by 52.

14) Total \$76.27 /week

Expenses:	Weekly amount**
a. Federal Income Tax deductions (claiming _____ exemptions)	---
b. State Income Tax deductions (claiming _____ exemptions)	---
c. F.I.C.A. (and/or comparable retirement program)	---
d. Other deductions from salary: _____	---
e. Rent or mortgage (principal, interest, and taxes)	34.88
f. Heat (estimate)	9.23
g. Electricity	5.35
h. Water/sewer	---
i. Food	13.49
j. Other: Telephone	4.65
Clothes	4.66
Hot water heater	.73
Miscellaneous household items	10.00
Transportation	1.00

16) Total \$81.99 /week

**Divide monthly expenses by 4.3 to arrive at weekly figure; divide annual expenses by 52 to arrive a weekly figure.

17) Assets		18) Liabilities	
Description of Assets	Fair Market Value	Description of Liability	Amt. of Liability
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____
_____	_____	_____	_____

19) Total assets --- 20) Total liabilities ---

COMMONWEALTH OF MASSACHUSETTS

Suffolk ss.

PROBATE COURT

No. 98308

NANCY J. POND Plaintiff

v.

Financial Statement

RICHARD A. POND Defendant

FILED DEC 6 1978

(Defendants)

All questions on both sides of this form must be answered in full or word "none" inserted. If not so completed, any statement will be deemed insufficient. The court may require a further detailed statement of any item. If sufficient space is not allowed for any answer, an attached sheet may be filed in addition to, but not in lieu of, the answer. The information contained herein is confidential and will be available only to the parties and to persons authorized under Mass. R. Dom. Rel. P. 401.

- 1) Name Richard A. Pond Occupation GUANO
- 2) Address 933 METROPOLITAN AV. H.P. Social Security Number 017-42-7369
- 3) Employer CITY OF BOSTON (D&H H)
- 4) Address 818 HARRISON AV. BOSTON MA

5) Total gross weekly income (from line 14, on back page)	<u>166.30</u>
6) Total weekly expenses (from line 16, on back page)	<u>171.54</u>
7) Net weekly income (line 5 less line 6)	<u>- 5</u>
8) Total assets (from line 19)	<u>350.00</u>
9) Total liabilities (from line 20)	<u>965.00</u>

- 10) Order requested or offered by you:
 - 40 per week for child support
 - per week for alimony (spouse only)
 - per week for alimony (including child support)
 - payment of reasonable medical, dental and hospital insurance
 - maintenance of life insurance on the life of _____ in the amount of _____
 - _____

11) Amount of weekly support now being received from any source _____/week
 Source (e. g., welfare, pension, etc.) _____

12) Total gross income from previous year's tax return 11,000 estimated 1977

I certify under the pains and penalties of perjury that my income and expenses, assets and liabilities as stated herein are true to the best of my knowledge and belief.

12-23-77
Date

Richard A. Pond
Signature

COMMONWEALTH OF MASSACHUSETTS

PROBATE COURT

No. 98308

SUFFOLK

ss.

NANCY J. POND

Plaintiff

of 1880 River Street, Hyde Park, Mass.

v.

Judgment of Divorce Nisi

RICHARD A. POND

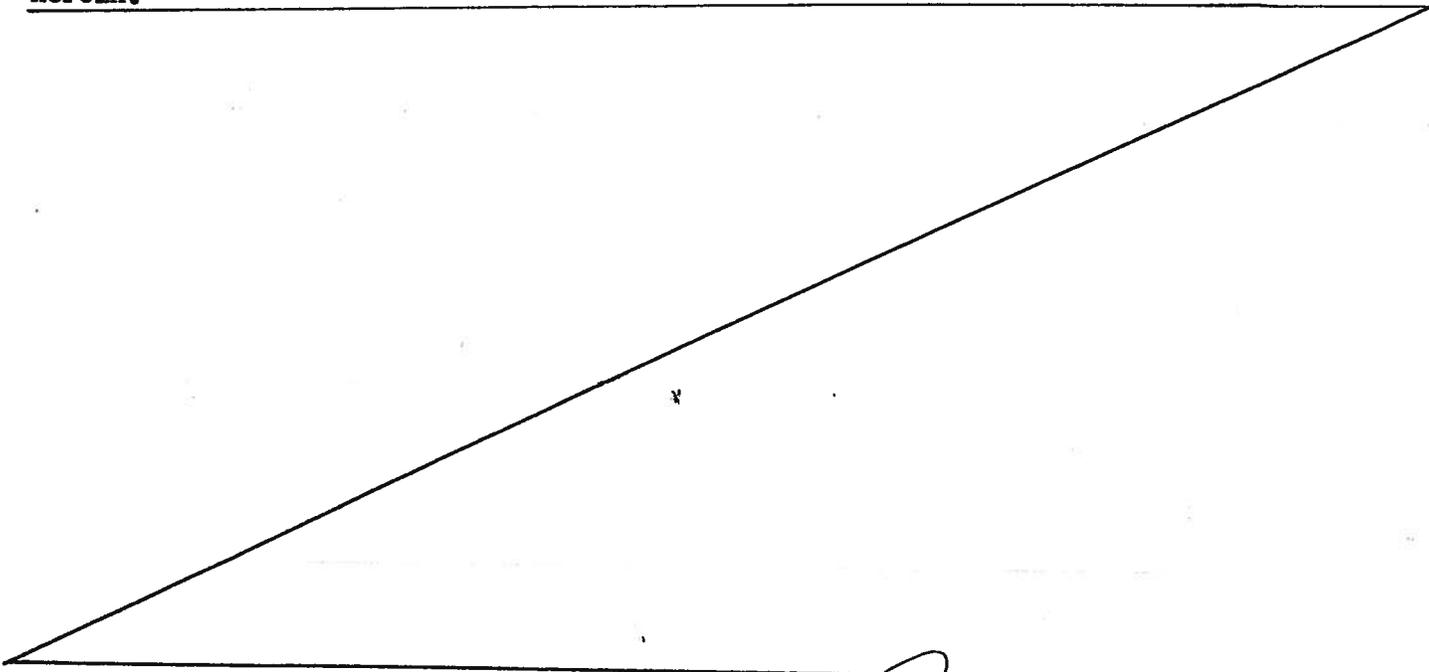
Defendant

of 83 Beacon Street, Hyde Park, Mass.

All persons interested having been notified in accordance with law and after hearing it is adjudged nisi that a divorce from the bond of matrimony be granted the said plaintiff for the cause of _____

Cruel and abusive treatment on the part of the said defendant.

as provided by Chapter 208 ss 1-2 and that upon and after the expiration of six months from the entry of this judgment it shall become and be absolute unless, upon the application of any person within such period, the Court shall otherwise order, and it is further ordered that the Plaintiff have custody of the minor children of the parties, to wit: Elizabeth A. and Christopher A. Pond. Defendant to have reasonable rights of visitation and maintain present medical insurance on Plaintiff as long as he retains present position and she is unemarrried. The parties are ordered to carry out the terms of the agreement filed herewith and incorporated herein.



1-6-78

Date

Robert C. Fess

Judge of Probate Court

*and D. O'Neil
maintain present Court Pl
med. ins. on
Plaintiff
Def. visit*

*Parties ordered to
carry out terms of
agreement filed*

Please itemize carefully and completely.

- 13) Income: List all income: gross weekly salary (including self-employment, additional employment income, bonuses, tips, overtime compensation), trust funds, pensions, public assistance, etc.

Sources (if salary, state name and address of employer)	Gross weekly amount*
<u>City of Boston - City Hospital</u>	<u>166.30</u>
<u>Dept. of Health and Hospital</u>	

*If received every two weeks, divide figure by 2 to arrive at weekly figure; if twice monthly, divide by 2.15; if monthly, divide by 4.3; if annually, divide by 52.

14) Total 166.30 /week

15) Expenses:

	Weekly amount**
Federal Income Tax deductions (claiming <u>?</u> exemptions)	<u>15.40</u>
State Income Tax deductions (claiming <u>?</u> exemptions)	<u>5.00</u>
F.I.C.A. (and/or comparable retirement program)	<u>11.64</u>
Other deductions from salary: <u>Medical</u>	<u>12.50</u>
<u>Union</u>	<u>2.00</u>
Rent or mortgage (principal, interest, and taxes) } <u>TO PARENTS</u>	<u>35.00</u>
Heat	
Electricity	
Water/sewer	
Food	
Other: <u>Car - insurance, excise, registration</u>	<u>18.00</u>
<u>gas, oil, repairs</u>	<u>5.00</u>
<u>Personal - uniform, cleaning, parking</u>	<u>10.00</u>
<u>Bunker Hill Community College - tuition</u>	<u>5.00</u>
<u>(200 + 1 term)</u>	<u>10.00</u>
<u>Debts - (see Liabilities)</u>	<u>10.00</u>
<u>Payments to wife</u>	<u>40.00</u>
Total	<u>171.54</u> /week

**Divide monthly expenses by 4.3 to arrive at weekly figure; divide annual expenses by 52 to arrive a weekly figure.

17) Assets		18) Liabilities	
Description of Assets	Fair Market Value	Description of Liability	Amount of Liability
<u>1971 VW</u>	<u>350</u>	<u>First National Bank of Boston - Loan</u>	<u>250</u>
		<u>ATA Insurance</u>	<u>165</u>
		<u>Excise Tax - City of Boston</u>	<u>50</u>
		<u>James Prud - loan</u>	<u>400</u>
19) Total assets	<u>350</u>	20) Total liabilities	<u>865</u>



Commonwealth of Massachusetts
SUFFOLK COUNTY PROBATE COURT

FAMILY SERVICE OFFICE

Judges:
MARY C. FITZPATRICK
ROBERT L. YASI
JOSEPH P. WARNER

BOSTON, MASSACHUSETTS 02108
Area Code 617-227-9110

CHIEF PROBATION OFFICER
JOHN E. MCNICHOLS

PROBATION OFFICERS:
KATHLEEN REDD TAYLOR
PAULA M. LARKOWICH
DANIEL J. KELLY, JR.
JUDITH A O'LEARY
MARY F. PRIOR

March 9, 1978

CSEW, Support Unit
Department of Public Welfare
10 Cottage Street
Norwood, Massachusetts 02062

RE: POND, Nancy J. v. Richard A.
Suffolk Probate Docket No. 98308

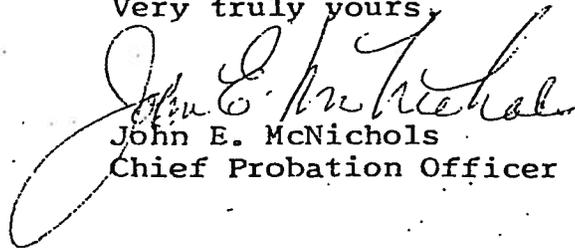
Dear Sir:

In reviewing our records, I note that Mr. Pond has an arrearage of \$1080 on an order, dated December 9, 1976, for \$55 per week. This arrearage is as of March 3, 1978.

On an order for \$40 per week, dated January 6, 1978, he has an arrearage of \$120 as of March 3, 1978.

Please initiate contempt proceedings against him.

Very truly yours,


John E. McNichols
Chief Probation Officer

JEM:cm

MAR 10 1978

COMMONWEALTH OF MASSACHUSETTS

Suffolk Dept. of Public Welfare-Norwood Probate Court
ss. Comm. of Mass. in the name of No. 98308

Nancy Pond Plaintiff

v. Complaint for Contempt

Richard Pond Defendant

1) Plaintiff, who resides at 24 Concord Ave. Norwood Ma. Norfolk County
was - is - the spouse of defendant, who now resides at 933 Metropolitan Ave.
Hyde Park, Ma. Suffolk County

- 2) By judgment - order - of the court, dated January 6, 1978, defendant was ordered: [x] to pay alimony - support of minor children - in the sum of \$40.00 forthwith and the further sum of \$40.00 weekly - ~~biweekly~~ - thereafter [] to grant plaintiff visitation rights with [] not to impose any restraint on the personal liberty of plaintiff [] to pay reasonable medical and dental expenses []

and said judgment - order - is still in force.

- 3) Defendant has not obeyed that judgment - order - and [] there now remains due and unpaid to plaintiff the sum of plus such further amounts as may accrue to the date of hearing [] plaintiff has been denied visitation rights on [x] has violated the order on January 6, 1978 by not paying the \$40.00 per week order and accumulating an arrearage on that order of \$120.00 thru March 3, 1978 and further more has violated a previous order of \$55.00 per week dated 12/9/76 on which there is an outstanding arrearage of \$1080 for a total arrearage of \$1200.00 thru March 3, 1978.

4) Wherefore, plaintiff demands that defendant be required to appear before this Court to show cause why he should not be adjudged in contempt of Court and for such other relief as to said Court may seem meet and just.

Dated: March 13, 1978

Walter M Satkus
Name: Walter M Satkus, Child Support Unit
Address: Department of Public Welfare-Norwood
762-6300
Phone: In the Name of Nancy Pond

COMMONWEALTH OF MASSACHUSETTS

PROBATE COURT

No. 98308

Suffolk ss. Department of Public Welfare of Norwood in the name of
Commonwealth of Massachusetts Nancy J. Pond Plaintiff

v.

Complaint for Contempt

FILED JUL 27 1978

Richard A. Pond Defendant

1) Plaintiff, who resides at 24 Concord Ave., Norwood Norfolk County
was - ~~is~~ - the spouse of defendant, who now resides at 933 Metropolitan Ave., Hyde Park
Suffolk County

- 2) By judgment - ~~order~~ - of the court, dated January 6, 1978, defendant was ordered:
- to pay ~~alimony~~ - support of minor children - in the sum of \$40 forthwith and the further sum of \$40 weekly - ~~monthly~~ - thereafter to Department of Public Welfare
 - to grant plaintiff visitation rights with _____
 - not to impose any restraint on the personal liberty of plaintiff
 - to pay reasonable medical and dental expenses
 - to pay medical insurance for children

and said judgment - ~~order~~ - is still in force.

- 3) Defendant has not obeyed that judgment - ~~order~~ - and
- there now remains due and unpaid to plaintiff the sum of \$1920 plus such further amounts as may accrue to the date of hearing
 - plaintiff has been denied visitation rights on _____
 - has violated the order on February 17, 1978 and the following weeks _____ by failing to pay \$40 weekly each and every week, and also has violated a prior order of the Court of \$55 per week dated 12/9/76 on which there is an outstanding arrearage of \$1030 for a total arrearage of \$1920

4) Wherefore, plaintiff demands that defendant be required to appear before this Court to show cause why he should not be adjudged in contempt of Court and for such other relief as to said Court may seem meet and just.

Dated: July 13, 1978

Name: Fred Gross
Address: Mass Dept of Public Welfare
Phone: 329-1030

In the name of Nancy J. Pond

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS DEPARTMENT OF PUBLIC WELFARE
IN THE NAME OF:

18
PROBATE COURT
No. 98308

SUFFOLK ss.

Nancy J. Pond Plaintiff

v.

Complaint for Contempt

Richard A. Pond Defendant

1) Plaintiff, who resides at 24 Concord Avenue, Norwood, Massachusetts 02062
was the spouse of defendant, who now resides at 933 Metropolitan Avenue, Hyde Park,
Massachusetts 02136

2) By judgment of the court, dated January 6, 1978, defendant was
ordered: to pay support of minor children - in the sum of \$40.00
forthwith and the further sum of \$40.00 weekly thereafter

payments to be made to the Department of Public Welfare

not to impose any restraint on the personal liberty of plaintiff

to pay reasonable medical and dental expenses

to maintain medical insurance for the minor children

and said judgment is still in force.

3) Defendant has not obeyed that judgment and

there now remains due and unpaid to plaintiff the sum of \$3,371.00
plus such further amounts as may accrue to the date of hearing

plaintiff has been denied visitation rights on

has violated the order

by failing to pay \$40.00 each
and every week, but has paid \$1,869.00; by failing to maintain
medical insurance.

Plaintiff also requests that the defendant be ordered to assign his
wages to satisfy the court order.

4) Wherefore, plaintiff demands that defendant be required to appear before this Court to show cause
why he should not be adjudged in contempt of Court and for such other relief as to said
Court may seem meet and just.

Dated: 7-16-80

Name: Elin H. Graydon c/o Hoban

Address: MASS. DEPT. OF WELFARE

Phone: CHILD SUPPORT UNIT

600 WASHINGTON STREET - Rm. 652

BOSTON, MASS. 02111

727-7820

CJ 103 12/76

EXHIBIT 'F'
page 6

COMMONWEALTH OF MASSACHUSETTS

19

Suffolk ss.

PROBATE COURT
No. 98308

Nancy J. Pond Plaintiff

FILED OCT

def
9 1987

v.

Financial Statement

Richard A. Pond Defendant

All questions on both sides of this form must be answered in full or word "none" inserted. If not so completed, any statement will be deemed insufficient. The court may require a further detailed statement of any item. If sufficient space is not allowed for any answer, an attached sheet may be filed in addition to, but not in lieu of, the answer. The information contained herein is confidential and will be available only to the parties and to persons authorized under Mass. R. Dom. Rel. P. 401.

1) Name Richard A. Pond
2) Address 933 Metropolitan ave
3) Employer City of Boston
4) Address 24 North st

Occupation Health Inspector
Social Security Number 012-42-2369

5) Total gross weekly income (from line 14, on back page)
6) Net weekly income (line 5 less 15a, b & c on back page)
7) Total weekly expenses (total of 15e-j on back page)
8) Total assets (from line 19)
9) Total liabilities (from line 20)

240.00
191.85
114.00
500.00
300.00

10) Order requested or offered by you:

- 440.00 per week for child support
- per week for alimony (spouse only)
- per week for alimony (including child support)
- payment of reasonable medical, dental and hospital insurance
- maintenance of life insurance on the life of _____
in the amount of _____
- _____

11) Amount of weekly support now being received from any source _____/week

Source (e.g., welfare, pension, etc.)

12) Total gross income from previous year's tax return _____

I certify under the pains and penalties of perjury that my income and expenses, assets and liabilities as stated herein are true to the best of my knowledge and belief.

10-9-80
Date

Richard A. Pond
Signature

Mass. R. Dom. Rel. P. 401

Please itemize carefully and completely.

- 13) Income: List all income: gross weekly salary (including self-employment, additional employment income, bonuses, tips, overtime compensation), trust funds, pensions, public assistance, etc.

Sources (if salary, state name and address of employer)	Gross weekly amount*
City of Boston	\$240.00
24 North st	
Boston, Ma	

*If received every two weeks, divide figure by 2 to arrive at weekly figure; if twice monthly, divide by 2.15; if monthly, divide by 4.3; if annually, divide by 52.

14) Total 240.00 / week

15) Expenses:

	Weekly amount**
a. Federal Income Tax deductions (claiming _____ exemptions)	28.43
b. State Income Tax deductions (claiming _____ exemptions)	9.40
c. F.I.C.A. (and/or comparable retirement program)	12.02
d. Other deductions from salary: <u>Concil 93 Lifelines \$2.00 Credit Union</u> <u>\$10.00 BC/BS \$14.10</u>	26.10
e. Rent or mortgage (principal, interest, and taxes)	50.00
f. Heat	25.00
g. Electricity	5.00
h. Water/sewer	
i. Food	25.00
j. Other: <u>Clothes cleaned, toilet essentials, car ins</u>	9.00

16) Total \$189.95 / week

**Divide monthly expenses by 4.3 to arrive at weekly figure; divide annual expenses by 52 to arrive at weekly figure.

17)

Assets	
Description of Assets	Fair Market Value
24 Amc Greenish	\$500.00
_____	_____
_____	_____
_____	_____

18)

Liabilities	
Description of Liability	Amt. of Liability
Oil Bill	300.00
_____	_____
_____	_____
_____	_____

19) Total assets \$500.00

20) Total liabilities \$300.00

PROBATE COURT
No. 98308

Suffolk ss.
Nancy J. Pond Pond Plaintiff
of Norwood

Richard A. Pond Defendant
of Hyde Park

Judgment of Contempt

After hearing, it is adjudged that defendant is guilty of contempt of this court for having willfully failed and refused to obey its order of _____, 19____, in that defendant:

The defendant to pay \$40.00 per week to the Department of Public Welfare for support of minor children pursuant to a Wage Assignment Order of even date. No final determination of arrearages pending further review. Payments pursuant to order to be made through Family Service Office. Continued to 2-12-1981. The defendant to continue to maintain Blue Cross-Blue Shield on former wife and minor children.

1) defendant pay \$ _____ to plaintiff forthwith and \$ _____ on _____ and every _____ thereafter (\$ _____ of which is to be applied against the said arrearage)

2) hearing of this contempt be continued to _____

3) defendant be committed to the _____ jail at _____ for _____

until _____ he shall purge himself of said contempt by payment of \$ _____ and costs of said commitment or until further order of this court or until _____ he be otherwise discharged by due course of law and that a mittimus issue accordingly

4) this sentence to be suspended until _____

II. After hearing, it is adjudged that defendant is not guilty of contempt of this court.

10/9/80
Date

Joseph P. Wallace
Judge of Probate

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT

21
FILED OCT 9 1980

Suffolk Division

Probate & Family Court Dept.
No. 98308

Nancy J. Pond

v.
Richard A. Pond

WAGE ASSIGNMENT ORDER

After hearing, it is hereby found that the defendant, Richard A. Pond, is presently in arrears in support payments to the plaintiff in the sum of \$ at least \$160 which is in the aggregate more than four (4) weeks support as ordered by this Court on Jan. 6, 1978.

Now, therefore, it is ordered, pursuant to G.L. c. 208, § 36/ c. 209, §32E that:

1. Said Richard A. Pond assign \$ 40 dollars of his ~~her~~ weekly earnings to F.S.D. for payment to DPW to be applied \$ 40 dollars for support and \$ 0 dollars against said arrears.

2. Said assignment is to commence with the next pay period after receipt of this notice by the employer.

3. Upon complete satisfaction of the above arrearage, the amount of the assignment shall be \$ 40 dollars weekly.

4. The first \$ 80 dollars of the employee's weekly earnings are exempt from this assignment.

10-9-80
Date

Joseph P. Warner
Justice of the Probate & Family Court

City of Boston
Employer's Name
Environmental Health Services
City Hospital
81 1/2 Harrison Ave., Boston MA

X Richard A. Pond

COMMONWEALTH OF MASSACHUSETTS

Capias

PROBATE COURT
No. 98308

Suffolk ss.

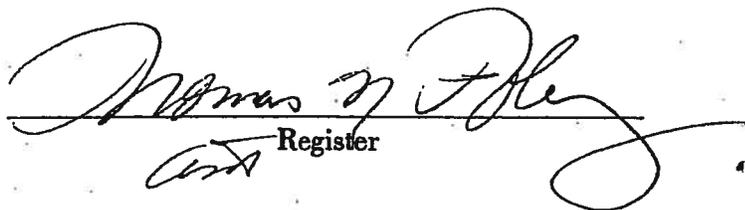
To the Sheriffs of our several Counties, or their Deputies

_____ in said County, GREETING:

1) Whereas, Richard A. Pond of Boston in the County of Suffolk was duly ordered to appear before said Probate Court on the 3rd day of December 19 81, at ten o'clock in the forenoon, then and there to show cause, if any he had, why he should not be held to be in contempt of said Court in not obeying its order dated September 10th, 19 81, wherein he was ordered to pay ~~into Court the sum of _____ as an allowance to his spouse - certain sums as alimony and for the support and maintenance - of his spouse and of the minor children of himself and Nancy J. Pond his wife - _____ from which said~~ day of _____ the consideration of said case was continued from time to time this _____ day of _____ 19____, and has neglected to appear, in contempt of said Court:

2) You are hereby commanded to apprehend the body of the said Richard A. Pond, if he may be found in your precinct, and bring him before said Court, at Boston, ~~on the~~ forthwith day of _____ 19____, at ten o'clock in the forenoon, that he may submit him self to an examination according to law; and also to answer for his contempt in not obeying the aforesaid decree of said Court, and in not appearing according to a summons served on him agreeably to law. Hereof fail not, and make due return of this precept, with your doings herein.

Witness, MARY C. FITZPATRICK Esquire, First Judge of said Court this 3rd day of December in the year of our Lord one thousand nine hundred eighty-one.


Register

COMMONWEALTH OF MASSACHUSETTS

25

PROBATE COURT
No. 98308

Suffolk ss.

DATE 12/28/81

Nancy Pond Plaintiff

NOTICE sent by aac

of 21 Concord Ave. Norwood

NOTICE sent to
R. Pond
D.P. Wel.

v.

Judgment of Contempt

Richard A. Pond Defendant

of 933 Metropolitan Ave. Hyde Park

After hearing, it is adjudged that defendant is guilty of contempt of this court for having willfully failed and refused to obey its order of January 6, 19 78, in that defendant:

- neglected and refused to pay support - alimony, the arrearage of which is fixed at _____
- Agreement of even date is incorporated by reference and made the Judgement of this Court _____

It is further ordered that:

- 1) defendant pay \$ _____ to plaintiff forthwith and \$ _____ on _____ and every _____ thereafter (\$ _____ of which is to be applied against the said arrearage)
- 2) hearing of this contempt be continued to _____
- 3) defendant be committed to the _____ jail at _____ for _____ until _____ he shall purge himself of said contempt by payment of \$ _____ and costs of said commitment or until further order of this court or until _____ he be otherwise discharged by due course of law and that a mittimus issue accordingly
- 4) this sentence to be suspended until _____

II. After hearing, it is adjudged that defendant is not guilty of contempt of this court.

12/28/81
Date

Joseph P. Wanner
Judge of Probate

COMMONWEALTH OF MASSACHUSETTS
THE TRIAL COURT

27

SUFFOLK Division

Probate & Family Court Dept.
No. 98308

NANCY POND

v.

RICHARD POND

WAGE ASSIGNMENT ORDER

FILED JUN 10 1982

After hearing, it is hereby found that the defendant, RICHARD POND is presently in arrears in support payments to the plaintiff in the sum of \$ 3,970.00 which is in the aggregate more than four (4) weeks support as ordered by this Court on 1/6/78.

Now, therefore, it is ordered, pursuant to G.L. c. 208, § 36/c. 209, §32E that:

1. Said RICHARD POND assign \$30.00 dollars of his ~~her~~ weekly earnings to F.S.O. - D.P.W.
F.S.O - D.P.W. - Plaintiff
to be applied 0 dollars for support and \$30.00 dollars against said arrears.

2. Said assignment is to commence with the next pay period after receipt of this notice by the employer.

3. Upon complete satisfaction of the above arrearage, the amount of the assignment shall be N/A dollars weekly.

4. The first N/A dollars of the employee's weekly earnings are exempt from this assignment.

6/10/82
Date

Joseph P. Wanner
Justice of the Probate & Family Court

FT. LAUDERDALE POLICE DEPT.
Employer's Name

CITY HALL PERSONNEL
Address

Suffolk Division

27
Probate & Family Court Dept.
No. 98308

FILED JUN 10 1982

Nancy J. Pond

v.

Richard A. Pond

WAGE ASSIGNMENT ORDER

After hearing, it is hereby found that the defendant, Richard A. Pond, is presently in arrears in support payments to the plaintiff in the sum of \$ _____ which is in the aggregate more than four (4) weeks support as ordered by this Court on _____

Now, therefore, it is ordered, pursuant to G.L. c. 208, § 36/c. 209, §32E that:

1. Said Richard A. Pond assign 40.00 dollars of his-her weekly earnings to F.S.O. D.P.W. - Plaintiff to be applied. 40.00 dollars for support and _____ dollars against said arrears.

2. Said assignment is to commence with the next pay period after receipt of this notice by the employer.

3. Upon complete satisfaction of the above arrearage, the amount of the assignment shall be _____ dollars weekly.

4. The first N/A dollars of the employee's weekly earnings are exempt from this assignment.

June 10, 1982
Date

Joseph P. Wanne
Justice of the Probate & Family Court

Fort Lauderdale Police Dept.
Employer's Name

City Hall Personnel
Address
100 North News Ave.

COMMONWEALTH OF MASSACHUSETTS.

SUFFOLK, SS.

PROBATE COURT.

Case No. 98308

I, James Michael Connolly, Register of Probate for said County of Suffolk, hereby certify, that a Probate Court held in and for said County, on the 6th day of January in the year of our Lord one thousand nine hundred and seventy-eight a divorce from the BOND OF MATRIMONY — NISI — was adjudged by the Court, between Nancy J. Pond of Hyde Park, in the County of Suffolk Plaintiff, and Richard A. Pons of Hyde Park, in the County of Suffolk, Defendant, in favor of said plaintiff, for the cause which is fully set forth in the judgment on file in said Court. cruel & abusive. Plaintiff have custody of Elizabeth A., Christopher A. Pond. Defendant to have reasonable rights of visitation & maintian present medical insurance on plaintiff as long as he retains present position & she is unmarried. The parties are ordered to carry out the terms of the Agreement filed herewith & incorporated herein.

Said judgment of divorce to become absolute after the expiration of six months, unless the Court shall have for sufficient cause, on application of any party interested, otherwise ordered.

And on the 6th day of July 1978, the said six months having expired, and the Court not having otherwise ordered, said judgment became absolute.



IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court, this 20th day of December in the year of our Lord one thousand nine hundred and eighty-two.

James Michael Connolly
 Register.

General Laws, Ch. 208, Sec. 21. "Judgments of divorce shall in the first instance be judgments nisi, and shall become absolute after the expiration of six months from the entry thereof, unless the Court within said period, for sufficient cause, upon application of any party interested, otherwise orders. After the entry of a judgment nisi, the complaint shall not be dismissed or discontinued on motion of either party except upon such terms, if any, as the Court may order after notice to the other party and a hearing, unless there has been filed with the Court a memorandum signed by both parties wherein they agree to such disposition of the complaint."

Sec. 24. "After a judgment of divorce has become absolute, either party may marry again as if the other were dead."

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS DEPARTMENT OF PUBLIC WELFARE
IN THE NAME OF:

18

SUFFOLK SS.

PROBATE COURT
No. 98308 W

Nancy J. Pond Plaintiff

Returnable

v.

October 9, 1980

Richard A. Pond Defendant

*9/10/81
Continued to
12/3/81 for renewal*

COMPLAINT FOR CONTEMPT

2/12/81

Defendant called and defaulted and capias ordered.

*Joseph P. Warner
Judge of Probate*

Judgment 10-9-80

*Joseph P. Warner
Judge of Probate Court*

*Proof of Service on Cont. Summons 10-8-80
Dep. Fin. Statement 10-9-80
Waiver of Counsel 10-9-80
Wage Assn. Order 10-9-80
Proof of Service 10-8-80*

*Capias Issued
2/12/81*

*5/28/81
Capias renewed
Joseph P. Warner
Judge of Probate*

5/28/81

Continued to 7/9/81 for renewal

*Joseph P. Warner
Judge of Probate*

Attorney Elin H. Graydon c/o Hoban

MASS. DEPT. OF WELFARE
CHILD SUPPORT UNIT

Tel. No. 600 WASHINGTON STREET Rm. 652
BOSTON, MASS. 02111

727-7820

Instructions for filling out this form:

1. Give street address, city or town, and county in paragraph 1.
2. Exact dates and specific details must be set out in paragraph 3.
3. When this complaint is filled out, a completed contempt summons must be obtained from the registry and served according to the instructions contained therein.
4. If more space is required attach 8½ x 11 white sheets of paper hand printed or typed thereon as needed.

12/3/81

Defendant called and defaulted and capias ordered.

*Joseph P. Warner
Judge of Probate Court
Capias Issued*

12-3-81

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

Suffolk Division

Docket No. 98308

Complaint For Modification

RICHARD A. POND, Plaintiff

v.

NANCY J. POND, Defendant

1. Plaintiff, who resides at 24 Beers Avenue, Norwell, Plymouth County, MA
(Street and No.) (City or Town) (County)
was ~~his~~ the spouse of defendant, who resides at
(State) 24 Concor Avenue, Norwood, Norfolk County, MA 02062
(Street and No.) (City or Town) (County) (State) (Zip)

*2. This Court, on Jan. 6, 1978 and March 25, 1997, Docket No. 98308
ordered that Plaintiff provide medical insurance for defendant until she remarried
and plaintiff pay \$4,990.00 arrearage in child support.

3. Since that date, the following changes in the circumstances have occurred: Plaintiff has remarried and has two minor children of the marriage for whom he provides medical insurance.

Defendant is gainfully employed and has medical insurance available through her employment. Plaintiff has completed payment of the child support arrearage through wage assignment.

4. Wherefore, plaintiff requests that the Court order judgment of _____
Docket No. 98308, be modified by terminating the obligation of
Plaintiff to provide medical insurance for Defendant and entering an order that
the child support arrearage is paid in full and terminating the assignment of
plaintiff's wages.

Date May 1, 1998

Signature Matthew J. Pouchman

Address 308 Victory Road
Quincy, MA 02171

Tel. No. (617) 786-1733

*Other modifications must also be set out.

DOCKET # 98308

RICHARD A. POND

VS

NANCY J. POND

IF THE COURT COULD PLEASE CONFIRM THAT FULL PAYMENT HAS BEEN PAID OF \$4990.00. AT \$85.00. PER WEEK FOR ARREARAGE THAT WOULD FULFILL THE FINANCIAL ARRANGEMENT.

I WOULD APPRECIATE THE COURT SUPPORT IN THE PRESENT ARRANGEMENT OF MR. POND PROVIDING INSURANCE COVERAGE. I WOULD IN THE VERY NEAR FUTURE LIKE TO START AN EDUCATION PROGRAM WHICH WOULD LIMIT MY ABILITY TO WORK FULL TIME THEREFORE MAKING IT NECESARRY TO CONTINUE WITH THE PRESENT ARRANGEMENTS IF I WERE ABLE TO GO TO SCHOOL. I HAVE PROVIDED FOR MY CHILDREN AND NOW WOULD NEED THIS SUPPORT.

SINCERELY,

NANCY POND
314 DEAN STREET
NORWOOD, MASSACHUSETTS 02062

File

Filed 5-4-98
3 rd
98308

Suffolk Division

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

Docket No. 98308

Complaint For Modification

RICHARD A. POND, Plaintiff

NANCY J. POND, Defendant

1. Plaintiff, who resides at 4 DAMON RD HANOVER PLYMOUTH
MASS (Street and No.) 02339 (City or Town) (County)
was the spouse of defendant, who resides at
24 CONCORD AVE NORWOOD NORFOLK MASS
(State) (Street and No.) (City or Town) (County) (State) (Zip)

*2. This Court, on 3-17-97, 1997, Docket No. 98308

ordered that NO CHANGE BE MADE, AND THAT EIGHTY FIVE (\$85.00)
DOLLARS A WEEK BE TAKEN OUT OF PAY TILL THE AMOUNT
OF FOURTHOUSAND NINEHUNDRED AND NINETY DOLLARS (\$4990.00)
BE PAID OFF.

3. Since that date, the following changes in the circumstances have occurred:
AT EIGHTY FIVE DOLLARS A WEEK SINCE 3-17-97
THE (\$4990.00) HAS BEEN PAID OUT.

4. Wherefore, plaintiff requests that the Court order judgment of \$85.00 WEEK
Docket No. 98308, be modified by TO BE STOPPED
AND ALSO THAT THE HEALTH INSURANCE BE STOPPED
BECAUSE THE DEFENDENT IS NOW GAINFULLY
EMPLOYED.

Date 5-4-98

Signature Richard A. Pond
Address 4 DAMON RD HANOVER MA
02339
Tel. No. (781) 871-3851

*Other modifications must also be set out.

Commonwealth of Massachusetts

The Trial Court

Probate and Family Court Department

Suffolk Division

Docket No. 98308 7/7/98

Financial Statement (SHORT FORM)

Richard A. Pond v. Nancy J. Pond

Plaintiff/Petitioner

Defendant/ Petitioner

INSTRUCTIONS: If your income equals or exceeds \$75,000.00 you must complete the LONG FORM financial statement, unless otherwise ordered by the Court. All questions on both sides of this form must be answered in full or the word "none" inserted. If additional space is needed for any answer, an attached sheet may be filed in addition to, but not in lieu of, the answer. Information contained herein is confidential and only available to the parties and persons authorized under Probate and Family Court Department Supplemental Rule 401.

1. Your Name Richard A. Pond (Soc. Sec. No. 012-42-2369)
Address 4 Damon rd Hanover MA 02339
Age 46 Tel. No. (781) 871-3851 No. of Children living with you 3
Occupation Lieutenant Employer Suffolk County Sheriff's Dept
Employer's Address 20 Bradston St Roxbury MA
Employer's Tel. No. (617) 635-1000 Health Ins. Coverage [X] YES [] NO
Health Insurance Provider Harvard Cert. No.

2. Gross Weekly Income from All Sources (strike inapplicable words)

a. Base pay from salary, wages \$ 950.00
b. Self Employment Income (attach a completed Schedule A) \$ 0
c. Income from overtime-commissions-tips-bonuses-part-time job \$ 0
d. Dividends - interest \$ 0
e. Income from trusts or annuities \$ 0
f. Pensions and retirement funds \$ 0
g. Social Security \$ 0
h. Disability, unemployment insurance or worker's compensation \$ 950.00
i. Public Assistance (welfare, A.F.D.C. payments) \$ 0
j. Rental from Income Producing Property (attach a completed Schedule B) \$ 0
k. All other sources (including child support, alimony) \$ 85.00
l. Total Gross Weekly Income (a through k) \$ 1950.00

3. Itemize Deductions from Gross Income

a. Federal income tax deductions (claiming exemptions) \$ 13.42
b. State income tax deductions (claiming exemptions) \$ 14.95
c. F.I.C.A./Medicare \$ 5.50
d. Medical Insurance \$ 17.00
e. Union Dues \$ 16.00
f. Total Deductions (a through e) \$ 60.89

4. Adjusted Net Weekly Income

2 (l) minus 3 (f) \$ 889.13

5. Other Deductions from Salary

a. Credit Union (Loan Repayment or Savings) \$ 26.00
b. Savings \$ 0
c. Retirement \$ 22.50
d. Other - Specify (such as Deferred Compensation or 401K) med ins \$ 19.18
e. Total Deductions (a through d) \$ 117.68

6. Net Weekly Income

4 minus 5 (e) \$ 771.45

7. Gross Yearly Income from Prior Year

(attach copy of all W-2 and 1099 forms for prior year) \$ 52,000

8. **Weekly Expenses** (Do Not Duplicate Weekly Expenses - Strike Inapplicable Words)

a) Rent - Mortgage (P/T) 395.00 1575.00	i) Life Insurance	\$	<u>0</u>
b) Homeowner's/Tenant Insurance	m) Medical Insurance	\$	<u>18.00</u>
c) Maintenance and Repair	n) Uninsured Medicals	\$	<u>0</u>
d) Heat (Type <u>OIL</u>)	o) Incidentals and Toiletries	\$	<u>10.00 wk</u>
e) Electricity and Gas	p) Motor Vehicle Expenses	\$	<u>20.00 wk</u>
f) Telephone	q) Motor Vehicle Loan Payment \$65.00	\$	<u>270.00 mo</u>
g) Water/Sewer	r) Child Care	\$	<u>258.00 ended</u>
h) Food	s) Other (attach additional schedule, if necessary)	\$	<u>0</u>
i) House Supplies		\$	
j) Laundry and Cleaning		\$	
k) Clothing		\$	
Total Weekly Expenses (a through s)			\$ <u>814.00</u>

9. **Counsel Fees**

a) Retainer amount(s) paid to your attorney(s)	\$	<u>0</u>
b) Legal fees incurred, to date, against retainer(s)	\$	<u>0</u>
c) Anticipated range of total legal expense to prosecute this action	\$	<u>0</u> to \$ <u>0</u>

10. **Assets** (Attach additional schedule for additional real estate and other assets, if necessary)

a) Real Estate <u>House</u>		
Location <u>4 Damon Rd, Hanover, MA</u>		
Title <u>Plymouth County</u>		
Fair Market Value \$ <u>280,000.00</u> - Mortgage(s) \$ <u>1575.00</u> = Equity	\$	<u>100,000</u>
b) IRA, Keough, Pension, Profit Sharing, Other Retirement Plans		
List Financial Institution or Plan Names and Account Numbers		
	\$	<u>50,000</u>
c) Tax Deferred Annuity Plan(s)		
d) Life Insurance: Present Cash Value	\$	<u>0</u>
e) Savings & Checking Accounts, Money Market Accounts, and CDs - which are held individually, jointly, in the name of another person for your benefit, or held by you for the benefit of your minor child(ren). List Financial Institution Names and Account Numbers		
<u>Boston Globe Credit Union checking</u>	\$	<u>1,000.00</u>
f) Motor Vehicles		
Fair Market Value \$ <u>10,000.00</u> - Motor Vehicle Loan \$ <u>9,000.00</u> = Equity	\$	<u>1,000</u>
Fair Market Value \$ <u>0</u> - Motor Vehicle Loan \$ <u>0</u> = Equity	\$	<u>0</u>
g) Other (such as - stocks, bonds, collections)		
	\$	<u>0</u>
h) Total Assets (a through g)	\$	<u>152,000.00</u>

11. **Liabilities** (DO NOT list weekly expenses but DO list all liabilities)

a)	b) City of Creditor	c) Nature of Debt	d) Date of Origin	e) Amount Due	f) Weekly Payment
a)	<u>City of Boston Credit Union</u>	<u>Loan</u>	<u>4-98</u>	<u>\$12,000.00</u>	<u>\$ 76.00</u>
b)					
c)					
d)					
e)	Total Amount Due and Total Weekly Payment		\$ <u>76.00</u>	\$ <u>76.00</u>	<u>0</u> years

12. **Number of Years you have paid to Social Security**

0 years

I certify under the penalties of perjury that my income and expenses, assets, and liabilities as stated herein are true to the best of my knowledge and belief. I have carefully read this financial statement and I certify the information is true and complete.
 Date 6-30-98 Signature [Signature]

STATEMENT BY ATTORNEY

I, the undersigned attorney, am admitted to practice law in the Commonwealth of Massachusetts -- am admitted pro hoc vice for the purposes of this case -- and am an officer of the court. As the attorney for the party on whose behalf this Financial Statement is submitted, I hereby state to the court that I have no knowledge that any of the information contained herein is false.

Attorney's Signature [Signature] Date 7/7/98
 Address 305 VICTORY RD QUINCY MA 02171 Tel. No (617) 250-1733
 B.B.O. # 050250

N.R.
7-23-98

(M)

TIS

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department
Amended
Modification Judgment

Suffolk Division

Docket No. 98308

Richard Pond, Plaintiff

v.

Nancy Pond, Defendant

After hearing, it is ordered and adjudged that:

1. The parties shall comply with the stipulation or agreement of the parties dated July 7, 1998, which is filed with the Court, is approved as fair and reasonable, and is incorporated in this judgment.
2. Except as modified herein, all outstanding judgements and orders remain in effect.

Date July 21, 1998, as of
July 7, 1998



JEREMY A. STAHLIN
JUSTICE OF THE PROBATE AND FAMILY COURT

COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS DEPARTMENT OF PUBLIC WELFARE
IN THE NAME OF:

PROBATE COURT
No. 98308

SUFFOLK ss.

Nancy Pond Plaintiff

v.

Complaint for Contempt

Richard A. Pond Defendant

1) Plaintiff, who resides at 24 Concord Ave., Norwood, MA 02062
was the spouse of defendant, who now resides at 933 Metropolitan Ave., Hyde Park, MA 02136

2) By judgment of the court, dated June 10, 1982, defendant was ordered: to pay \$30.00 weekly towards an arrearage of \$3,970.00

- to grant plaintiff visitation rights with _____
- not to impose any restraint on the personal liberty of plaintiff
- to pay reasonable medical and dental expenses
- _____

and said judgment is still in force.

- 3) Defendant has not obeyed that judgment and
- there now remains due and unpaid to plaintiff the sum of \$2,547.00
plus such further amounts as may accrue to the date of hearing
- plaintiff has been denied visitation rights on _____
- has violated the order since June 10, 1982,
by failing to pay \$30.00 each and
every week.

Plaintiff also requests that the defendant be ordered to assign his wages to satisfy the court order.

- 4) Wherefore, plaintiff demands that defendant be required to appear before this Court to show cause why he should not be adjudged in contempt of Court and for such other relief as to said Court may seem meet and just.

Dated: September 13, 1985

MASSACHUSETTS DEPARTMENT OF PUBLIC WELFARE
BY: Kevin Hoban *Kevin Hoban*
Name: IN THE NAME OF: Nancy Pond
Address: 41 Hawkins St., Boston, MA 02114
Phone: 227-8320 Ext. 406

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

Plymouth Division

Docket No. 96D1436-D V1

Complaint For Divorce

Leslie Ann Pond, Plaintiff

v.

Richard A. Pond, Defendant

1. Plaintiff, who resides at 24 Beers Avenue, Norwell, Plymouth, MA 02061
(Street and No.) (City or Town) (County) (State) (Zip)

was lawfully married to the defendant who now resides at 24 Beers Avenue
(Street and No.)
Norwell, Plymouth, MA 02061
(City or Town) (County) (State) (Zip)

2. The parties were married at Barnstable on June 4, 1989
and last lived together at Norwell on presently living together

3. The minor child ren of this marriage, and date(s) of birth is/are:
Richard Archibald 11/2/92
Gerris James 11/2/92

4. Plaintiff certifies that no previous action for divorce, annulling or affirming marriage, separate support, desertion, living apart for justifiable cause, or custody of child has been brought by either party against the other except: None

5. On or about July 4, 1996, the defendant was guilty of cruel and abusive treatment on this date and other divers dates and times and the marriage suffered an irretrievable breakdown, which continues to exist.

6. Wherefore, plaintiff requests that the Court:
 grant a divorce for plaintiff per 208 Sec. 1 or 1B
 prohibit defendant from imposing any restraint on plaintiff's personal liberty
 grant her custody of the above-named child ren
 order a suitable amount for support of the plaintiff and said minor child ren
 order conveyance of the real estate located at _____
_____ extending in the name of _____
_____ as recorded with _____
Registry of Deeds, Book _____ Page _____
 allow plaintiff to resume her former name of _____
 order division of assets per M.G.L. 208, Section 34

Date July 31, 1996

Signature of Attorney or Plaintiff, if pro se
R. Christian Hauffler, Jr.
22 Washington Street, Norwell, MA 02061
Tel. No. (617) 871-3800 B.B.O. # 225860
PROBATE & FAMILY COURT
PLYMOUTH DIVISION

EXHIBIT 'V'
page 52

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

SUFFOLK COUNTY PROBATE AND FAMILY COURT
DOCKET NO. 98308

RICHARD A. POND)
Plaintiff)
)
v.)
)
NANCY J. POND)
Defendant)
)

MOTION TO CORRECT
JUDGMENT

Now comes the plaintiff, Richard A. Pond, and respectfully requests this Honorable Court to enter a correction of the Judgment dated March 19, 1997 by Judge Nesi.

In support thereof the plaintiff states the following:

1. The arrearages were set at \$14,000.00 in September of 1986.
2. It was agreed by the parties that the plaintiff had paid the sum of \$7,910.00.
3. The parties had a dispute as to whether or not the \$1,100.00 seized by the Commonwealth of Massachusetts should be credited to the plaintiff as paid.
4. The Judgment of March 19, 1997 gives the plaintiff credit for the \$1,100.00 which would make a total paid by him of \$9,010.00.
5. The arrearage figure of \$14,000.00 minus the \$9,010.00 leaves arrearages owed by the plaintiff of \$4,990.00.

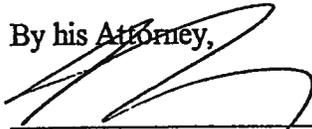
Wherefore the plaintiff respectfully requests that this Honorable Court enter a correction on the Judgment of March 19, 1997.

CERTIFICATE OF SERVICE

I hereby certify that on this day a true copy of the above document was served upon the attorney of record for each party by mail/by hand
Date: 3/21/97

Dated: March 21, 1997

By his Attorney,



Robert L. Jubinville, Esquire
424 Adams Street, Suite 200
Milton, MA 02186
(617) 698-8000
BBO# 255540

Suffolk ss. Probate Court at
3/25/1997
he within motion is hereby allowed/decided
New JD denied
Nesi
Judge of Probate Court

Financial Statement (SHORT FORM)

Richard A. Pond

Nancy J. Pond

Plaintiff/Petitioner

Defendant/ Petitioner

INSTRUCTIONS: If your income equals or exceeds \$75,000.00 you must complete the LONG FORM financial statement, unless otherwise ordered by the Court. All questions on both sides of this form must be answered in full or the word "none" inserted. If additional space is needed for any answer, an attached sheet may be filed in addition to, but not in lieu of, the answer. Information contained herein is confidential and only available to the parties and persons authorized under Probate and Family Court Department Supplemental Rule 401.

1. Your Name Richard A. Pond Soc. Sec. No. Address 4 Damon rd Hanover MA 02339

Age 46 Tel. No. (781) 871-3851 No. of Children living with you Occupation Lieutenant Employer Suffolk County Sheriffs Dept Employer's Address 20 Wadsworth St Roxbury MA

Employer's Tel. No. (617) 635-1000 Health Ins. Coverage [X] YES [] NO Health Insurance Provider Harvard Cert. No.

2. Gross Weekly Income from All Sources (strike inapplicable words) a. Base pay from salary, wages 950.00 b. Self Employment Income (attach a completed Schedule A) c. Income from overtime-commissions-tips-bonuses-part-time job d. Dividends - interest e. Income from trusts or annuities f. Pensions and retirement funds g. Social Security h. Disability, unemployment insurance or worker's compensation 950.00 i. Public Assistance (welfare, A.F.D.C. payments) j. Rental from Income Producing Property (attach a completed Schedule B) 85.00 k. All other sources (including child support, alimony) l. Total Gross Weekly Income (a through k) 1985.00

3. Itemize Deductions from Gross Income a. Federal income tax deductions (claiming exemptions) 13.42 b. State income tax deductions (claiming exemptions) 14.95 c. F.I.C.A./Medicare 5.50 d. Medical Insurance 17.00 e. Union Dues 16.00 f. Total Deductions (a through e) 66.89

4. Adjusted Net Weekly Income 2 (l) minus 3 (f) 889.13

5. Other Deductions from Salary a. Credit Union (Loan Repayment or Savings) 26.00 b. Savings c. Retirement 22.50 d. Other - Specify (such as Deferred Compensation or 401k) med Dana 19.18 e. Total Deductions (a through d) 117.68

6. Net Weekly Income 4 minus 5 (e) 771.45

7. Gross Yearly Income from Prior Year (attach copy of all W-2 and 1099 forms for prior year) 52,000

EXHIBIT 'Y' page 55

RICHARD ALLAN POND
(DOB: March 25, 1952)

RECORDS FROM LAW ENFORCEMENT AGENCIES IN FLORIDA

**PERSONNEL RECORDS INCLUDING:
JOB APPLICATIONS
TRAINING RECORDS AND CERTIFICATIONS
DISCIPLINARY RECORDS AND REPORTS
DOMESTIC INCIDENT REPORTS
CRIMINAL INVESTIGATION REPORTS**

Records date from April 5, 1982 through July 31, 1984

Sources:

**Fort Lauderdale Police Department
Dania Police Department
Broward County Sheriff's Office
Palm Beach County Sheriff's Office
State of Florida Criminal Justice Standards and Training Commission**

Total Pages: 132

Note: All records pertaining to Mr. Pond's arrest in Coconut Creek, Florida in 1983 on charges of assault and battery on a police officer have since been purged from the Coconut Creek Police Department files.

FORT LAUDERDALE, FLORIDA
POLICE DEPARTMENT - OFFENSE REPORT

DR# 82-048074

R-1 P

MISSING TAG

OFFENSE: MISSING TAG REF OR: -
 ATTENTION: DATE: 04/05/82 DAY OF WEEK: MONDAY
 LOCATION: 300 N ATLANTIC DISPATCHED: 0045 ARRIVE: 0045 CLEAR: 0057
 TYPE PREM: OTHER COMMERCIAL ESTABLISHMENT UNIT: 0W-40 ZONE: 12 RA: 1
 TIME OCCURRED: 1300 04/04/82 TO 2330 4/ 4/82 UNITS NOTIFIED:
 NBR VICTIM: NBR SUBJ: NBR VEH: 4KOWALSKI

----- PERSON DATA -----

STATUS: VICTIM OCCUPATION: POLICE OFFICER
 NAME: POND, RICHARD A EMPLOYER: FT LAUDERDALE
 RACE/SEX/DOB: WHITE - MALE - 03/25/52 ADDRESS:
 ADDRESS: 1300 WEST BROWARD BLVD CITY/STATE:
 CITY/STATE: PHONE (BUS): -000-0000
 PHONE (RES): - - AKA:
 RELATIVES NOTIFD: NO TIME/DATE: / / BY WHOM:

----- VEHICLE DATA -----

STATUS: VICTIM VEHICLE
 VALUE: \$
 YR/MAKE/MODEL: 78 PONTIAC GRAND PRIX LIEN HOLDER:
 LICENSE: 7MM296 INSURANCE CO.:
 STATE/YR: FL 83 TOWED BY: NBR.
 COLOR: BLACK VINYL/BROWN ACCESSORIES:
 VIN: I. D. MARKS:
 DECAL NBR:
 VEHICLE HELD: OFFICER NBR: REASON:

----- NARRATIVE -----

POND STATED HE PARKED HIS VEHICLE IN THE UNDERGROUND PARKING AT PENROD'S AT APPROX 1300 HRS, 4-4-82, AND RETURNED TO THE VEHICLE AT APPROX 2330 HRS AND THE TAG WAS GONE. NFI.

COMMUNICATIONS CALLED (3050) FOR BOLD OF TAG.

MISSING TAG

CLEARANCE:

STATUS OF INVESTIGATION:

INVESTIGATORS: KOWALSKI
TRANSCRIBER: 7825CJ

SERIAL #: FL146 BACKUP SER #:
TIME/DATE TO RECORDS: 0058 - 04/05/82
TIME/DATE TRANSCRIBED: 0843 - 04/05/82

THE FOREGOING POLICE REPORT, CONSISTING OF 02 PAGES, EACH PAGE HAVING
BEEN INITIALED BY ME ARE HEREBY SWORN TO

BROWARD COUNTY SHERIFF'S DEPARTMENT

FT. LAUDERDALE, FLORIDA

EVENT REPORT

Transcribed JUVENILES 0 Arrested ADULTS 0 In Custody 17

EXACT LOCATION/ADDRESS OF OCCURRENCE APT./BLDG./LOT # CITY AREA/BUSINESS NAME WHERE OCCURRED OCCURRED DATE TIME DAY 6-28-82-0625-MON

Reported by: Onview Anonymity See Block V Dispatched 0625 Arrived 0627 Cleared 0707 Date of Report 6-28-82

Will Victim prosecute, cooperate, and be available? Undecided No Yes Unknown N/A

Full legal name of business Davis, Jamie Ruth Type Entry N/A State in N/A

Additional Facts About Victim N/A Broward General Hospital 463-3131

Will witnesses cooperate and be available? Lord Name First Middle R/S D.O.B. Residence Address

Suspect? Arrested Known by Name First Middle R/S D.O.B. Residence Address

Suspect Name Bond, Richard Height N/A Weight N/A AKA N/A Business Name FT Lauderdale Police Dept

Suspect Vehicle Description? Year Make Model Type Color Tag # State

Vehicle Registered Owner Address City Vehicle Lien Holder Distinctive Features

Physical Evidence Obtained? Description/Exactly where obtained/Released to - Date and Time

Significant MO? # Offenders Direction & How Approached / Fied North foot / N/A

Who did suspect say? I Did NOT point the gun

Type Premises Residential A.D. NO

Other Significant Leads or Hunches? Brief Explanation Other Related Circumstances

Injury? Nature & Location on Body Reporting Dep. Observed Hospital Doctor / M.E.

Name of Relative/Person Notified Relationship to Injured Person Notified by Whom Condition of Injured

Deadly Weapon Used or Exhibited by Suspect? Type Revolver Description Blue steel Revolver How Used Point

Property Lost or Damaged? Type Property Lost Auto Theft FMV TT Operator - Date/Time/Whose Type Property Damaged Total Damage

INITIAL CASE STATUS. C/A EXC P PEND INACTIVE PEND ACTIVE ERRED TO: Total Solvability Value

Case Screened Computer Date Reason(s) Returned

Reclassified to Justification for Reclassifying

ASSIGNMENT Total Solvability Value Seriousness Factor Priority Value Assigned Name/Division Date

PRIORITY: Core Status C/A EXC INF PEND INACTIVE PEND ACTIVE

Reporting Deputy Print J. DiAgostino ID# 2824 Sign J DiAgostino

Approved Supervisor Print H. POTSDAM Sign H. Potsdam

CID Reviewer Print G. R. 6610 Sign G. R. 6610

SHERIFF'S DEPARTMENT - BROWARD COUNTY FLORIDA
 EVENT CONTINUATION REPORT

Page 2 of 3

RPT Code _____

Time	Remarks	Time	S.F.
V	Davis, Jamie stated to this deputy that her fiance suspect had been out drinking all night and did not come home until 0600hrs. The victim further advised that when he did enter the house he started to throw objects around and was made about something. Victim then stated that the suspect works for the Ft Lauderdale Police Dept and had taken his service revolver in the bedroom and told her not to come in. At this point the victim attempted to call the Police. The victim then advised that the suspect exited the bedroom with his service revolver pointed directly at her. The victim then ran out of the house for the fear of her life.		
S	Pond Richard stated to this deputy that he had been out drinking and when he came home at 0600 hrs he found his fiancee in bed with another female. The suspect further stated that he started to gather his belongings and was going to leave the house. The suspect told this deputy that he had taken his gun belt with his service revolver which was in a holster and walked in the bedroom and told the victim not to enter. The suspect then walked out of the bedroom with his gun belt and service revolver which again told this deputy that his gun was holstered and was going to leave. At this point the suspect stated that the victim was on the phone with the police and when he came out of the bedroom she dropped the phone and ran out of the house. The suspect then advised me that he picked the phone up and told the dispatcher that everything was ok. This deputy stood by for the suspect		
		Zone 402	Case Number 11-82-85-13
		Classification - Type Agg Assault	
Investigator Deputy J. D. Agostino	CCN P&M	Date 6-28-82	Supervisor J. [Signature]
BSC-19	Page 2	of 3	CCN 174

0005000000

BROWARD COUNTY, FLORIDA, SHERIFF'S DEPARTMENT

WAIVER OF PROSECUTION

Case No. 44-82-8513

The undersigned, JAMIE DAVIS,
does not wish to make a formal complaint, nor file any criminal
charges against RICHARD POND,
and further relieves Robert A. Butterworth, his Deputies, Agents,
and Employees of any responsibility in this case.

The undersigned further states that he has not been promised
anything in return, nor has been threatened, nor received any
monies in refusing to make a formal complaint.

Signed Jamie Davis
Date 6/28/81
Time 7:00 AM.

WITNESSES:

Deputy J. D. [Signature]

BROWARD COUNTY SHERIFFS DEPT

CASE:LLP-82008513

INC:0173 06/28/82 TIM ENT:06:25 TIM AS:06:25 TIM ARR:06:27 TIM CL:07:07

ADDR: 3532 NW39 ST LL DPT:P APT: ZONE:402

TYPE:32 CMP PO:27 CMP ID:3133 DSP PO:05 DSP ID:2599 PRI ID:2821

RP:56 JAIME ADDR: RES PH:735 4973 PRI:3

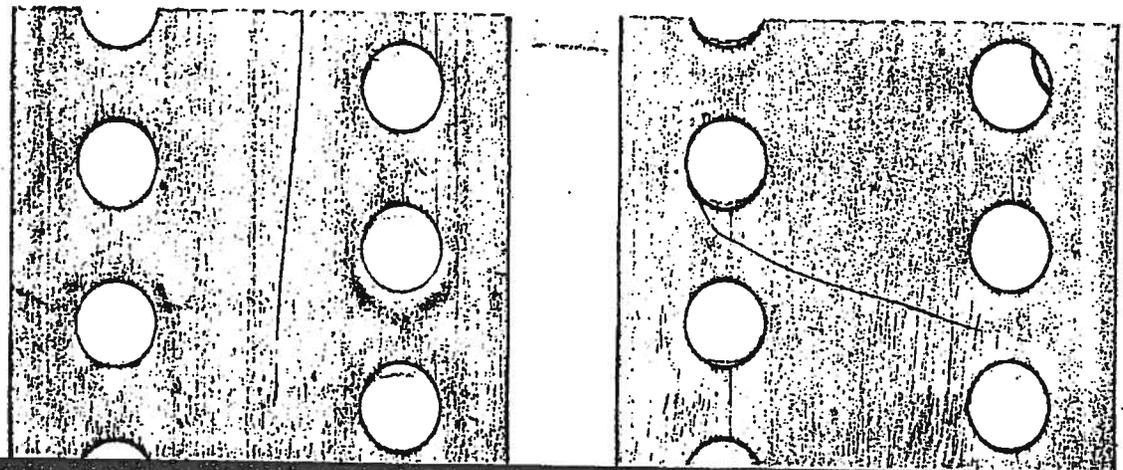
BUS PH: UNITS:1 HOW RCD:T PRIOR ACT: PREM INF:

IU:1A404 06:25 BU1:1A401 06:26 BU2: BU3: BU4:

REPORTED ADDRESS:3532 NW 39 ST, LLJ CMTS: COMP BOYFRIEND HAS LOCKED HIMSELF I
N BEDROOM WITH A GUN; //AIR IS 03 AT 6:29 HRS. 1A401 IS 25 WITH COMP AT 40 ST AN
D 35 AVE.. //1A401 AND 1A404 ARE ON 3 CHANNEL AT 6:30 HRS. AIR IS 08 AT 6:30 ///
/CODE A

I	PO	TIME-	AGE	UNIT-	INC-	ST	COMMENTS
0-05	07:06	LLP-1A403/0173	AV				
0-05	06:31	LLP-1A403/0173	AT				
A-05	06:29	LLP-1A403/0173	EN				
0-05	06:28	LLP-1A401/0173	AT				
0-05	06:27	LLP-1A404/0173	AT				
A-05	06:26	LLP-1A401/0173	EN				
A-05	06:25	LLP-1A404/0173	EN				

000502406



"Purged"

POND, RICHARD A.

NAME: GERWENS, Joseph C.
MAJOR

DATE: 6/30/82 OPS# 82-30

ADD:

CITY:

TELEPHONE: (BUS.)

(RES.)

NATURE OF COMPLAINT: CONDUCT UNBECOMING AN OFFICER

OFFICERS: Officer Richard A. Pond

RESULTS OF INVESTIGATION: EXONERATED

DISCIPLINARY ACTION:

FORM Z-276 Rev. 11/78

OPSG COMPLAINT REFERENCE CARD

00E 01

FORT LAUDERDALE, FLORIDA OR# 82-105
POLICE DEPARTMENT - OFFENSE REPORT

PROPERTY (FOUND)

OFFENSE: PROPERTY (FOUND)
ATTENTION:
LOCATION: 1300 WEST BROWARD
TYPE PRPT: PARKING LOT
DATE: 08/07/82 **BAY OF WHEEL:**
DISPATCHED: 0630 **ARRIVE:** 0630 **CLEAR:** 0630
UNIT: 3A-11 **ZONE:** 45 **RA:** 1
TIME OCCURRED: 0630 08/07/82 TO / / **UNITS NOTIFIED:**
NBR VICTIM: NBR SUBJ: IBR VEN: 5 POND

----- PERSON DATA -----

STATUS: PERSON REPORTING EVENT
NAME: POND, RICHARD
RACE/SEX/DOB: WHITE - MALE - 03/25/52
ADDRESS: 1300 WEST BROWARD BLVD.
CITY/STATE: FT LAUDERDALE, FL
PHONE (RES): -761-2138
RELATIVES NOTIFD: NO **TIME/DATE:** / /
OCCUPATION: CITY WORKER
EMPLOYER: FT LAUDERDALE
ADDRESS: 1300 WEST BROWARD
CITY/STATE: FT LAUDERDALE, FL
PHONE (BUS): -000-0000
BY WHOM:

----- NARRATIVE -----

AT CHECK OUT TIME AT APPROX. 11 PM. ON 8/6/82, I SEARCHED MY VEHICLE FOR CONTRABAND AND FOUND NOTHING. AT ABOUT 5:20 AM, I TRANSPORTED A PRISONER FROM DENNY'S ON A1A FOR THE DETAIL I WAS WORKING THERE. I TRANSPORTED HIM BACK TO THE STATION TO THE SHERIFFS DEPT. AND AROUND 6:30 AM, THIS DATE OF 8/7/82 AND UPON CHECKING OUT MY VEHICLE AND EXAMINING THE BACKSEAT, I FOUND WHAT I BELIEVED TO BE HASHISH WRAPPED IN SILVER ALUMINUM FOIL, UNKNOWN AMOUNT. I WILL SEND IT OUT TO THE EVIDENCE ROOM TO BE DESTROYED.

NO ARREST MADE.

NFI.

02

PORT LAUDERDALE, FLORIDA
POLICE DEPARTMENT - OFFENSE REPORT

PROPERTY (FOUND)

CLEARANCE:

STATUS OF INVESTIGATION: NFA

INVESTIGATOR: FOND
TRANSCRIBER: 7824EP

SERIAL #: FL939 BACKUP SER #:
TIME/DATE TO RECORDS: 0000 - 08/07/82
TIME/DATE TRANSCRIBED: 1945 - 08/09/82

THE FOREGOING POLICE REPORT, CONSISTING OF 02 PAGES, EACH PAGE HAVING
BEEN INITIALED BY ME ARE HEREBY SWORN TO

**FT. LAUDERDALE, FLORIDA
EVENT REPORT**

Transcribed JUVENILES Arrested ADULTS Not in Custody

OCCURRED DATE: 11-5-82 TIME: 0330Hrs DAY: FR

EXACT LOCATION/ADDRESS OF OCCURRENCE: [Blank] APT./BLDG./LOT #: LL CITY: [Blank] AREA/BUSINESS NAME WHERE OCCURRED: [Blank]

Reported by: [Blank] Dispatched: S 0333 Arrived: 0336 Cleared: 0547 Date of Report: 11-5-82

Will Victim prosecute, cooperate, and be available? Yes No Undecided Person/Unit Notified - Time: 11:55 AM EMS: [Blank] Police: [Blank]

Victim Name: Davis, Jamie Ruth D.O.B.: 11-22-54 Residence Address: [Blank] City: [Blank] Res. Phone: [Blank]

Additional Facts About Victim: Suspect's Girlfriend - Broward General Hospital / 1600 Andrews Ave / 463-3131

Will witness cooperate and be available? Yes No Undecided Witness Name: Same As Suspect

Suspect Name: Paul Richard Allen D.O.B.: 11-3-52 Residence Address: [Blank] City: [Blank] Res. Phone: [Blank]

Height: 6'1" Weight: 190lbs Business Name: "Bicky" Unemployed (Prior Ft Lauderdale Police Dept) Address: [Blank] City: [Blank] Res. Phone: [Blank]

Suspect Vehicle Description: Year: [Blank] Make: [Blank] Model: [Blank] Type: [Blank] Color: [Blank] Top: [Blank] State: [Blank] V.I.N.: [Blank]

Vehicle Registered Owner: [Blank] Address: [Blank] City: [Blank] Vehicle Lien Holder: [Blank] Distinctive Features: [Blank]

Hold authorized by (Name/Division): [Blank] Insurance Co.: [Blank] Address: [Blank] City: [Blank] Ins. Policy #: [Blank] Veh. Storage Recpt. Yes No Vehicle Stored At: [Blank]

Physical Evidence Obtained? Yes No Description/Agency where obtained/Released to - Date and Time: Smith & Wesson Mod. 19 4" .357 Mag. Revolver

Significant MO? Offenses: [Blank] Direction & How Approached / Fled: [Blank] Implement Used: Gun Method Used: Shot Exact Location of Victim or Property: West side bedroom of above address

What did suspect say? "I'm sorry! I'm sorry! I didn't mean it!" N/A

Type Premises: Residence M.O.: N/A

Other Significant Leads or Hunches? [Blank] Other Related Case Numbers: [Blank]

Injury: Nature & Location on Body: Bullet wound left wrist Reporting Dep. Observed: [Blank] Hospital: Broward General Doctor / M.E.: Horigan

Names of Relative/Person Notified: [Blank] Relationship to Injured: [Blank] Phone: [Blank] Notified by Whom: [Blank] Condition of Injured: Good

Deadly Weapon Used or Exhibited by Suspect? Type: Handgun Description: S&W Mod. 19 4" Blue .357 Mag. How Used: Shot

Property Lost or Damaged? Type Property Lost: [Blank] Total Amt. Lost: FMV = [Blank] TI Operator - Date/Time/Message #: [Blank] Type Property Damaged: [Blank] Total Damage: [Blank]

INITIAL CASE STATUS: C/A EX/C PENDING INACTIVE REFERRED TO: [Blank] Date Recvd. Back: [Blank]

Case Screened: 11/5/82 Computer Data: [Blank] Returned: [Blank] Date: [Blank] Date Recvd. Back: [Blank]

Reclassified to: [Blank] Justification for Reclassifying: [Blank]

ASSIGNMENT: Total Solvability Value: [Blank] Seriousness Factor: [Blank] Assigned To Name/Division: Sgt Riou Date: 11/5/82

PRIORITY: [Blank] Case Status: C/A EX/C UNF PENDING INACTIVE PENDING ACTIVE

Reporting Deputy: Timothy Brughan ID #: 3125 Approving Supervisor: Sgt. JH Brey ID #: 1680 CID Reviewer: J. M. Mierisch ID #: 2747

Signature: Timothy Brughan Signature: Sgt. JH Brey Signature: J. M. Mierisch

Case Number: 463-114178
Classification type: [Blank]

SHERIFF'S OFFICE - BROWARD COUNTY FLORIDA

EVENT CONTINUATION REPORT

Page 2 of 4

RPT Code Cat

Time	Remarks	Time S.F.
	<p>At 0333 Hrs, this deputy was dispatched to in reference to an accidental shooting which was reported via 911. Upon arrival this deputy made contact with the victim, Jamie Davis, and the suspect, Richard Pond in the kitchen. V-Davis was sitting on the floor holding her left wrist. This deputy observed blood pools around the victim and leading into the master bed room. This deputy assisted the victim by applying a pressure bandage. At approximately 0337 Hrs, Lauderdale Lakes Paramedic arrived on the scene. Med 42. While the victim was being treated, this S deputy interviewed S-Pond who related the following course of events: S-Pond stated that V-Davis was laying on the floor by the sliding glass window in the master bedroom. S-Pond stated he reached under the bed (on the far side from the victim) and removed the victim's revolver from underneath. S-Pond stated as he pulled the revolver out it accidentally discharged striking V-Davis in the wrist. S-Pond stated he did not know what he did with the gun only that he went to V-Davis to assist her and then called the Sheriff's Office via 911.</p>	
	<p>This deputy interviewed V-Davis at the Broward General Hospital Emergency Room. V-Davis gave the following account of the</p>	

Zone
 Case Number
 402
 11-89-14678
 Classification Type
 Reported
 Ref #

Investigator Cornelia Pugh CCN 3145 Date 11-5-82 Page 2 of 4 Supervisor W. Brey CCN 1680

BSO-18

SHERIFF'S OFFICE - BROWARD COUNTY FLORIDA
 EVENT CONTINUATION REPORT

Page 2 of 4

RPT Code Cot

Time	Remarks	Time	S.F.
V	incident: V-Davis stated that she was sitting on the bed when S-Pond took the revolver from underneath the bed and was explaining some sort of police work when the gun went off. This deputy inquired to the black eye and swollen lip which she had. The victim stated that those injuries must of happened when she drew her hand to her face. V-Davis did state that she had had an earlier verbal altercation with the suspect but that there was no physical contact. The victim insisted that the incident was an accident and that she would not press any charges. The victim signed a waiver of prosecution witnessed by this deputy.		
DW	This deputy must also note that at one point S-Pond stated, "I didn't mean to shoot her; it was an accident. If I wanted to kill her, I could have."		
DW	This deputy discovered the weapon used, Smith & Wesson Mod. 19 Blued 4", .357 Magnum revolver Ser. # 38K5390 with 1 spent S&W 38 spl, 2 live S&W 38 spl, 3 RP .357 magnum live rounds in the Master Bedroom just to the right of the head board by the wall. The weapon was released at the scene to Detective Falley of the Forensic unit.		
I	The victim was transported by Atlantic Inter-City to Broward General Hospital		

Investigator - Kathy Brasher

CCN 3125 Date 11-5-52 Page 2 of 4

Supervisor Det. J. Ruff

CCN 1680

Zone 149
 Case Number 11982 14078
 Classification - 199
 Appropriate Fed Battery

BSO-19

000500000

SHERIFF'S DEPARTMENT
BROWARD COUNTY, FLORIDA

TECHNICAL SERVICES DIVISION
MOBILE UNIT SECTION

4. Victims Name DAVIS, JAMIE RUTH		4A. Offense AGGRAVATED BATTERY		12. Zone 402	11. CR No. 11 I 7	74. Date 11/5/82	2. Case No. 1182-14678
0. Location of Offense				14. Address of Victim Same as #10			
5. Call Received from Communications		By Radio		Investigating Officer Det/Sgt. Robert Rios		ID No.	
6. Time assigned 04:00	7. Time arrived 04:30	8. Scene departure time 05:30	64. Weather conditions Cloudy		Officer(s) at scene See Remarks		
4. Deceased Person (Name) N/A		Race	Sex	Hair	Byes	Height	Weight
5. Nature of Injury N/A		Year		Model	53. Color	32. Mileage	52. Tag No.
0. MOTOR VEHICLE (Make) N/A		51. ID No.		52. State		51. ID No.	
3. Damage (Burned, stripped, accident, etc.) N/A		Were Photos Taken Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>		B & W No.	Color No. 1 roll	Measurements taken for plat Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>	Plaster Casts Made
Latent Prints Lifted No		Locations					
Were Elimination F.P. Taken? No		Names					
Dentist-kit Classification No. No		17. Given By					Telephone No.
Tool Mark Casts Taken No		Tools Recovered at Scene Weapon (See Remarks)					
8. Property Receipts Issued Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>							
3. REMARKS SUSPECT: Ford, Richard A. W/M 3/25/52, Ft. Lauderdale, Fla. OFFICERS AT SCENE: Sgt. Robert Baton (0597), Deputy Timothy Bunghan (3125). On Friday, 11/5/82, at approximately 04:00 hours, this writer received a radio message that deputies at the scene of a shooting were requesting the services of a mobile unit of the Broward County Sheriff's Office to respond to Lauderdale Lakes, Fla.							
20. Reporting Officer's Signature DET. ROBERT FOLEY		Badge No. 2292		19. Approved by			
ISO- # 11							

EXHIBIT 'M'
page 19

SHERIFF'S DEPARTMENT - BROWARD COUNTY FLORIDA
EVENT CONTINUATION REPORT

Page 2 of 2
RPT Code CRIME SCENE

Time	Remarks	Time	S.F.
	At approximately 04:30 hours, this writer arrived at the above location, which is a residential home, of cement block structure located on the south side of _____ Lauderdale Lakes. Deputy Bunghan, and Sgt. Robert Baton of the Lauderdale Lakes district were protecting the scene.		
	Deputy Bunghan related that at approximately 03:30 hours, he was dispatched to the above location reference an accidental shooting which was reported via the 911 emergency system. Upon his arrival, he made contact with the victim Jamie Davis, a white female (DOB 7/22/54), who resides at the above location, and the suspect, a Richard A. Pond white male (DOB 3/25/52). Note that at this point, this writer knows suspect, Pond as being an ex-employee of the Ft. Lauderdale Police Department.		
	Deputy Bunghan related that the victim Davis, was sitting on the floor of the kitchen holding her left wrist, which was observed to be blood covered, there was pool of blood around the victim and the floor of the kitchen and upon his examination, the blood lead into the master bedroom which is located on the west side of the residence. The suspect was also in the kitchen trying to render first aide to the victim. While EMS personnel treated the victim, and then later transported the victim to Broward General Hospital, Deputy Bunghan interviewed suspect Pond who related that the victim was lying on the floor by the sliding glass doors, which were located on the northwest side of the house, and he related that he went and got the victim's gun which was usually kept under neath the bed in the bedroom and as he got the gun, out from underneath the bed, the bun went off striking the victim in the left wrist. Suspect Pond related that it was an accidental shooting and that if he wanted to kill victim he would have done so. It is noted that the this point, that deputies responded to this house on several occasions of domestic complaints.		
	Deputy Bunghan related to this writer that he had discovered the weapon used (Smith and Wesson Model 19 Blue finish 4" barrel length), .357 magnum revolver, SN: 38K5390.		
Investigator	CCN	Date	Supervisor
DET. ROBERT FOLEY/2292		2 of 2	
			CCN
			Zone
			Case Number
			102 1182-14678
			Classification - Type
			AGGRAVATED BATTERY

000502996

SHERIFF'S DEPARTMENT - BROWARD COUNTY, FLORIDA

INVESTIGATIVE ACTION REPORT

UCR Code	Rpt. Code	Date Assigned	In Custody	N/C
	IA		Juv: Adults:	
P	Additional Property Disposition	Type	Total Loss	Total Rec.
	SEE LISTED BELOW			
Disposition of recovered property - Date/Time		T.T. Operator	Date/Time	Message No.
				Transaction
I	Change in victims condition or injuries			
V	Change in victims attitude toward case			

ASSIGNED SOLVABILITY ELEMENTS

Time Richard Allen Pond w/m. 3/25/52
 Remarks FORT LAUDERDALE

V. Jamic DAVIS w/f 7/22/54, LAUD LAKES

The notes in the case signed as waiver of prosecution not wishing to cooperate in the prosecution of suspect Pond.

Case exceptionally closed.

UPDATED SOLVABILITY ASSESSMENT

COMPLETED											Time Spent This Portion _____ INV
DEVELOPED											Total Time on Case _____ SUPV
REMAINING											Estimate for Completion _____ SUPV

New Value Decision Terminate Reason: Continue Active Suspend Reason:

Case Status: C/A EX/C Unf Pend Inactive Pend Active Pend Caplas Pend Arrest

Investigator *L M Menden* CCN *2747* Date: *12-1-82* Supervisor _____
 Page 1 of *1*

Zone Case Number
 1602 LL 92 - 14678
 Classification - Type
 Aggravated Battery

000588983

SHERIFF'S DEPARTMENT
BROWARD COUNTY, FLORIDA

PROPERTY RECEIPT

PROPERTY OF DECEASED TRIAL FOUND PROPERTY LABORATORY STOLEN-RECOVERED
(ATTACH MEMO)

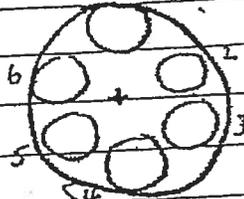
78. TYPE OF CASE: Approved Battery
 2. CASE NO.: LL-82-14678 79. DATE-TIME RECEIVED: 11-5-82 0345H INVESTIGATING DIVISION: BSO District 4
 77. ADDRESS WHERE FOUND (GIVE EXACT LOCATION WHERE FOUND): Master Bedroom south side

16. FOUND BY: Deputy Timothy Baughan, BSO District 4
 ADDRESS: _____ PHONE NO.: _____

31. SUSPECT(S) (GIVE FULL NAME, D.O.B.): Richard Allen Pond w/m DOB 3-25-52
 ADDRESS: _____ PHONE NO.: _____

14. VICTIM: Jamie Ruth Davis
 ADDRESS: _____ PHONE NO.: _____
 49. OWNER'S NAME: Same As Victim #141

80. ITEM NO.	81. QUANTITY	82. DESCRIPTION
1	1	Smith & Wesson Blued 4" 357 Mag. Mod. 19 Ser. # 38K 5390 BROWN/S&W WOOD GRIPS
		1 - S&W 38 SPL
		2, 3, 4, 357 RP MAGNUM
		5, 6 S&W 38 SPL



83. I hereby acknowledge that the above list represents all property taken from my possession and that I have received a copy of this receipt.
 SIGNATURE(X): [Signature]

20. I hereby acknowledge that the above list represents all property impounded by me in the official performance of my duty as Deputy Sheriff.
 BADGE NO. 3125 UNIT NO. Unit 11
 IMPOUNDING OFFICER: Timothy Baughan SIGNATURE: [Signature]
 PRINT: Timothy Baughan

RECEIVED BY	REASON	DATE AND TIME RECEIVED
<u>[Signature]</u>	<u>TO L-13</u>	<u>11/3/82 0437</u>
RECEIVED BY	REASON	DATE AND TIME RECEIVED
RECEIVED BY	REASON	DATE AND TIME RECEIVED
RECEIVED BY	REASON	DATE AND TIME RECEIVED
RECEIVED BY	REASON	DATE AND TIME RECEIVED
RECEIVED BY	REASON	DATE AND TIME RECEIVED
85. FINAL DISPOSITION	AUTHORITY	DATE AND TIME OF DISPOSITION

BSO PROPERTY DIVISION USE ONLY			
RECEIPT NO.	BIN NO.	PAGES (IF APPLICABLE)	BSO CASE NO.
		PAGE OF PAGES	

BSO No. 13 (REV. 5/79)

RECORD'S

0006 22984

.BROWARD COUNTY SHERIFFS DEPT

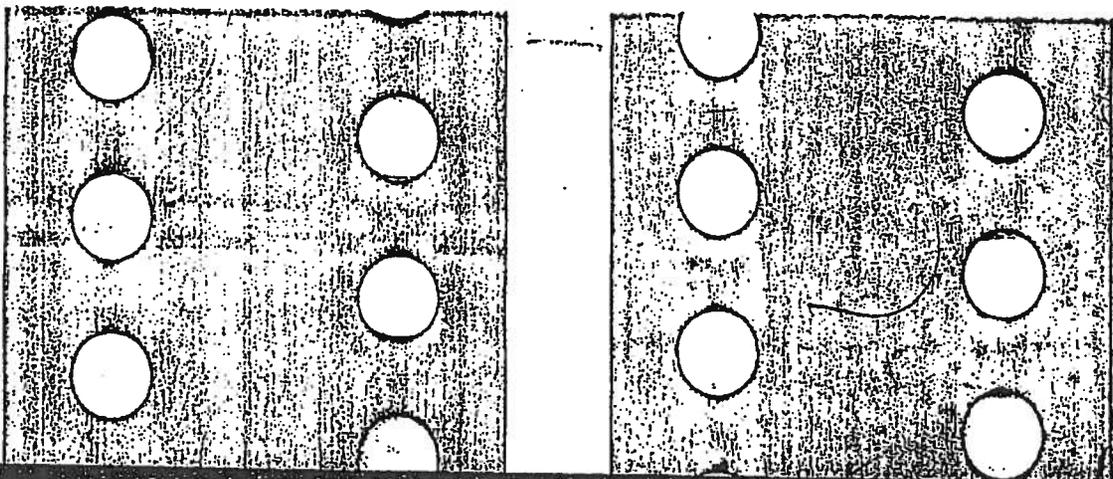
CASE:LLP-82014678

INC:0109 11/05/82 TIM ENT:03:33 TIM AS:03:33 TIM ARR:00:00 TIM CL:08:30
ADDR: 3532 NW39 STREET LL DPT:P APT: ZONE:402
TYPE:33 CMP PO:6 CMP ID:1825 DSP PO:05 DSP ID:3100 PRI ID:
RP:HUNG UP ADDR: RES PH:735 4973 PRI:3
BUS PH: UNITS:1 HOW RCD:T PRIOR ACT: PREM INF:
IU: BU1: BU2:1A402 03:36 BU3: BU4:

[REPORTED ADDRESS:3532 NW 39 STREET, LLJ CMTS: COMP ADVISES SOMEONE ACCIDENTAL
LY SHOT THEMSELVES IN THE WRIST...HUNG UP WOULD NOT GIVE ANY OTHER 43...EMS 10/
39 ////1 L7 REQUESTED.. 0358/ //1051//0407 /1L7 1097 0412 ///98 457 /1D400 RE
QUEST 1056 FL SUP POWERLINE AND COMM 0506 UNIT 1051 FL CODE A

I	PO	TIME-	AGE	UNIT-/INC-	ST	COMMENTS-----
0-05	08:18	LLP-1A402/0109	BZ	51	BACK TO SCENE	
0-05	04:57	LLP-1A402/0109	BZ	97	BGH FOLLOW UP	1012
0-05	04:50	LLP-1A401/0109	AV			
0-05	04:46	LLP-1A402/0109	BZ	51	BGH FOLLOW UP	1012
0-05	04:46	LLP-1A402/0109	BZ	51	BGH FOLLOW UP	
0-05	03:56	LLP-1A403/0109	AV			
A-05	03:46	LLP-1D400/0109	EN			
0-05	03:41	LLP-1A403/0109	AT			
0-05	03:38	LLP-1A401/0109	AT			
0-05	03:38	LLP-1A402/0109	AT			
0-05	03:36	LLP-1A402/0109	EN			
A-05	03:33	LLP-1A403/0109	EN			
A-05	03:33	LLP-1A401/0109	EN			

00000000



PLEASE FILL IN EVERY BLANK. ALL THE BELOW INFORMATION IS REQUIRED OF EVERY OFFICER AND POLICE DEPARTMENT EMPLOYEE.

NAME Richard A. Pond DATE OF BIRTH 03-25-52 AGE 30

ADDRESS-STREET _____ CITY Lauderdale Lakes STATE FLA

PHONE # _____ (SHOW THE NAME OF THE PERSON THAT THE PHONE IS LISTED UNDER)

DRIVERS LICENSE # P530-74-52-105 SS # _____

AUTOMOBILE OWNED OR DRIVEN BY EMPLOYEE

YEAR 1983 MAKE AMC Jeep MODEL 11J-7 TAG # E-79520

YEAR 1975 MAKE Toyota MODEL Corolla TAG # FXG973

ALL WEAPONS USED BY EMPLOYEE (ANY WEAPON NOT LISTED WILL NOT BE CARRIED BY MEMBERS)

MAKE Ruger SERIAL NUMBER 158-46445 CALIBER 357 MODEL Security Six

MAKE _____ SERIAL NUMBER _____ CALIBER _____ MODEL _____

MAKE _____ SERIAL NUMBER _____ CALIBER _____ MODEL _____

EMPLOYMENT DATE 03-21-83

MARITAL STATUS SINGLE _____ MARRIED _____ SEPARATED _____ DIVORCED

CHILDREN- YES NO _____ NUMBER 2 AGES 8/4;

EMERGENCY NOTIFICATION

NAME Jamie Davis RELATIONSHIP Girlfriend PHONE _____

ADDRESS -STREET _____ CITY Lauderdale Lakes STATE FLA

NAME Geovis Pond RELATIONSHIP Father PHONE _____

ADDRESS- STREET _____ CITY _____ STATE Ma

SIGNATURE R.A. Pond DATE 03-21-83

NOTE* ANY CHANGE IN THE ABOVE INFORMATION WILL BE IMMEDIATELY TURNED INTO THE CHIEF'S OFFICE

0000 0000

CITY OF DANIA
100 West Dania Beach Boulevard
Dania, Florida 33004

EMPLOYMENT HISTORY

NAME: POND, RICHARD EMP.#: _____

LAST ADDRESS: 3532 NW 39 ST LAUDERDALE LAKES

S.S.#: _____ PHONE #: _____

HIRE DATE: _____ TERM. DATE: _____

LAST SALARY: _____ HOURLY RATE: _____

REASON FOR TERMINATION: _____

W/C and/or OTHER CLAIMS: _____

COMMENTS: _____

L.E.T.C. - 121-10
12/4/82 - 84.04
12/3/82 - 77.04



CITY OF DANIA
EMPLOYMENT APPLICATION

DATE 1-18-83
POSITION DESIRED Police Officer
SALARY DESIRED \$ 8.50/HR
FULL TIME
PART TIME

Please complete all
areas of this form

NAME Richard A. Pond

OFFICIAL USE

APPLICANT CODE	_____
HIRE DATE	_____
DEPARTMENT	_____
PAY RATE	_____
APPROVED	_____

The City of Dania is an Equal Opportunity Employer. We offer employment in accordance with the non discriminatory policy of Title VII 1964 Civil Rights Act. Employment is offered without regard to race, color, creed, national origin, age, sex, or handicap.

Las City de Dania es un Lugar De Trabajo De Oportunidad Igual nosotros of recemos empleo en accordancia con la poliza del Titulo VII 1964 no discriminatoris Acto de Derechos Civiles. El empleo es ofrecido sin ansiderer la raza, color, credo, origen nacional, edad, sexo, o desuentaja fisica.

-GENERAL QUESTIONS-

PRESENT ADDRESS 3532 NW 39 st
Street
Lauderdale Lakes Fla 33309
City State Zip
735-4973
Home Phone # Other Phone #

HOW LONG AT THIS ADDRESS? 1 3
Years Months

PREVIOUS ADDRESS 933 Metropolitan ave
Street
Hyde Park, Ma 02136
City State Zip

RELATIVES WORKING FOR US? NO

PREVIOUSLY EMPLOYED BY US? NO
When Position

HANDICAPS WHICH SHOULD BE CONSIDERED IN ASSIGNMENT OF WORK?

Resigned from St. Ldls. P.D.
approx. 1 1/2 months.

017-42-7369 03-25-50
SOCIAL SECURITY NO. DATE OF BIRTH
P530-741-52-105 6 ft. 1 in. 187
DRIVERS LICENSE # STATE Height Weight

US CITIZEN? yes TRANSPORTATION? yes

PRESENTLY EMPLOYED? NO WHERE? _____

REFERRED TO DANIA BY: _____ Newspaper _____ Job Service
 Employee _____ Self

MILITARY SERVICE? yes no _____
Discharge Date

CONVICTED OF A CRIME? _____ yes no Explain _____

RECEIVED UNEMPLOYMENT COMPENSATION? yes _____ no
When? 1980

RECEIVED WORKMANS COMPENSATION? yes _____ no
When? 1978

00050200

CITY OF DANIA
EMPLOYMENT APPLICATION
(CONT'D)

-EDUCATION AND TRAINING-

HIGHEST GRADE COMPLETED (PLEASE CIRCLE)

1 2 3 4 5 6 7 8 9 10 11 (12) 1 2 3 4 Beyond

LAST SCHOOL ATTENDED Hyde Park High Hyde Park, Ma
NAME LOCATION

MIDDLE SCHOOL Com Boston Rogers Hyde Park, Ma
NAME LOCATION

HIGH SCHOOL Hyde Park High Hyde Park, Ma
NAME LOCATION

1968-1971 YES
DATES ATTENDED GRADUATED ?

YES Business
DEGREE RECEIVED MAJOR COURSES

COLLEGE Bunkerhill Community College Charlottesville, Va
NAME LOCATION

1977 NO
DATES ATTENDED GRADUATED ?

NO Criminal Justice
DEGREE RECEIVED MAJOR COURSES

OTHER Broward Police Academy Ft Lauderdale, Fla
NAME LOCATION

2-15-82 / 5-14-82 YES
DATES ATTENDED GRADUATED ?

SPECIAL COURSE WORK _____

PROFESSIONAL, TECHNICAL AND/OR OCCUPATIONAL LICENSES
HELD: First responder - Red cross

CLERICAL TRAINING (if applicable) type 35 wpm
teletype - NCIC

OTHER SPECIAL SKILLS, ABILITIES OR TALENTS _____

8888888888

-EMPLOYMENT HISTORY-

PLEASE TAKE THE TIME TO COMPLETE IN DETAIL; IT IS TO YOUR BENEFIT.

#1 - Present or Last Employer:

DATES		NAME & LOCATION	PHONE	WAGE/HOUR	JOB TITLE
From	<u>2</u> <u>82</u>	<u>Ft Lauderdale Police 1300 W. Broward Blvd</u>		<u>18,500.00/yr</u>	<u>Patrolman</u>
	mo yr	<u>SUPERVISOR</u>			
To	<u>10</u> <u>82</u>	<u>Lt Davis</u>	<u>Personnel</u>		
	mo yr		<u>REASON FOR LEAVING</u>		
DUTIES: <u>protection of life + properties</u>					

*CALL TALLAHASSEE
LI. BURN DAVIS
W. SGT. GULL
SGT. BRIGGS*

#2 - Previous Employer:

DATES		NAME & LOCATION	PHONE	WAGE/HOUR	JOB TITLE
From	<u>5</u> <u>80</u>	<u>City of Boston Health Dept 5 North St Boston, Ma</u>		<u>20,000.00/yr</u>	<u>Health Inspector</u>
	mo yr	<u>SUPERVISOR</u>			
To	<u>7</u> <u>81</u>	<u>Edward P'Hara</u>	<u>Prop 2 1/2 (Tax cut)</u>		
	mo yr		<u>REASON FOR LEAVING</u>		
DUTIES: <u>enforcing cities health code</u>					

#3 - Previous Employer:

DATES		NAME & LOCATION	PHONE	WAGE/HOUR	JOB TITLE
From	<u>4</u> <u>77</u>	<u>Boston City Hospital Police 1800 Harrison Ave Boston, Ma</u>		<u>22,000.00/yr</u>	<u>Patrolman</u>
	mo yr	<u>SUPERVISOR</u>			
To	<u>5</u> <u>80</u>	<u>Capt L. D'Arrigo</u>	<u>advancement within city</u>		
	mo yr		<u>REASON FOR LEAVING</u>		
DUTIES: <u>protection of life + properties for the City of Boston Health + Hosp. (et al)</u>					

#4 - Previous Employer:

DATES		NAME & LOCATION	PHONE	WAGE/HOUR	JOB TITLE
From	<u>4</u> <u>73</u>	<u>Boston Police Dept 154 Berkeley St</u>		<u>19,000/yr</u>	<u>Police Dispatcher</u>
	mo yr	<u>SUPERVISOR</u>			
To	<u>4</u> <u>77</u>	<u>Lt J. Kelley</u>	<u>advancement within city</u>		
	mo yr		<u>REASON FOR LEAVING</u>		
DUTIES: <u>911 emergency calls, stolen car reports, teletype and NCIC checks</u>					

May we contact any and all of your previous employers? yes no. If not, please explain, _____

Have you ever been discharged or forced to resign from a paid position? yes no. If yes, explain, _____

References other than relatives or former employers

- | Name | Address | Phone | Occupation |
|---------------------------|---|-------|------------------------------------|
| 1. <u>Ray Sullivan</u> | <u>1300 W. Broward Blvd Ft Laud</u> | | <u>Patrolman Ft Laud Police</u> |
| 2. <u>Richard Sinnott</u> | <u>931 Metropolitan Ave Hyde Park, Ma</u> | | <u>City Senator City of Boston</u> |
| 3. <u>Steve Bull</u> | <u>1300 W. Broward Blvd Ft Laud</u> | | <u>Sgt Ft Laud Police</u> |

-EMPLOYMENT HISTORY-

(CONT'D)

Would you submit to a polygraph examination if required to do so? yes no

Release of Information Clause: I hereby authorize the release of any relevent employment information so long as it is job related and indicative of my past work performance.

Robert A. Paul
SIGNATURE

1-18-82
DATE

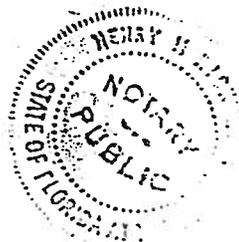
Applicant Certification: I hereby certify that the information furnished to the City of Dania in this application is true and correct. Any incorrect, incomplete, or false statements may be used to disqualify me from employment consideration or termination if employed.

Robert A. Paul
SIGNATURE

1-18-82
DATE

Henry H. Henry
WITNESS

NOTARY PUBLIC STATE OF FLORIDA
MY COMMISSION EXPIRES JAN 17 1987
BONDED THRU GENERAL INSURANCE UND



0000502988

DANIA POLICE DEPARTMENT

SUBJECT Richard Pond M F DATE 17 Mar 83 FT PT PREVIOUS TEST YES or NO DEPT _____

POSITION APPLIED FOR Police Off WHY? Need Job H/A 3532 NW 39 St. #1 H-APT# _____

TIME 1 yr. W/ girlfriend FOR _____ PRIOR Boston, MA H-APT# _____

TIME _____ W/ _____ BY _____ AGE _____ D.O.B. _____

PLACE _____ HOW LONG IN COUNTY 16 mo U.S. CITIZEN? OTHER _____ MARITAL STATUS: S M D SEP _____

HOW LONG? 7 yr CHILDREN 2 AT HOME ex-wife CH SUP'AL \$ 160 mo WK/MO STATUS 5 mo delin TIMES MARRIED 2 3 4 5 6 7 8 9 10

SPOUSE/PARENT WORKS _____ POSITION _____ LAST CHECK-UP _____ WHY? _____

PHYSICAL LIMITATIONS No MEDICATION No HOSPITALIZATION 5/10 YEARS: YES or NO _____

PATIENT REASON N OUT PATIENT DURATION _____ MATERNITY STATUS _____

CITY _____ YEARS _____ HERNIA BACK INJURY MENTAL/NERVOUS DIS. ULCERS DIZZY SPELLS DIABETIC NECK INJURY _____

HEART DISEASE PSYCHIATRIC TREATMENT EPILEPSY EYE, EAR DISEASE OTHER _____

INJURED AT WORK? Yes COMPANY City of Boston CITY BOSTON YEAR 78 TIME LOST 3-4 mo

MED ONLY Broken ankle SUIT: YES or NO EDUCATION: 1 2 3 4 5 6 7 8 9 10 11 12 GED 1 2 3 4 DEGREE _____

NOW ATTENDING _____ MILITARY: NONE DRAFT STATUS _____ REASON _____

BRANCH: A AF N MC CG RES NG FROM _____ TO _____ HIGHEST RANK _____ RANK AT DISCHARGE _____

DISCHARGE: HON MED GEN UN BCD DD GEN/HON HON/MED EARLY OUT BECAUSE _____

CRT. MAR. YES or NO OFF 1 _____ 2 _____

OISP 1 _____ 2 _____

FINANCIAL HISTORY	PAYMENTS	C	DEL	BALANCE	REPOSSESSIONS: <input checked="" type="checkbox"/> YES or NO WHAT & YEAR
RENT/MTGE _____	_____	_____	_____	_____	<u>1979 - auto</u>
LOAN _____	_____	_____	_____	_____	SKIP OR MOVED TO AVOID PAYMENT: YES or <input checked="" type="checkbox"/> NO
LOAN _____	_____	_____	_____	_____	BANKRUPTCY: YES or <input checked="" type="checkbox"/> NO
LOAN _____	_____	_____	_____	_____	OTHER INCOME: YES or <input checked="" type="checkbox"/> NO
INSURANCE _____	_____	_____	_____	_____	FINANCIAL LITIGATION: YES or <input checked="" type="checkbox"/> NO
DUES/SUBSC _____	_____	_____	_____	_____	
CHARGES _____	_____	_____	_____	_____	
CHARGES _____	_____	_____	_____	_____	

GAMBLING HISTORY: DOGS HORSES JAI-ALAI NUMBERS CARDS POOL DICE OTHER _____ THRU BOOKIES? YES or NO _____

NEVER? _____ FREQ? _____ EXTENT? _____ HIGH WIN \$ _____ HIGH LOSS \$ _____

GAMBLING DEBTS: YES or NO \$ _____ USED EMPLOYER'S MONEY? _____ \$ _____ / ALCOHOL: LIQUOR BEER WINE BAR/HOME

WEEKLY 2x LAST TIME DRUNK? over 1 yr HOW OFTEN DRUNK? 1x pr yr NEVER RARE OCCAS MOD HEAVY AA YES or NO?

800-275-0000

WORK TIME LOST No DRINK ON JOB No DRINK AT LUNCH No

NARCOTICS: NEVER MARIJUANA HASH MESC. THC STP OMT AMPH BARB LSD COCAINE HEROIN

FREQ: H.S X per

LAST: 14 yrs ago SALES: YES or NO WHAT TYPE? _____

DETAILS: 10th Grade in Boston

ARREST HISTORY: NONE CRIMINAL OFFENSE _____ SHOPLIFTING (Place) _____ TRAFFIC (year) _____ SUSPICION _____ INTERROGATION DISPOSITION _____

SHOPLIFTING: NEVER PRETEEN TEENAGE ADULT ITEMS _____ LAST _____ MOST VAL \$ _____

TEST QUESTION AREA APPEARANCE _____ ATTITUDE _____

- 1. NAME _____
- 2. DATE OF BIRTH _____
- 3. MEDICAL _____
- 3a. SERIOUS INJ/ILL _____
- WOULD INTERFERE W/JOB _____
- 3b. MENTAL/EMOTIONAL _____
- 4. EDUCATION _____
- 5. MILITARY _____
- 6. INDEBTEDNESS _____
- 7. GAMBLING _____
- 8. EXTENT OF DRINKING _____
- 8a. DRINKING ON JOB _____
- 9. NARCOTICS/DRUGS _____
- 9a. SALE/NARCOTIC/DRUGS _____
- 10. ARREST HISTORY _____
- 11. UNDETECTED CRIMES _____
- 12. DRIVING RECORD _____
- 13. EMPLOYMENT HISTORY _____
- 13a. INTENT NOT LIST EMPL _____
- 13b. REASON FOR LV EMPLS _____
- 14. THEFTS _____
- 15. MONEY _____
- 15a. MERCHANDISE _____
- 15b. REC MONEY FROM SALE _____
- OF STOLEN MDSE _____
- 16. PERMANENCY INTENT _____
- 17. REASON FOR APPLYING _____

COMMENTS ABOUT JOB _____

PRETEST STATEMENTS: _____

DECEPTION _____

POST TEST STATEMENTS _____

CONCLUSION/RECOMMENDATION _____

OFFICE NOTE: VERBAL REPORT TO _____ DATE _____ BY _____

CLIENT COMMENT: _____

0000000000

CONDITION OF EMPLOYMENT

I, Richard A Pond, CERTIFY THAT I HAVE BEEN ADVISED OF ALL CITY BENEFITS AND ALSO UNDERSTAND THAT A REQUIREMENT OF BEING HIRED THAT I WILL SURRENDER ALL CITY OF DANIA ID CARDS, ALL INSURANCE CARDS AND CITY PROPERTY IN MY POSSESSION IF AND WHEN I TERMINATE MY EMPLOYMENT WITH THE CITY OF DANIA.

I, UNDERSTAND FURTHER, THAT THE USE OF CITY OF DANIA ID CARDS AND INSURANCE CARDS ON OR AFTER MY DATE OF TERMINATION OF EMPLOYMENT WITH THE CITY OF DANIA IS UNAUTHORIZED AND SUCH USE MAY SUBJECT ME TO PENALTY AND / OR DEBTS AS MAY ARISE FROM UNAUTHORIZED USE OF SAID CARDS.

I HEREBY AUTHORIZE THE PAYROLL DEPARTMENT OF THE CITY OF DANIA TO DEDUCT FROM MY FINAL WAGES, SUCH MONIES AS MAY BE NECESSARY TO ACCOUNT FOR CITY PROPERTY ISSUED TO ME AND NOT SURRENDERED ON OR BEFORE MY TERMINATION OF EMPLOYMENT WITH THE CITY OF DANIA, FLORIDA.

I ALSO UNDERSTAND AND AGREE TO HAVE THE CITY DEDUCT FROM MY PAY THE COST OF MY CITY PHYSICAL EXAMINATION IF I LEAVE THE EMPLOYMENT OF THE CITY WITHIN 6 MONTHS. ALSO THE CITY INSURANCE WILL BE STOPPED AT THE END OF THE MONTH OF YOUR TERMINATION.

Richard A Pond
SIGNATURE

12-11-83
DATE

0005 2554

0000000000

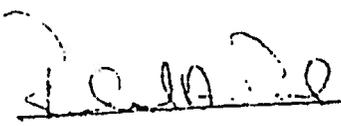
CITY OF DANIA
INTER-OFFICE MEMORANDUM

TO: ALL EMPLOYEES
FROM: CITY MANAGER
SUBJECT: ACCEPTING GIFTS
DATE:

DURING HOLIDAY SEASONS OR DURING THE YEAR, MANY PEOPLE WHO HAVE
TRANSACTIONED BUSINESS WITH THE CITY MAY FEEL THAT IT WOULD BE NICE TO
EXPRESS THEIR GRATITUDE BY OFFERING YOU A PERSONAL GIFT...

WE CERTAINLY DO NOT WANT TO OFFEND ANYONE WHO WOULD MAKE SUCH A GESTURE.
IN ORDER TO PROTECT THE CITY AND ITS EMPLOYEES FROM ANY EMBARRASSMENT, YOU
SHOULD KINDLY REFUSE ALL GIFTS FROM ANYONE DOING BUSINESS WITH THE CITY.
ANY HINT OF OBLIGATION TO OTHERS MIGHT CAUSE SERIOUS CONFLICTS IN FUTURE
DEALINGS.

PLEASE BE CAREFUL IN DISCERNING WHO AND WHY A GIFT IS OFFERED FOR YOUR
OWN PROTECTION. PLEASE BE EXTREMELY CAUTIOUS CONCERNING THE ACCEPTANCE
OF ANY GIFTS.


SIGNATURE

009888888

CONDITION OF EMPLOYMENT

I HEREBY AGREE, AS A CONDITION OF EMPLOYMENT, TO VOLUNTARILY
SUBMIT TO A POLYGRAPH EXAMINATION IF SO REQUESTED BY THE CITY
AT ANY TIME DURING MY EMPLOYMENT.

SIGNED

P. L. A. Paul

DATED

03-21-83

DEPARTMENT

Davis Police Dept

003228588

OATH

I, Richard A Pond, a citizen
of the State of Florida and of the United States of America, and being
employed by or an officer of Dania and a recipient of public funds as
such employee or officer, do solemnly swear or affirm that I will support
the Constitution of the United States and of the State of Florida; that I
am not a member of the Communist Party; that I have not and will not lend
my aid, support, advice, counsel or influence to the Communist Party; that
I do not believe in the overthrow of the Government of the United States
or of the State of Florida by force or violence; that I am not a member of
any organization or party which believes in or teaches, directly or indirectly,
the overthrow of the Government of the United States or of the State of Florida
by force or violence.

Richard A Pond 03 11 83
EMPLOYEE OR OFFICER SIGN HERE.

SWORN to and subscribed before me
this 11 day of March
A.D. 19 83.

[Signature]
NOTARY PUBLIC.

CITY OF DANIA

First Name: Richard

INITIAL SECURITY NO.

A

Present Address: 3532 N.W. 52 St

CITY Lauderdale Lakes STATE FL

Last Employer: Ft. Lauderdale Police Dept.

CITY Ft. Lauderdale STATE FL

MEDICAL HISTORY-DO YOU HAVE OR HAVE YOU HAD: (please check EACH of the following items YES or NO)

	Yes	No
Eye	---	<input checked="" type="checkbox"/>
Heart	---	<input checked="" type="checkbox"/>
Diabetes	---	<input checked="" type="checkbox"/>
Stroke	---	<input checked="" type="checkbox"/>
Arthritis	<input checked="" type="checkbox"/>	---
Other conditions	---	<input checked="" type="checkbox"/>

HAVE YOU EVER RECEIVED TREATMENT FOR A BACK CONDITION OR BACK INJURY? NO
(yes or no)

DO YOU NOW OR HAVE YOU EVER SUFFERED FROM ACHES OR PAINS OF THE BACK? NO
(yes or no)

Do you have any physical disabilities or handicaps? NO
Have you ever received a disability rating under a Workmen's Compensation Act of any State? yes
If so, what percentage? 100%

ANSWER TO QUESTION ANSWERED YES IS TO BE FULLY AND ACCURATELY EXPLAINED BELOW:

Back left ankle while chasing two felons, received compensation and ankle healed, per fact (2)

I certify the above answers to be true and correct. I understand that any false or misleading statements to these questions be reason for denial of benefits under the Florida Workmen's Compensation Act.

[Signature]
APPLICANT'S SIGNATURE

1-18-02
DATE

If applicant is unable to read or write, he is to make his mark in the place provided for his signature. Witness is to verify that he has read the above requested information to the applicant and that the answers are his own. Sign in the space for Witness to certify.

00988888

CITY OF DANIA

The following information is requested on a voluntary basis. The information you provide will not be sent to the department you are referred to for employment consideration. We need the information in order to evaluate the effectiveness of our Equal Employment Opportunity Affirmative Action Plan and it will be used only for research and analysis purposes. Information provided on this form will not aid or hinder your chances of being employed.

SOCIAL SECURITY # 017-41-2369

NAME Richard A Pond
SEX M AGE 30 MARITAL STATUS Single
RACE AMERICAN INDIAN ASIAN AMERICAN BLACK
SPANISH SURNAME WHITE OTHER

PHYSICAL DISABILITY (if any) NONE
How did you learn about the vacancy for which you are applying?

- NEWSPAPER AD
- EMPLOYMENT AGENCY
- FLORIDA STATE EMPLOYMENT SERVICE
- AGENCY EMPLOYEE
- MINORITY OR WOMAN'S ORGANIZATION
- EMPLOYMENT AGENCY
- City employee

009288992

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF LAW ENFORCEMENT,
CRIMINAL JUSTICE AND STANDARDS
TRAINING COMMISSION,

Petitioner,

v.

RICHARD A. POND,

Respondent.

CASE NO. 84-0844

Subpoena Duces Tecum

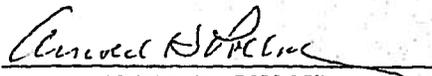
TO: Mike Smith, Personnel Director
Dania Police Department
100 West Dania Beach Boulevard
Dania, Florida 33004

YOU ARE HEREBY COMMANDED to appear at 204C, State Office Building,
201 West Broward Boulevard,
Fort Lauderdale, Florida to testify at a deposition/final hearing (strike one) at
10:00 o'clock a.m. on the 26th day of July, 1984.

YOU ARE FURTHER COMMANDED to have with you at said time and place the
following (use additional pages if necessary):

YOU SHALL RESPOND to this subpoena as directed unless excused by the party who requested issuance of the subpoena or by order of the Division of Administrative Hearings.

ISSUED this 27 day of June, 1984, at Tallahassee, Florida.


ARNOLD H. POLLOCK

THIS SUBPOENA HAS BEEN ISSUED
UPON THE REQUEST OF:

Name: Dennis Valente, Esquire
Dept. of Law Enforcement
Address: P.O. Box 1489
Tallahassee, Fl. 32302

Phone:

HEARING OFFICER
Division of Administrative Hearings
The Oakland Building
2009 Apalachee Parkway
Tallahassee, Florida 32301
(904) 488-9675
(JEB)

005200593

LATENT FINGERPRINT REPORT

DATE 1-27-83
PAGE 1 of 2

1. O.D.C.N. _____ AGENCY BSO Dist 6 4A. OFFENSE Robbery, Kidnaping 2. B.S.O. CASE NO. 1681-14678
4. VICTIM Southern Wine + Spirits 10. LOCATION OF OFFENSE 3595 STATE RD #7 12. ZONE 403

CARD NO.	LIFTS OBTAINED FROM	OF VALUE		FINGER PRINTS	PALM PRINTS	LATENT ANALYSIS (LATENT EXAMINER'S USE ONLY)
		YES	NO			
1.						
2.						
3.						
4.						
5.						
6.						
7.						
8.						
9.						
10.						

EVIDENCE PROCESSED BY: SIGN _____ DATE _____ PRINT _____ CCN _____
EVALUATED BY: SIGN _____ DATE _____ PRINT _____ CCN _____

ELIMINATION PRINTS SUBMITTED	97. D.O.B.	ELIMINATED		CARD NO.
		YES	NO	
NAME				
NAME				
NAME				

31. SUSPECTS	97. D.O.B.	IDENTIFIED		CARD NO.	IDENTIFICATION EFFECTED	FINGERPRINT STANDARDS BY	DATE OBTAINED
		YES	NO				
NAME <u>Cowart, Fred B/m</u>	<u>8-5-54</u>		<input checked="" type="checkbox"/>				
NAME <u>Morris, Freeman M. B/m</u>	<u>5-25-36</u>		<input checked="" type="checkbox"/>				
NAME <u>Alexander, William B/m</u>	<u>12-17-44</u>		<input checked="" type="checkbox"/>				
NAME <u>Thompson, Archie B/m</u>	<u>6-2-37</u>		<input checked="" type="checkbox"/>				

OFFICER REQUESTING COMPARISON:
SIGN Stewart R. Desjardine DATE 1-27-83
PRINT Det. STEVEN R. DESJARDINE CCN 2690

REMARKS _____

VERIFIED BY _____ CCN _____ DATE _____
LATENT EXAMINER Dawn Dreulich CCN 3219 DATE 1-28-83

0000000000

CITY OF DANIA
POLICE DEPARTMENT

POLYGRAPH EXAMINATION STATEMENT OF CONSENT

NAME: Richard A. Pond 83-12
DATE: 3-16-83 TIME: 1300 hrs

In the presence of the witness whose signature appears below,
Michael Schuler informed me that he is a
polygraph examiner of the Police Department, City of Dania,
Broward County, State of Florida, U.S.A. He explained to me
my legal rights and told me that it is necessary that I execute
this statement of consent for the polygraph examination in con-
nection with an investigation concerning Pre EMP
Police Dept.

He also told me that he would explain the function of the instru-
ment and the procedure to follow during the testing. He informed
me that I have the right to consult with a lawyer or legal counsel
and can request his/her presence during the examination. Also,
that any information I give during the examination can be used
against me in a trial or any legal proceedings resulting from the
investigation.

Understanding my right to decline, I Richard A. Pond
this date, voluntarily, without duress, coercion, illegal inducement
or promise of reward do hereby consent to the polygraph examination.

M. Schuler
WITNESS

R. A. Pond
EXAMINEE
M. Schuler
EXAMINER

The examination now being over, I certify that I took same volun-
tarily, was well treated, and remained of my own free will, having
been advised that I could leave at any time.

M. Schuler
WITNESS

R. A. Pond
EXAMINEE

TIME OUT: _____ AM/PM

000542500

DANIA POLICE DEPARTMENT
CRIMINAL INVESTIGATION DIVISION
SPECIAL INVESTIGATIONS

Polygraph Examination Unit
Pre-Interview Consent Form

Polygraph # 83-12

Examinee: R. POND

Date: 3-16-83 PE/SPECIFIC

I understand that the purpose of this interview is to evaluate my potential integrity and honesty, and that a report of this interview will be included as a part of the polygraph examination. R.A.P.:

I understand that the interview will cover areas of my personal history employment, financial, military and medical history, along with areas relating to drug use, gambling habits, alcohol use, criminal associates and criminal activity. I hereby consent to answer questions in those areas. R.A.P.:

I hereby give the City of Dania Police Department permission to proceed with a background investigation of all matters developed during this interview and subsequent polygraph examination. R.A.P.:

I hereby certify that the information I will provide during this interview will be true and complete to the best of my knowledge. R.A.P.:

I hereby consent to release the results of this examination to the City of Dania. R.A.P.:

Having read and initialed the above paragraphs after understanding same, I hereby state that I am not under the care of a physician, I am not taking medication, I have not been drinking and I am not under the influence of drugs. I hereby state that I wish to proceed with the interview.

R. Pond

Signature of Examinee

Det. M. Schules

Interviewer

Detective M. Schules DNO45

Polygraph Examiner

000582500

DEPARTMENT OF POLICE
CITY OF DANIA

DATE: 17 Mar 83
TO: LT. T. CATES
FROM: Detective Michael T. Schules
REF: Polygraph Examination

Sir:

On 17 Mar 83, this examiner met with Richard POND at headquarters for the purpose of conducting a pre-employment polygraph examination.

This examiner met with the subject and conducted a pre-test interview after having the subject sign a Release and Waiver Form.

Upon completion of the pre-test interview, a polygraph examination was administered to the subject by this examiner.

It is the opinion of this examiner based on the resulting polygram combined with the results of the pre-test interview, that the subject was truthful during the polygraph examination.

Det. M. Schules
Detective Michael T. Schules
POLYGRAPH EXAMINER

000502500

DANIA POLICE DEPARTMENT

SUBJECT Richard Pond M F DATE 17 Mar 83 FT PT PREVIOUS TEST YES or NO DEPT _____
 POSITION APPLIED FOR Police off WHY? Need Job H/A 3532 NW 39 St. #1 H-APT# _____
 TIME 1 yr. W/ girlfriend FOR _____ PRIOR Boston, MA H-APT# _____
 TIME _____ W/ _____ BY _____ AGE _____ D.O.B. _____
 PLACE _____ HOW LONG IN COUNTY 16 mo U.S. CITIZEN? OTHER _____ MARITAL STATUS: S M V SEP _____
 HOW LONG? 7 yr CHILDREN 2 AT HOME ex-wife CH SUPPL \$ 160 mo WK/MO STATUS Smoked TIMES MARRIED 2 3 4 5 6 7 8 9 10
 SPOUSE/PARENT WORKS _____ POSITION _____ LAST CHECK-UP _____ WHY? _____
 PHYSICAL LIMITATIONS No MEDICATION No HOSPITALIZATION 5/10 YEARS: YES or NO _____
 PATIENT REASON N OUT PATIENT DURATION _____ MATERNITY STATUS _____
 CITY _____ YEARS _____ HERNIA BACK INJURY MENTAL/NERVOUS DIS. ULCERS DIZZY SPELLS DIABETIC NECK INJURY
 HEART DISEASE PSYCHIATRIC TREATMENT EPILEPSY EYE, EAR DISEASE OTHER _____
 INJURED AT WORK? Yes COMPANY City of Boston CITY Boston YEAR 78 TIME LOST 3-4 mo
 MED ONLY Broken ankle SUIT: YES or NO EDUCATION: 1 2 3 4 5 6 7 8 9 10 11 12 GED 2 3 4 DEGREE _____
 NOW ATTENDING _____ MILITARY: NONE DRAFT STATUS _____ REASON _____
 BRANCH: A AF N MC CG RES NG FROM _____ TO _____ HIGHEST RANK _____ RANK AT DISCHARGE _____
 DISCHARGE: HON MED GEN UN BCD DD GEN/HON HON/MED EARLY OUT BECAUSE _____
 CRT. MAR. YES or NO OFF 1 _____ 2 _____
 DISP 1 _____ 2 _____

FINANCIAL HISTORY	PAYMENTS	C	DEL	BALANCE	REPOSSESSIONS: <input checked="" type="radio"/> YES or <input type="radio"/> NO WHAT & YEAR
RENT/MTGE _____	_____	_____	_____	_____	<u>1979 - auto</u>
LOAN _____	_____	_____	_____	_____	SKIP OR MOVED TO AVOID PAYMENT: YES or <input checked="" type="radio"/> NO
LOAN _____	_____	_____	_____	_____	BANKRUPTCY: YES or <input checked="" type="radio"/> NO
LOAN _____	_____	_____	_____	_____	OTHER INCOME: YES or <input checked="" type="radio"/> NO
INSURANCE _____	_____	_____	_____	_____	FINANCIAL LITIGATION: YES or <input checked="" type="radio"/> NO
DUES/SUBSC _____	_____	_____	_____	_____	
CHARGES _____	_____	_____	_____	_____	
CHARGES _____	_____	_____	_____	_____	

GAMBLING HISTORY: DOGS HORSES JAI-ALAI NUMBERS CAROS POOL DICE OTHER _____ THRU BOOKIES? YES or NO _____
 NEVER? _____ FREQ? _____ EXTENT? _____ HIGH WIN \$ _____ HIGH LOSS \$ _____
 GAMBLING DEBTS: YES or NO \$ _____ USED EMPLOYER'S MONEY? _____ \$ _____ / ALCOHOL: LIQUOR BEER WINE BAR/HOME
 WEEKLY 2x LAST TIME DRUNK? over 1 yr. HOW OFTEN DRUNK? 1x pr yr NEVER RARE OCCAS MOD HEAVY AA YES or NO

00052584

WORK TIME LOST NO DRINK ON JOB NO DRINK AT LUNCH NO

NARCOTICS: NEVER MARIJUANA HASH MESC. THC STP. DMT AMPH BARB LSO COCAINE HEROIN

FREQ: H.S X per

LAST: 14 yrs ago

DETAILS: 10th Grade in Boston SALES: YES or NO WHAT TYPE? _____

ARREST HISTORY: NONE CRIMINAL OFFENSE _____ SHOPLIFTING (Place) _____ TRAFFIC (year) _____ SUSPICION _____ INTERROGATION DISPOSITION _____

SHOPLIFTING: NEVER PRETEEN TEENAGE ADULT ITEMS _____ LAST _____ MOST VAL \$ _____

TEST QUESTION AREA APPEARANCE _____ ATTITUDE _____

1. NAME _____ COMMENTS ABOUT JOB _____

2. DATE OF BIRTH _____ PRETEST STATEMENTS: _____

3. MEDICAL _____

3a. SERIOUS INJ/ILL WOULD INTERFERE W/JOB _____

3b. MENTAL/EMOTIONAL _____

4. EDUCATION _____

5. MILITARY _____

6. INDEBTEDNESS _____

7. GAMBLING _____

8. EXTENT OF DRINKING _____

8a. DRINKING ON JOB _____

9. NARCOTICS/DRUGS _____

9a. SALE/NARCOTIC/DRUGS _____

10. ARREST HISTORY _____ DECEPTION _____

11. UNDETECTED CRIMES _____

12. DRIVING RECORD _____

13. EMPLOYMENT HISTORY _____ POST TEST STATEMENTS _____

13a. INTENT NOT LIST EMPL _____

13b. REASON FOR LV EMPLS _____

14. THEFTS _____

15. MONEY _____

15a. MERCHANDISE _____

15b. REC MONEY FROM SALE OF STOLEN MDSE _____

16. PERMANENCY INTENT _____

17. REASON FOR APPLYING _____

OFFICE NOTE: _____

VERBAL REPORT TO _____ DATE _____ BY _____

CLIENT COMMENT: _____

2005020900

DANIA POLICE DEPARTMENT
BACKGROUND INVESTIGATION FORM

"P"

DATE: 17 MARCH 83

APPLICANT'S NAME: POND, Richard A. ADDRESS: 3532 N.W. 39th Street, Lauderdale Lakes

TALLAHASSEE INFORMATION: Administrative Aide Eula Gardner contacted Police Standards, Tallahassee and their records indicate that he resigned from Fort Lauderdale P.D. and was not rehirable by that department.

PREVIOUS EMPLOYER'S NAME: Ft. Lauderdale P.D. SUPERVISOR'S NAME: Lt. Burn

COMMENTS: Applicant employed Ft. Laud. P.D. 2-82 to 10-82 of which three months were the Police Academy. Terminated in good standing voluntarily on 10-08-82. His overall performance was not satisfactory per his personnel file and his attendance record was satisfactory. Resigned while still on probation as a result of not getting along with supervisory personnel.

#2 EMPLOYER'S NAME: City of Boston Health Department SUPERVISOR'S NAME: Maureen Carroll #617-424-5320

COMMENTS: Employed from 5/80 to 7/81 at a Health Inspector. Was involuntarily terminated due to statewide cut back in budget.

#3 EMPLOYER'S NAME: City of Boston Hospital Police SUPERVISOR'S NAME: Maureen Carroll

COMMENTS: Worked as an unarmed security guard from 4/77 to 5/80. Transferred from this position to the position of Health Inspector at same facility shown above.

8005025008

FINANCIAL CHECK: Not conducted.

COMMENTS:

DRIVER'S LICENSE CHECK & DRIVING RECORD: Possess valid Florida Chauffer's License #P530-741-52-105 with an expiration date of 3/25/85. Find no record of violations.

COMMENTS:

#1 REFERENCE: Lt. Davis, Ft. Laud. P.D. ADDRESS: OCCUPATION: Police Officer

COMMENTS: Lt. Davis was his supervisor for approximately two (2) months. He had trouble learning from his FTO. He would forget to get necessary information on reports. He did have a problem with his girlfriend, but believes that the department may have been too big for him.

#2 REFERENCE: Sgt. Steve Bull ADDRESS: Ft. Laud. P.D. OCCUPATION: Police Officer

COMMENTS: Bull knew the subject and reiterated Lt. Davis' comments. Sgt. Bull believes the subject has good potential and if he was Chief of Police, would hire him.

#3 REFERENCE: Lt. burn ADDRESS: Ft. Laud. P.D. OCCUPATION: Police Officer

COMMENTS: Was the supervisor that POND allegedly had conflict with just prior to his termination and tried hard but did not seem to handle a large police dept. He although was dedicated his job concentration. May do well with a smaller department.

SPOUSE'S NAME AND COMMENTS: Jamie Davis is subject's live-in girlfriend for in excess of one year. This is the same person involved in disturbance while with POND while employed at Lauderdale. This arose per Davis out of jealousy but this matter has been since resolved by both parties. Davis is employed at an Emergency Room Tech at Broward General Hospital and is totally familiar with shift work, police hazards and stress as a result of her position. Ms. Davis is the owner of the residence occupied by her and POND. Interview with Ms. Davis by myself and Lt. Cates reveals that subject Davis was truthful and sincere with all questions opposed to her and made a good impression. On 15 FEB 83, I made an unannounced presence at that residence and found the residence to be neat and orderly.

085275000

CONSLUSIONS: A routine computer check with FCIC/NCIC reveals no criminal history on file. Subject had one letter of commendation from SELKIRK SECURITY SYSTEMS in his personnel file for the short period her worked at Fort Lauderdale P.D. After interviewing applicant POND and Ms. DAVIS, I was advised that since the disturbance that had occurred while employed at Ft. Lauderdale P.D. that both subjects have terminated the use of alcoholic beverages and have been engaged in the sport of four-wheeling as a hobby. Mr. POND has held no gainful employment since his termination with Fort Lauderdale Police Department and it was the conclusion of this investigator that Mr. POND was truthful to all questions posed to him.

RECOMMENDATIONS: It is the recommendation of this investigator that Mr. POND appears to be a good applicant for position of police officer with this Department and recommend his hiring.

Henry Rickmeyer
DETECTIVE HENRY RICKMEYER

OK St. T. Carter

Approved - Capt. Glenn 18 MAR 03

Approved R. P. Regis

CONSLUSIONS: 29 MARCH 83 - On Thursday, 24 MAR 83, this writer was informed of an incident which allegedly occurred in the latter part of 1982 wherein the girlfriend Jamie DAVIS, was allegedly shot accidentally. At this time, this writer requested from Broward Sheriff's Office any case report which they may have on file in regards to either POND or DAVIS. Broward Sheriff's Office advised that they had no record on file for either name. (NOTE: This was the second request of B.S.O to check their records.) On Tuesday, 28 MAR 83, this writer sent Investigator John J. GUILLET to B.S.O. Records Division where upon requested said division to physically search their files. At that time, B.S.O. Records produced two (2) reports, the first one regarding an Aggravated Assault by POND on DAVIS allegedly pointing his service revolver at her. DAVIS refused to prosecute. The second report reflected an alleged Aggravated Battery wherein DAVIS was shot in the wrist by POND where both POND and DAVIS indicating that it was an accidental discharge. However, such claim is disputed by the physical evidence obtained by B.S.O. investigators. No action taken on this case due to DAVIS' refusal to prosecute. It should be noted here that POND was specifically asked about his domestic problems during oral interviews at which time he informed us of only one (1) incident (not the shooting) and characterized it as only a minor domestic disturbance which had been resolved and failed to elaborate on the circumstance surrounding same.

In conclusion, it is this writer's opinion that POND deliberately omitted information pertinent to the background investigation which would have had a serious impact upon his consideration for employment and did so specifically for that purpose.

RECOMMENDATIONS: It is the recommendation of this writer based on the facts contained in the case reports and the deliberate omission on the part of POND, that his probation be terminated forthwith.

St. Paul L. Carter



MEMORANDUM

City of Dania
Department of Police

DATE OF ISSUE EFFECTIVE DATE NUMBER

		17 MAR 83		83-M-16
SUBJECT: TO: Mark Novin, Personnel Director	DISTRIBUTION:		AMENDS:	
	RESCINDS:			
REFERENCE: Hiring Police Applicant, Richard Pond				

This is to advise you that after the careful processing of all eligible applicants for the position of police officer, Richard A. Pond has been found to be best qualified, in that he possesses those skills and qualities suitable to the needs of the Dania Police Department.

Mr. Pond has undergone a thorough background investigation as well as a polygraph examination and passed both successfully. In addition, Mr. Pond participated in, not one but two indepth and thorough interviews, again, successfully passing both.

In view of the facts stated above of Mr. Pond's successful completion of the hiring procedures as required by the City, I am recommending that he be hired effective Monday, 21 Mar 83, as a police officer with the City of Dania Police Department.

If you require any additional information in determining Mr. Pond's suitability as a police officer please feel free to contact Captain Johnson or Eula Gardner any time.

Rudolf P. Rigo

Rudolf P. Rigo
Chief of Police

RPR:emg

AFFIDAVIT FOR CERTIFICATION

Name: Richard A. Pond

Address: 3532 NW 39 St Lauderdale Lakes FLA 33309

Current or last prior employment (title, supervisor): Ft Lauderdale Police Dept
Lt Davis

Next prior employment (title, supervisor): City of Boston (Health Dept)
Edward O'Hara

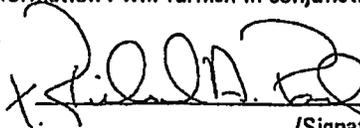
All prior law enforcement employment: Boston Police Dept (dispatcher)
City Hospital Police (patrolman) Ft Lauderdale Police (patrolman)

Two personal references: Walter Collins 90 Beacon St Hyde Park Ma
Raymond Sullivan 1220 W. Broward Blvd FtLaud FLA

1. Have you ever been a defendant in a court martial (excluding proceedings leading to nonjudicial punishment)?
Yes No
2. Has a judgement ever been issued against you?
Yes No
3. Have you ever declared bankruptcy?
Yes No
4. Have you ever been arrested or charged with a crime?
Yes No
5. Have you ever been found guilty or pled guilty or no contest to a crime?
Yes No
6. Have you ever been refused a surety bond, or turned down for employment that required a surety bond?
Yes No
7. Have you ever been involuntarily terminated from employment or asked to resign?
Yes No
8. Have you ever been addicted to or hospitalized for the use of alcohol or drugs?
Yes No
9. Have you ever had a certificate, license, or privilege revoked or suspended under state, federal or other law?
Yes No

AFFIDAVIT FOR CERTIFICATION
(page 2)

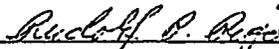
I swear or affirm that I am a citizen of the United States, by birth or naturalization, that I have never been convicted of a felony or a misdemeanor involving moral turpitude *, that I have a valid high school diploma or its equivalent, that my discharge (if any) from the Armed Forces was under honorable conditions, that I am of good moral character, that I have read all of the information contained in this affidavit and my employment application and it is correct, and that all other information I will furnish in conjunction with my application is true and correct.



(Signature of Applicant)

(Any such language as will make this a notarized affidavit.)

I certify that I have made a thorough background investigation of this applicant, including any answer of "yes" to questions 1 through 9 and attached are written explanations for those answers. I certify that to the best of my knowledge the applicant is physically qualified to perform duties as a law enforcement officer and has passed a physical examination, has a high school diploma or its equivalent, has been discharged from the Armed Forces only under honorable circumstances. I certify that I have contacted each law enforcement agency at which the applicant has been employed and each of the references listed. I am satisfied that the applicant is of good moral character. I certify the applicant has never been convicted of a felony or of a misdemeanor involving moral turpitude.*



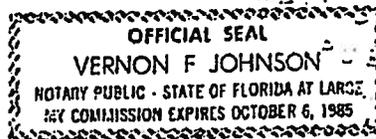
(Signature of representative of employing agency)

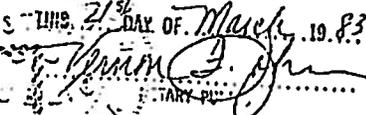
*For purposes of this application, a finding of guilt or a plea of guilty or no contest after October 1, 1980, is the equivalent of a conviction, even if sentence is suspended or adjudication of guilt withheld.

NOTE: If the applicant has never been previously certified then the following documentation should accompany the application. If the applicant has been out of service for more than one (1) year then only the physical and processed fingerprints need accompany the application.

- () Copy of birth certificate or certificate of naturalization;
- () Proof of name change, if applicable;
- () Proof of high school graduation or equivalency;
- () Proof of discharge from military indicating release under no less than honorable conditions;
- () Check here for no prior military service;
- () Processed fingerprints cleared by both FDLE and FBI by name and classification;
- () Proof of physical examination by Florida licensed physician.

SPECIFIC AUTHORITY - Sections 943.10(3), 943.12(9), F.S.
LAW IMPLEMENTED - Sections 943.13, 943.14, F.S.
HISTORY - New 1-13-81.



SUBSCRIBED AND SWORN TO BEFORE ME
THIS 21st DAY OF March, 1983


0000000000

Form No. 140

SUMMARY RECORD TRANSCRIPT

BOSTON PUBLIC SCHOOLS

ACCREDITED BY NEW ENGLAND ASSOCIATION OF COLLEGES AND SECONDARY SCHOOLS INC. HYDE PARK HIGH SCHOOL

LAST NAME:
 FIRST NAME: Richard
 MIDDLE NAME:
 HOME ADDRESS: NO. AND STREET: 1230
 CITY: HYDE PARK DISTRICT: 36
 STATE: MA ZIP CODE: 02136
 HOME TEL: 361-3337
 SEX: M
 STUDENT NO.: 302189
 DATE OF BIRTH: 1/25/52
 PLACE OF BIRTH: BOSTON
 GRADING SYSTEM: A-B HONORS, C PASSING, D-E FAILING
 APPROX. JR. YR.
 MID. SH.
 FINAL
 DATE ENTERED: 9/4/68
 LEFT:
 REFERRED:
 GRADUATED:
 W. B. Rogers

GRADE	H.R.	YEAR	PREV. PTS.	GRADE	H.R.	YEAR	PREV. PTS.	GRADE	H.R.	YEAR	PREV. PTS.	GRADE	H.R.	YEAR	PREV. PTS.
09		1967-68		10	1230	1968-69	27.0	11	209	1969-70	27.0	11	209	1969-70	27.0

WITHDRAWN	PREV. PTS.	YEAR	WITHDRAWN	PREV. PTS.	YEAR	WITHDRAWN	PREV. PTS.	YEAR	WITHDRAWN	PREV. PTS.	YEAR			
154	25	10	302189	27.0	156	20	17	302189	47.0	161	19	17	302189	65.5

WITHDRAWN	PREV. PTS.	YEAR									
12	23	10	302189	65.5							

0005289000



REGISTRY DIVISION, CITY OF BOSTON

COUNTY OF SUFFOLK, COMMONWEALTH OF MASSACHUSETTS, UNITED STATES OF AMERICA

Certificate No. 54943

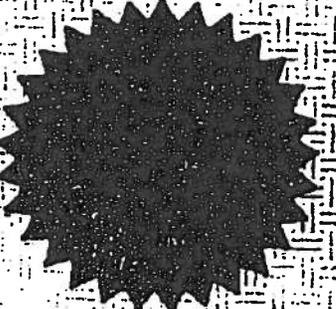
CERTIFIED COPY OF RECORD OF BIRTH IN OFFICE OF THE CITY REGISTRAR

II

I, the undersigned, hereby certify that I hold the office of City Registrar of the City of Boston, and have the custody of the Records of Births, Marriages and Deaths required by law to be kept in said City; and I certify that the following facts appear on said Records:

No. 4760 Date of Birth March 25, 1952 Name of Child Richard Allan Ford

SEX <u>male</u>	COLOR <u>White</u>	NAME, SURNAME AND BIRTHPLACE OF FATHER <u>Yervus J. Ford</u> <u>Boston, Mass.</u>	NAME, MAIDEN NAME AND BIRTHPLACE OF MOTHER <u>Virginia M. Mattson</u> <u>Boston, Mass.</u>
PLACE OF BIRTH <u>Boston</u> <u>Mass.</u>		RESIDENCE OF PARENTS <u>Boston</u> <u>Mass.</u>	
OCCUPATION OF FATHER <u>Shoemaker</u>		NAME AND ADDRESS OF INFORMANT <u>J. Brennan</u> <u>R. O.</u>	
DATE OF RECORD <u>March 31, 1952</u>			



I further certify that by annexation, the records of the following named cities and towns are in the custody of the City Registrar of Boston:

- | | |
|-------------------|-------------------|
| ANNEXED | ANNEXED |
| East Boston 1637 | Charlestown 1874 |
| South Boston 1804 | Brighton 1874 |
| Roxbury 1806 | West Roxbury 1874 |
| Dorchester 1870 | Hyde Park 1874 |

WITNESS my hand and the SEAL of the CITY REGISTRAR

on this 15th day of January, A. D. 1952

Jouanne [Signature] City Registrar

By Chapter 314 of the Acts of 1902, the certificates or attestations of either Assistant City Registrar shall have the same force and effect as that of the City Registrar.

00090299

0112 0202 1356

P53074152105000

RICHARD A POND

3532 NW 39 ST

TYPE LIC: CHAUFFEUR

DOB: 03/25/52

LAUDERDALE LAKES

FL 33309

CURRENT LICENSE EXPIRES: 03/25/85

HT: 601 RACE: W SOC SEC:

VALID LICENSE

END OF DDL/DHSMV RESPONSE

PAGE: 01

\QI.NAM/CPOND,RICHARD

\.SEX/CMJ\.RAC/[WJ].DOB/[032552]J

0108 0202 1349

FCIC REPLY

POND,RICHARD,AUBREY CRIM-HIST 00499591 W M 03/03/46 SCO/078 511 146 XXX XXX ,,
.SPC/ HISTORY NOT AUTOMATED, FPC/16MM 111UW000IOQ13 DLT/041672

POND,RICHARD,STEPHEN CRIM-HIST 00849954 W M 02/23/42 SCO/077 601 160 BRO BRO
MED NY SMT/SC R EYE SPC/ ARREST HISTORY ON FILE, FPC/POPO12171322TT111510
SDC/177343288 DLT/080577 OCC/BARTENDER LRA/1304 PARKWOOD ST CIT/CLEARWATER, FL
SMT/SC L KNEE

POND,CHRISTOPHER,MCDONNELL CRIM-HIST 00746353 W M 06/16/52 SCO/075
510 145 BRO BLU ,CT ,SPC/ ARREST HISTORY ON FILE, FPC/22POPOD017PIPOPI17
DLT/052474 OCC/LABORER CIT/TAMPA, FL

POND,JOHNNY,RAY CRIM-HIST 00774493 W M 01/25/51 SCO/073 511 165 BRO BLU ,AL ,
SPC/ ARREST HISTORY ON FILE, FPC/PI5907PM141759142013 DLT/101172 OCC/IRN WRKR
LRA/2322 HIGHLAND AVE CIT/IRONDALE, AL

POND,WAYNE,ALLEN CRIM-HIST 01384400 W M 04/25/54 SCO/073 600 200 BRO BLU MED
PA SMT/SC R FGR SPC/ ARREST HISTORY ON FILE, FPC/170604CDSR12TT0712

0109 0202 1349

FCIC REPLY

10 SDC/122448424 DLT/041779 OCC/LABORER LRA/RT 2 BOX 179 CIT/OKLAWAHA, FL
END

000502531

APPLICANT

Richard A. Pond

3532 NW 39 Street
Lauderdale, Lakes, Fl

032183

Dania Police Dept.
100 W. Dania Bch. Blvd.
Dania, Fl 33004

Employment

TYPE OF PRINT ALL INFORMATION IN BLACK

Pond Richard A

FL0060100

PD

DANIA FLA

DATE OF BIRTH DOB
03 25 52

M W 6'1" 185 BluGry Boston Mass.

LEAVE BLANK

YOUR NO. OCA

YOUR FBI

YOUR SOCIAL SECURITY NO. SOC

YOUR TELEPHONE NO. MNU



LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY

1 THUMB

2 INDEX

RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY

000502533

CITY OF DANIA

The following information is requested on a voluntary basis. The information you provide will not be sent to the department you are referred to for employment consideration. We need the information in order to evaluate the effectiveness of our Equal Employment Opportunity Affirmative Action Plan and it will be used only for research and analysis purposes. Information provided on this form will not aid or hinder your chances of being employed.

NAME Richard A. Pond SOCIAL SECURITY # _____

SEX m AGE 30 MARITAL STATUS Single

RACE: AMERICAN INDIAN ASIAN AMERICAN BLACK
 SPANISH SURNAME WHITE OTHER

Physical Disability (if any) NONE

How did you learn about the vacancy for which you are applying?

NEWSPAPER AD _____

RADIO ANNOUNCEMENT _____

FLORIDA STATE EMPLOYMENT SERVICE _____

COUNTY EMPLOYEE _____

MINORITY OR WOMAN'S ORGANIZATION _____

EMPLOYMENT AGENCY _____

OTHER City employee

AFFIDAVIT FOR CERTIFICATION

Name: Richard A. Pond

Address: _____

Current or last prior employment (title, supervisor): Ft Lauderdale Police Dept
Lt Davis

Next prior employment (title, supervisor): City of Boston (Health Dept)
Edward O'Hara

All prior law enforcement employment: Boston Police Dept (dispatcher)
City Hospital Police (patrolman) Ft Lauderdale Police (patrolman)

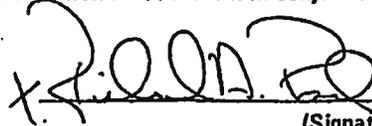
Two personal references: Walter Collins 90 Beacon St Hyde Park Ma
Raymond Sullivan 1200 W. Broward Blvd Ft Land FLA

1. Have you ever been a defendant in a court martial (excluding proceedings leading to nonjudicial punishment)?
Yes No
2. Has a judgement ever been issued against you?
Yes No
3. Have you ever declared bankruptcy?
Yes No
4. Have you ever been arrested or charged with a crime?
Yes No
5. Have you ever been found guilty or pled guilty or no contest to a crime?
Yes No
6. Have you ever been refused a surety bond, or turned down for employment that required a surety bond?
Yes No
7. Have you ever been involuntarily terminated from employment or asked to resign?
Yes No
8. Have you ever been addicted to or hospitalized for the use of alcohol or drugs?
Yes No
9. Have you ever had a certificate, license, or privilege revoked or suspended under state, federal or other law?
Yes No

000502921

AFFIDAVIT FOR CERTIFICATION
(page 2)

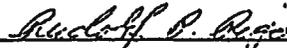
I swear or affirm that I am a citizen of the United States, by birth or naturalization, that I have never been convicted of a felony or a misdemeanor involving moral turpitude *, that I have a valid high school diploma or its equivalent, that my discharge (if any) from the Armed Forces was under honorable conditions, that I am of good moral character, that I have read all of the information contained in this affidavit and my employment application and it is correct, and that all other information I will furnish in conjunction with my application is true and correct.



(Signature of Applicant)

(Any such language as will make this a notarized affidavit.)

I certify that I have made a thorough background investigation of this applicant, including any answer of "yes" to questions 1 through 9 and attached are written explanations for those answers. I certify that to the best of my knowledge the applicant is physically qualified to perform duties as a law enforcement officer and has passed a physical examination, has a high school diploma or its equivalent, has been discharged from the Armed Forces only under honorable circumstances. I certify that I have contacted each law enforcement agency at which the applicant has been employed and each of the references listed. I am satisfied that the applicant is of good moral character. I certify the applicant has never been convicted of a felony or of a misdemeanor involving moral turpitude.*



(Signature of representative of employing agency)

*For purposes of this application, a finding of guilt or a plea of guilty or no contest after October 1, 1980, is the equivalent of a conviction, even if sentence is suspended or adjudication of guilt withheld.

NOTE: If the applicant has never been previously certified then the following documentation should accompany the application. If the applicant has been out of service for more than one (1) year then only the physical and processed fingerprints need accompany the application.

- () Copy of birth certificate or certificate of naturalization;
- () Proof of name change, if applicable;
- () Proof of high school graduation or equivalency;
- () Proof of discharge from military indicating release under no less than honorable conditions;
- () Check here for no prior military service;
- () Processed fingerprints cleared by both FDLE and FBI by name and classification;
- () Proof of physical examination by Florida licensed physician.

SPECIFIC AUTHORITY - Sections 943.10(3), 943.12(9), F.S.
LAW IMPLEMENTED - Sections 943.13, 943.14, F.S.
HISTORY - New 1-13-81.



SUBSCRIBED AND SWORN TO BEFORE ME

THIS 21st DAY OF March, 1983



0000000000

PLEASE FILL IN EVERY BLANK. ALL THE BELOW INFORMATION IS REQUIRED OF EVERY OFFICER AND POLICE DEPARTMENT EMPLOYEE.

NAME Richard A. Pond DATE OF BIRTH 03-25-52 AGE 30

ADDRESS-STREET 3532 NW 39 st CITY Lauderdale Lakes STATE FLA

PHONE # 735-4973 (Jamie R. Davis)
(SHOW THE NAME OF THE PERSON THAT THE PHONE IS LISTED UNDER)

DRIVERS LICENSE # P530-741-52-105 SS # 012-42-7369

AUTOMOBILE OWNED OR DRIVEN BY EMPLOYEE

YEAR 1983 MAKE AMC Jeep MODEL CJ-7 TAG # E-79520

YEAR 1975 MAKE Toyota MODEL Corolla TAG # FXG973

ALL WEAPONS USED BY EMPLOYEE (ANY WEAPON NOT LISTED WILL NOT BE CARRIED BY MEMBERS)

MAKE Ruger SERIAL NUMBER 158-46445 CALIBER 357 MODEL Security Six

MAKE _____ SERIAL NUMBER _____ CALIBER _____ MODEL _____

MAKE _____ SERIAL NUMBER _____ CALIBER _____ MODEL _____

EMPLOYMENT DATE 03-21-83

MARITAL STATUS SINGLE _____ MARRIED _____ SEPARATED _____ DIVORCED

CHILDREN- YES NO _____ NUMBER 2 AGES 8/10

EMERGENCY NOTIFICATION

NAME Jamie Davis RELATIONSHIP Girlfriend PHONE 735-4973

ADDRESS -STREET 3532 NW 39 st CITY Lauderdale Lakes STATE FLA

NAME Geovis Pond RELATIONSHIP Father PHONE 1-617-361-3339

ADDRESS- STREET 933 Metropolitan ave CITY Hyde Park STATE Ma
02136

Richard A. Pond
SIGNATURE DATE 03-21-83

NOTE* ANY CHANGE IN THE ABOVE INFORMATION WILL BE IMMEDIATELY TURNED INTO THE CHIEF'S OFFICE

000502838

DEPARTMENT OF POLICE
CITY OF DANIA

NAME Richard A. Pond

MAJOR OPERATIONS appendix - left ankle

ALLERGIC TO N/A

BLOOD TYPE _____ NEXT OF KIN Father - Gervis Pond

933 Metropolitan ave Hyde Park Ma 02136 tel 1-617-361-3339

EMERGENCY CONTACT Jamie Davis 2532 NW 39 st Lauderdale Lakes

FLA 33309 tel # 235-4923

Please forward this above information to Gayle Munro in the Criminal Investigation Division.

000582471

Form **W-4**
(Rev. January 1983)

Department of the Treasury—Internal Revenue Service

Employee's Withholding Allowance Certificate

OMB No.
Expires 8-31-85

1 Type or print your full name
Richard A. Pond

2 Your social security number

012-42-2369

Home address (number and street or rural route)

3532 NW 39 st

City or town, State, and ZIP code

Landerdale Lakes FLA 33309

3 Marital Status
 Single Married
 Married, but withhold at higher Single rate
Note: If married, but legally separated, or spouse is a nonresident alien, check the Single box.

4 Total number of allowances you are claiming (from line F of the worksheet on page 2)

5

5 Additional amount, if any, you want deducted from each pay

6 I claim exemption from withholding because (see instructions and check boxes below that apply):

a Last year I did not owe any Federal income tax and had a right to a full refund of ALL income tax withheld, AND

b This year I do not expect to owe any Federal income tax and expect to have a right to a full refund of ALL income tax withheld. If both a and b apply, enter the year effective and "EXEMPT" here

Year
83

c If you entered "EXEMPT" on line 6b, are you a full-time student? Yes No

Under the penalties of perjury, I certify that I am entitled to the number of withholding allowances claimed on this certificate, or if claiming exemption from withholding, that I am entitled to claim the exempt status.

Employee's signature Richard A. Pond

Date 3-11-83

7 Employer's name and address (Employer: Complete 7, 8, and 9 only if sending to IRS)

City of Ocala
100 West Ocala Beach Blvd
Ocala, Florida 32004

8 Office code

9 Employer identification number

Detach along this line. Give the top part of this form to employer; keep the lower part for your records.

DOB - 3/25/52

CITY OF DANIA, FLORIDA
PERSONNEL AND WAGE REPORT

CLASSIFIED UNCLASSIFIED _____ Date March 21, 1983

Department Police / 0700 Effective Date March 21, 83 Social Security No. 017-42-7369

Name Richard A. Pond Address 3532 N.W. 39th St

Position Police Officer Monthly Rate 1442.13 APPOINTMENT TERMINATION _____ LEAVE OF ABSENCE _____
Lauderdale Lakes Fl.

COMPUTATION OF WAGES DUE: Hourly Rate 8.32 33309

1. SALARY From _____ To _____ \$ _____

RATE CHANGE From \$ 17,305⁶⁰ To \$ _____

2. VACATION From _____ To _____ \$ _____

TRANSFER From _____ Div'n _____

3. _____ \$ _____
(OTHER AMOUNTS DUE, EXPLAIN)

To _____ Div'n _____

4. LESS WITHHOLDING TAX ON ABOVE _____ \$ _____

CHANGE IN TITLE From _____

5. _____ \$ _____
(OTHER DEDUCTIONS, EXPLAIN)

NET AMOUNT DUE \$ _____

To _____

REMARKS: (Use Reverse Side If Necessary)

ACKNOWLEDGMENT

New Hire

Rudolf P. Pego
DEPARTMENT HEAD

M. Yovan
PERSONNEL DIRECTOR

Gene Mann
CITY MANAGER

Copies to: white-Personnel
canary-Payroll
pink-Department

All signatures must be affixed before entering on payroll

000582534

CITY OF DANIA

Last Name Pond First Richard Middle A SOCIAL SECURITY NO.

Present Address: 3532 NW 39 st CITY Lauderdale Lakes STATE FL

Name of Last Employer: Ft Lauderdale Police Dept CITY Ft Lauderdale STATE FL

MEDICAL HISTORY-DO YOU HAVE OR HAVE YOU HAD: (please check EACH of the following items YES or NO)

	Yes	No
Eye Trouble	—	✓
Heart Trouble	—	✓
Epilepsy or Fits	—	✓
Diabetes	—	✓
Arthritis	—	✓
Broken Bones	✓	—
Allergic Conditions	—	✓

HAVE YOU EVER RECEIVED TREATMENT FOR A BACK CONDITION OR BACK INJURY? NO
(yes or no)

DO YOU NOW OR HAVE YOU EVER SUFFERED FROM ACHEs OR PAINS OF THE BACK? NO
(yes or no)

Do you have any physical disabilities or handicaps? NO

Have you ever received a disability rating under a Workmen's Compensation Act of any State? YES

If so, what percentage? 100%

EACH QUESTION ANSWERED YES IS TO BE FULLY AND ACCURATELY EXPLAINED BELOW:

Broke left ankle while chasing two felons, recieved compensation and ankle healed perfect (m)

I certify the above answers to be true and correct. I understand that any false or misleading statements to these questions be reason for denial of benefits under the Florida Workmen's Compensation Act.

WITNESS

R. POND
APPLICANT'S SIGNATURE

1-18-82
DATE

NOTE: If applicant is unable to read or write, he is to make his mark in the place provided for his signature. Witness is to varify that he has read the above requested information to the applicant and that the answers are his own. Sign in the space for Witness to certify.

CITY OF DANIA
PERSONNEL DEPARTMENT

TO: Police Department

FROM: Personnel Department

Date: 3/21/83

YOU ARE HEREBY REQUESTED TO FINGERPRINT Richard Bond

AND ADVISE IN ACCORDANCE WITH POLICE

DEPARTMENT PROCEDURE. THIS APPLICANT IS BEING CONSIDERED

FOR EMPLOYMENT AS Police Officer IN OUR Police

DEPARTMENT.

More
PERSONNEL DEPARTMENT

TO: PERSONNEL DEPARTMENT

3/21/83
DATE

THE ABOVE APPLICANT HAS BEEN FINGERPRINTED AND ASSIGNED

IDENTIFICATION NUMBER DN079

Wang
OPERATOR

000500530

ACKNOWLEDGEMENT RECEIPT

THIS ACKNOWLEDGES MY RECEIPT OF THE CITY OF DANIA'S MANUAL OF SAFETY RULES AND REGULATIONS. IT IS MY SINCERE INTENTION TO OBSERVE THE GENERAL SAFETY RULES AND REGULATIONS AND PARTICULARLY THE SPECIAL RULES AND REGULATIONS THAT APPLY TO MY OWN DEPARTMENT. I HEREBY PROMISE TO DO MY UTMOST AT ALL TIMES, TO PROTECT THE SAFETY OF MYSELF AND MY FELLOW WORKERS.

NAME:

R. A. T. Q.

DEPARTMENT:

Police

3/21/83

Safety Orientation

(RTQ)

000502330

O A T H

I, Richard A Pond, a citizen

of the State of Florida and of the United States of America, and being employed by or an officer of Dania and a recipient of public funds as such employee or officer, do solemnly swear or affirm that I will support the Constitution of the United States and of the State of Florida; that I am not a member of the Communist Party; that I have not and will not lend my aid, support, advice, counsel or influence to the Communist Party; that I do not believe in the overthrow of the Government of the United States or of the State of Florida by force or violence; that I am not a member of any organization or party which believes in or teaches, directly or indirectly, the overthrow of the Government of the United States or of the State of Florida by force or violence.

Richard A. Pond 03-21-83
EMPLOYEE OR OFFICER SIGN HERE.

SWORN to and subscribed before me
this 21 day of March
A.D. 1983.

Charles H. [Signature]
NOTARY PUBLIC.

CONDITION OF EMPLOYMENT

I HEREBY AGREE, AS A CONDITION OF EMPLOYMENT, TO VOLUNTARILY
SUBMIT TO A POLYGRAPH EXAMINATION IF SO REQUESTED BY THE CITY
AT ANY TIME DURING MY EMPLOYMENT.

SIGNED Richard A. Paul

DATED 03-21-83

DEPARTMENT Dania Police Dept

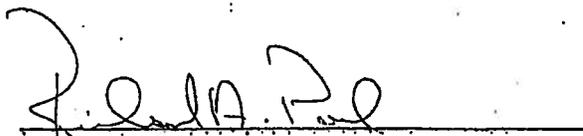
CITY OF DANIA
INTER-OFFICE MEMORANDUM

TO: ALL EMPLOYEES
FROM: CITY MANAGER
SUBJECT: ACCEPTING GIFTS
DATE

DURING HOLIDAY SEASONS OR DURING THE YEAR, MANY PEOPLE WHO HAVE
TRANSACTIONED BUSINESS WITH THE CITY MAY FEEL THAT IT WOULD BE NICE TO
EXPRESS THEIR GRATITUDE BY OFFERING YOU A PERSONAL GIFT...

WE CERTAINLY DO NOT WANT TO OFFEND ANYONE WHO WOULD MAKE SUCH A GESTURE.
IN ORDER TO PROTECT THE CITY AND ITS EMPLOYEES FROM ANY EMBARRASSMENT, YOU
SHOULD KINDLY REFUSE ALL GIFTS FROM ANYONE DOING BUSINESS WITH THE CITY.
ANY HINT OF OBLIGATION TO OTHERS MIGHT CAUSE SERIOUS CONFLICTS IN FUTURE
DEALINGS.

PLEASE BE CAREFUL IN DISCERNING WHO AND WHY A GIFT IS OFFERED FOR YOUR
OWN PROTECTION. PLEASE BE EXTREMELY CAUTIOUS CONCERNING THE ACCEPTANCE
OF ANY GIFTS.



SIGNATURE

CONDITION OF EMPLOYMENT

I, Richard A. Pond, CERTIFY THAT I HAVE BEEN ADVISED OF ALL CITY BENEFITS AND ALSO UNDERSTAND THAT A REQUIREMENT OF BEING HIRED THAT I WILL SURRENDER ALL CITY OF DANIA ID CARDS, ALL INSURANCE CARDS AND CITY PROPERTY IN MY POSSESSION IF AND WHEN I TERMINATE MY EMPLOYMENT WITH THE CITY OF DANIA.

I, UNDERSTAND FURTHER, THAT THE USE OF CITY OF DANIA ID CARDS AND INSURANCE CARDS ON OR AFTER MY DATE OF TERMINATION OF EMPLOYMENT WITH THE CITY OF DANIA IS UNAUTHORIZED AND SUCH USE MAY SUBJECT ME TO PENALTY AND / OR DEBTS AS MAY ARISE FROM UNAUTHORIZED USE OF SAID CARDS.

I HEREBY AUTHORIZE THE PAYROLL DEPARTMENT OF THE CITY OF DANIA TO DEDUCT FROM MY FINAL WAGES, SUCH MONIES AS MAY BE NECESSARY TO ACCOUNT FOR CITY PROPERTY ISSUED TO ME AND NOT SURRENDERED ON OR BEFORE MY TERMINATION OF EMPLOYMENT WITH THE CITY OF DANIA, FLORIDA.

I ALSO UNDERSTAND AND AGREE TO HAVE THE CITY DEDUCT FROM MY PAY THE COST OF MY CITY PHYSICAL EXAMINATION IF I LEAVE THE EMPLOYMENT OF THE CITY WITHIN 6 MONTHS. ALSO THE CITY INSURANCE WILL BE STOPPED AT THE END OF THE MONTH OF YOUR TERMINATION.

Richard A. Pond
SIGNATURE

03-21-83
DATE

REPORT OF PHYSICAL EXAMINATION

Height (less shoes) 6 ft. 1 in. Weight (in ordinary clothes) 187 lbs.
 Distant Vision: Right eye 20/20 Left eye 20/20
 With Correcting Lenses: Right eye 20/ Left eye 20/
 Near Vision: Right eye 20/#1 Left eye 20/#1
 With Correcting Lenses: Right eye 20/ Left eye 20/
 Pulse 88 Blood Pressure: syst. 118 diast. 72
 EXERCISE TOLERANCE: Pulse (after exercise) 88 B.P. 120/70
 2 minutes after exercise: Pulse 88 B.P. 122/70

COLOR: OK

The Items Listed Below are Normal, YES or NO, As Checked by "X"

	YES	NO
1. Eyes		
2. Ears		
3. Nose		
4. Teeth		
5. Tonsils		
6. Thyroid		
7. Heart		
8. Lungs		
9. Liver		
10. Kidneys		
11. External genitals		
12. Skin		
13. Bones		
14. Joints		
15. Muscles		

	YES	NO
16. Nervous system		
17. Urine test		
18. Wasserman test		
19. Chest X-ray		
20. E.K.G. (if indicated)		

Subj all neg
3/22/83
Not required
3/22/83

Defects Present, YES or NO as checked by "X"

1. Hernia		X
2. Hemorrhoids		X
3. Varicose Veins		X
4. Deformities		X
5. Abdominal scars	X	

Summary of Findings: *appendectomy 1966*
No patitis (B) Jan '83

Examinee does / ~~does not~~ meet physical requirements for Policeman group X

If not qualified. List disqualifying defects:

Paul W. Hughes M.D. 3/22/83
 (Signature of Examining Physician) Date

Summary of findings at RECHECK:

 (Signature of Examining Physician) M.D. Date

AUTHORIZATION TO RELEASE INFORMATION: I hereby authorize the
Brown County Health Physician to release any information acquired
in the course of my examination or treatment.

R. O. A. Pond 3-22-83
SIGNED (PATIENT, OR PATENT IF MINOR) DATE

PHYSICAL FOR Employment

MEDICAL HISTORY FOR EMPLOYMENT

This information is for official use only and will not be released to unauthorized persons.

NAME Richard A. Pond POSITION Police Officer SEX M
ADDRESS 3532 NW 39th Land Lakes BIRTHDATE 3-25-52 PHONE 735-4973

APPLICANT: Put an X under "yes" or "no" in answer to each of the following questions.

DID YOU EVER, OR DO YOU NOW.

	YES NO			YES NO	
1. need glasses		X	19. pass blood in the urine		X
2. wear glasses		X	20. have a rupture (hernia)		X
3. have hearing trouble		X	21. have large veins on the legs		X
4. have nose trouble		X	22. have backache or back injury		X
5. have hayfever		X	23. have injury to shoulder, arm or hand		X
6. have trouble with your teeth		X	24. have injury to hip, leg or foot	X	
7. have chronic cough		X	25. have a knee injury		X
8. have TB (tuberculosis)		X	26. have an operation	X	
9. have an x-ray of your lungs		X	27. have pain or swelling in feet		X
10. have shortness of breath		X	28. have rheumatism or arthritis		X
11. have asthma		X	29. have syphilis or gonorrhea		X
12. have heart trouble		X	30. have a nervous breakdown		X
13. have high blood trouble		X	31. have fits or convulsions		X
14. have stomach trouble		X	32. drink beer, wine or whiskey	X	
15. have bowel trouble		X	33. take medicines regularly		X
16. have piles (hemorrhoids)		X	34. see your doctor regularly	X	
17. have kidney or bladder trouble		X	35. lose or gain weight		X
18. have sugar in the urine		X	36. go to a hospital as a patient		X

37. DID YOU EVER, or DO YOU NOW receive Workman's Compensation because of on the job injury? Yes X No _____

If yes, give details 1978 broke ankle (healed perfect)

38. FOR FEMALE APPLICANTS: Are you pregnant? Yes _____ No _____

** ** I certify, that the information given by me is true to the best of my knowledge and belief, I consent to its use in any proceeding wherein the same may be relevant or material.

Applicant's Signature R. O. A. Pond Date 3-22-83

Summary of history (with elaboration of pertinent data) and additional history (to be supplied only by physician or examiner).

Signature of Physician [Signature] Date 3/22/83

EMPLOYEE INFORMATION

EMPLOYEE # 31 MAR 23 1983
NAME ~~RICHARD~~ POND, RICHARD H.
STREET 3532 NW 39 ST.
CITY LAUD. LAKES,
STATE FL
ZIP CODE 33309
SOCIAL SECURITY NO. _____
SALARY OR HOURLY H
DEPT # 0700
BASE PAY -
REGULAR RATE 8.32
VACATION DUE -
VACATION PAID -
VACATION ACCUMULATED -
NO. OF FEDERAL EXEMPTIONS 1
ADDED WITHHOLDING TAX -
MARRIED OR SINGLE S (1)
PENSION FUND Y (6.65) MAR 23 1983
JOB TITLE POLICE OFFICER
SEX M
WORKERS COMP CODE -
EQUAL OP CODE -
BIRTH DATE 3/25/52
HIRE DATE 3/21/83
SICK PAY DUE -
SICK PAY PAID -
SICK PAY ACCUMULATED -

501002107001120 ✓



MEMORANDUM

City of Dania
Department of Police

DATE OF ISSUE EFFECTIVE DATE NUMBER

29 MAR 83	29 MAR 83	83-M-18
-----------	-----------	---------

SUBJECT: TO: Rudolf P. Rigo, Chief of Police	DISTRIBUTION:	AMENDS:
	RESCINDS:	
REFERENCE: Request for Termination of Probation; Richard POND.		

Since the time of the background investigation and interviews conducted with Richard Pond, certain information was brought to our attention regarding previous domestic problems of a serious nature which failed to surface at the time such background and interviews were conducted.

Based on the information obtained after the fact, it is my considered opinion that Richard Pond deliberately omitted pertinent information which would have been a factor in the consideration of his hiring and that such omissions were done deliberately specifically for that reason.

Therefore, it is my recommendation, after careful review of this matter, that Richard Pond's probation be terminated effective this date in the best interest of the Department.

Your consideration in this matter is most sincerely appreciated.

Respectfully,

Capt. Vernon F. Johnson
Captain Vernon F. Johnson

VFJ/gtm

R. P. Rigo
27 MAR 83



MEMORANDUM

City of Dania

Department of Police

DATE OF ISSUE EFFECTIVE DATE NUMBER

29 MAR 83 83-M-19

SUBJECT: TO: Richard Marant, City Manager	DISTRIBUTION:	AMENDS:
	RESCINDS:	
REFERENCE: Request For Termination of Probation		

Sir:

Please find attached a memorandum regarding the background investigation conducted on Richard Pond and pertinent information received after the fact.

Based on this information and my careful review of the situation, and a detailed discussion with members of my administrative staff, I feel Richard Pond deliberately withheld information which would have been a prime factor in his being considered for hiring.

Therefore, I am requesting that Officer Richard Pond's probation be terminated effective this date in the best interest of the Department and the City of Dania.

Your consideration in this matter is most sincerely appreciated.

Rudolf P. Rigo

Rudolf P. Rigo
Chief of Police

RPR:emg

attachment

Approved *Richard Marant*
for Richard Marant, City Manager

Disapproved
Richard Marant, City Manager

000502534



MEMORANDUM

City of Dania Department of Police

	DATE OF ISSUE	EFFECTIVE DATE	NUMBER
	29 MAR 83		83-M-20
SUBJECT: TO: RICHARD POND	DISTRIBUTION:		AMENDS:
	RESCINDS:		
REFERENCE: TERMINATION OF PROBATION			

Please be advised that effective this date, 29 Mar 83, at 1600 hours your probation with the Dania Police Department is hereby terminated.

Rudolf P. Rigo

Rudolf P. Rigo
Chief of Police

RPR:emg

I certify that I received a copy of this memorandum this _____ day of _____ 1983

Richard Pond
RICHARD POND.

000502507



MEMORANDUM

City of Dania
Department of Police

	DATE OF ISSUE	EFFECTIVE DATE	NUMBER
	29 MAR 83	29 MAR 83	83-M-18
SUBJECT: TO: Rudolf P. Rigo, Chief of Police	DISTRIBUTION:		AMENDS:
	RESCINDS:		
REFERENCE: Request for Termination of Probation; Richard POND			

Since the time of the background investigation and interviews conducted with Richard Pond, certain information was brought to our attention regarding previous domestic problems of a serious nature which failed to surface at the time such background and interviews were conducted.

Based on the information obtained after the fact, it is my considered opinion that Richard Pond deliberately omitted pertinent information which would have been a factor in the consideration of his hiring and that such omissions were done deliberately specifically for that reason.

Therefore, it is my recommendation, after careful review of this matter, that Richard Pond's probation be terminated effective this date in the best interest of the Department.

Your consideration in this matter is most sincerely appreciated.

Respectfully,

Capt. Vernon F. Johnson
Captain Vernon F. Johnson

VFJ/gtm

R. P. Rigo
29 MAR 83



MEMORANDUM

City of Dania
Department of Police

	DATE OF ISSUE	EFFECTIVE DATE	NUMBER
	29 MAR 83		83-M-19
SUBJECT: TO: Richard Marant, City Manager	DISTRIBUTION:		AMENDS:
	RESCINDS:		
REFERENCE: Request For Termination of Probation			

Sir:

Please find attached a memorandum regarding the background investigation conducted on Richard Pond and pertinent information received after the fact.

Based on this information and my careful review of the situation, and a detailed discussion with members of my administrative staff, I feel Richard Pond deliberately withheld information which would have been a prime factor in his being considered for hiring.

Therefore, I am requesting that Officer Richard Pond's probation be terminated effective this date in the best interest of the Department and the City of Dania.

Your consideration in this matter is most sincerely appreciated.

Rudolf P. Rigo

Rudolf P. Rigo
Chief of Police

RPR:emg

attachment

Approved *Richard Marant*
for Richard Marant, City Manager

Disapproved _____
Richard Marant, City Manager

000542505



MEMORANDUM

City of Dania
Department of Police

	DATE OF ISSUE	EFFECTIVE DATE	NUMBER
	29 MAR 83		83-M-20
SUBJECT: TO: RICHARD POND	DISTRIBUTION:		AMENDS:
	RESCINDS:		
REFERENCE: TERMINATION OF PROBATION			

Please be advised that effective this date, 29 Mar 83, at 1600 hours your probation with the Dania Police Department is hereby terminated.

Rudolf P. Rigo
Rudolf P. Rigo
Chief of Police

RPR:emg

I certify that I received a copy of this memorandum this _____ day of _____ 1983

Richard A. Pond
RICHARD POND.

TERMINATION REPORT

DATE March 30, 1983

NAME Richard Pando EMPLOYEE # _____ DEPT. # _____

DATE OF TERMINATION 3-29-83

1. Sick Hours at Beg. Year 0
 + Accrual _____
 - Hours Used _____
 = Balance to pay employee 0 Hourly Rate _____
2. Vacation Hours at Beg. Year 0
 + Accrual _____
 - Hours Used _____
 = Balance to pay employee 0 Hourly Rate _____
3. Pro-Rated Vacation Hours for current year to pay employee:
 _____ Hourly Rate _____
4. Regular Hours to pay employee 56 Regular Hourly Rate 8.32
3 O.T.
 (Also submit on time sheet)
5. Longevity to pay employee \$ 0
6. Holidays to pay employee 0
7. Other Accruals to pay employee None Hourly Rate _____

PA
3/30/83

NOTES:

4.13 - Disc. Pension APR 13 1983
 4.27 - Del. screen APR 13 1983
 5.11 - " " & T.

CITY OF DANIA, FLORIDA
PERSONNEL AND WAGE REPORT

CLASSIFIED UNCLASSIFIED _____

Date March 31, 1983

Department Police Effective Date March 29, 1983 Social Security No. _____

Name Richard Pond Address _____

Position PROBATION-officer Monthly Rate _____
APPOINTMENT _____ TERMINATION _____ LEAVE OF ABSENCE

COMPUTATION OF WAGES DUE: Hourly Rate _____

1. SALARY From 3/17/83 To 3/30/83 ^{56 Reg + 3 O.T.} \$ 503.72

RATE CHANGE From \$ _____ To \$ _____

2. VACATION From _____ To _____ \$ None

TRANSFER From _____ Div'n _____

3. SICK LEAVE \$ None
(OTHER AMOUNTS DUE, EXPLAIN)

To _____ Div'n _____

4. LESS WITHHOLDING TAX ON ABOVE \$ _____

CHANGE IN TITLE From _____

5. _____ \$ _____
(OTHER DEDUCTIONS, EXPLAIN)

NET AMOUNT DUE \$ _____

To _____

REMARKS: (Use Reverse Side If Necessary)

ACKNOWLEDGMENT

Done 3-28-83

Involuntary termination

Richard P. Rego
DEPARTMENT HEAD

M. Mosen
PERSONNEL DIRECTOR

[Signature]
CITY MANAGER

Copies to: white-Personnel
canary-Payroll
pink-Department

All signatures must be affixed before entering on payroll

000502935



City of Dania Department of Police

April 7, 1983

Karl A. Kaluhiokalani
Research and Development Specialist
Decertification Section
Division of Criminal Justice
Post Office Box 1489
Tallahassee, Florida 32302

Dear Mr. Kaluhiokalani:

This office is submitting a CJSTC-14 termination notice for Richard A. Pond, SS# [redacted], effective 29 March 83.

Since the time of his hiring with the Dania Police Department, certain information was brought to our attention regarding previous domestic problems of a serious nature, "An accidental shooting" which occurred in Unincorporated Broward County, under Broward County Sheriff's case number LL-82-14678 which failed to surface at the time of the background investigation and interviews conducted with Richard Pond.

Based on the information obtained after the fact, it is my considered opinion that Richard Pond deliberately omitted pertinent information which would have been a prime factor in the consideration of his being hired, and that such omissions were done deliberately, specifically, for that reason.

The above information is being submitted for an overall review and evaluation concerning possible decertification or future denial of reactivation as provided in 943.23 F.S. and 943.145 F.S.

Should you or members of your office require any additional information, please do not hesitate to contact me at your convenience.

Sincerely,

Rudolf P. Rigo
Chief of Police

RPR:emg



000502502

STATE OF FLORIDA

Department of Law Enforcement



POST OFFICE BOX 1489
TALLAHASSEE 32302
PHONE 904-488-7880

ROBERT R. DEMPSEY
Commissioner

BOB GRAHAM, *Governor*
GEORGE FIRESTONE, *Secretary of State*
JIM SMITH, *Attorney General*
GERALD LEWIS, *Comptroller*
BILL GUNTER, *Treasurer*
DOYLE CONNER, *Commissioner of Agriculture*
RALPH D. TURLINGTON, *Commissioner of Education*

April 26, 1983

Chief Rudolph P. Rigo
Dania Police Department
100 West Dania Beach Boulevard
Dania, Florida 33004

RE: Pond, Richard A. 017-42-7369

Dear Chief Rigo:

In accordance with 943.145 F.S., there may be a basis for decertification of the above-named individual which necessitates that a complete record copy of the investigation be submitted to this office for review. Please forward as soon as possible a brief summary in chronological order of the events leading to resignation or dismissal; copies of all records to include previous reviews from his personnel jacket, and certified court documents, if any.

Upon receiving your documentation, the staff will review the summary to make a final determination as to whether or not a basis exists for future denial/decertification. Should no basis for action at this level be determined, the record will reflect that determination.

Should you have any questions, please do not hesitate to call me at A/C 904-488-8556. Thank you for your consideration in this matter.

Sincerely,

G. PATRICK GALLAGHER
DIRECTOR

Karl A. Kaluhiohalani
Research and Development Specialist
Decertification Section
Division of Criminal Justice
Standards and Training

KAK:cjs

1E

000542508



City of Dania
Department of Police

May 4, 1983

Mr. Karl Kaluhiokalani
Research and Development Specialist
Department of Law Enforcement
Post Office Box 1489
Tallahassee, Florida 32302

RE: Pond; Richard A. 017-42-7369

Dear Mr. Kaluhiokalani:

Please find enclosed a copy of the background investigation which was conducted of the above-named individual outlining the events which lead to his termination as a police officer with the Dania Police Department.

This information is being submitted at your request for further review as to whether or not a basis exists for future denial/decertification.

Should your office have any questions or require any additional information, please do not hesitate to let us know.

Sincerely,

Rudolf P. Rigo
Rudolf P. Rigo
Chief of Police

RPR:emg

enclosure



STATE OF FLORIDA

Department of Law Enforcement



POST OFFICE BOX 1489
TALLAHASSEE 32302
PHONE 904-488-7880

ROBERT R. DEMPSEY
Commissioner

BOB GRAHAM, Governor
GEORGE FIRESTONE, Secretary of State
JIM SMITH, Attorney General
GERALD LEWIS, Comptroller
BILL GUNTER, Treasurer
DOYLE CONNER, Commissioner of Agriculture
RALPH D. TURLINGTON, Commissioner of Education

June 3, 1983

Chief Rudolf P. Rigo
Dania Police Department
100 W. Dania Beach Boulevard
Dania, Florida 33004

RE: Pond, Richard A.

Dear Chief-Rigo:

We have completed the review concerning the termination of the above-named individual and have found there is no cause for further review which we will indicate in the personnel record.

If you have any questions, please contact me (A/C 904-488-8556), or Research and Development Specialist Karl Kalani in the Bureau of Standards.

Thanks for your cooperation and assistance.

Sincerely,

Robert R. Dempsey
Commissioner

Handwritten signature of G. Patrick Gallagher in cursive.

G. Patrick Gallagher, Director
Division of Criminal Justice
Standards and Training

GPG:KAK:cjs

cc: File

L

000502500

0 0 0 0 4 0 0 0 1 6 8

Sheriff's
Inter-Office Memorandum

PALM BEACH COUNTY

TO SHERIFF RICHARD P. WILLE
FRANK MC KEOWN, ESQUIRE

DATE 6/8/83

FROM SGT. ROBERT HALSTEDT

FILE

SUBJECT INTERNAL AFFAIRS CASE #83-106 - ~~CONFIDENTIAL~~

D/S Richard A. Pond was hired by PBSO, effective 4/11/83. A preliminary background check was completed on 4/4/83. Pond was assigned to Contract Services.

On May 19, 1983, a supplementary background investigation was filed by Sgt. Smith. Additional information had come in from the Ft. Lauderdale Police Department which reflected some employment problems and Pond had been asked to resign during his probationary period. See background investigation in file.

I was made aware of the content of this background investigation and the matter was discussed with Personnel Director, Doug Phipps. We were in agreement that this employee should be terminated. Inspector Sheets reviewed the information and concurred.

On Monday, June 6, 1983, I was advised that Pond had been suspended by Road Lt. Arthur Owens for having been late or not reporting to duty over a three-day period.

On Wednesday, June 8, 1983, at 0930 hours, I terminated Richard Pond's employment for failure to meet the minimum requirements for retention as an employee with the Palm Beach County Sheriff's Office through his probationary period.

Respectfully submitted,

SIGNED

B. M. Halstedt

SGT. ROBERT M. HALSTEDT
DIRECTOR, INTERNAL AFFAIRS

RWH/eh

APPLICATION FOR EMPLOYMENT

MAIL TO:

PALM BEACH COUNTY SHERIFF'S OFFICE
POST OFFICE BOX 670
WEST PALM BEACH, FLORIDA 33402

IF
POSSIBLE
PLACE
RECENT
PHOTO

RECEIVED

DEC 10 1982

WE ARE AN EQUAL OPPORTUNITY EMPLOYER

PERSONNEL & TRAINING APPLICATION MUST BE PRINTED USE BALL POINT PEN
INCOMPLETE APPLICATIONS WILL NOT BE CONSIDERED FOR EMPLOYMENT

Date of Application 11-17-82 Name As It Appears On License Richard A. Pond
Driver's License No. _____ Chauff Oper _____ Date of Issue 10-23-81
State FLORIDA No of Dependents 2 Voting Precinct No. _____
Position Applied For: Patrol Officer Soc. Sec. No. _____

1 - GENERAL SECTION

NAME (Mr.) Pond (Mrs.) Richard Allan Phone No. (AC) _____
LAST FIRST MIDDLE

Color Hair Brown/Gray Color Eyes BLU
Date of Birth 03-25-52 Place of Birth Boston, Md Naturalized _____
Naturalization _____ Naturalization _____
Court and Location _____ Certificate No. _____

List All Previous Addresses (Chronologically, with last address first)

(All Blocks must be completed. Include addresses while attending school away from home.)

Apt. or House No.	Street (RFD, P.W. Box)	City & State	Zip Code	From	To

Have you applied for employment with this department in the past? YES NO
If Yes, when? _____

Have you applied for employment with any other law enforcement agency? YES NO
If Yes, where and when? Ft Lauderdale

2 - PERSONAL SECTION

Marital Status: Single _____ Married _____ Separated _____ Divorced Spouse Deceased _____ Date of Death _____

A. If married, how long to present spouse _____ Date and Place of Marriage _____

1. Full name of husband or maiden name of wife _____

Spouse's Social Security Number _____

B. If divorced or separated, give date, address of court granting same 5/76 Suffolk County Court House

Pemberton Sq Boston, MA

1. If remarried, give date and place(s) of previous marriage(s) _____

2. Present name and address of divorced or separated spouse: _____ Name _____

Street _____ City _____ State _____

3. Divorced, separated or deceased spouse's date of birth _____

C. List all other names you have used: NAME: NONE

Aliases: _____

Maiden name: _____

Names by Previous Marriages: _____

D. Have you ever legally changed your name? (Other than by marriage) NO

If yes, give date _____ Place _____

Court _____ A copy of court order granting the change must be attached. _____

E. List relatives currently or previously employed by Palm Beach County's Sheriff's Office NONE

F. Has any relative ever been convicted of a crime Yes _____ No Relation _____

Name of relative _____

Type or name of crime _____ leave this space blank

G. Have you or your spouse ever been a plaintiff or defendant in a court action including divorce actions, civil actions or criminal actions? Yes () No

If Yes, give date, place, court, names of parties involved, nature of action and final disposition Divorce -

Richard Pond - divorce granted

H. Have you or your spouse ever been the subject, to your knowledge, of a criminal or quasi criminal investigation? () Yes No

If Yes, explain fully: _____

Name _____ Address _____ City _____ State _____ Zip _____ Phone & Area Code _____

3 - DRIVING AND ARREST SECTION

A. Arrest Record - Have you ever been convicted of any crime (other than a traffic violation) in any state at any time in your life. If so, give details as to nature of the crime; city, state and court in which convicted; date of conviction and sentence. If none, write in large letters "NONE" _____

NONE

B. Have you ever been placed under the supervision of any state, county, city or other parole or probation agency ~~Yes~~ Yes No

If Yes, explain fully and attach on plain white paper.

C. Traffic Record - Do you drive a car Yes No _____ Ever licensed in any other state Yes No _____

If yes, what states Mass

Was your drivers license ever suspended or revoked Yes _____ No

If yes, where and why _____

4 - MILITARY & SECURITY SECTION

A. Military Service: () () - If none, give present Selective Service Status 1H Local Draft Board No. _____
yes no

or, I served in U.S. _____ from _____ to _____ Service No. _____

Highest Rank Attained _____ Type of Discharge _____ Basis for _____

Discharged, under medical conditions () () - If answer is 'Yes', explain on plain white paper _____
yes no

Disability () () - If answer is 'Yes', explain conditions on plain white paper _____
yes no

Would disability interfere with performance of duties in position applied for _____

Rank at time of discharge _____ Reserve Status _____ Yes _____ No _____

B. If you failed the physical for military service, explain on plain white paper NO

Was any disciplinary action taken against you in the Service? _____ Yes _____ No

If Yes, give date _____ Place _____

Nature of offense _____

Action taken _____

If you attend drills, meetings, or camps, give name of unit and location: _____

Have you ever had a U. S. Security Clearance Yes ___ No X How High _____

Have you ever been denied a Clearance? Yes ___ No X

Ever Been fingerprinted Yes X No ___ Where and Why Mass State Police - Boston Police - Ft Lauderdale - employment

Ever been bonded yes Ever been refused NO

A. Are you now or have you ever been a member of the Communist Party, Nazi Party, Fascist Party, any subversive or demonstrative Group, or any other organization or movement which have or do advocate the overthrow of the constitutional form of the U. S. Government by any means: _____
 _____ NO
 yes no

B. Are you a member of the Ku Klux Klan or any other racist, supremacist, prejudicial or discriminatory group _____ NO
 yes no

5 - EDUCATION SECTION

Name	Location	Course/Major	Graduate/Year	Last Year and Grade Completed
Grade <u>Wm Barton Rogers Jr High</u>	<u>Hyde Park, Ma</u>	<u>General</u>	<u>Yes 1968</u>	<u>1968 (9)</u>
High <u>Hyde Park High</u>	<u>Hyde Park, Ma</u>	<u>Business</u>	<u>Yes 1971</u>	<u>1971 (12)</u>
College <u>Bunker Hill Comm College</u>	<u>Charleston, Ma</u>		Hours Credit <u>10</u>	
Police Academy <u>Broward County Police Academy</u>			Hours Attended <u>640</u>	
Other <u>Boston Police Rape Prevention - Boston City Hospital Police academy</u>				

NOTE: SUBMIT COPY OF DIPLOMA OR CERTIFICATE OF HIGH SCHOOL, COLLEGE, POLICE OR OTHER PERTINENT COURSES. (USAFI NOT ACCEPTABLE)

Languages Known NONE Read ___ Write ___ Speak ___

A. NOTE: Describe any special training or experience in position applied for Master at firearms - Heart saver - Emergency Medical Training

B. Indicate any skills, hobbies or talents: Softball - swimming - movies - tennis

6 - EMPLOYMENT RECORD SECTION

List chronologically all employment beginning with present position, including summer and part-time employment, while attending school, etc. All time must be accounted for. If unemployed for a period, indicate, setting forth dates of unemployment.
 ALL SPACES MUST BE COMPLETED

A. Present/Last Employer City of Ft Lauderdale (Police Department) Phone 761-2415

Address 300 W. Broward blvd Ft Lauderdale FL 33319
 STREET/P.O. BOX CITY STATE ZIP

Position Police Officer From 2-8-82 To 11-8-82
 DUTIES Protection of life and properties GIVE MONTH & YEARS

Salary \$18,500 yr
 PER MONTH

Reason for Leaving Personal

If still employed, do you give permission to contact present employer for references yes

Supervisor we may call, with your permission, for complete references Lt. Dennis Davis

NAME TITLE

A. Previous Employer City of Boston 1888 Phone 424-4444
 Address 1880 Harrison ave Boston Ma 02132
STREET/P.O. BOX CITY STATE ZIP
 Position Health Inspector From 5-81 To 4-82
GIVE MONTH & YEARS
 Duties enforcing the cities health code
 Salary \$1200
PER MONTH
 Reason for Leaving Prop. 2 1/2
 If still employed, do you give permission to contact present employer for references YES
 Supervisor we may call, with your permission, for complete references Principal O'Hara

NAME TITLE

B. Previous Employer City of Boston Phone 424-4444
 Address 1890 Harrison ave Boston Ma 02132
STREET/P.O. BOX CITY STATE ZIP
 Position Patrolman From 4/76 To 4/81
GIVE MONTH & YEARS
 Duties Protection of life and properties for the dept of Health + Hosp (etal)
 Salary \$1,000 Reason for Leaving advancement
PER MONTH
 Supervisor we may call, with your permission, for complete references Capt Louis D'DORMO

NAME TITLE

C. Previous Employer City of Boston Police Dept Phone 536-1297
 Address 154 Harrison ave Boston Ma 02126
STREET/P.O. BOX CITY STATE ZIP
 Position Dispatcher From 4/72 To 4/76
GIVE MONTH & YEARS
 Duties MCIC, typing, taking 911 calls, teletype
 Salary \$1200 Reason for Leaving advancement
PER MONTH
 Supervisor we may call, with your permission, for complete references Lt. W. Kelly

NAME TITLE

D. Previous Employer _____ Phone _____
 Address _____
STREET/P.O. BOX CITY STATE ZIP
 Position _____ From _____ To _____
GIVE MONTH & YEARS
 Duties _____
 Salary _____ Reason for Leaving _____
PER MONTH
 Supervisor we may call, with your permission, for complete references _____

NAME TITLE

7 - SOCIAL SECTION

A. List any Fraternal, Social, Business or Patriotic Club affiliation (non-military)

1. F.O.P Police Union Ft Lauderdale member
NAME TYPE LOCATION POSITION OR STATUS
2. Walsh Post American Legion (closed) Dorchester, Ma member
NAME TYPE LOCATION POSITION OR STATUS

B. List three close friends (not relatives) who have known you for at least three years. All blocks must be completed.

1. Name Richard Sinnott Occupation City of Boston Censor
 Address 931 Metropolitan ave Hyde Park Ma 02136
(RFD, APT. NO., P.O. BOX, ETC.) (CITY) (STATE) (ZIP CODE)
10 yrs 1-617-364-3311
(HOW LONG KNOWN) PHONE INCLUDING AREA CODE
2. Name Lawrence Cameron Occupation Judge
 Add.
(RFD, APT. NO., P.O. BOX, ETC.) (CITY) (STATE) (ZIP CODE)
25 yrs
(HOW LONG KNOWN) PHONE INCLUDING AREA CODE
3. Name Steven Murphy Occupation Vice President (Bus Corp)
 Address 83 Beacon st Hyde Park Ma 02136
(RFD, APT. NO., P.O. BOX, ETC.) (CITY) (STATE) (ZIP CODE)
15 yrs 364-3339
(HOW LONG KNOWN) PHONE INCLUDING AREA CODE

8 - PERSONAL REFERENCE SECTION

List five persons not relatives, in-laws or former employers, who have known you for at least five years. All blocks must be completed.

1. Name Edwin Wallace Occupation Manager (Westinghouse)
 Address 42 Beacon st Hyde Park Ma 02136
(RFD, APT. NO., P.O. BOX, ETC.) (CITY) (STATE) (ZIP CODE)
20 yrs
(HOW LONG KNOWN) PHONE INCLUDING AREA CODE
2. Name Walter Collins Occupation Retired (Insurance)
 Address 99 Beacon st Hyde Park Ma 02136
(RFD, APT. NO., P.O. BOX, ETC.) (CITY) (STATE) (ZIP CODE)
25 yrs
(HOW LONG KNOWN) PHONE INCLUDING AREA CODE
3. Name Mike Carron Occupation Chief Mate (Sun Oil Co)
 Address 611 W Everston cir Ft Lauderdale FL 33312
(RFD, APT. NO., P.O. BOX, ETC.) (CITY) (STATE) (ZIP CODE)
6 yrs
(HOW LONG KNOWN) PHONE INCLUDING AREA CODE
4. Name Paul Byrn Occupation Police Officer
 Address M.B.T.A. Police Dept Boston Ma 02121
(RFD, APT. NO., P.O. BOX, ETC.) (CITY) (STATE) (ZIP CODE)
(HOW LONG KNOWN) PHONE INCLUDING AREA CODE
5. Name Louis Mataves Occupation Police Officer
 Address District 4 Boston Ma 02124
(RFD, APT. NO., P.O. BOX, ETC.) (CITY) (STATE) (ZIP CODE)
6 yrs
(HOW LONG KNOWN) PHONE INCLUDING AREA CODE

9 - PHYSICAL DATA SECTION

A. Describe any past or present physical defects or disabilities, including extent of defective vision, if any, with and without glasses and deficiencies in color vision and hearing. _____

NONE

B. Do you have any physical defects, including any which would preclude unrestricted, regular participation in all phases of Department firearms training, physical training, and defensive tactics? No Yes (If yes, describe) _____

C. Have you had any serious illnesses, operations or injuries? No Yes (describe and give dates) _____

D. If you have ever been hospitalized, describe give dates: and name of hospital. _____

E. Give name and address of your personal or family physician: Dr John Todd 1331 Brushhill Rd
Milton, Ma 02134

F. How many days have you lost from work or school due to illness during the past 5 years? _____
State nature of illnesses: _____

G. Have you ever been treated for or do you have any history of mental or emotional illness? (if "yes", describe)

No Yes

H. Do you now have or have you ever had any history of excessive use of alcohol? (If yes describe) No Yes

I. Do you now or have you ever had any history of use of any drug regulated by Chapter 893 of the Florida State Statutes which is known as the Florida Comprehensive Drug Abuse Prevention and Control Act and which was not specifically prescribed for your personal use by a licensed physician? (This includes, but is not restricted to: marijuana, cocaine, hashish, quaaludes, amphetamines, etc.) () Yes No
(If Yes, describe below)

10 - CERTIFICATION SECTION

I Richard A. Paul do hereby agree to the following conditions of employment with the Palm Beach County Sheriff's Office.

CONDITION 1 - General Statement

I understand that any employment offered to me will be contingent upon the results of a complete character and fitness investigation and I am aware that wilfully withholding information or making false statements on this application will be the basis for dismissal from the Palm Beach County Sheriff's Office.

CONDITION 2 - Polygraph/psychological Exams - Initial Employment

I freely and voluntarily agree to submit to the two following examinations as part of my application for employment:

1. Polygraph (conducted by a certified operator)
2. Psychological (written exam)

I further understand that either the refusal to submit to the polygraph (lie-detector) and/or psychological or to qualify according to the minimum standards established by the agency for these examinations may disqualify me from further consideration for employment. The results of these examinations shall be held in strictest confidence and furnished only to authorized personnel for use solely in consideration of my eligibility for employment.

CONDITION 3 - Polygraph/Psychological Exams - After Initial Employment

I further understand and agree that upon commencement of employment with the Palm Beach County Sheriff's Office I may again be required for good and sufficient reasons or causes to submit to a polygraph (lie-detector) and/or psychological examination. I fully understand that refusal to take either/or the polygraph (lie-detector) or psychological examination or failure to meet the minimum standards set for these exams, may result in immediate suspension or discharge.

CONDITION 4 - Employment Status Following Special Training

In the event I am employed by or as an officer of the Palm Beach County Sheriff's Office, and in the event I receive special training and/or education, the cost of which is borne by my employer, I agree to remain with the Palm Beach County Sheriff's Office for at least one year following the completion of said training. If I leave the Palm Beach County Sheriff's Office within one year after receiving said special training and/or education, I agree that all monies spent by my employer for this special training on my behalf, converts to a loan status. This converted loan must be repaid to the Palm Beach County Sheriff's Office with 7% simple interest per annum and at a minimum monthly rate of \$50.00 per month, repayable quarterly not to exceed a maximum five year repayment period.

Payments on said loan shall begin upon demand by the employer no sooner than the first day of the calendar month after I complete my course of study and leave the employ of the Palm Beach County Sheriff's Office.

Provided however, that the aforementioned loan agreement will not come into operation upon the occurrence of the following:

1. In the event the Palm Beach County Sheriff's Office renders a written lease for said obligation.
2. In the event my employment by or as an office of the Palm Beach County Sheriff's Office is terminated by the employer, at his discretion, at a time prior to the expiration of the one year period following the completion of the special training.

CONDITION 5 - PROBATIONARY PERIOD

I fully understand and acknowledge that I will be required to serve a one year probationary period if employed. During the probationary period my employment may be terminated at the Sheriff's discretion.



 Signature of Applicant

STATE OF FLORIDA
 COUNTY OF West Palm Beach

Before me personally appeared _____
 to me well known and known to be the person described in and who executed the foregoin
 instrument, and acknowledged to and before me that _____ executed said instrument
 for the purposes therein expressed.

WITNESS my hand and official seal, this _____ day of _____, 19____.

 Notary Public

My commission expires:

PALM BEACH COUNTY SHERIFF'S OFFICE

APPLICANT'S NAME Richard A. Pond

DATE OF BIRTH 3-25-52 SOCIAL SECURITY NO _____

I respectfully request and authorize you to furnish the Palm Beach County Sheriff's Office any and all information that you may have concerning my work record, school record, military record, reputation, and financial and credit status. Please include any and all medical, physical and mental records or reports including all information of a confidential or privileged nature and photostats of same if requested. This information is to be used to assist the Sheriff's Office in determining my qualifications and fitness for the position I am seeking with the Sheriff's Office.

I hereby release you, your organization or others from any liability or damage which may result from furnishing the information requested above.

~~Richard A. Pond~~
APPLICANT'S SIGNATURE

~~11-12-82~~
DATE

ADDRESS

AFFIDAVIT

STATE OF FLORIDA

COUNTY OF West Palm Beach

Before me personally appeared the said RICHARD A. POND who says that he/she executed the above instrument of his/her own free will and accord, with full knowledge of the purpose therefor.

Sworn to and subscribed in my presence this _____ day of February, 1983.

My commission Expires:

(NOTARY PUBLIC)

AFFIDAVIT FOR CERTIFICATION

Name: Richard A. Pend

Address:

Current or last prior employment (title, supervisor): Ft Lauderdale Police Dept - Lt D. Davis

Next prior employment (title, supervisor): City of Boston 5 North St Boston, Ma Principal E. O'Hara

All prior law enforcement employment: Boston Health & Hospital Police Dept - Boston Police Dept

Two personal references: Ray Sullivan 1300 W. Broward Blvd Ft Lauderdale Fla Sgt Steve Bull 1300 W. Broward Blvd

1. Have you ever been a defendant in a court martial (excluding proceedings leading to nonjudicial punishment)?

Yes/No No

2. Has a judgement ever been issued against you?

Yes/No No

3. Have you ever declared bankruptcy?

Yes/No No

4. Have you ever been arrested or charged with a crime?

Yes/No No

5. Have you ever been found guilty or pled guilty or no contest to a crime?

Yes/No No

6. Have you ever been refused a surety bond, or turned down for employment that required a surety bond?

Yes/No No

7. Have you ever been involuntarily terminated from employment or asked to resign?

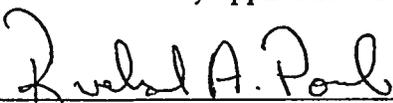
Yes/No No

8. Have you ever been addicted to or hospitalized for the use of alcohol or drugs?

9. Have you ever had a certificate, license, or privilege revoked or suspended under state, federal or other law? Yes/No No

AFFIDAVIT FOR CERTIFICATION
(part 2)

I swear or affirm that I am a citizen of the United States, by birth or naturalization, that I have never been convicted of a felony or a misdemeanor involving moral turpitude *, that I have a valid high school diploma or its equivalent, that my discharge (if any) from the Armed Forces was under honorable conditions, that I am of good moral character, that I have read all of the information contained in this affidavit and my employment application and it is correct, and that all other information I will furnish in conjunction with my application is true and correct.



Signature of Applicant

(Any such language as will make this a notarized affidavit.)

I certify that I have made a thorough background investigation of this applicant, including any answer of "Yes" to questions 1 through 9 and attached are written explanations for those answers. I certify that to the best of my knowledge the applicant is physically qualified to perform duties as a law enforcement officer and has passed a physical examination, has a high school diploma or its equivalent, has been discharged from the Armed Forces only under honorable circumstances. I certify that I have contacted each law enforcement agency at which the applicant has been employed and each of the references listed. I am satisfied that the applicant is of good moral character. I certify the applicant has never been convicted of a felony or of a misdemeanor involving moral turpitude. *



Signature of representative of employing agency

*For purposes of this application, a finding of guilt or a plea of guilty or no contest after October 1 1980, is the equivalent of a conviction, even if sentence is suspended or adjudication of guilt withheld.

NOTE If the applicant has never been previously certified then the following documentation should accompany the application. If the applicant has been out of service for more than one (1) year then only the physical and processed fingerprints need accompany the application.

- Copy of birth certificate or certificate of naturalization;
- Proof of name change, if applicable;
- Proof of high school graduation or equivalency;
- Proof of discharge from military indicating release under no less than honorable conditions;
- Check here for no prior military service;
- Processed fingerprints cleared by both FDLE and FBI by name and classification
- Proof of physical examination by Florida licensed physician.

STATE OF FLORIDA

Bob Graham

D. ROBERT GRAHAM
GOVERNOR



Patrick Gallagher

G. PATRICK GALLAGHER, DIRECTOR
STANDARDS AND TRAINING

*The Commission
on Criminal Justice Standards And Training*

Hereby awards the

*Certificate of Compliance
in Law Enforcement*

to

RICHARD A. POND

*For having fulfilled the requirements for character, education and training
as prescribed in Chapter 943.14(2) of Florida Statutes of 1981 as amended*

MAY 13, 1982

02-30010

THE SCHOOL BOARD OF BROWARD COUNTY, FLORIDA
DEPARTMENT OF VOCATIONAL, TECHNICAL AND ADULT EDUCATION
FORT LAUDERDALE, FLORIDA



This certifies that

RICHARD POND

has met the requirements of a course of training in

LAW ENFORCEMENT BASIC STANDARD
(640 hours)

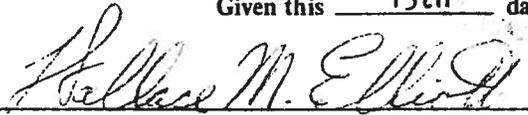
as prescribed by the Department of Vocational, Technical and Adult Education,

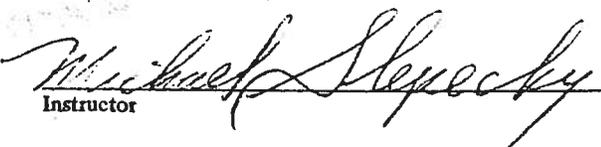
The School Board of Broward County, Florida,

and is hereby presented this

CERTIFICATE

Given this 13th day of May, 19 82.


Curriculum Supervisor


Instructor

Certificate of Achievement

this is to certify that

Richard Pond

has successfully completed

BASIC STANDARD POLICE ACADEMY
640 hours

offered by Broward Community College

May 13, 1982

Robert Lacey
Director, Criminal Justice Institute

Hugh Adams
President



Broward Police Academy

Certificate of Achievement

Awarded to

Richard Pond

Highest Firearms Proficiency

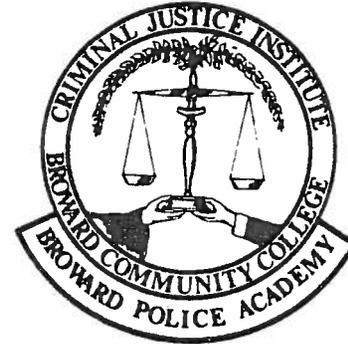
Given this 14th day of May, 1982

Robert Tracy
Director

Michael Slapocky
Assistant Director



State of Florida
Department of Health
and Rehabilitative Services
Emergency Medical Services



this is to certify that

RICHARD POND

has completed the following NHTSA course in EMERGENCY MEDICAL SERVICE.

FIRST RESPONDER COURSE

conducted by the Criminal Justice Institute, Broward Community College.

In testimony whereof, this Certificate is given
on the 13th day of May 19 82


Instructor


Director, Criminal Justice Institute

U. S. Department of Transportation
National Highway Traffic Safety Administration



Certificate of Accomplishment

THIS IS TO CERTIFY THAT RICHARD POND
HAS COMPLETED THE BROWARD POLICE ACADEMY

School of Handguns

CLASSROOM STANDARDS AND PISTOL
RANGE REQUIREMENTS HAVE BEEN
SATISFACTORILY ACCOMPLISHED PER
THE REQUISITES OF THE HEREIN TITLED
SCHOOL OF HANDGUNS WITH THE
CLASSIFICATION OF

MASTER

With S & M-15

Robert Tracy

DIRECTOR, CRIMINAL JUSTICE INSTITUTE

DATE May 13, 1982

Michael Slepecky

ACADEMY COMMANDANT

SERIAL # 2152



R. Pond

Personnel

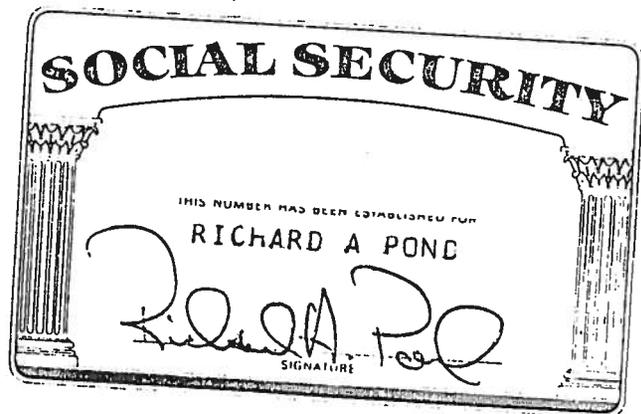


Palm Beach County Sheriff's Office
Post Office Box 620
West Palm Beach, Florida 33402

RECEIVED

DEC 10 1982

PERSONNEL & TRAINING



Richard Pond

N A M E

DATE

REMARKS

INITIAL

12-17-82 ~~But steel has certification from the Comm.~~ ~~DPW~~
Scheduled interview for ^{Tues} Jan 20
at 10:30am. ~~SM~~

JOAN -
HAVE SGT. SMITH
CALL FT. LAUD.
P.D. SPEAK TO
DON PULLEASE
AND D. KELLY, AS
WELL AS CJSTC.

SS# X

BIRTH CERTIFICATE X

HIGH SCHOOL DIPLOMA _____

HONORABLE DISCHARGE _____

DD 214 _____

FINGERPRINTS _____

PHYSICAL (STDS) FORM _____

CERTIFICATE OF COMPLIANCE yes

TRAINING CURRICULUM (HOURLY COURSE CONTENT) _____

RECORDED

MAY 10 1903

PERSONNEL DIVISION

EEOC Classification W/M

Paygrade 1801

C2-4

Monthly Salary \$1350

Voter Precinct # _____

Other _____

NAME OF APPLICANT Richard A. Ford

SS# _____

POSITION APPLIED FOR Ptl Off I (08)

HIRED FOR Cont. Serv. (35)
INDEX CODE 231407

(Please Initial and Date)

INTERVIEWED BY DEPARTMENT HEAD Wiley JMC

APPROVED REJECTED _____ DATE 4-5-83

* ORAL REVIEW BOARD FAILED _____ PASSED DATE 02/02/83

POLYGRAPH EXAM FAILED _____ PASSED DATE 02/02/83

PSYCHOLOGICAL TEST TAKEN _____ DATE _____

TYPING EXAM FAILED _____ PASSED _____ DATE _____

SPELLING EXAM FAILED _____ PASSED _____ DATE _____

SHORTHAND EXAM _____ DATE _____

FINGERPRINTS TAKEN DATE 2/25/83

PHYSICAL SET UP 2/25/83 APPROVED REJECTED _____

PAYROLL EFFECTIVE DATE 4/11/83

I.D. NUMBER ~~2759~~ 2579

WHOM IS APPLICANT REPLACING? _____

REMARKS: _____

James L. Phipps
PERSONNEL DIRECTOR'S APPROVAL REJECTION

Charles C. Cullen
SHERIFF'S APPROVAL REJECTION
CHIEF DEPUTY'S APPROVAL REJECTION

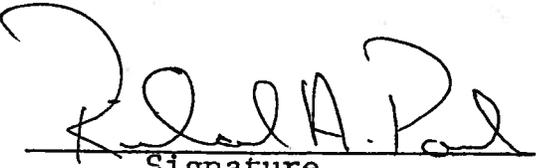
* CANNOT LOCATE FORM

PALM BEACH COUNTY

OATH OF LOYALTY

STATE OF FLORIDA
COUNTY OF PALM BEACH

I, Richard A. Pond, a citizen
of the State of Florida and of the United States of
America, and being employed by or an officer of Palm Beach
County, Florida, and a recipient of public funds as such
employee or officer, do hereby solemnly swear or affirm that
I will support the Constitution of the United States and of
the State of Florida.


Signature

Subscribed and sworn to before me at West Palm Beach,
Florida, this 8th day of April, 1983.

Title: Mildred Bayne
My Commission Expires: NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES JULY 18, 1983
BOULEVARD GENERAL INSURANCE UNDERWRITERS

DEPUTY SHERIFF'S OATH OF OFFICE

STATE OF FLORIDA)

COUNTY OF PALM BEACH)

I do solemnly swear that I will support, protect and defend the Constitution and Government of the United States and of the State of Florida; that I am duly qualified to hold office under the Constitution of said State and that I will well and faithfully perform the duties of (Deputy Sheriff)(Special Deputy Sheriff) on which I am about to enter, so help me God.

R. J. A. Paul

Sworn and subscribed to me this 8th day of April

Mildred Bejuelo
Notary Public

NOTARY PUBLIC STATE OF FLORIDA - AT LARGE
MY COMMISSION EXPIRES FEBRUARY 14, 1968
BONDED TO THE GENERAL TREASURY, UNDER NO. 1257

Precinct No. _____

Residence Address _____

Business Address _____

Phone: Residence _____ Business _____

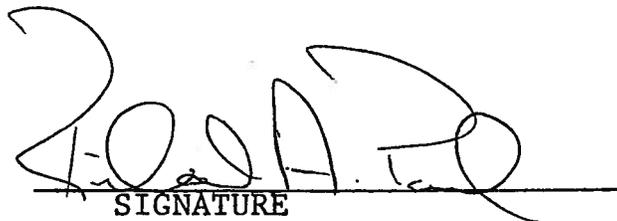
ACKNOWLEDGMENT

I, Richard A. Poud, SS#

HAVE BEEN FURNISHED A COPY OF THE PALM BEACH COUNTY SHERIFF'S
OFFICE GENERAL ORDERS.

I ALSO ACKNOWLEDGE THAT I MUST READ ALL OF THESE GENERAL
ORDERS WITHIN TEN (10) WORKING DAYS.

I ACKNOWLEDGE FURTHER, THAT UPON SEPARATION FROM THIS DEPARTMENT,
I WILL RETURN THIS PACKAGE TO THE PERSONNEL AND TRAINING DIVISION.


SIGNATURE



STATE OF FLORIDA
 Department of Administration
 Division of Retirement
 PERSONAL HISTORY RECORD

TYPE OR PRINT

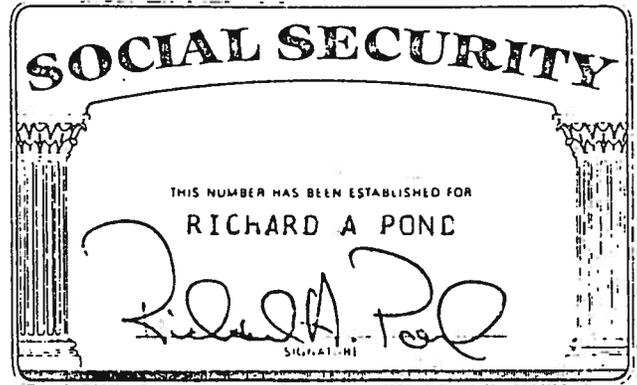
FRS USE ONLY Batch Number Effective Date Action Plan Certificate Number Position Data

TO BE COMPLETED BY EMPLOYEE

SOCIAL SECURITY NUMBER / 25 / 52 M
 MO DAY YEAR SEX
 DATE OF BIRTH M OR F

POND RICHARD A.
 LAST (NAME) FIRST MIDDLE INITIAL

 (PRIOR NAME) FIRST MIDDLE INITIAL



Enter earliest year of employment with a governmental agency participating in the Florida Retirement System.

DESIGNATION OF BENEFICIARIES

Complete either sequentially or jointly section.

<input type="checkbox"/> Sequentially (In Order Named) Benefits will be paid to first named beneficiary. If deceased, benefits will be paid to second named beneficiary. If both are deceased, benefits will be paid to third named beneficiary.	<input type="checkbox"/> Jointly Benefits shall be divided and payable as indicated below (percentages should total 100).																																				
<table border="0"> <tr> <td><u> </u></td> <td><u> </u></td> <td><u> </u></td> </tr> <tr> <td>Primary Beneficiary</td> <td>Relation</td> <td></td> </tr> <tr> <td><u> </u></td> <td><u> </u></td> <td><u> </u></td> </tr> <tr> <td>First Contingent Beneficiary</td> <td>Relation</td> <td></td> </tr> <tr> <td><u> </u></td> <td><u> </u></td> <td><u> </u></td> </tr> <tr> <td>Second Contingent Beneficiary</td> <td>Relation</td> <td></td> </tr> </table>	<u> </u>	<u> </u>	<u> </u>	Primary Beneficiary	Relation		<u> </u>	<u> </u>	<u> </u>	First Contingent Beneficiary	Relation		<u> </u>	<u> </u>	<u> </u>	Second Contingent Beneficiary	Relation		<table border="0"> <tr> <td><u> </u></td> <td><u> </u></td> <td><u> </u></td> </tr> <tr> <td>Primary Beneficiary</td> <td>Relation</td> <td>%</td> </tr> <tr> <td><u> </u></td> <td><u> </u></td> <td><u> </u></td> </tr> <tr> <td>Primary Beneficiary</td> <td>Relation</td> <td>%</td> </tr> <tr> <td><u> </u></td> <td><u> </u></td> <td><u> </u></td> </tr> <tr> <td>Primary Beneficiary</td> <td>Relation</td> <td>%</td> </tr> </table>	<u> </u>	<u> </u>	<u> </u>	Primary Beneficiary	Relation	%	<u> </u>	<u> </u>	<u> </u>	Primary Beneficiary	Relation	%	<u> </u>	<u> </u>	<u> </u>	Primary Beneficiary	Relation	%
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Primary Beneficiary	Relation	%																																			

IF THE ABOVE DOES NOT MEET YOUR NEEDS, ATTACH A SIGNED AND DATED LISTING OF YOUR DESIGNATED BENEFICIARIES.

Richard A. Pond 4-8-83
 Employee's Signature Date

This Enrollment Form Establishes a Retirement Account for Each Member Enrolled in a Retirement Plan and *Must Be Received Before Payroll Data Can be Posted.*

TO BE COMPLETED BY EMPLOYER

PBC Sheriff's Office Patrol Officer 60 006 04/11/83
 Name of Employing Agency Position Title of Employee County Agency Mo Day Year
 (state agency use 00) Date of This Employment

 State Class Code

<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
FRS	FRS Special Risk	FRS Elected State Officer Class	MA SS Only	OTHER State Retirement Plan

<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
ENROLLMENT	NAME CHANGE	OTHER

THIS PORTION TO BE FILLED IN BY EMPLOYER

I hereby certify that the position of Richard A. Pond
Name of Employee

meets the requirements of the Florida Retirement System Rules and Regulations and Chapter 121, Florida Statutes, regarding Special Risk membership. Attached is a Current Job Description outlining all of his/her duties and percentage of time spent performing each of these duties, and a copy of his/her certificate from the appropriate council.

Signature of Employer	4/8/83	DIRECTOR OF PERSONNEL
DOUGLAS L. PHIPPS	Date Signed	Position Title

THIS PORTION TO BE FILLED IN BY DIVISION OF RETIREMENT

Certification of the aforementioned officer or employee as a Special Risk member is hereby _____

(Approved or Disapproved)

Remarks by the Division: _____

Authorized Signature: _____

Effective Date of Special Risk Membership: _____

Effective Date of Disapproval: _____

SHERIFF

PALM BEACH COUNTY



RICHARD P. WILLE

PALM BEACH COUNTY SHERIFF'S OFFICE
425 FIRST STREET — P.O. BOX 670
WEST PALM BEACH, FLORIDA 33402

(305) 837-2000

The Honorable Richard P. Wille
Sheriff, Palm Beach County
425 First Street
P.O. Box 670
West Palm Beach, Florida 33402

Dear Sheriff Wille:

The undersigned will conform to the Department of Justice Rules and Regulations Order Number 601-75 relating to criminal justice information dissemination and security.

I understand that any information I receive, via the Palm Beach County Sheriff's Office Computer Terminal Network, is to be treated with integrity and that information is to be used for law enforcement purposes only. I agree that I will not disseminate, collect, or provide any information I receive to any individual not fully authorized to have knowledge of this information. I understand that the availability of this information is so that I may provide for the public and my own personal safety. I understand that the purpose behind this rule is to protect and insure individual privacy.

Very truly yours,


(Signature)

Richard A. Pond
(Print Name)

SUBSTATIONS

CIVIL OFFICE
300 N. Dixie
837-2760
837-2000

NORTH
3188 PGA Blvd.
626-6900
837-2000

CENTRAL
S-846 Airport
837-2000

DELRAY
345 S. Congress
278-2644
276-1301
837-2736

BELLE GLADE
2976 SR 15
996-4141
837-2000

THE BACKGROUND INVESTIGATION SUMMARY IS IN THE INTERNAL
AFFAIRS FILE OF THIS EMPLOYEE.

WS2000\FORMS\BKGRD
REVISED: . 04/10/89

Certificate of Appointment
STATE OF FLORIDA, COUNTY OF PALM BEACH

Know All Men by These Presents

That I, Richard P. Wille, Sheriff of Palm Beach County Florida,
do hereby certify that

RICHARD A. POND

WHOSE SIGNATURE AND PHOTOGRAPH APPEAR BELOW IS A REGULARLY CONSTITUTED DEPUTY SHERIFF, TO SERVE AND EXECUTE ALL LEGAL PAPERS AND PROCESS IN PALM BEACH COUNTY, FLORIDA, WITH FULL POWER TO ACT AS DEPUTY SHERIFF OF PALM BEACH COUNTY UNTIL MY TERM EXPIRES OR THIS APPOINTMENT IS REVOKED.

DATED THIS 11th DAY OF April, 1983


SHERIFF, PALM BEACH COUNTY, FLORIDA

DATE OF EMPLOYMENT: 04/11/83

DATE OF BIRTH: 03/25/52

(PHOTO)

COLOR HAIR: Grey COLOR EYES: Blue


SIGNATURE

I.D. NO. ~~2759~~
2579

OK JLP

**Sheriff's
Inter-Office Memorandum**

PALM BEACH COUNTY

TO
FROM D/S Richard A. Pond
SUBJECT Lost I.D. and Badge

DATE 5-24-83
FILE

Sir, on Monday May 23, 1983, while on my day off I was four wheeling at a place called the rock pit around the 3800 blk of Hillsborough blvd, when my jeep sunk into a small body of water at the southern most part of the lake.

After having my jeep towed out I found that my I.D and Badge, gas card and drivers lic was missing. I tried several times to find it but could not locate it.

missing is a Palm Beach County Deputy Sheriff badge # 481 on reverse side and I.D.

~~2759~~

2579

Respectfully Submitted

D/S Richard A. Pond #2759

SIGNED _____

PERSONNEL ACTION REQUEST LEAVE REQUEST

PALM BEACH COUNTY
SHERIFF'S OFFICE

EFFECTIVE DATE 6/7/83

NAME Richard Pond P.O. NUMBER ~~2759~~ 2579 SOCIAL SECURITY NO. SECTION Contract Services (35)

- PROMOTION
- TRANSFER
- RECLASSIFICATION
- REHIRE
- LEAVE W/O PAY -DATE _____
- CHANGE IN SALARY
- MERIT INCREASE
- DEMOTION
- DISMISSAL
- RETURN FROM LV. W/O PAY-DATE _____
- SUSPENSION
- W/PAY W/O PAY
- RESIGNATION
- RETIREMENT

REMARKS ATTACH SEPARATE SHEET IF MORE SPACE REQ.

EMPLOYMENT STATUS FROM: Pt1m.I (08) TO: N/A

*PROMOTION FROM: N/A TO: N/A

*RECLASSIFICATION FROM: N/A TO: N/A

PAYGRADE/STEP FROM: N/A TO: N/A

ANNIVERSARY DATE FROM: N/A TO: N/A

*TRANSFER FROM: N/A TO: N/A

INDEX CODE FROM: 231407 TO: N/A

REMARKS ATTACH SEPARATE SHEET IF MORE SPACE REQ.

Terminated - I.A. 83-106

* EVALUATION FORM REQUIRED 3 MO. 6 MO.

SALARY INCENTIVE BASIC EDUCATION CAREER

FROM \$ _____ TO \$ _____

- TYPE OF LEAVE
- ANNUAL
 - COMPENSATORY
 - SICK
 - DUTY DISABILITY
 - JOB INJURY
 - HOLIDAY
 - BEREAVEMENT
 - MILITARY
 - JURY DUTY
 - UNEXCUSED ABSENCE

LEAVE BALANCES (FOR PAYROLL USE ONLY)				
TYPE	PREV. BALANCE	EARNED	THIS REQUEST	BALANCE
ANN.				
SICK				
COMP.				

FAMILY CARE PERSONAL ILLNESS TYPE _____

IF HOSPITALIZED: HOW LONG _____

DID YOU SEE A PHYSICIAN YES NO DATE: _____

PHYSICIAN'S NAME _____

SIGNATURES	DATE	APPROVED	
		YES	NO
EMPLOYEE OR LINE SUPERVISOR ▲			
ADMIN. LIEUT./MANAGER ▲			
DIVISION CMDR./SUPERVISOR ▲			
BUREAU DIRECTOR ▲			
SHERIFF/CHIEF DEPUT ▲			
PERSONNEL DIRECTOR/PAYROLL ▲			

NO DAYS: _____ OR HOURS: _____
△ LEAVE PERIOD ▽

FROM _____ A.M. P.M. 19 ____ TO _____ A.M. P.M. 19 ____

PERSONNEL

cc: Inspector Sheets
Major McCants
Lt. Lisk
Sgt. Halstedt
Commo

FORM: G-001 (10/80)
06/07/83 /mb

PERSONNEL ACTION REQUEST LEAVE REQUEST

**PALM BEACH COUNTY
SHERIFF'S OFFICE**

EFFECTIVE DATE _____

NAME: Richard Ford P.O. NUMBER: 2739 SOCIAL SECURITY NO.: _____ SECTION: _____

- PROMOTION
- TRANSFER
- RECLASSIFICATION
- REHIRE
- LEAVE W/O PAY -DATE _____
- CHANGE IN SALARY
- MERIT INCREASE
- DEMOTION
- DISMISSAL
- RETURN FROM LV. W/O PAY-DATE _____
- SUSPENSION
- W/PAY W/O PAY
- RESIGNATION
- RETIREMENT
- OTHER _____

REMARKS-ATTACH SEPARATE SHEET IF MORE SPACE REQ.

EMPLOYMENT STATUS FROM: Prison (N/A) TO: N/A

*PROMOTION FROM: N/A TO: N/A

*RECLASSIFICATION FROM: N/A TO: N/A

PAYGRADE/STEP FROM: N/A TO: N/A

ANNIVERSARY DATE FROM: N/A TO: N/A

*TRANSFER FROM: N/A TO: N/A

INDEX CODE FROM: 231407 TO: N/A

REMARKS-ATTACH SEPARATE SHEET IF MORE SPACE REQ.
Transfer to SA 23-103

* EVALUATION FORM REQUIRED 3 MO. 6 MO.

SALARY INCENTIVE BASIC EDUCATION CAREER

- TYPE OF LEAVE
- ANNUAL
 - COMPENSATORY
 - SICK
 - DUTY DISABILITY
 - JOB INJURY
 - HOLIDAY
 - BEREAVEMENT
 - MILITARY
 - JURY DUTY
 - UNEXCUSED ABSENCE
- NO DAYS: _____ OR HOURS: _____
 ▲ LEAVE PERIOD ▼

LEAVE BALANCES (FOR PAYROLL USE ONLY)				
TYPE	PREV. BALANCE	EARNED	THIS REQUEST	BALANCE
ANN.				
SICK				
COMP.				

FAMILY CARE PERSONAL ILLNESS TYPE _____

IF HOSPITALIZED; HOW LONG _____

DID YOU SEE A PHYSICIAN YES NO DATE: _____

PHYSICIAN'S NAME _____

SIGNATURES	DATE	APPROVED	
		YES	NO
EMPLOYEE OR LINE SUPERVISOR ▲			
ADMIN. LIEUT./MANAGER ▲			
DIVISION CMDR./SUPERVISOR ▲			
BUREAU DIRECTOR ▲			
SHERIFF/CHIEF DEPUTY ▲			
PERSONNEL DIRECTOR/PAYROLL ▲			

FROM _____ A.M. P.M. 19____ TO _____ A.M. P.M. 19____

cc: Inspector _____
 Major _____
 Lt. _____
 Sgt. _____
 Commo _____

FORM: G-001 (10/80)

EMPLOYEE

Warning to disclose a material fact to prevent or reduce payment of benefits to an individual entitled thereto.

NAME (FIRST, MIDDLE INITIAL, LAST) Richard A. Bond SOCIAL SECURITY NO. _____

MAILING ADDRESS _____ APARTMENT NO. _____

CITY - STATE - ZIP CODE _____

COUNTY OF RESIDENCE Broward

OTHER NAME(S) I HAVE WORKED UNDER IN THE LAST 18 MONTHS (MARRIED, MAIDEN, ETC.) _____

LAST EMPLOYER - REGARDLESS OF TIME ON JOB Palm Beach County Sheriff's Dept.

STREET ADDRESS OR MAILING ADDRESS 3228 Sherwood

CITY - STATE - ZIP CODE West Palm Beach FL 33411

LAST EMPLOYED FROM 4-1-83 BEGINNING DATE 4-1-83 THRU 6-7-83 LAST WORK DAY _____

JOB SITE ADDRESS IF DIFFERENT FROM ADDRESS ABOVE Palm Beach (sub station)

TOTAL GROSS EARNINGS FROM LAST JOB (ANSWER ONLY IF LAST JOB WAS LESS THAN 3 MONTHS) (GROSS) \$2,500

USUAL OCCUPATION Police Officer

I LEFT OR LOST THIS JOB BECAUSE:

1. I WAS TEMPORARILY LAID OFF BECAUSE OF LACK OF WORK

2. I WAS PERMANENTLY LAID OFF BECAUSE OF LACK OF WORK

3. I WAS DISCHARGED (GIVE REASON BELOW)

4. I QUIT (GIVE REASON BELOW)

REASON FOR DISCHARGE OR QUIT Late 3 times while on probation

I RECEIVED WAGES IN LIEU OF NOTICE NO YES (IF YES) FROM DATE _____ THROUGH DATE _____ AMOUNT \$ _____

L.O. NO. 31200 COUNTY 12011 EFFECTIVE DATE 6/2/83

1 2 R/E 9 3 4 5 6 7 8

1 2 3 4 5 6 7 8

CW FW DATE FILED 6/16/83 BIRTH M-D-Y 3-25-50

OCC. CODE _____ IND. CY _____

5. UCB - 4 MAILED 6-16-83

CLAIMANT ID (2 ITEMS)

SS CARD _____

DRIVER LICENSE _____

OTHER (IDENTIFY) _____

PRIVACY ACT STATEMENT DELIVERED TO CLAIMANT _____

YES NO

A. REASON FOR SEPARATION OR REFUSAL - DO NOT REPLY IF CLAIMANT LEFT BECAUSE OF LACK OF WORK UNLESS ITEM D BELOW IS CHECKED

- CHECK CORRECT BLOCK**
1. VOLUNTARILY QUIT ON (DATE) _____, WAS FULL-TIME WORK AVAILABLE AT THAT TIME? YES ___ NO ___ IN "REMARKS" - DESCRIBE CIRCUMSTANCES AND GIVE CLAIMANT'S STATEMENT AT TIME OF QUITTING.
2. DISCHARGED FOR MISCONDUCT CONNECTED WITH WORK ON (DATE) 06/07/83 (DESCRIBE IN "REMARKS" WHAT CLAIMANT DID OR FAILED TO DO WHICH CAUSED THE DISCHARGE. THE SPECIFIC ACT OF MISCONDUCT MUST BE STATED. AVOID GENERAL TERMS LIKE "ABSENTEEISM", "VIOLATION OF RULES"; STATE RULE VIOLATED AND WHY, HOW OFTEN ABSENT, ETC.)
3. REFUSED OFFER OF A JOB ON (DATE) _____. GIVE WORKER'S REASON FOR REFUSAL IN "REMARKS".
- B. WE WOULD RE-EMPLOY THIS WORKER ON (DATE) _____. (DO NOT COMPLETE THIS ITEM UNLESS YOU HAVE A JOB FOR THIS WORKER).
- C. WE PAID THE WORKER "WAGES IN LIEU OF NOTICE" FROM _____ (DATE) THROUGH _____ (DATE). WORKER NOTIFIED ON _____ (DATE) THAT HE/SHE WAS TO BE TERMINATED ON _____ (DATE).
- D. IF THIS BOX HAS BEEN CHECKED BY THE CLAIMSTAKER, ENTER CLAIMANT'S GROSS EARNINGS FOR PERIOD OF EMPLOYMENT SHOWN IN ITEM 6 \$ _____ (GROSS).

PLEASE SEE REVERSE SIDE

LOCAL CLAIMS OFFICE ADDRESS

BUREAU OF UNEMPLOYMENT COMPENSATION
POST OFFICE BOX 14033
FORT LAUDERDALE, FLORIDA 33302

REMARKS (USE REVERSE SIDE IF NECESSARY):

EMPLOYER'S SIGNATURE Douglas L. Phipps TELEPHONE NO. 471-2040

Douglas L. Phipps, Personnel Director

LOCAL OFFICE USE ONLY - DO NOT WRITE IN THIS SPACE 6/24/83 /mb

RECEIVED

STATE OF FLORIDA

JUL 5 1983

Department of Law Enforcement

PERSONNEL & TRAINING



POST OFFICE BOX 1489
TALLAHASSEE 32302
PHONE 904-488-7880

ROBERT R. DEMPSEY
Commissioner

BOB GRAHAM, Governor
GEORGE FIRESTONE, Secretary of State
JIM SMITH, Attorney General
GERALD LEWIS, Comptroller
BILL GUNTER, Treasurer
DOYLE CONNER, Commissioner of Agriculture
RALPH D. TURLINGTON, Commissioner of Education

June 27, 1983

Sheriff Richard P. Wille
Palm Beach County Sheriff's Department
Post Office Box 670
West Palm Beach, Florida 33402

RE: Pond, Richard A.

Dear Sheriff Wille:

We have received a termination form for the above-named individual.

In order for us to evaluate the circumstances of this termination concerning possible decertification or future denial of reactivation, I would very much appreciate it if you would send to us a summary of the actions leading to the termination regarding this officer as provided in 943.13, F.S., and 943.145, F.S.

Upon receiving your documentation, we will review the summary to make a determination as to whether or not a basis exists for future denial/decertification. Should we find no basis for action, I assure you the records will reflect that determination.

If you have any questions about this matter, please do not hesitate to contact me (A/C 904-488-8556) or Karl Kalani, Program Coordinator, in the Bureau of Standards.

Thanks for your cooperation and assistance.

Sincerely,

Robert R. Dempsey
Commissioner

G. Patrick Gallagher
G. Patrick Gallagher, Director
Division of Criminal Justice
Standards and Training

GPG:KK:cjs

1A

cc: IA

STATE OF FLORIDA

RECEIVED

AUG 19 1983

Department of Law Enforcement *J.P.*

PERSONNEL & TRAINING



POST OFFICE BOX 1489
TALLAHASSEE 32302
PHONE 904-488-7880

BOB GRAHAM, *Governor*
GEORGE FIRESTONE, *Secretary of State*
JIM SMITH, *Attorney General*
GERALD LEWIS, *Comptroller*
BILL GUNTER, *Treasurer*
DOYLE CONNER, *Commissioner of Agriculture*
RALPH D. TURLINGTON, *Commissioner of Education*

ROBERT R. DEMPSEY
Commissioner

August 15, 1983

Mr. Richard A. Pond

Dear Mr. Pond:

We would like to advise you that the Criminal Justice Standards and Training Commission will be meeting in regular session on September 28, 1983, beginning at 9:00 a.m., in the Omni Hotel, 1601 Biscayne Boulevard, Miami, Florida.

Placed on the agenda for the next meeting is the matter of certain allegations which may affect your certification. The deliberations by the Commission, in no manner implies or alleges guilt or wrong doing, but is only a probable cause determination whether sufficient evidence exists to initiate an administrative complaint or denial of certification.

The Commission is operating under the Rules promulgated by the Administration Commission pursuant to the provisions of the Administrative Procedures Act, Chapter 120, F.S.

The Commission will not make a final decision affecting your status at this meeting; however, you may elect to appear as a personal preference.

Should the Commission find probable cause at this meeting, you will be afforded appropriate notice of the grounds upon which the Commission acted and provided with an explanation of your due process options.

cc: Sgt Halstead
clerk

RECEIVED

AUG 19 1983

Mr. Richard A. Pond
Page Two
August 15, 1983

PERSONNEL & TRAINING

If you have any questions, please contact me (A/C 904-488-8556), or Karl Kalani, Program Coordinator, in the Bureau of Standards.

Sincerely,

Robert R. Dempsey
Commissioner


G. Patrick Gallagher, Director
Division of Criminal Justice
Standards and Training

GPG:KK:cjs

cc: Sheriff Richard P. Wille
Palm Beach County Sheriff's Department
Post Office Box 670
West Palm Beach, Florida 33402

0 0 0 0 4 0 0 0 1 6 8

Sheriff's
Inter-Office Memorandum

PALM BEACH COUNTY

TO SHERIFF RICHARD P. WILLE
FRANK MC KEONIN, ESQUIRE
DATE 6/8/83

FROM SGT. ROBERT HALSTEDT
FILE

SUBJECT INTERNAL AFFAIRS CASE #83-106 - ~~CONFIDENTIAL~~

D/S Richard A. Pond was hired by P850, effective 4/11/83. A preliminary background check was completed on 4/4/83. Pond was assigned to Contract Services.

On May 19, 1983, a supplementary background investigation was filed by Sgt. Smith. Additional information had come in from the Ft. Lauderdale Police Department which reflected some employment problems and Pond had been asked to resign during his probationary period. See background investigation in file.

I was made aware of the content of this background investigation and the matter was discussed with Personnel Director, Doug Phipps. We were in agreement that this employee should be terminated. Inspector Sheets reviewed the information and concurred.

On Monday, June 6, 1983, I was advised that Pond had been suspended by Road Lt. Arthur Doens for having been late on not reporting to duty over a three-day period.

On Wednesday, June 8, 1983, at 0930 hours, I terminated Richard Pond's employment for failure to meet the minimum requirements for retention as an employee with the Palm Beach County Sheriff's Office through his probationary period.

Respectfully submitted,

SIGNED

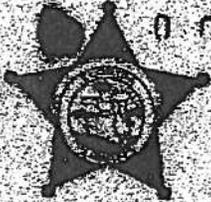
B. M. Halstedt

SGT. ROBERT M. HALSTEDT
DIRECTOR, INTERNAL AFFAIRS

RWH/eh

Sheriff

Palm Beach County



0 0 0 0 4 0 0 0 1 7 4
RICHARD P. WILLE

PALM BEACH COUNTY SHERIFF'S OFFICE
426 FIRST STREET - P.O. BOX 638
WEST PALM BEACH, FLORIDA 33402
PHONE: (305) 837-2800

July 13, 1983

G. Patrick Gallagher, Director
Division of Criminal Justice
Standards and Training
P.O. Box 1489
Tallahassee, FL. 32302

Re: Patricia [redacted], S.S. [redacted]

Dear Pat:

We are in receipt of your letter of June 27, 1983, concerning Mr. Pond. We offer the following information:

Mr. Pond was hired by the Palm Beach County Sheriff's Office on 4/11/83, in the capacity of patrol officer in the Contract Services Division. His background investigation, at that time, had been initiated but had not yet been completed. On 5/19/83, Sgt. David Smith, background investigator, furnished the following information:

(1) Mr. Pond was asked to resign from the Ft. Lauderdale Police Department, on 5/18/82, because of an unsatisfactory probationary period. They would not re-hire.

(2) Detective Pete Lavelle, Plantation Police Department, Polygraphist, informs that during the pre- and post-test interviews, Mr. Pond stated that he was involved sexually with prostitutes, while employed by the Boston Police Department.

(3) Mr. Pond was involved in a questionable shooting involving his girlfriend. This matter was investigated by the Broward County Sheriff's Office but there was insufficient probable cause for arrest or presentation to the Grand Jury.

Based on the preceding information, it was decided not to retain Mr. Pond through his probationary period of employment with the Palm Beach County Sheriff's Office. He was terminated on 6/7/83.

See attached.

Respectfully submitted,

R. M. Halsted

Sgt. Robert M. Halsted
Director, Internal Affairs

RWH/eh

Att.

POPULATION 580,000

AREA OVER 1,200 SQ MI

RECEIVED

OCT 15 1984

cc: I.A.
10/15/84

FILED WITH THE CLERK OF THE	
CJS&TC THIS	DAY OF
OCTOBER	1984
BY <i>[Signature]</i>	

PERSONNEL & TRAINING
STATE OF FLORIDA
DEPARTMENT OF LAW ENFORCEMENT
CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION

CRIMINAL JUSTICE STANDARDS
AND TRAINING COMMISSION,

Petitioner,

vs.

CASE NO.

RICHARD A. POND,

Respondent.

FINAL ORDER

This cause came on to be heard before the Criminal Justice Standards and Training Commission at a public meeting on September 20, 1984, in Tallahassee, Florida. Pursuant to Administrative Complaint it was alleged that Respondent violated specified sections of Chapter 943, Florida Statutes. At the Respondent's election, the hearing was conducted in accordance with the provisions of Section 120.57(2), Florida Statutes. Respondent was duly notified of the hearing, but was not present. The facts are not contested.

Upon consideration, it is ORDERED:

1. The allegations of fact set forth in the Administrative Complaint are approved and adopted and incorporated herein by reference as the findings of fact by the Commission.
2. The conclusions of law alleged and set forth in the Administrative Complaint are approved and adopted and incorporated herein by reference as the conclusions of law by the Commission.

The violation set forth warrants disciplinary action by the Commission. THEREFORE, IT IS HEREBY ORDERED AND ADJUDGED:

The Respondent shall be and hereby is Reprimanded.

DONE AND ORDERED this 9 day of October,

1984.

Criminal Justice Standards
and Training Commission

Walter C. Heinrich
Walter C. Heinrich, Sheriff
Chairman

cc: All Counsel of Record
Richard A. Pond

STATE OF FLORIDA
CRIMINAL JUSTICE STANDARDS AND TRAINING
COMMISSION

CRIMINAL JUSTICE STANDARDS
AND TRAINING COMMISSION,

Petitioner,

vs.

RICHARD A. POND,

Respondent.

RECEIVED

JAN 13 1984

PERSONNEL & TRAINING

ADMINISTRATIVE COMPLAINT

The Criminal Justice Standards and Training Commission, hereinafter referred to as the Commission, files this Administrative Complaint against RICHARD A. POND (Respondent). The Commission seeks to revoke, or suspend, certification of the referenced individual and his rights thereunder based on the following allegations:

1. On or about April 11, 1983, the Respondent submitted an application to the Palm Beach County Sheriff's Department and failed to advise on said application that he had been terminated from the Dania Police Department and that he had been requested to resign from his employment with the Ft. Lauderdale Police Department.

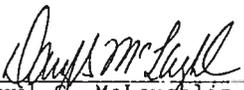
2. The actions of the Respondent did violate the provisions of Sections 943.145(3)(b), Florida Statutes, in that he falsified or made a willful material misrepresentation of information on an employment application to the Palm Beach County Sheriff's Department. Further, the actions of the Respondent did violate the provisions of Section 943.145(3)(a), Florida Statutes, in that the Respondent has failed to maintain the qualifications established in Section 943.13(7), Florida Statutes.

3. This Administrative Complaint is issued pursuant to Sections 120.60 and 943.145, Florida Statutes. Any proceedings concerning this Complaint shall be conducted pursuant to Section 120.57, Florida Statutes, and Chapters 11B-27, 28-1 and 28-6, Florida Administrative Code.

WHEREFORE, it is alleged that the Respondent is guilty of violating Sections 943.13 and 943.145, Florida Statutes, and Chapter 11B-27, Florida Administrative Code.

NOW, THEREFORE, the Florida Criminal Justice Standards and Training Commission thereby complains against RICHARD A. POND, and prays that the certificate, heretofore issued to RICHARD A. POND, should be suspended, or revoked, for reasons set forth above and in accordance with the Election of Rights Form (to which is attached an Explanation of Rights Form) attached hereto and incorporated herein.

BY ORDER OF THE FLORIDA CRIMINAL JUSTICE STANDARDS AND TRAINING COMMISSION this 28 day of September, 1983.



Daryl G. McLaughlin, Director
Division of Criminal Justice
Standards and Training

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true copy of the foregoing has been served pursuant to Section 120.60, Florida Statutes, this 6 day of January, 1984, to RICHARD A. POND,



Daryl G. McLaughlin, Director
Division of Criminal Justice
Standards and Training

STATE OF FLORIDA
DIVISION OF ADMINISTRATIVE HEARINGS

DEPARTMENT OF LAW ENFORCEMENT,
CRIMINAL JUSTICE AND STANDARDS
TRAINING COMMISSION,

Petitioner,

v.

RICHARD A. POND,

Respondent.

CASE NO. _____

Subpoena Duces Tecum

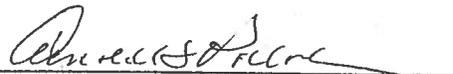
TO: Sgt. Robert Halsted
Palm Beach County Sheriff's Dept.
Post Office Box 670
West Palm Beach, Florida 33402

YOU ARE HEREBY COMMANDED to appear at Room 204C, State Office Building,
201 West Broward Boulevard,
Fort Lauderdale, Florida to testify at a ~~deposition~~/final hearing (strike one) at
10:00 o'clock a.m. on the 26th day of July, 1984.

YOU ARE FURTHER COMMANDED to have with you at said time and place the
following (use additional pages if necessary):

YOU SHALL RESPOND to this subpoena as directed unless excused by the party who requested issuance of the subpoena or by order of the Division of Administrative Hearings.

ISSUED this 27 day of June, 1984, at Tallahassee, Florida.


ARNOLD H. POLLOCK

THIS SUBPOENA HAS BEEN ISSUED
UPON THE REQUEST OF:

Name: Dennis Valente, Esquire
Dept. of Law Enforcement
Address: P.O. Box 1489
Tallahassee, Fl. 32302

Phone:

HEARING OFFICER
Division of Administrative Hearings
The Oakland Building
2009 Apalachee Parkway
Tallahassee, Florida 32301
(904) 488-9675
(JEB)

AUTHORITY

Florida Statutes 120.58(1)(b)(c), (2), (3).

(1)(b) An agency or its duly empowered presiding officer or a hearing officer has the power to swear witnesses and take their testimony under oath, to issue subpoenas upon the written request of any party or upon its own motion, and to effect discovery on the written request of any party by any means available to the courts and in the manner provided in the Florida Rules of Civil Procedure. . . Any subpoena or order directing discovery directed to a member or an employee of the Legislature shall show on its face that the testimony sought does not relate to legislative duties.

(1)(c) Any public employee subpoenaed to appear at an agency proceeding shall be entitled to per diem and travel expenses at the same rate as that provided for state employees under s. 112.061 if travel away from such public employee's headquarters is required. All other witnesses appearing pursuant to a subpoena shall be paid such fees and mileage for their attendance as is provided in civil actions in circuit courts of this state . . .

(2) Any person subject to a subpoena or order directing discovery may, before compliance and on timely petition, request the agency having jurisdiction of the dispute to invalidate the subpoena or order on the ground that it was not lawfully issued, is unreasonably broad in scope, or requires the production of irrelevant material, but the decision of the agency on any such request shall not be proposed agency action governed by s. 120.57.

(3) An agency may seek enforcement of a subpoena or order directing discovery issued under the authority of this act by filing a petition for enforcement, pursuant to s. 120.69, in the circuit court of the judicial circuit wherein the person failing to comply with the subpoena or order resides. A failure to comply with an order of the court shall result in a finding of contempt of court. However, no person shall be in contempt while the subpoena or order is being challenged under subsection (2). In the absence of agency action on the default within 30 days, the party requesting the subpoena or order may bring proceedings in an appropriate court for enforcement of the subpoena or order, and a failure to comply with an order of the court shall result in a finding of contempt of court.

Florida Administrative Code Rule 28-5.301(4).

A subpoena may be served by any person authorized by law to serve process or by any person who is not a party and who is of majority age. Service shall be made by delivering a copy thereof to the person named in the subpoena. Proof of such service shall be made by affidavit of the person making service if not served by an officer authorized by law to do so.

Received this subpoena on

_____, 19____,
at _____ o'clock ____M., and served
the same on _____,
19____, at _____ M., by delivering a true copy
thereof (together with the fee for one day's atten-
dance and the mileage allowed by law*) to:

RETURN IF SERVED BY SHERIFF:

Dated _____, 19____,
_____, Sheriff of
_____ County, Florida.
By: _____
Deputy Sheriff

**RETURN IF SERVED BY OTHER QUALIFIED
PERSON**

Dated _____, 19____.
By: _____
Subscribed and sworn to before me, a
_____, this
_____ day of _____, 19____.
By: _____

NOTE: Affidavit required only if service is made
by a person other than a Sheriff or Deputy Sheriff.

* Fees and mileage need not be tendered to public
employees.

**Sheriff's
Inter-Office Memorandum**

PALM BEACH COUNTY

TO Sgt. Robert Halstedt,
Director of Internal Affairs **DATE** July 31, 1984

FROM Douglas L. Phipps,
Director of Personnel & Training **FILE**

SUBJECT FDLE, CJSTC v. RICHARD A: POND
CASE NO.

On Thursday, July 26, 1984 I appeared for a formal administrative hearing concerning the action filed by CJSTC to decertify former deputy sheriff Richard A. Pond.

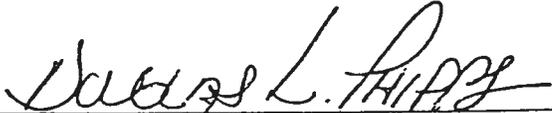
Dennis Valente, Counsel for CJSTC, and the Respondent stipulated and agreed before the Hearing Officer:

1. That the Respondent preserves his objection to the action for decertification filed against him;
2. That Respondent waived a formal hearing because he is unrepresented by counsel, and
3. An informal hearing before the CJSTC shall be set for its next regularly scheduled meeting in September 1984.

DLP/jh

cc: File of R.A. Pond

SIGNED


DOUGLAS L. PHIPPS, DIRECTOR OF PERSONNEL
AND TRAINING

RICHARD ALLAN POND
(DOB: March 25, 1952)

RECORDS FROM POND'S 1985 O.U.I. ARREST

**ARREST - CUSTODY REPORT
REPORT OF OFFICER JOSEPH MICHIEENZIE
APPLICATION FOR CRIMINAL COMPLAINT
CRIMINAL CITATION 096779V
ACKNOWLEDGMENT OF RIGHTS FORM
DEDHAM DISTRICT COURT DOCKET SHEET**

Records date from May 4, 1985 through November 19, 1985

Sources:

Norwood Police Department
Dedham District Court

Total Pages: 6

ARREST - CUSTODY REPORT

ARREST/BOOKING REPORT
 PROTECTIVE CUSTODY REPORT

RECORD #
ARREST #

INCIDENT REPORT ATT.
 NO INCIDENT REPORT

NAME (LAST, FIRST, MIDDLE) POND, Richard A.		
RESIDENCE ADDRESS, NO. STREET 933 Metropolitan Ave, Hyde Park, Mass 3532 NW 39 St. Ft. Lauderdale Fl. 33309		TEL. NO. 961-7339
SEX: <input checked="" type="checkbox"/> M <input type="checkbox"/> F	RACE: cau	AGE: 33
BUILD: med		
DATE OF BIRTH: 3-25-52		
PLACE OF BIRTH: Boston, Ma.		SOCIAL SECURITY #
OTHER DESCRIPTION/INFORMATION: Fl. License num. P530-741-52-105		
FATHER'S NAME: Gervais		
MOTHER'S NAME: Virginia M. nee Mattson		
OCCUPATION: Police Off.		
EMPLOYER/SCHOOL: Unemployed		
LOCATION OR ADDRESS: Unemployed		
SPOUSE'S NAME (MAIDEN): Wanda nee		
TEL. NO. IF DIFF.		
I have been advised of my rights to remain silent, to use a phone, to call a lawyer, or have one provided, & to have my own physician test for alcohol. Sign: Refused		
THE ABOVE RIGHTS ADVISED BY: Lieut. James E. Pepin		
DATE & TIME: 4-5-85 9:00 PM		
PHONE USED		
OTHER VALUABLES: Wallet, Keys, Glasses, CASH \$60.00		
Watch Box # 5		
THE ABOVE LIST IS MY PROPERTY		
SIGNATURE: [Signature]		
I HAVE RECEIVED THE ABOVE PROPERTY		
SIGNATURE: [Signature]		
SEARCHED BY: Lt. James Pepin		
COMPLAINANT: Joseph Michienzie		
RELATION: NPD		
REPORTING OFFICER: Joseph Michienzie		
ASS'T G. OFF.: Peter Borroni		
AMT. BAIL: Pers	BAIL COMMISSIONER: Jon Hartmace	DATE & TIME: 4-5-85 9:00 PM

LOCATION - WHERE TAKEN INTO CUSTODY Washington St. Norwood, Ma.		DATE & TIME 4-5-85 5:15 PM
OFFENSES - REASON FOR CUSTODY (b) CHL - Liquors		MGL. CH. SEC. 90-21
OTHER PERSONS ARRESTED WITH		
WARRANT: <input type="checkbox"/> NO WARRANT <input checked="" type="checkbox"/> ON VIEW <input type="checkbox"/> RESULT OF CALL		
VEH. COLOR: Bra	YEAR: 1978	MAKE: MGB
MODEL: B	REG. #: 095AMC	STATE: FL
DISPOSITION		
DESCRIBE CONDITION WHEN CONTACTED: DKI		
VISIBLE INJURY OR ILLNESS: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		
DETOX NOTIFIED: <input type="checkbox"/> TAKEN TO DETOX: <input type="checkbox"/> TAKEN TO HOSP.: <input type="checkbox"/>		
FINGERPRINTS PHOTOS: <input type="checkbox"/> BREATHALYZER READING: <input type="checkbox"/>		
BREATHALYZER BY: Sergeant William [Signature]		
JUVENILE OR MINOR - PERSON NOTIFIED		
RELATION		
ADDRESS: [Address]		
TELEPHONE		
PROBATION OFFICER		
RELEASED TO		
REMARKS, INCL. DISPOSITION		
BOOKING OFF. SIGNATURE: Lieut. James E. Pepin		REPORTING OFFICER SIGNATURE: Joseph Michienzie 19

EXHIBIT 'P'

On 05-04-85, at approx 5:15 P.M. Officer P. Borroni and I were detailed to 24 Concord Ave. RE: Assistance

Upon arrival we were flagged down by the one Mr POND. he stated that he had attempted to visit his children who reside with their mother at 24 Concord Ave. , when a female, unknown to him came to the door at this time he identified himself to this female as being the father of the children and ex husband of Mrs. Pond. This female (babysitter) would not allow Mr. Pond into the house stating that if he didn't leave she would call the police. Mr. Pond vacated the premise and contacted the police. Mr Pond continued to relate a story to officer and I. After listening to his story we advised him to take somekind of action through the courts. Mr Pond did not have anything of court order to allow him to have custody of his children, in fact Mr. Pond stated that he had just returned from Florida after living there for 4 years. Mr Pond did not like the advise we gave him and threatened to go back to the house and "punch the fucking lesie in the mouth". I told him that he would only aggravate matters if he returned to the house and I advised him to take a walk, that I thought that he had too much to drink. He walked away from officer Borroni and I and headed towards Washington St. As we turned the cruiser arround I noticed the subject get into a car and drive away, turn onto Washington St. Officer Borroni, driving the cruiser was about to pursue the vehicle when the subject pulled the car over, stepped from same, pointed his finger at us and began yelling profanities and stated that he didn't care what we said he was going to see his children. On my initial contact with this subject I could detect a stron odor of an alchelic beverage on his breath and observed his eyes as being very blood shot. Officer Borroni and I stepped from the cruiser and advised the subject that he was under arrest. The subject was very uncooperative both in being placed in the cruiser and at the booking desk with Lt Pepin. Subject took the breathalyzer, the reading was .23. Test was administered by SGT. Murphy.



POLICE DEPT.

DATE CITATION WRITTEN 5-4-85	POLICE DEPARTMENT NORWOOD	<input checked="" type="checkbox"/> OPERATOR <input type="checkbox"/> OWNER
---------------------------------	------------------------------	---

OPERATOR'S NAME (Last, first, initial) David Richard A.	OWNER'S NAME (Last, first, initial) "STATE"
--	--

STREET ADDRESS 133 Metropolitan Ave	STREET ADDRESS 2361 Kings Lake Blvd
CITY/TOWN STATE ZIP Norwood Mass	CITY/TOWN STATE ZIP Naples Fla

LICENSE NO. XXXXXXXXXX	STATE MA	CLASS 3	REGISTRATION NO. 095-DMC	STATE FLA	EXP. DATE
--------------------------------------	-------------	------------	-----------------------------	--------------	-----------

LICENSE EXP. DATE 2-25-89	DATE OF BIRTH XXXXXXXXXX	RACE W	SEX M	MAKE & TYPE MG-P Coupe	YEAR 1978	COLOR Brown
------------------------------	--	-----------	----------	---------------------------	--------------	----------------

POSTER SPEED <input type="checkbox"/> CLOCK <input type="checkbox"/> RADAR <input type="checkbox"/> ESTIM.	DATE OF VIOLATION 5-4-85	TIME 17:15	LOCATION OF VIOLATION CONCORD AVE NORWOOD
---	-----------------------------	---------------	--

TRAFFIC: <input type="checkbox"/> HVY. <input type="checkbox"/> MED. <input checked="" type="checkbox"/> CYC.	ROADWAY: <input checked="" type="checkbox"/> DRY <input type="checkbox"/> WET	<input type="checkbox"/> ICE <input type="checkbox"/> SNOW	ROAD DIVIDED: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	NO. LANES 2	ACCIDENT: <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO
--	--	--	--	----------------	--

OFFENSE	CHAP.	SECT.	FINES	REMARKS:
A. Operating a motor vehicle while				
B. being under the influence of				
C. Intoxication liquor C-90 S21				
TOTAL FINE DUE \$				

WARNING NON-CRIMINAL COMPLAINT APPLICATION ARREST

OFFICER CERTIFIES COPY GIVEN TO VIOLATOR:
 IN HAND
 BY MAIL

VIOLATOR ACKNOWLEDGES RECEIPT OF CITATION
 REFUSES TO SIGN

COURT LOCATION:
 Dedham District Court
 High Street
 Dedham, MA

NORWOOD POLICE DEPARTMENT



Do you understand that you are under arrest? Yes
Do you understand the charges against you? Yes

You have the right to remain silent.
Anything you say may be used against you in a Court of Law.
You have the right to talk to a Lawyer and have him present with you while you are being questioned.
If you cannot afford to hire a Lawyer, one will be appointed to represent you before any questioning, if you wish one.
If you decide to answer questions now without a Lawyer present, you will still have the right to stop at any time, until you talk to a Lawyer.

Do you understand each of these rights I have explained to you? Yes
Having these rights in mind, do you wish to talk to us now? _____

RIGHTS TO USE TELEPHONE

Chapter 276 Section 33A as amended: The Police Official in charge of the Police Station or other place of detention, having a telephone wherein a person is held in custody, shall permit the use of the telephone, at the expense of the arrested person, for the purpose of allowing the arrested person to communicate with his Attorney. Any such person shall be informed forthwith upon arrival at such station or place of detention of his rights to so use the telephone, and such use shall be permitted within one hour thereafter.

X Refused
Signature

BREATHALYZER TEST

Chapter 90 Section 24F: Massachusetts Law: A motor vehicle operator who is arrested for operating a motor vehicle under the influence of intoxicating liquor shall be deemed to have consented to submit to a chemical test or analysis of his/her breath or blood. If you refuse to take this test your license or right to operate in Massachusetts will be suspended by the Registry of Motor Vehicles for a period of 90 days. The fact that you did refuse to take this test cannot and will not be used against you in a Court of Law.

If you take this test, you will be afforded reasonable opportunity to take a second test or have an analysis of your blood made by a person or physician of your own choice and at your own expense.
If the test result is .05 or below, you will be released from this charge immediately.

X Refused
Signature

RIGHTS TO DOCTOR

Chapter 263 Section 5A: A person held in custody at a Police Station or other place of Detention, charged with operating a Motor Vehicle while under the influence of intoxicating liquor, shall have the right, at his request and at his expense, to be examined immediately by a Physician selected by him. The Police Official in charge of such station or place of detention shall inform him of said right immediately upon being booked, and shall afford him a reasonable opportunity to exercise it. Such person shall, immediately upon being booked, be given a copy of this section unless such a copy of this section is posted in the Police Station or other place of detention in a conspicuous place to which such person has access.

X Refused
Signature

6607

Richard A. Pond
Prisoners Name (Type or Print)

Refused
Prisoners Signature

5-4-85 545PM
Date and Time
Lieut. James E. Pepin
Lieut James E. Pepin
Officer in Charge

DOCKET

85 CR 0925

COURT DIVISION
Dedham

NAME, ADDRESS AND ZIP CODE OF DEFENDANT
Richard A. Pond
933 Metropolitan Ave.
Hyde Park, MA

Waived 6/5/85
 Retained
 Assigned

DEF. DOB: 3/25/52 017-42-7369
OFFENSE CODE(S): 40

DATE OF OFFENSE: 5/4/85
PLACE OF OFFENSE: Norwood

COMPLAINANT: William C. Casey
POLICE DEPARTMENT: Norwood

DATE OF COMPLAINT: 5/6/85
RETURN DATE AND TIME: ARREST

TERMS OF RELEASE
Hens

DATE	PROCEEDING
5/5/85	<input checked="" type="checkbox"/> Arraigned before J. <i>MVM</i> <input checked="" type="checkbox"/> Advised of right to counsel <input type="checkbox"/> Advised of right to drug exam <input checked="" type="checkbox"/> Advised of right to bail review <input checked="" type="checkbox"/> Advised of right to F.I. Jury Trial <input type="checkbox"/> Waives <input type="checkbox"/> Requests F.I. Jury Trial
6-5-85	<input type="checkbox"/> Warrant issued <input checked="" type="checkbox"/> Default warrant issued
11-19-85	<input checked="" type="checkbox"/> Default removed <i>5/8/86</i> <input checked="" type="checkbox"/> Warrant recalled <i>DARIN</i>
7-5-85	<input type="checkbox"/> Warrant issued <input type="checkbox"/> Default warrant issued <input type="checkbox"/> Default removed <input type="checkbox"/> Warrant recalled

COUNT-OFFENSE: A. OPERATING UNDER THE INFLUENCE OF LIQUOR C90 52A

DATE	PLEA	FINE	SURFINE	COSTS	TOTAL DUE
5/6/85	<input checked="" type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Nolo <input type="checkbox"/> New Plea: <input checked="" type="checkbox"/> Admits suff. facts		\$15.00		\$15.00
6/5/85	FINDING: <i>Suff facts found</i> JUDGE: <i>Witt</i>				
	<input checked="" type="checkbox"/> Cont. w/o finding until: <i>5-1</i>				
	<input type="checkbox"/> Appeal of find. & disp. <input type="checkbox"/> Appeal of disp.				

IMPRISONMENT AND OTHER DISPOSITION: *90 days prob*

FINAL DISPOSITION: *09-17-06 #6230E001 UMF* DATE: 15.00

COUNT-OFFENSE

DATE	PLEA	FINE	SURFINE	COSTS	TOTAL DUE
	<input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Nolo <input type="checkbox"/> New Plea: <input type="checkbox"/> Admits suff. facts				
	FINDING: JUDGE:				
	<input type="checkbox"/> Cont. w/o finding until:				
	<input type="checkbox"/> Appeal of find. & disp. <input type="checkbox"/> Appeal of disp.				

IMPRISONMENT AND OTHER DISPOSITION

FINAL DISPOSITION: Discharged from probation Dismissed at request of probation

COUNT-OFFENSE

DATE	PLEA	FINE	SURFINE	COSTS	TOTAL DUE
	<input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Nolo <input type="checkbox"/> New Plea: <input type="checkbox"/> Admits suff. facts				
	FINDING: JUDGE:				
	<input type="checkbox"/> Cont. w/o finding until:				
	<input type="checkbox"/> Appeal of find. & disp. <input type="checkbox"/> Appeal of disp.				

IMPRISONMENT AND OTHER DISPOSITION

FINAL DISPOSITION: Discharged from probation Dismissed at request of probation

COUNT-OFFENSE

DATE	PLEA	FINE	SURFINE	COSTS	TOTAL DUE
	<input type="checkbox"/> Not Guilty <input type="checkbox"/> Guilty <input type="checkbox"/> Nolo <input type="checkbox"/> New Plea: <input type="checkbox"/> Admits suff. facts				
	FINDING: JUDGE:				
	<input type="checkbox"/> Cont. w/o finding until:				
	<input type="checkbox"/> Appeal of find. & disp. <input type="checkbox"/> Appeal of disp.				

IMPRISONMENT AND OTHER DISPOSITION

FINAL DISPOSITION: Discharged from probation Dismissed at request of probation

CONT. TO	PURPOSE	CONT. TO	PURPOSE
6-5-85	CONF	11-18-85	DET
7-5-85	Drop offense	5-8-86	Def Rem
7-5-85	Disp	8-12-86	Review
7-27-85	Disp	9-9-86	Review
11-19-85	Rev		

DATE	TAPE NO.	START	STOP
6/5/85	1357	406	420

RICHARD ALLAN POND
(DOB: March 25, 1952)

THE ALBERT LEWIN'S CIVIL RIGHTS CASE

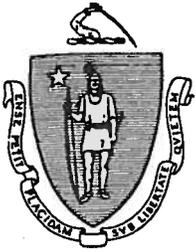
**LETTER OF SUSPENSION
CIVIL COMPLAINT OF ALBERT LEWIN
BOSTON GLOBE ARTICLES
POND'S ANSWERS TO INTERROGATORIES
DEFENDANT OFFICER'S MOTION IN LIMINE
PLAINTIFF'S MOTION TO TAKE VIDEOTAPED DEPOSITION
AFSCME UNION LETTER
SPECIAL JURY VERDICT
AGREEMENT FOR JUDGMENT**

Records date from July 22, 1988 through October 10, 1995

Sources:

**Suffolk County Superior Court
Boston Public Library**

Total Pages: 35



Commonwealth of Massachusetts
Suffolk County Sheriff's Department



ROBERT C. RUFO
SHERIFF

July 22, 1988

JOHN M. BRASSIL
SPECIAL SHERIFF / SUPERINTENDENT

Officer Richard Pond
933 Metropolitan Avenue
Hyde Park, MA. 02136

"EXHIBIT E"

Dear Officer Pond:

This letter will serve to notify you that effective Monday, July 25, 1988 you are suspended from work for a period of fifteen working days as a result of your actions while in the employ of the Suffolk County Sheriff's Department. You are charged with failure to submit written reports in violation of Department policy. The circumstances surrounding this incident are as follows.

On Saturday, May 14, 1988 at approximately 3:00 P.M., you instructed an inmate to return contraband to his room. This inmate was uncooperative and refused to follow your instructions requiring that the inmate be returned to his room prior to the expiration of the inmate recreation period. Policy requires that written reports be submitted for infractions of jail rules prior to the completion of your shift. Failure by staff to submit written reports is a serious violation of this department's policies and procedures.

You are formally put on notice that in the event you continue to violate departmental policy, I will have no alternative but to recommend to the Sheriff that further disciplinary action be taken against you. A copy of this letter will be placed in your permanent personnel file and pursuant to the Union Contract you may file a counter statement to the contents of same.

Very truly yours, 1

John M. Brassil
Special Sheriff/Superintendent

JMB:rph

I, Officer Pond acknowledge that I have read the foregoing letter and further understand that a copy of same shall be placed in my permanent personnel file.

Officer Richard Pond

1

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION NO.

91-3176

ALBERT LEWIN)
)
v.)
)
JOSEPH FITZPATRICK, RICHARD)
POND, RICHARD FLYNN, RUSSELL)
CHICKERING, AND VICTOR)
WELLINGTON)

SUFFOLK SUPERIOR COURT
CLERK'S OFFICE
1993

MAR 13 1991

MICHAEL JOSEPH
CLERK OF COURT

COMPLAINT

Introduction

1. This is an action for money damages brought by a pretrial detainee who was assaulted and beaten by guards while incarcerated at the Suffolk County Jail at Charles Street. The plaintiff seeks relief for violation of G.L. c.12, §11I, 42 U.S.C. §1983, and for the common law tort of assault and battery, and intentional infliction of emotional distress.

Parties

2. Plaintiff Albert Lewin is currently a resident of Kingston, Jamaica. At all times relevant to this complaint, the plaintiff was confined at the Suffolk County Jail on Charles Street ("Charles Street Jail") in the City of Boston, in the state of Massachusetts, was a resident of Massachusetts and was a citizen of the United States.

3. Defendants Joseph Fitzpatrick, Richard Pond, Russell Chickering and Victor Wellington were, at all times material to this Complaint, employed by Suffolk County as guards at the

Charles Street Jail. Defendants Fitzpatrick, Pond, Chickering and Wellington held the rank of officer.

4. Defendant Richard Flynn was, at all times material to this Complaint, employed by Suffolk County as a guard at the Charles Street Jail. Defendant Flynn held the rank of lieutenant.

5. The defendants acted under color of law, statutes, ordinances, regulations, customs and usages of the Commonwealth of Massachusetts.

Facts

6. On or about May 14, 1988, plaintiff was detained at the Charles Street Jail without bail pending his trial on an indictment charging him with the murder of a Boston City Police Officer, Sherman Griffiths. Plaintiff was later found not guilty of this charge.

7. Plaintiff's cell #39 was located on the second tier of the south side of the east wing of the jail. It was the eleventh cell from the guardroom floor.

8. On Saturday, May 14, 1988, plaintiff was on the "flats" during afternoon recreation. He was standing with a towel around his neck, as he had the habit of doing, holding his Bible, and conversing with a fellow inmate.

9. Defendant Flynn, the floor lieutenant at the mail jail, alerted defendant Pond that plaintiff was in contravention of a rule announced the previous morning that inmates were not allowed to have towels during afternoon recreation.

10. Defendant Flynn then ordered plaintiff to return his towel to his cell. Lewin agreed to go back to his cell voluntarily.

11. Defendant Flynn deviated from normal procedure by sending two officers, defendants Pond and Fitzpatrick, to accompany plaintiff to his cell. Defendant Chickering, who was the two tier officer at the time, would normally have been responsible for Lewin's return to his cell.

12. Defendants Pond and Fitzpatrick frustrated plaintiff's efforts to place his towel in the cell through the bars. Defendant Fitzpatrick grabbed plaintiff's arm and pushed him forcibly into the cell. Defendant Fitzpatrick then pushed plaintiff on the floor and tipped a steel bed, weighing about two hundred pounds, on top of him. The fall of the bed produced a loud noise and resulted in plaintiff being pinned to the ground.

13. Defendant Pond then entered the cell and stood on the bed preventing plaintiff from moving while defendant Fitzpatrick punched and kicked plaintiff continuously in the head, face, and chest. As a result of this attack plaintiff was bleeding profusely from his nose and mouth. He lay prostrate on the ground, unable to move, for about two or three hours and did not leave his cell again until the following day.

14. Shortly after the incident, defendant Chickering entered plaintiff's cell, cleaned some of the blood off the floor, and left with the towel. A large blood stain of approximately one and one half square feet remained on the floor. Plaintiff was

lying on the floor of his cell, crying and moaning during the time defendant Chickering was inside the cell.

15. Around 6:00 that evening, defendants Chickering and Wellington entered plaintiff's cell and righted his bed. At the time, plaintiff was still lying on the floor. They asked plaintiff whether he "was talking." Plaintiff did not respond.

16. During the incident, defendant Flynn was standing on the guardroom floor in full view of plaintiff's cell. He did not act to curtail the violence.

17. Plaintiff sustained serious injuries as a result of the unprovoked attack. Plaintiff had two black eyes, one of which was swollen shut, an inflammation of the right head and lower back, pain in the chest and legs, difficulty breathing, and he was coughing up of blood.

18. Despite these serious injuries, defendants did not seek medical care for plaintiff.

19. The following morning, Sunday, May 15, 1988, plaintiff asked for grievance papers from the shift commander. He never received any response to his request. The shift commander did not refer plaintiff for medical care.

20. On Monday, May 16, 1988, plaintiff was able to get to a telephone to call his attorneys. Plaintiff did not receive any medical care until Monday, May 16, after his attorneys contacted the jail and reported the beating.

COUNT ONE (42 U.S.C. §1983 -- CIVIL RIGHTS VIOLATIONS)

21. The plaintiff repeats and realleges paragraphs 2 through 20 as if fully set forth herein.

22. By forcing plaintiff into a cell and physically beating and abusing him, the defendant deprived the plaintiff of the following clearly established and well-settled federal constitutional rights established pursuant to the 8th and 14th Amendments of the United States Constitution and actionable under Title 42 U.S.C. §1983:

- a. Freedom from intimidation and humiliation;
- b. Freedom from summary punishment and unauthorized punishment; and
- c. Freedom from cruel and unusual punishment.

23. By their failure to provide the plaintiff with immediate and adequate medical attention after the plaintiff was severely beaten and injured, the defendants exhibited deliberate indifference to the plaintiff's serious medical needs.

24. By their actions, the defendants subjected the plaintiff to these deprivations knowingly, intentionally, willfully, purposefully, maliciously and sadistically.

25. As a direct and proximate result of the acts and omissions of the defendants, the plaintiff was forced to endure great physical and mental pain and suffering and has sustained permanent physical and mental injury.

COUNT TWO G.L. c. 12, §11I -- CIVIL RIGHTS VIOLATIONS)

26. The plaintiff repeats and realleges paragraphs 2 through 20 as if fully set forth herein.

27. By forcing plaintiff into a cell and physically beating and abusing him, the defendants deprived the plaintiff of the following clearly established and well-settled rights under Articles 1, 10, 12 and 26 of the Massachusetts Declaration of Rights, all of which are actionable under G.L. c.12, §11H and I:

- a. Freedom from intimidation and humiliation;
- b. Freedom from summary punishment and unauthorized punishment; and
- c. Freedom from cruel or unusual punishment.

28. By their failure to provide the plaintiff with immediate and adequate medical attention after the plaintiff was severely beaten and injured, the defendants exhibited deliberate indifference to his serious medical needs.

29. By their actions, the defendants subjected the plaintiff to these deprivations knowingly, intentionally, willfully, purposefully, maliciously and sadistically.

30. As a direct and proximate result of the acts and omissions of the defendants, the plaintiff was forced to endure great physical and mental pain and suffering and has sustained permanent physical and mental injuries.

COUNT THREE (42 U.S.C. §1983 -- CONSPIRACY TO VIOLATE CIVIL RIGHTS)

31. The plaintiff repeats and realleges paragraphs 2 through 20 as if fully set forth herein.

32. Defendants Flynn, Pond, Fitzpatrick, Wellington and Chickering conspired to violate plaintiff's civil rights. Defendant Flynn, who sent two officers to accompany plaintiff to his cell when he was going there voluntarily, conspired with defendants Pond and Fitzpatrick to isolate plaintiff in his cell and physically abuse him. Defendants Chickering and Wellington participated in the plan to deprive plaintiff his civil rights in that they conspired to cover up the actions of their fellow officers by removing the blood from the cell floor, by uprighting the bed which was used to restrain plaintiff, by intimidating plaintiff to not speak to others about the incident and by failing to provide him with medical care.

33. By their conspiratorial actions defendants deprived plaintiff of the following clearly established and well-settled federal constitutional rights established pursuant to the 8th and 14th Amendments of the United States Constitution:

- a. Freedom from intimidation and humiliation;
- b. Freedom from summary punishment and unauthorized punishment; and
- c. Freedom from cruel and unusual punishment.

34. By their conspiratorial actions defendants deprived plaintiff immediate and adequate medical attention after the plaintiff was severely beaten and injured. The defendants exhibited deliberate indifference to the plaintiff's serious medical needs.

35. As a direct and proximate result of the conspiratorial actions of the defendants, plaintiff was forced to endure great physical and mental pain and suffering and has sustained permanent physical and mental injuries.

COUNT FOUR (ASSAULT AND BATTERY)

36. The plaintiff repeats and realleges paragraphs 2 through 20 as if fully set forth herein.

37. Defendants Fitzpatrick and Pond committed the common law tort of assault and battery against plaintiff.

38. As a result thereof, the plaintiff was seriously and permanently injured, and suffered great pain and anguish of mind and body.

COUNT FIVE Intentional Infliction of Emotional Distress

39. The plaintiff repeats and realleges paragraphs 2 through 20 as if fully set forth herein.

40. Defendants committed the common law tort of intentional infliction of emotional distress by conspiring to assault and batter plaintiff, by severely beating the plaintiff, and by conspiring to deprive, and by depriving plaintiff medical care.

41. Said defendants actions were intentional, extreme, outrageous and beyond all bounds of decency that should be tolerated in a civilized community.

42. As a result thereof, the plaintiff suffered great emotional pain and anguish.

WHEREFORE, plaintiff respectfully prays that this Court:

1. Allow compensatory damages.

2. Allow punitive damages.
3. Allow attorney fees, costs and interest.
4. Grant such other relief as is necessary, appropriate, equitable or just.

PLAINTIFF HEREBY DEMANDS A TRIAL BY JURY.

Albert Lewin

By his attorneys,

Patricia Garin

Patricia Garin

BBO# 544770

Max D. Stern

BBO# 479560

Stern, Shapiro, Rosenfeld
& Weissberg

80 Boylston Street

Suite 910

Boston, MA 02116

(617) 542-0663

Dated: ~~April~~ ^{May} 13, 1991

Databases selected: Boston Globe

Suit accuses five jail guards of beating Lewin

Doris Sue Wong, GLOBE STAFF. Boston Globe (pre-1997 Fulltext). Boston, Mass.: May 14, 1991.

Abstract (Summary)

The lawyers said that [Richard Pond] stood on the bed while [Joseph Fitzpatrick] punched and kicked [Albert Lewin] repeatedly in the head, face and chest. [Richard Flynn] allegedly watched and did nothing to stop the attack, which the lawyers said left Lewin unable to move for hours, coughing up blood. Shortly after the beating, while Lewin was on the floor moaning, [Russell Chickering] allegedly entered the cell, cleaned some of the blood off the floor and left with the towel.

Full Text (356 words)

Copyright Boston Globe Newspaper May 14, 1991

A civil rights suit was filed yesterday against five Suffolk County Jail guards, alleging that they took part in or helped to cover up an unprovoked attack on Albert Lewin three years ago, when he was awaiting trial in the fatal shooting of a Boston police detective.

Filed in Suffolk Superior Court, the suit names Richard Flynn, a lieutenant at the Suffolk County Jail, and jail officers Joseph Fitzpatrick, Richard Pond, Russell Chickering and Victor Wellington as defendants.

Last fall, a jury in Greenfield acquitted Lewin of all charges, including murder, stemming from the Feb. 17, 1988, shooting of Detective Sherman Griffiths during a drug raid. Lewin has since been deported to Jamaica.

Lewin's suit alleges he was attacked in his cell in the old jail at Charles Street on May 14, 1988, the day that a memorial was being dedicated in Griffiths' honor.

Lewin's lawyers, Patricia Garin and Max Stern, state in the suit that on that day Flynn allegedly told Pond that Lewin was violating a rule -- adopted the previous morning -- prohibiting inmates from carrying towels during recreation period, and ordered Lewin to return his towel to his cell.

The lawyers alleged that Pond and Fitzpatrick, who accompanied Lewin to his cell, thwarted his attempts to place the towel into the cell through the bars. Fitzpatrick then allegedly grabbed Lewin's arm, pushed him inside, shoved him to the floor and then tipped the 200-pound steel bed on top of him.

The lawyers said that Pond stood on the bed while Fitzpatrick punched and kicked Lewin repeatedly in the head, face and chest. Flynn allegedly watched and did nothing to stop the attack, which the lawyers said left Lewin unable to move for hours, coughing up blood. Shortly after the beating, while Lewin was on the floor moaning, Chickering allegedly entered the cell, cleaned some of the blood off the floor and left with the towel.

The suit also charges that Lewin was denied medical care for two days after the beating.

Sheriff Robert Rufo suspended four guards for two months following the beating, but the sheriff's office has declined to identify the officers.

Indexing (document details)

Author(s): Doris Sue Wong, GLOBE STAFF
 Publication title: Boston Globe (pre-1997 Fulltext). Boston, Mass.: May 14, 1991.
 Source type: Newspaper
 ISSN: 07431791
 ProQuest document ID: 59198269
 Text Word Count: 356
 Document URL: <http://proquest.umi.com.ezproxy.bpl.org/pqdweb?did=59198269&sid=1&Fmt=3&clientId=140794&RQT=309&VName=PQD>

INTERROGATORIES

1. State your name, home address and telephone number, business addresses and telephone numbers, date of birth, social security number and badge or identification number.

1. Richard A. Pond, 24 Beers Avenue, Norwell, Massachusetts, 02061; 659-2417; 200 Nashua Street, Boston, Massachusetts, 02114; 725-4009, ext. 295; March 25, 1952; 017-42-7369; Badge # 102.

2. With regard to your employment at the Suffolk County Jail, state your monthly gross pay.

2. Approximately \$ 3,010. gross monthly.

3. Other than Suffolk County Jail, are you self-employed or employed by any other person, business or institution? If so, state the following for each: name of employer; address and telephone; your monthly gross pay.

3. No.

4. Do you own your own home? If so, state the following for that property: address; date the title was filed; type of title (e.g., joint tenancy, tenancy in common, tenancy by the entirety); any other name(s) on the title.

4. Yes, with my wife; Richard A. and Leslie M. Pond (tenancy by the entirety); March, 1988, at Plymouth County Registry of Deeds.

5. If you own any other residential real estate, other than that listed in #4 above, state the following for each: the address

of the property; the date the current title was filed; type of title (e.g., joint tenancy, tenancy by the entirety or tenancy in common); any other name(s) on the title.

5. None.

6. State the following for any piece of commercial real estate for which your name is on the title: the address of the property; the date the current title was filed; any other name(s) on the title.

6. None.

7. Do you own a motor vehicle, boat, or any other type of recreational motor vehicle? If so, state the following for each motor vehicle, boat, or other recreational vehicle: vehicle manufacturer and model; year of manufacture; vehicle registration number; vehicle identification number.

7. Yes; 1987 Oldsmobile Delta 88;
V.I.N.-1-G3HN5439HH320114

8. State the following for each bank account in your name, including but not limited to savings, checking, money market, certificate of deposit accounts: name of bank or savings institution; type of account; account number; any other name(s) on the account; amount in account.

8. South Boston Savings Bank, Account #345 643

9. If you have ever been complained against in your capacity as a prison guard at Suffolk County Jail, or have ever been subject to any civilian, internal or other charge, investigation or disciplinary action in that capacity, describe in detail each such complaint, charge, investigation or disciplinary action, including but not limited to: the nature and substance of the allegations raised and the circumstances giving rise to allegations; the names and addresses of all persons who brought such charges and complaints; the date any violations or misconduct is alleged to have taken place; the names and addresses of any person(s) or entity who ordered and administered any investigation of alleged violations; the dates any investigation began and ended and the findings of any investigation; a description of any disciplinary action taken or training or instruction recommended or received as a result of any charges, complaint or investigation and whether you completed such discipline, training or instruction.

9. Only this Albert Lewin matter.

(He is the only complainant; as to investigations, I have been asked questions which I assume were part of investigations, typically, was I on duty at (date, shift, area) and what did I see or do. At no time did these investigations lead to charges against me. I recall no further details.)

10. If you have ever been the named defendant in any civil suit, describe in detail each such complaint including but not limited to: the nature and substance of the allegations raised

[Handwritten: 91-3176]

and the circumstances giving rise to such allegation; the names and addresses of any and all persons who brought such complaints; the date any such incident is alleged to have taken place; the current status or outcome of each civil suit; the name of the plaintiff's attorneys; the court in which the case was brought and the docket number.

10. I was divorced; the case was originally filed at Suffolk County Probate Court but, after my wife moved, was decided by the Norfolk County Probate Court, and child support proceedings in about 1976.

11. If you have ever been arrested in connection with any criminal charges describe in detail each such arrest and charge including but not limited to: what criminal charges were brought against you; the date of each arrest; the court in which the charges were brought; the docket number of the case; the disposition of each case.

11. In about 1983 in Coconut Creek, Broward County, Florida, I was arrested but several charges, e.g., operating without license, assault and battery on police officer, etc., were all dismissed before trial.

In about 1985 in Norwood, Massachusetts, I was arrested and tried in Dedham District Court, where I pled guilty to perating under the influence, fined and participated in a program.

The above is true and accurate to the best of my knowledge, recollection and belief, in witness whereof, I hereby sign my name under the pains and penalties of perjury.

DATE: November 4, 1991

[Handwritten Signature]
Richard Pond

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS

SUPERIOR COURT
C.A. No. 91-3176-E.

ALBERT LEWIN,)
 Plaintiff)
 v.)
 JOSEPH FITZPATRICK, ET AL.,)
 Defendants and)
 Third-Party)
 Plaintiffs)
 v.)
 MAYOR RAYMOND FLYNN, ET AL.,)
 Third-Party)
 Defendants)

DEFENDANT OFFICERS' MOTION IN LIMINE - III

Now come the Defendant Officers and move that the Trial Judge exclude as inadmissible (and prohibit reference to or questions concerning) either:

- 1) Officer Richard Pond's status as former police officer, having been a police officer;
- 2) Officer Richard Flynn's BROTHER'S status as both a) a Boston police officer, b) at one time assigned to the narcotics squad on which also Sherman Griffiths served, among many other officers

for the reason that neither fact is relevant.

Respectfully submitted,

Wayne Soini

Wayne Soini
8 Beacon Street
Boston, MA 02108
Tel.: 367-6024

DA: SEPTEMBER 30, 1994

7/20/95: After hearing, allowed as to #1 and denied as to #2. J. M. Lamer, JSC

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION NO. 91-3176-E

ALBERT LEWIN,
Plaintiff

v.

JOSEPH FITZPATRICK, RICHARD POND,
RICHARD FLYNN, RUSSELL CHICKERING
AND VICTOR WELLINGTON,
Defendants and Third
Party Plaintiffs

v.

MAYOR RAYMOND FLYNN,
and BRUCE BOLLING, JAMES BYRNE,
MARIA HENNIGAN-CASEY,
CHRISTOPHER IANNELLA, JAMES
KELLEY, MICHAEL MCCORMICK, BRIAN
McLAUGHLIN, THOMAS MENINO, ALBERT
O'NEIL, DAVID SCONDRAS, ROSARIA
SALERNO, ROBERT TRAVAGLINI,
CHARLES YANCEY, as they together
constitute the City Council of
Boston acting in the capacity of
County Commissioners of Suffolk
County,
Third-Party Defendants

iii/15/94

*After review and hearing
motion to allow v. deposed Dep. is
allowed. Third party
of the Council, etc.*

Defendants to be included.

**PLAINTIFF'S MOTION FOR LEAVE TO TAKE PLAINTIFF'S
VIDEOTAPED DEPOSITION IN JAMAICA FOR USE AT TRIAL
AND
APPLICATION FOR FUNDS, PURSUANT TO M.G.L. c.261, §27A,
TO TRAVEL TO JAMAICA TO TAKE THE DEPOSITION**

Plaintiff hereby moves this Court, pursuant to Rule
30A(k)(1) of the Massachusetts Rules of Civil Procedure, for
leave to take an audiovisual deposition of plaintiff Albert Lewin
for use at trial.

Plaintiff further moves this Court, pursuant to G.L. c.261,

§27A, to authorize plaintiff's counsel to incur expenses in an amount not to exceed \$2,200.00 to cover the costs incurred when counsel travel to Jamaica to take plaintiff's deposition for use at trial. The requested authorization will cover the cost of round trip airfare, two nights' lodging and meals, and taxi service for plaintiff's counsel (Max D. Stern) and defense counsel (Wayne Soini).

In support of this motion, plaintiff states:

1. This action arises out of the beating of Albert Lewin by jail guards when he was incarcerated at the Suffolk County Jail at Charles Street ("Charles Street Jail") awaiting trial. On February 17, 1988, plaintiff was arrested and charged with the murder of Boston Police Officer Sherman Griffiths. He was placed at the Charles Street Jail to await trial. On May 14, 1988, defendants Fitzpatrick and Pond, two prison guards, entered plaintiff's cell. Defendant Fitzpatrick pushed Lewin onto the floor and tipped a heavy steel bed, weighing approximately two hundred pounds, on top of him. The fall of the bed resulted in plaintiff being pinned to the floor. While defendant Pond stood on top of the bed preventing plaintiff from moving, defendant Fitzpatrick punched and kicked plaintiff continuously in the head, face and chest. Defendants Flynn, Chickering and Wellington conspired to set up the beating and then to cover up the beating. The sheriff's department conducted their own investigation into the beating and concluded that Fitzpatrick did, in fact, beat plaintiff and that Pond did, in fact, observe

the beating from inside the cell. The sheriff suspended Fitzpatrick, Pond, Flynn and Chickering for five to fifteen days for their actions.

2. Plaintiff remained in the custody of the sheriff until October 25, 1990 when, after a four week long jury trial, he was found not guilty. Thereafter, plaintiff was deported from the United States to Jamaica since, at the time of his arrest on February 17, 1988, he was undocumented.

3. On May 13, 1991, plaintiff filed this action. The plaintiff seeks relief for violations of G.L. c.12, §11I and 42 U.S.C. §1983, and for the common law torts of assault and battery and intentional infliction of emotional distress. The action was originally brought against the five guards alleged to be involved in the beating. On June 25, 1991, defendants impleaded their public employer, the third party defendants, under G.L. c.258, §9, the Massachusetts Torts Claim Act. The third-party defendants' Motion to Dismiss the claim was denied by Judge Donovan on September 18, 1991. However, the third-party defendants Motion to Bifurcate was granted by Judge Flannery on October 6, 1994.

4. Because plaintiff was deported by the Immigration and Naturalization Service (INS) in October, 1990, he is not entitled to re-enter the United States until October, 1995 unless he obtains some form of waiver of these rules.

5. For the last ten months, plaintiff's counsel and immigration attorney Nancy Kelly have been working with the INS

and the Justice Department to obtain a non-immigrant visa from the Department of State or parole from the INS. To date, Mr. Lewin's application for a non-immigrant visa has been denied and his application for parole has been denied. Neither the Justice Department nor the State Department have provided any basis for their decisions.

6. The testimony of Albert Lewin is essential for a fair determination of the case. However, it appears that there remains no way to bring Albert Lewin into the United States for his trial short of suing the INS in Federal Court for arbitrarily denying Mr. Lewin access to the courts.

7. Plaintiff Lewin currently resides in Kingston, Jamaica. He is unemployed. He has two children. He is in the process of sending an Affidavit of Indigency to his counsel. Counsel will file the affidavit with the Court upon receipt.

8. G.L. c.261, §27C provides that "if the court makes a finding of indigency . . . it shall not deny any request with respect to extra fees and costs if it finds the document, service or object is reasonably necessary to assure the applicant as effective a . . . prosecution . . . as he would have if he were financially able to pay." The reasonableness standard "looks to whether a [litigant] who is able to pay and was paying the expenses [himself], would consider the 'document, service or object' sufficiently important that he would choose to obtain it in preparation for trial." Perez v. Bay State Ambulance & Hospital Rental Svc., Inc., 413 Mass. 670, 677 (1992), citing

Commonwealth v. Lockley, 381 Mass. 156, 160 (1980).

9. Plaintiff Albert Lewin is indigent, as defined by G.L. c. 261, §27A(b) and (c). His income after taxes is well below "one hundred twenty-five per cent or less of the current poverty threshold annually established by the Community Services Administration." He "is unable to pay the fees and costs of the proceeding in which he is involved, or is unable to do so without depriving himself . . . of the necessities of life, including food, shelter and clothing."

9. In light of these facts, plaintiff is requesting authorization to incur expenses in the amount of \$2,200.00 for counsel to travel from Boston to Jamaica to take Mr. Lewin's videotaped deposition for use at trial.

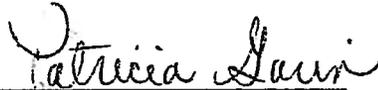
10. Airfare from Boston, Massachusetts, to Kingston, Jamaica for counsel for Albert Lewin, (Max D. Stern) and counsel for the guards (Wayne Soini) is \$554.00 each or \$1,108.00. This price is subject to change depending on the dates of travel.

11. The costs of food, lodging, transportation to and from the airport, and to and from the attorney's office in Kingston, for two days for Mr. Stern and Mr. Soini will be approximately \$800.00 to \$1,000.00. This figure is based on an estimate of \$150.00 per night for a hotel room (for a total of \$600.00 for two nights each for two attorneys) and \$200.00 to \$400.00 for meals, taxis and any other miscellaneous expenses for two days.

WHEREFORE, plaintiff requests that this Court, in the interests of justice, grant plaintiff leave to take his

audiovisual deposition in Jamaica and authorize plaintiff's counsel to incur up to \$2,200.00 in costs for air fare and two days' food and lodging for plaintiff's and defendants' attorneys in order that they may take plaintiff's videotaped deposition in Jamaica.

Respectfully submitted,



Max D. Stern
BBO #479560
Patricia Garin
BBO #544770
STERN, SHAPIRO, WEISSBERG
& GARIN
80 Boylston Street
Suite 910
Boston, MA 02116
(617) 542-0663

Dated: November 15, 1994

G:\LEWIN\FEES.APP



AFSCME Council 93

American Federation of State, County and Municipal Employees
8 Beacon Street, Boston, MA 02108 367-6000

April 10, 1995

Hon. Peter Lauriat
Associate Justice
Superior Court
Suffolk County
Boston, MA

Joseph Bonavita
Executive Director

Herbert Ollivierre
President

Joseph Lydon
Executive
Vice President

Natalie Baker
Recording
Secretary

James Donovan
Treasurer

John Gordon
Sgt. at Arms

RE: Lewin v. Fitzpatrick, et al. v. Mayor Flynn, et al.,
C.A. No. 91-03176

Dear Judge Lauriat:

I am in Fall River today and Tuesday, but I will have this hand-delivered and faxed to Attorneys Stern and Sallant simultaneously.

It does not appear to me that next week will be appropriate for trial of the above-noted case.

I still have no written transcript of Mr. Lewin's deposition and, correspondingly, a basis for seeking Your Honor's consideration of objections.

Further, as indicated in the supplemental motion I have drafted now having seen and heard the videotape, I find the cross-examination portion difficult to hear and, in spots, inaudible. The direct-examination was better. Apparently, the placement of the microphone caused this; perhaps it was another factor or factors. I do not accuse Attorney Stern of intentionally reducing my voice, or amplifying his. It is only that the result of this home-made process by his agent is this.

Counsel have not met since Jamaica, although I offered three dates this past week. One thing we have to do relates to making legible medical records or notes presently not legible or which are unintelligible abbreviations.

The Court has, I believe, motions in limine pending and not acted on including expert or opinion testimony areas, which are significant in at least my own view of fair trial.

Of my five clients, I have heard from three; one is out of state but may be able to return to Boston next week, if there is a trial. Of the other two, each has chronic physical problems and, I understand, they may be out on sick- or injury-leave. I am seeking they get back to me, but I have yet to hear.

Delivered 4.10.95
at 12 noon.
AM

Thank Your Honor for his attention to this unusual situation.

Very truly yours,

Wayne Soini

Wayne Soini

8 Beacon Street

Boston, MA 02108

cc: Augustus J. Camelio, General Counsel
Max Stern, Esquire
Kim Saillant, Esquire

ORIGINAL

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT
CIVIL ACTION
NO. 91-3176-E

ALBERT LEWIN

vs.

JOSEPH FITZPATRICK, RICHARD POND
and RICHARD FLYNN

SPECIAL JURY VERDICT

I. Assault and Battery

1. Did defendant Joseph Fitzpatrick or defendant Richard Pond, acting alone or in concert with the other, commit an assault and battery upon on plaintiff Albert Lewin on May 14, 1988?

Joseph Fitzpatrick	<u> ✓ </u>	YES	<u> </u>	NO
Richard Pond	<u> ✓ </u>	YES	<u> </u>	NO

II. Violation of Constitutional Rights

Joseph Fitzpatrick

2. Did defendant Joseph Fitzpatrick deprive plaintiff Albert Lewin of a right guaranteed by the State or Federal Constitutions by subjecting him to summary punishment or to excessive force, either by actively taking part in the unconstitutional activity or by lending aid or encouragement to the wrongdoer?

 ✓ YES NO

Richard Pond

3. Did defendant Richard Pond deprive plaintiff Albert Lewin of a right guaranteed by the State or Federal Constitutions by subjecting him to summary punishment or to excessive force, either by actively taking part in the unconstitutional activity or by lending aid or encouragement to the wrongdoer?

YES NO

If your answer to Question 3 is "YES," please answer Question 5. If your answer to Question 3 is "NO" but your answer to Question 2 is "YES", please answer question 4.

4. Did defendant Richard Pond deprive plaintiff Albert Lewin of a right guaranteed by the State or Federal Constitutions by subjecting him to summary punishment or to excessive force, by being present at the scene of the constitutional violation and failing to take reasonable steps to protect Albert Lewin from another jail officer's infliction of summary punishment or use of excessive force upon Albert Lewin?

YES NO

Richard Flynn

5. Did defendant Richard Flynn deprive plaintiff Albert Lewin of a right guaranteed by the State or Federal Constitutions by subjecting him to summary punishment or to excessive force, either by actively taking part in the unconstitutional activity or by lending aid or encouragement to the wrongdoer?

YES NO

If your answer to Question 5 is "YES," please answer Question 8. If your answer to Question 5 is "NO" but your answer to Question 2 and/or Question 3 is "YES", please answer question 6.

6. Did defendant Richard Flynn deprive plaintiff Albert Lewin of a right guaranteed by the State or Federal Constitutions by subjecting him to summary punishment or to excessive force, by being present at the scene of the constitutional violation and failing to take reasonable steps to protect Albert Lewin from another jail officer's infliction of summary punishment or use of excessive force upon Albert Lewin?

_____ YES _____ NO

If your answer to Question 6 is "YES," please answer Question 8. If your answer to Question 6 is "NO" but your answer to Question 2 and/or Question 3 is "YES", please answer Question 7.

7. Did defendant Richard Flynn, in his role as supervisor of defendants Fitzpatrick and Pond, deprive plaintiff Albert Lewin of a right guaranteed by the State or Federal Constitutions by subjecting Albert Lewin to summary punishment or to excessive force, by being recklessly or callously indifferent to the constitutional rights of Albert Lewin?

_____ YES _____ NO

III. Intentional Infliction of Emotional Distress

8. Did any defendant, acting alone or in concert with one or both of the other defendants, intentionally cause the plaintiff Albert Lewin to suffer emotional distress?

Joseph Fitzpatrick	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
Richard Pond	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO
Richard Flynn	<input checked="" type="checkbox"/>	YES	<input type="checkbox"/>	NO

If your answer to either part of Question 1 is "YES", and/or if your answer to Question 2 and/or Question 3 is "YES", and/or your answer to Questions 4, 5, 6, or 7 is "YES", and/or if your answer to any part of Question 8 is "YES", please answer Question 9. Otherwise, stop here, sign the Special Jury Verdict slip, and return to the courtroom.

IV. DAMAGES

Compensatory Damages

9. Please state, in words and numbers, the amount of money that you find will fairly and reasonably compensate the plaintiff Albert Lewin for the injuries he suffered on account of defendant(s)' conduct.

One hundred fifty thousand Dollars
Amount in Words

\$ 150,000.00
Amount in Numbers

If you answer to Question 2 and/or Question 3 is "YES", and/or your answer to Questions 4, 5, 6, or 7 is "YES", please answer Question 10. Otherwise, stop here, sign the Special Jury Verdict slip, and return to the courtroom.

Punitive Damages

10. Do you award punitive damages against the defendants:

Joseph Fitzpatrick ✓ YES NO
[Only if your answer to Question 2 was "YES"]

Richard Pond ✓ YES NO
[Only if your answer to Question 3 or Question 4 was "YES"]

Richard Flynn ✓ YES NO
[Only if your answer to Question 5, Question 6 or Question 7 was "YES"]

If your answer to any part of Question 10 is "YES", please answer Question 11. If your answer to all parts of Question 10 is "NO", stop here, sign the Special Jury Verdict slip, and return to the courtroom.

11. Please state, in words and numbers, the amount of punitive damages that you award against each of the defendants as to whom you answer to Question 10 was "YES".

Joseph Fitzpatrick

Twenty five thousand dollars
Amount in Words

\$ 25,000
Amount in Numbers

Richard Pond

Twenty five thousand dollars
Amount in Words

\$ 25,000
Amount in Numbers

Richard Flynn

Twenty five thousand dollars
Amount in Words

\$ 25,000
Amount in Numbers

I CERTIFY THAT EACH OF THE QUESTIONS ANSWERED ABOVE WAS ANSWERED BY AT LEAST 11 OF THE JURORS.

Date: 4/27/95

Andrea Brizuela
Foreperson

Databases selected: Boston Globe

Man cleared of killing officer wins suit Lewin, beaten in jail, is awarded \$225,000; [City Edition]

John Ellement, Globe Staff. Boston Globe (pre-1997 Fulltext). Boston, Mass.: Apr 28, 1995. pg. 21

Abstract (Summary)

Albert Lewin, acquitted of murdering Boston Police Detective Sherman Griffiths amid evidence of police misconduct in the case, was awarded \$225,000 yesterday after a Suffolk Superior Court jury found that three guards at the Charles Street Jail beat him while he was awaiting trial in 1988.

A jury in 1990 found Lewin not guilty of murdering Griffiths after two Boston police officers were charged with perjury in the case and key evidence was suppressed because it was obtained illegally.

Lewin charged in a civil lawsuit that he was beaten by three Suffolk County sheriff's guards at the jail on May 14, 1988, the same day a memorial was being erected in Griffiths' honor.

Full Text (724 words)

Copyright Boston Globe Newspaper Apr 28, 1995

Albert Lewin, acquitted of murdering Boston Police Detective Sherman Griffiths amid evidence of police misconduct in the case, was awarded \$225,000 yesterday after a Suffolk Superior Court jury found that three guards at the Charles Street Jail beat him while he was awaiting trial in 1988.

A jury in 1990 found Lewin not guilty of murdering Griffiths after two Boston police officers were charged with perjury in the case and key evidence was suppressed because it was obtained illegally.

Lewin charged in a civil lawsuit that he was beaten by three Suffolk County sheriff's guards at the jail on May 14, 1988, the same day a memorial was being erected in Griffiths' honor.

The still-raw emotions surrounding the Griffiths case were evident yesterday when officers learned of the jury's award.

"This is extreme when I say this, but this clearly sends a message to policemen that if you kill a cop you can get a quarter of a million dollars for it," said Tommy Montgomery, president of the Boston Police Detectives Benevolent Society. "That might sound extreme, but that's the reality of what cops might think. It's the reality of what a lot of families whose spouses are cops might think."

Patricia Garin, one of Lewin's attorneys during the murder trial and in the civil lawsuit, responded with equal fire.

"No one, no one, guilty or innocent, should have to be in fear of being beaten by guards while they are in jail awaiting trial and are presumptively innocent," she said. "Guards cannot take the law into their own hands and punish people. Al Lewin was innocent, but that's not what was before this jury."

The verdict raises a political question for Mayor Menino, who must decide whether to step in and have the city pay the \$150,000 in compensatory damages awarded by the jury. With interest the award jumps to \$222,000.

The guards would still each have to pay \$25,000 in punitive damages awarded by the jury, since state law prohibits the city from paying punitive damages. With interest, the individual punitive damage awards increase to \$37,000.

The three guards are Lt. Richard Flynn, Lt. Richard Pond and Jail Officer Joseph Fitzpatrick. Pond and Flynn declined comment yesterday after the verdict. Wayne Soini, the attorney for the three men, said a decision on whether to appeal will depend on what the Menino administration does.

The jury concluded that Fitzpatrick and Pond followed Lewin back to his cell and beat him while Flynn stood by. They also found the three had violated Lewin's civil rights by using "excessive force" and inflicted "summary punishment" on Lewin before trial, in violation of his civil rights.

Lewin did not testify in person but did appear via videotaped testimony. Lewin said he had a bed pushed on top of him while being punched and kicked in the face. He said he tried to protect himself by shielding his eyes with a Bible. Lewin suffered bruises to his face and body, but no broken bones.

Suffolk County Sheriff Robert C. Rufo conducted an internal investigation and the findings were forwarded to the attorney general's office, which found there was insufficient evidence to file criminal charges. Rufo suspended the three for periods ranging from 15 to 30 days for failing to write a report that Lewin, as they claimed, was an uncooperative prisoner that day.

The city may be liable because in Boston, city and county government are one and the same. Albert Wallis, chief corporation counsel for the city, said the verdict will be reviewed before any decision is made.

Gerard Lydon, spokesman for Rufo, said the sheriff would not comment on what the city should do. "They do work for us, but it is a matter of litigation between the union and the city and we're not going to comment on it," Lydon said.

Montgomery said the city should pay. "First of all, I don't think the officers should have been found liable for any allegations Al Lewin made," Montgomery said. "But if a jury made this decision, then I do think that the city should indemnify the officers."

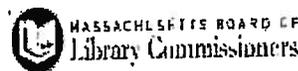
Garin said the city kept the men on the payroll after the beating and should stand by its employees now and pay the damages.

Lewin was deported to Jamaica following his acquittal because he was in the country illegally.

Indexing (document details)

Author(s): John Ellement, Globe Staff
 Section: METRO/REGION
 Publication title: Boston Globe (pre-1997 Fulltext). Boston, Mass.: Apr 28, 1995. pg. 21
 Source type: Newspaper
 ISSN: 07431791
 ProQuest document ID: 21584516
 Text Word Count 724
 Document URL: <http://proquest.umi.com.ezproxy.bpl.org/pqdweb?did=21584516&sid=2&Fmt=3&clientId=140794&RQT=309&VName=PQD>

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COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss.

SUPERIOR COURT DEPARTMENT
OF THE TRIAL COURT
CIVIL ACTION NO. 91-3176-E

12/10/95
Deliberated & Approved
[Signature]

ALBERT LEWIN,
Plaintiff

v.

JOSEPH FITZPATRICK, RICHARD POND,
and RICHARD FLYNN,

Defendants and Third
Party Plaintiffs

v.

MAYOR RAYMOND FLYNN,
and BRUCE BOLLING, JAMES BYRNE,
MARIA HENNIGAN-CASEY,
CHRISTOPHER IANNELLA, JAMES
KELLEY, MICHAEL McCORMICK, BRIAN
McLAUGHLIN, THOMAS MENINO, ALBERT
O'NEIL, DAVID SCONDRAS, ROSARIA
SALERNO, ROBERT TRAVAGLINI,
CHARLES YANCEY, as they together
constitute the City Council of
Boston acting in the capacity of
County Commissioners of Suffolk
County,
Third-Party Defendants

AGREEMENT FOR JUDGMENT

File sent
2/30/95
S
IDS
0046
F.C.
S.
U.W.
K.
16.

The plaintiff, Albert Lewin, and the defendants, Joseph Fitzpatrick, Richard Pond, and Richard Flynn, hereby represent and agree as follows:

1. This case was tried in April, 1995, resulting in a verdict for plaintiff against the defendants for compensatory damages in the amount of \$150,000 and punitive damages in the amount of \$25,000 against each defendant.

JUDGMENT ENTERED ON DOCKET Oct. 20, 1995

PURSUANT TO THE PROVISIONS OF MASS.R.CIV.P. 68B AS AMENDED AND NOTICE SENT TO PARTIES PURSUANT TO THE PROVISIONS OF MASS.R.CIV.P. 77(d) AS FOLLOWS:

2. Thereafter, the defendants filed a timely Motion to Set Aside the Verdict and For a New Trial, challenging the verdict as to both liability and damages.

3. Both the plaintiff and the defendants now desire to settle and compromise this dispute and thereby terminate the litigation as between them and have, accordingly, agreed upon entry of judgment, as set forth below. In agreeing to the entry of judgment, the defendants do not admit their culpability, but they do waive their motion for new trial and all rights of appeal.

4. Judgment may be entered as follows:

Judgment for plaintiff against defendants Fitzpatrick, Pond and Flynn for the application of excessive force, on Counts One, Two and Four in the amount of One Hundred Fifty Thousand Dollars (\$150,000), with statutory interest and attorney fees to be determined by the Court, and dismissing all other claims with prejudice.

For the Plaintiff,

For the Defendants,

Max D. Stern

Max D. Stern
BBO No. 479560
STERN, SHAPIRO, WEISSBERG
& GARIN
90 Canal Street
Boston, MA 02114-2022
(617) 742-5800

Wayne Soini

Wayne Soini
General Counsel's office
AFSCME Council 93
8 Beacon Street
Boston, MA 02108
(617) 734-4965

Dated: Oct. ~~11~~ 10, 1995.

K:\LEWIN\AGREEJUD

RICHARD ALLAN POND

(DOB: March 25, 1952)

POST RETIREMENT RECORDS

**BOSTON RETIREMENT BOARD LETTER
ABSENCE AND RETIREMENT NOTICE
COMPLAINT FOR DIVORCE FROM POND'S SECOND WIFE, LESLIE
LETTER FROM TODD & WELD, LLP
CIVIL COMPLAINT POND v. SUFFOLK COUNTY SHERIFF'S DEPT.
DEFENDANT'S STATEMENT OF FACTS
DEFENDANT'S OPPOSITION TO PLAINTIFF'S MOTION FOR
SUMMARY JUDGMENT
POND'S O.C.P.F. EXPENDITURES TO VERIZON WIRELESS
BOSTON HERALD'S BOSTON PENSION REPORT**

Records date from December 21, 2001 through December 24, 2008

Sources:

**Suffolk County Sheriff's Department
Suffolk County Superior Court
Plymouth County Probate & Family Court
Massachusetts Office of Campaign and Political Finance
The Boston Herald Website**

Total Pages: 31



BOSTON RETIREMENT BOARD

Boston City Hall, Room 816
Boston, Massachusetts 02201
(617) 635-4305
(617) 635-4318 - Fax

Executive Officer
Donna M. Mueller

December 21, 2001

Sheriff Richard Rouse
Suffolk County Sheriff
20 Bradston Street
Boston, MA 02118

Board Members

Lawrence R. Curran, Chairman
Sally D. Giora
Edward A. Welch
John J. Perkins

Re: Richard Pond, Lieutenant
SS: 017-42-7369

Dear Sheriff Rouse:

Please be advised that the application of the above-named employee for Accidental Disability Retirement Benefits under the provisions of Section 7-, Chapter 32 of the Massachusetts General Laws has received final approval by the Public Employee Retirement Administration Commission.

Therefore, Mr. Richard Pond's Retirement becomes effective as of the close of business on January 15, 1999.

Sincerely yours;

Michael F. Collins
Supervisor of the Disability
And Survivors Benefits Unit

~~MFC~~/MS

cc: Payroll
Personnel



**CITY OF BOSTON
SUFFOLK COUNTY
ABSENCE AND TERMINATION NOTICE**

Employee's Name RICHARD POND Dept. 811000
 Address 4 DAMON ROAD City HANOVER State MA Zip Code 02339
 Employee ID # 050638 Social Security # _____ Job Title LIEUTENANT
 Status: Permanent Provisional Full Time Part Time Temp Other _____
 Veteran Status Non - Veteran Veteran Disabled Veteran Vietnam Vet. Active Reserve
 Employed From 5-14-1986 to 1-15-1999 (last day worked) plus 1 day 1-16-1999 Last day on payroll 1-15-1999
 Last Medical Insurance Deduction Date _____ Last Optional Insurance Deduction Date _____
 Leave Plan: Sick _____ Vacation _____ Personal Leave _____ General Deductions Additional Pay (LIST) _____

Choose the appropriate section and answer all applicable questions within that section.

LEAVE OF ABSENCE

Reason: _____
 Duration: _____
 Appropriate documentation obtained? Yes No
 Was Leave of Absence requested but denied? Yes No
 Reason for denial: _____
 Was other suitable employment made available? Yes No

VOLUNTARY SEPARATION

Attached signed resignation or other appropriate documentation
 Reason Given for Separation. Refer to On - Line Library and enter appropriate code.
 _____ Resigned (If Police or Fire Department, state whether or not charges are pending) _____
 _____ Resigned to accept another position in city/county service _____
 _____ Resigned to accept another position outside city/county service _____
 _____ Resigned - illness - Was medical evidence submitted? Yes No
 _____ Did employer offer alternative position? Yes No
 Retired - Did health reasons cause retirement? Yes No
 _____ Was medical evidence submitted? Yes No
 _____ Did employer offer alternative position? Yes No
 _____ Personal - Not attributed to the City of Boston
 _____ Permanent Separation - Unauthorized Absence S. 38
 _____ Terminated - Did not return to work following approved Leave of Absence S. 37
 _____ Other - Please specify: _____

INVOLUNTARY SEPARATION

Attach appropriate documentation to support Involuntary Separation, including termination and warning letters where applicable.
 Reason for Involuntary Separation. Refer to On - Line Library and enter appropriate code.
 _____ Compulsory Retirement _____ Terminated during probationary period S .34
 _____ Death _____ *† Position abolished S .41 S .39
 _____ * Suspended for cause S .41 _____ *† Layoff - Lack of Work/Money S .41 S .39
 _____ * Discharged for cause S .41 _____ Expiration of Temporary or Provisional Employment or Temporary transfer
 _____ Injury - Is employee receiving Worker's Compensation? Yes No
 _____ Other - Please Specify: _____
 Was the proper discipline and discharge procedure followed? Yes No
 COBRA option offered at 102% of premiums paid on a monthly basis? Yes No

† This action is in accordance with seniority in service.
 *Thereby certified that the provision of G.L., C.31, S.43 have been complied with in the case of this employee.
 This form to be signed at exit interview
 Supervisor's Signature _____ Date 1-4-2002
 Appointing Authority Signature _____ Employee Signature _____ Date _____

Commonwealth of Massachusetts
The Trial Court
Probate and Family Court Department

Plymouth Division

Docket No. 96D1436-DV1

Complaint For Divorce

Leslie Ann Pond, Plaintiff

v.

Richard A. Pond, Defendant

1. Plaintiff, who resides at 24 Beers Avenue, Norwell, Plymouth, MA 02061
(Street and No) (City or Town) (County) (State) (Zip)
was lawfully married to the defendant who now resides at 24 Beers Avenue
(Street and No.)
Norwell, Plymouth, MA 02061
(City or Town) (County) (State) (Zip)

2. The parties were married at Barnstable on June 4, 1989
and last lived together at Norwell on presently living together

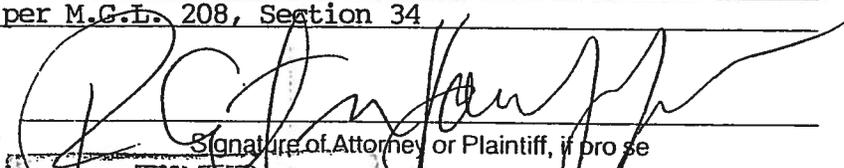
3. The minor child ren of this marriage, and date(s) of birth is/are:
Richard Archibald 11/2/92
Gerris James 11/2/92

4. Plaintiff certifies that no previous action for divorce, annulling or affirming marriage, separate support, desertion, living apart for justifiable cause, or custody of child _____ has been brought by either party against the other except: None

5. On or about July 4, 19 96, the defendant was guilty of cruel and abusive treatment on this date and other divers dates and times and the marriage suffered an irretrievable breakdown, which continues to exist.

6. Wherefore, plaintiff requests that the Court:
 grant a divorce for plaintiff per 208 Sec. 1 or 1B
 prohibit defendant from imposing any restraint on plaintiff's personal liberty
 grant ~~her~~ custody of the above-named child ren
 order a suitable amount for support of the plaintiff and said minor child ren
 ~~order conveyance of the real estate located at _____~~
~~_____~~
~~_____~~
~~_____~~
Registry of Deeds, Book _____ Page _____
 allow plaintiff to resume her former name of _____
 order division of assets per M.G.L. 208, Section 34

Date July 31, 1996



Signature of Attorney or Plaintiff, if pro se
Print name and address R. Christian Hauffler, Jr.
22 Washington Street, Norwell, MA 02061
Tel. No. (617) 871-3800 B.B.O. # 225860
PROBATE & FAMILY COURT
PLYMOUTH DIVISION

EXHIBIT 'V'
page 52

DOCKET # 96D1436
DVI

The Commonwealth of Massachusetts
DEPARTMENT OF PUBLIC HEALTH
REGISTRY OF VITAL RECORDS AND STATISTICS
CERTIFICATE OF ABSOLUTE
DIVORCE OR ANNULMENT
(Chap. 208, Sec. 46 G.L.)
R-408

HUSBAND

WIFE

JUDGMENT

HUSBAND - NAME		FIRST	MIDDLE	LAST	
		Richard	Allan	Pond	
USUAL RESIDENCE - STREET ADDRESS			CITY, TOWN OR LOCATION		
2a. 24 Beers Avenue			2b. Norwell		
COUNTY	STATE	DATE OF BIRTH (Mo., Day, Yr.)	NUMBER OF THIS MARRIAGE (1st, 2nd, Specify)		
2c. Plymouth	2d. MA	3. 3/25/52	4. 2nd		
WIFE - NAME		FIRST	MIDDLE	LAST	Maiden Name
		Leslie	Ann	Pond	5b. MacIsaac
USUAL RESIDENCE - STREET ADDRESS			CITY, TOWN OR LOCATION		
6a. 24 Beers Avenue			6b. Norwell		
COUNTY	STATE	DATE OF BIRTH (Mo., Day, Yr.)	NUMBER OF THIS MARRIAGE (1st, 2nd, Specify)		
6c. Plymouth	6d. MA	7. 5/24/52	8. 1st		
DATE OF THIS MARRIAGE (Mo., Day, Yr.)	NUMBER OF CHILDREN BORN ALIVE OF THIS MARRIAGE		NUMBER OF CHILDREN UNDER AGE 18 IN THIS FAMILY		
9. 6/2/89	10a. 2		10b. 2		

FOR COURT USE ONLY			
COUNTY OF JUDGMENT		TITLE OF COURT	
11.		11b.	
DATE OF JUDGMENT nisi (Mo., Day, Yr.)		TYPE OF JUDGMENT - DIVORCE OR ANNULMENT (Specify)	DATE OF JUDGMENT ABSOLUTE (Mo., Day, Yr.)
12.		13.	14.
DOCKET NUMBER	NAME OF PLAINTIFF	CAUSE FOR WHICH GRANTED	
15.	16.	17.	
SIGNATURE OF CERTIFYING OFFICIAL		TITLE OF OFFICIAL	
18a.		18b.	

TODD & WELD LLP

ATTORNEYS AT LAW
28 STATE STREET
BOSTON, MASSACHUSETTS 02109

WENDI L. BOYDEN
Email: wboyden@toddweld.com

TELEPHONE: (617) 720-2626
FACSIMILE: (617) 227-5777
www.toddweld.com

March 26, 2003

VIA FACSIMILE – (617) 989-6755
And REGULAR MAIL

Ann P. Powers, Esq.
General Counsel
Suffolk County Sheriff's Department
200 Nashua Street
Boston, MA 02114-1105

Re: Richard Pond

Dear Attorney Powers:

This office represents Richard Pond in connection with his entitlement to benefits under M.G.L. Chapter 126, Section 18A (hereinafter "assault benefits") and M.G.L. Chapter 32, Section 7 (hereinafter "retirement benefits"). I am writing to inform you that the Suffolk County Sheriff's Department (hereinafter the "Department") has consistently refused and/or failed to pay Mr. Pond's assault benefits on a weekly basis as required under Section 18A, for nearly three (3) years. Mr. Pond's numerous requests to the Department to make these weekly payments have been ignored. In addition, the Department has, for years, wrongfully withheld federal and state taxes from both Mr. Pond's retirement and assault benefits, which are non-taxable.

Mr. Pond worked for the Department for over 20 years as a corrections officer. In 1997, Mr. Pond was physically assaulted by an inmate, and became eligible to receive assault benefits, in addition to workers' compensation benefits. The Department began making these payments weekly to Mr. Pond, however withholding federal and state taxes from these payments.

In 2000, Mr. Pond became eligible for and began receiving retirement benefits pursuant to M.G.L. Chapter 32, Section 7. Since that time, the Department has stopped paying Mr. Pond his assault benefits on a weekly basis. Mr. Pond has often gone several months without receiving a check, then receiving a cumulative lump sum payment only after complaining to the Department that he had not been paid. In fact, Mr. Pond has had to call the Department every month to request that he be paid. Moreover, each year the Department has wrongfully withheld federal and state income tax from Mr. Pond's retirement and assault benefits, despite the fact that these benefits are *not* subject to federal and state taxation. Although Mr. Pond receives a tax refund the following year in the amount of the taxes withheld, the Department receives the interest earned on these amounts, which rightfully belongs to Mr. Pond.

Since 1997, the Department has also consistently and egregiously miscalculated the amount in assault benefits payable to Mr. Pond, resulting in Mr. Pond not receiving his full benefits. I understand that this is not just an issue for Mr. Pond, but for other individuals receiving these weekly benefits from the Department, who did not, in the end, receive the correct amounts without a fight.

In August 2001, J. Owen Todd, Esq. from this office contacted the Department on Mr. Pond's behalf to direct that Mr. Pond be paid his assault benefits, which the Department had failed to pay for several months, and to request that the Department make all future payments correctly and on a weekly basis. Although the Department promptly made full payment to Mr. Pond immediately following Attorney Todd's telephone call, the Department still continued to fail to make weekly payments of assault benefits to Mr. Pond.

Department personnel has informed Mr. Pond that check requests for his assault benefits are entered into the system each week, but then are mysteriously removed. We have reason to believe that the unexplained and consistent removal of these check requests is politically motivated, and done intentionally to harass Mr. Pond.¹ As you are aware, it is political and financial issues similar to these that prompted Governor Swift to appoint an independent commission (on which J. Owen Todd, Esq. served) to review the Department's operations in late 2001. These issues were supposed to be remedied by the appointment of Sheriff Cabral and her staff. These issues remain unabated as to Mr. Pond and other individuals who are entitled to weekly benefit payments.

As of the current date, the Department is over four (4) weeks in arrears on its assault benefits to Mr. Pond. As I am sure you know, Mr. Pond has a claim against the Department for each and every violation of its weekly payment obligation, regardless of whether these payments were ultimately made. Mr. Pond is also deeply disturbed to have had to endure this treatment for years and for ultimately being forced to seek legal counsel in order to get the Department to comply with the law.

Nonetheless, Mr. Pond would like to resolve this issue amicably. Therefore, we request that the Department:

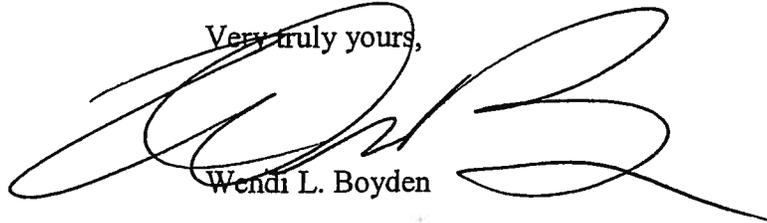
1. pay Mr. Pond the amount of assault benefits that are in arrears;
2. pay Mr. Pond his assault benefits on a weekly basis;
3. refrain from withholding federal and state taxes on Mr. Pond's weekly retirement and assault benefits;
4. reimburse Mr. Pond for the legal fees he has incurred to seek the its compliance with the law to pay his assault benefits on a weekly basis; and

¹ Further evidence of the Department's animus toward Mr. Pond is its refusal and/or failure to pay Mr. Pond the proceeds from the settlement of his workers' compensation matter in November/December 2002. The Department was supposed to issue Mr. Pond the agreed upon settlement of approximately \$6,000.00 on or before Christmas 2002. It is now three (3) months later, and Mr. Pond has yet to receive a check. On that front, Mr. Pond has also had to incur attorney's fees, further depleting the amount he will net from the settlement proceeds.

5. pay Mr. Pond the interest accrued on the amounts it withheld for federal and state taxes since 1997.

These requests are more than reasonable. If the Department continues to violate its weekly payment obligation and withhold federal and state taxes from his retirement and assault benefits, we will have no choice but to seek immediate court intervention. Please call me upon receipt of this letter so that we may discuss these issues.

Very truly yours,

A large, stylized handwritten signature in black ink, consisting of several loops and flourishes, positioned over the typed name.

Wendi L. Boyden

WLB:clb

cc: J. Owen Todd
Richard Pond
Suffolk County Sheriff Andrea J. Cabral

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK. SS

SUPERIOR COURT
CIVIL ACTION
DOCKET NO.

03-4137-C

RICHARD A. POND
PLAINTIFF(S) (PRINT NAME CLEARLY)

VS.

COMPLAINT

SUFFOLK COUNTY SHERIFFS DEPT
DEFENDANTS (PRINT NAME CLEARLY)

PARTIES

1. Plaintiff (s) reside(s) at 4 DAMON RD HANOVER, MA
Street City or Town
in the County of PLYMOUTH

2. Defendant(s) reside(s) at 20 BRADSTON ST ROXBURY, MA
in the County of SUFFOLK

FACTS

3. THE SHERIFFS DEPT HELD WEEKLY PAY FROM ME
FOR UP TO (EIGHT) 8 OR (NINE) 9 MONTHS AT A
TIME FOR 6 (SIX) YEARS CAUSING ME TO HIRE
A LAWYER TO GET MY CHECKS WEEKLY. THIS DID
NOT GO TO COURT BECAUSE THE SHERIFFS DEPT PAID
ME BECAUSE THERE HOLDING BACK PAY WAS ILLEGE.
THIS AGREEMENT WAS MADE WITH THE SHERIFFS

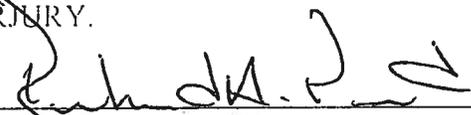
over

DEPT ALSO PAYING MY ATTMYS FEE. THEY HAVE NOT PAID THE ATTMYS FEE,

WHEREFORE, plaintiff demands that: THE SUFFOLK COUNTY SHERIFFS DEPT PAY ME 3,824.53 IN ATTMYS FEE. AND TO CONTINUE TO PAY CHAPTER 880 WEEKLY.

SIGNED UNDER THE PENALTIES OF PERJURY.

DATE 8-22-03


Signature of Plaintiff(s)

Y DAMON RD
Street address

HANOVER, MA
City/town

781-982-8846
Telephone

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 03-4137-C

SUFFOLK SUPERIOR COURT
CIVIL CLERK'S OFFICE

2004 FEB 20 P 12:33

MICHAEL JOSEPH DONOVAN
CLERK/MAGISTRATE

_____)
RICHARD A. POND,)
Plaintiff)
)
v.)
)
SUFFOLK COUNTY SHERIFF'S)
DEPARTMENT,)
Defendant)
_____)

**DEFENDANT'S CONCISE STATEMENT OF FACTS IN OPPOSITION TO
PLAINTIFF'S "STATEMENT OF RELEVANT FACTS"**

Pursuant to Rule 9A(b)(5) of the Superior Court Rules, Defendant states that the Plaintiff's Motion for Summary Judgment does not include a "concise statement, in consecutive numbered paragraphs, of the material facts as to which the moving party contends there is no genuine issue to be tried." As such his Motion for Summary Judgment should be denied.¹ To the extent that the Court considers the Plaintiff's Statement of Relevant Facts contained within the body of his Motion for Summary Judgment a statement of undisputed facts for purposes of Rule 9A(b) (5), the Defendant submits its Concise Statement of Facts in Opposition to those of the Plaintiff. For the Court's convenience, reproduced below is the Plaintiff's Statement of Relevant Facts that the Defendant has numbered. Following each numbered paragraph, and set forth in bold

¹ Plaintiff's Motion for Summary Judgment also fails to contain a statement of the legal elements for each claim upon which he seeks summary judgment as required by Super.Ct.R.9A(b)(5). Although Plaintiff has filed his Motion for Summary Judgment pro se, the Rules of Civil Procedure bind a pro se litigant as they bind all other litigants. Mary MMoe v. Commonwealth et al., 393 Mass. 617, 620 (1985).

type, are the Defendant's responses and Statements of Fact in Opposition to each fact asserted by Defendant. Further by way of opposition, Defendant incorporates by reference as if fully set forth herein, the facts as set forth in the Affidavits submitted and filed herewith.

1. The Plaintiff, Lieutenant Richard A. Pond was employed by the Suffolk County Sheriff's Department from 1986 through his retirement in 2001. In 1997, while on duty, Lieutenant Pond was physically assaulted by an inmate. The injuries received in this physical assault necessitated his retirement from the Suffolk County Sheriff's Department in 2001.

Response: Undisputed

2. At the time of his retirement, Lieutenant Pond was legally entitled to receive retirement benefits pursuant to MGL c. 32, §7 and additional "assault benefits" pursuant to MGL c. 126, §18A and 1970 Mass. Acts. These benefits were to be paid to him on a weekly basis. (Pond Affidavit and Exhibits A and B)

Response: The first sentence is not a fact but a legal conclusion to which no response is required. Partially disputed in that neither MGL c. 126 § 18A nor Chapter 800 of the Acts of 1970 set forth how or when benefits are to be paid.

3. As outlined in Exhibits A and B, throughout the years of 2001, 2002, and 2003 the Suffolk County Sheriff's Department consistently refused and/or failed to pay Lieutenant Pond his weekly benefits. There were periods of time that the Defendant allowed these weekly benefits to go unpaid for months at a time.

There were numerous instances that Lieutenant Pond was forced to call the Defendant because he had not received a check for these benefits in nine months. There were other periods of time that the Defendant was three or four months behind in their payments to the Plaintiff. The Plaintiff was forced to call the Defendant almost monthly to try to receive these benefits. The Defendant would eventually issue a lump sum payment to the Plaintiff and after said payment the arrearage would start all over again. (Pond Affidavit and Exhibit A and B)

Response: Disputed. The Defendant never refused to pay the Plaintiff his Chapter 800 benefits. See Affidavit of William Sweeney. Further there were not periods of time when the Defendant was three to four months in arrears in their payments of Chapter 800 benefits to the Plaintiff. The Plaintiff was paid benefits pursuant to Chapter 800 of the Acts of 1970 on a weekly basis from on or about February 10, 1997 (retroactive to January 13, 1997) to February 15, 2002. There was only one occasion, between February 15, 2002 and on or about October 11, 2002, where the Plaintiff did not receive his Chapter 800 benefits for a period of approximately nine months. See Affidavit of William Sweeney; Attached payroll spreadsheets for Richard A. Pond. Finally, Plaintiff's Exhibits A & B are demand letters containing self-serving statements filed by Plaintiff's counsel and are not competent evidence of anything except the fact that they were written.

Additional Material Fact: In or about October 2002 the Plaintiff was informed by Assistant Director of Personnel William Sweeney (Sweeney), that because he was retired and no longer on the Suffolk County Sheriff's

representing Chapter 800 benefits for the pay period February 14, 2003 through February 28, 2003 was issued to the Plaintiff. On or about April 11, 2003 a check in the amount of \$3,223.64 representing Chapter 800 benefits for the pay period February 28, 2003 through April 7, 2003 was issued to the Plaintiff. See Attached payroll spreadsheets for Richard A. Pond.

Additional Material Fact: There was no ongoing dispute between the Plaintiff and Defendant regarding the payment of Chapter 800 benefits as the Plaintiff had agreed in or about October 2002 to be paid his benefits on an approximately monthly basis. See Affidavit of William Sweeney.

5. Attorney Boyden again contacted the Defendant by letter dated May 2, 2003. (Affidavit of Pond and Exhibit B) In this letter Attorney Boyden points out to the Defendant that the reasons the Defendant gave for not paying the weekly benefits to Pond were completely false and in violation of the law. Subsequent to this letter the Defendant then started paying the Plaintiff his weekly "assault benefits," and issued him a lump sum check for the arrearage they owed him.

(Pond Affidavit)

Response: Disputed to the extent that Plaintiff's attorney sent a second, more particular demand letter to the General Counsel for the Defendant on May 2, 2003 that was self-serving in its characterizations. See Plaintiff's Exhibit B.

Additional Undisputed Material Facts: Upon being informed by Plaintiff's attorney that the Plaintiff wanted to be paid his Chapter 800 benefits on a weekly basis, General Counsel for the Defendant said the Department would

comply. Per the General Counsel's instruction, Assistant Director of Personnel, William Sweeney, commenced the weekly payment of Chapter 800 benefits with the pay period ending April 18, 2003. See Affidavit of Anne P. Powers; Affidavit of William Sweeney; Attached payroll spreadsheets for Richard A. Pond. A check in the amount of \$805.91 representing the Plaintiff's weekly Chapter 800 benefits for the pay period ending April 18, 2002 was issued to him on or about April 25, 2002. Chapter 800 arrearage, in the amount of \$1,611.82, was paid to the Plaintiff by check on or about April 18, 2003. See Attached payroll spreadsheets for Richard A. Pond.

6. Attorney Boyden of Todd and Weld LLP represented the Plaintiff from March 2003 through June 2003. By July of 2003, the Plaintiff was now receiving all of his weekly benefits and had received the above-mentioned lump sum check from the Defendant to reimburse him for the arrearage. The Plaintiff was billed for 20.70 hours at \$180.00 per hour for a total of \$3,276.00 and \$98.53 in expenses for a final total of \$3,824.53 by the law firm. (Affidavit of Pond and Exhibit C) The Plaintiff has paid this entire amount to Todd and Weld LLP (Affidavit of Pond and Exhibit C) and reasonably believes that without the intercession of his attorney, the Defendant would have continued to ignore his requests for his weekly benefits as they had for the past three years.

Response: Disputed to the extent that the Plaintiff's subjective belief regarding the necessity of retaining counsel and the efficacy of her representation is not a fact.

Additional Material Facts: The Plaintiff agreed to the approximately monthly payment of his benefits pursuant to Chapter 800 of the Acts of 1970. See Affidavit of William Sweeney. There was no agreement or contract to reimburse Mr. Pond for any legal fees incurred as a result of his decision to retain the services of Attorney Wendi Boyden and the law firm of Todd & Weld, LLP. See Affidavit of Anne P. Powers; Plaintiff's Exhibit C.

Additional Undisputed Material Facts: As of April 25, 2003 the Plaintiff's Chapter 800 benefits were issued weekly. See Affidavit of William Sweeney; Attached payroll spreadsheets for Richard A. Pond.

7. Although the Plaintiff now receives his weekly benefits in a timely fashion, he was required to expend legal fees solely due to the Defendant's consistent refusal over the last three years to pay him his weekly benefits as the law required.

Response: Disputed in that Plaintiff was not required to expend legal fees to receive his Chapter 800 benefits on a weekly basis. Further, in or about October 2002, the Plaintiff agreed to receive his Chapter 800 benefits on an approximately monthly basis. See Affidavit of William Sweeney. Prior to that date the Plaintiff was paid Chapter 800 benefits on weekly basis from on or about February 10, 1997 (retroactive to January 13, 1997) through on or about February 15, 2002. See Affidavit of William Sweeney; Attached payroll spreadsheets for Richard A. Pond.

Additional Material Fact: There was no agreement or contract to reimburse the Plaintiff for any legal fees he incurred as a result of his decision to retain

the services of Attorney Wendi Boyden and the law firm of Todd & Weld,
LLP. See Affidavit of Anne P. Powers; Plaintiff's Exhibit C.

Respectfully submitted
Suffolk County Sheriff's Department
By its Attorney



Ellen M. Caulo
BBO# 545250
Deputy General Counsel
Suffolk County Sheriff's Department
200 Nashua Street
Boston, MA 02114

Date: February 12, 2004

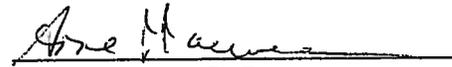
AFFIDAVIT OF ANNE P. POWERS

I, Anne P. Powers, being duly sworn do hereby depose and state:

1. I am General Counsel for the Suffolk County Sheriff's Department.
2. I am an attorney in good standing in the Commonwealth of Massachusetts.
3. On March 27, 2003 I received a letter dated March 26, 2003 from Wendi L. Boyden, Esquire of the law firm Todd & Weld, LLP informing me that her office represented Richard Pond in connection with his efforts to secure weekly payments of benefits pursuant to Chapter 800 of the Acts of 1970.
4. I looked into her request by speaking with William Sweeney, Assistant Director of Personnel. Mr. Sweeney advised me (see attached Affidavit of William Sweeney) that because Mr. Pond was retired and no longer on the Department's payroll the paperwork for his benefits pursuant to Chapter 800 of the Acts of 1970 had to be processed manually and then forwarded to the City of Boston for payment. Since this was a time consuming process on a weekly basis he had a verbal agreement with Mr. Pond to process his Chapter 800 payments approximately monthly.
5. I contacted Attorney Boyden and apprised her of the reasons for the delay in processing Mr. Pond's Chapter 800 payments. I further advised her that Mr. Sweeney and Mr. Pond mutually agreed to process his Chapter 800 payments monthly. Attorney Boyden denied any such verbal agreement on behalf of her client to receive his Chapter 800 benefits monthly.
6. I asked Attorney Boyden if she wanted Mr. Pond to receive his Chapter 800 benefits weekly. Upon being advised by Attorney Boyden that Mr. Pond wished to be paid weekly I informed her that the Department would comply.

7. Thereafter I instructed William Sweeney to process Mr. Pond's Chapter 800 payments weekly. On or about April 25, 2003 payment of Mr. Pond's Chapter 800 benefits commenced on a weekly basis.
8. At no time did I agree to reimburse Mr. Pond for any legal fees incurred as a result of his decision to retain Attorney Boyden and the law firm of Todd & Weld, LLP.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY


Anne P. Powers

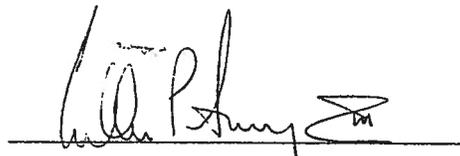
AFFIDAVIT OF WILLIAM SWEENEY

I, William Sweeney, being duly sworn do hereby depose and state:

1. I am the Assistant Director of Personnel at the Suffolk County Sheriff's Department (Department).
2. I produced the Payroll spreadsheets for Richard A. Pond for the dates October 6, 2000 through December 12, 2003. They accurately reflect Mr. Pond's earnings from workers' compensation and Chapter 800 for that period. The code IJC refers to Chapter 800 payments. The code WC refers to workers' compensation payments.
3. On or about February 10, 1997 (retroactive to January 13, 1997), Richard Pond was placed on the Department's workers' compensation payroll as a result of an injury sustained at work. At that time Mr. Pond also began receiving benefits pursuant to Chapter 800 of the Acts of 1970 because his injury was the result of inmate violence.
4. Mr. Pond received his benefits pursuant to Chapter 800 of the Acts of 1970 on a weekly basis from on or about February 10, 1997 until on or about February 15, 2002 when his Accidental Disability Retirement became effective and he was removed from the Department's payroll and placed on the Retirement payroll.
5. At no time did the Department refuse to pay Mr. Pond his Chapter 800 benefits.
6. Once Mr. Pond was moved to the Retirement payroll the Department no longer had access to Mr. Pond's payroll records or information. Since Mr. Pond was no longer on the Department's payroll there was no mechanism to process his benefits pursuant to Chapter 800 of the Acts of 1970. I made numerous inquiries to the City of Boston Central Payroll and the City of Boston Office of Human Resources and was finally instructed to process Mr. Pond's paperwork manually and forward it to the City of Boston for payment.

7. In October 2002 I calculated the Chapter 800 benefits owed to Mr. Pond since February 2002 and processed Mr. Pond's paperwork and forwarded that information to the City of Boston for payment. A check in the amount of \$25,107.12 was issued to Mr. Pond on or about October 11, 2002.
8. Once the correct Chapter 800 amount owed to Mr. Pond was calculated I contacted him and informed him about the payment. I further advised him that because he was retired and no longer on the Department payroll his Chapter 800 payments had to be processed manually. Since this was a time consuming process on a weekly basis, we mutually agreed that I would process his Chapter 800 payments approximately monthly. Mr. Pond agreed to contact me every four to five weeks to remind me to process the paperwork,
9. This mutually agreeable arrangement continued until I was instructed by the General Counsel to process Mr. Pond's Chapter 800 payments weekly. In compliance with that instruction, on or about April 18, 2003 I began to process Mr. Pond's Chapter 800 payments on a weekly basis.
10. With the exception of two dates (September 26, 2003 and November 28, 2003) Mr. Pond has been paid and continues to be paid his benefits pursuant to Chapter 800 of the Acts of 1970 on a weekly basis since on or about April 25, 2003. The two dates just mentioned were an administrative oversight and were immediately corrected with payments of \$1,611.82 on or about October 3, 2003 and December 5, 2003, each check representing two weeks of Chapter 800 benefits.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY

A handwritten signature in black ink, appearing to read "William Sweeney", is written over a horizontal line.

William Sweeney

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, ss

SUPERIOR COURT DEPARTMENT
CIVIL ACTION NO. 03-4137-C

_____)
RICHARD A. POND,)
Plaintiff)
.)
v.)
.)
SUFFOLK COUNTY SHERIFF'S)
DEPARTMENT,)
Defendant)
_____)

SUFFOLK SUPERIOR COURT
 CIVIL CLERK'S OFFICE
 2004 FEB 20 P 12:33
 MICHAEL JOSEPH D'AMICO
 CLERK/MAGISTRATE

**DEFENDANT'S MEMORANDUM IN OPPOSITION TO PLAINTIFF'S MOTION FOR
SUMMARY JUDGEMENT AND IN SUPPORT OF DEFENDANT'S CROSS-MOTION
FOR SUMMARY JUDGMENT**

I. INTRODUCTION

This action arises out of a complaint filed by the Plaintiff, a former corrections officer, to recover attorneys fees that he incurred in his efforts to secure the resumption of weekly payment of his benefits pursuant to Chapter 800 of the Acts of the 1970 (assault benefits). The Plaintiff retained an attorney who wrote a demand letter formally requesting that the Defendant pay the Plaintiff assault benefits on a weekly basis. The Defendant complied with that request. The Plaintiff alleges in his complaint that in addition to complying with his request for weekly payment of assault benefits, the Defendant also agreed to reimburse him the \$3,824.53 he expended for attorneys fees. Specifically, the Plaintiff's complaint states: "[t] his agreement (to pay assault benefits on a weekly basis) was made with the Sheriff's Dept. also paying my attorneys fees". See Plaintiff's Complaint ¶3.

The Plaintiff filed his complaint on August 27, 2003 and the Defendant filed its answer on September 22, 2003. There has been no discovery.¹ The Plaintiff filed the instant Motion for Summary Judgment on January 21, 2003.

Nowhere in the Memorandum of Law in Support of Plaintiff's Motion for Summary Judgment, nor the affidavit and documents submitted in support thereof, does the Plaintiff produce or identify the agreement or contract that he asserts supports his claim for attorneys' fees.² The Summary Judgment record is devoid of any evidence whatsoever of the existence of a contract or agreement between the Plaintiff and the Defendant to reimburse the Plaintiff for his legal fees. Nor will the Plaintiff be able to produce any such evidence at trial. The Summary Judgment record, which in the instant case includes only the pleadings and supporting affidavits, demonstrates that "proof of an essential element of the plaintiff's case is unlikely to be forthcoming at trial," Glidden v. Maglio, 430 Mass. 694, 696 (2000), quoting from Kourouvacilis v. General Motors Corp., 410 Mass. 706, 716 (1991). Since the existence of an agreement or contract is an essential element of the Plaintiff's claim and proof of that element is unlikely to be produced at trial, he is not entitled to Summary Judgment as a matter of law. NG Brothers Construction, Inc. v. Cranney, 436 Mass. 638, 644 (2002); Kourouvacilis v. General Motors Corp., supra at 715. Therefore the Plaintiff's Motion for Summary Judgment should be denied and the Defendant's Cross-Motion for Summary Judgment allowed.³

II. STATEMENT OF FACTS

The Defendant incorporates as if fully set forth herein the facts contained in its Concise Statement of Facts in Opposition, filed herewith.

¹ Plaintiff failed to provide the Defendant with a tracking order, civil action cover sheet or any notice that the case was assigned to the X-Track.

² The Plaintiff's Memorandum of Law contains a "Statement of Relevant Facts". Clearly if there existed an agreement or contract to reimburse the Plaintiff for his attorneys' fee he would have included it in the Plaintiff's "Statement of Relevant Facts" and set forth its terms and conditions.

³ Pursuant to Mass. R. Civ. P. 56(c) summary judgment may be entered against the moving party, even in the absence of a cross-motion, where the Court deems it appropriate. In the instant case where the summary judgment record clearly demonstrates the Plaintiff will not be able to prove an essential element at trial, i.e. the existence of a contract, judgment should enter for the Defendant as the party legally entitled to prevail.

The Plaintiff, Richard A. Pond, is a former corrections officer employed by the Defendant at the Suffolk County House of Correction. On or about January 12, 1997 the Plaintiff was injured as a result of inmate violence. Commencing on or about February 10, 1997 (retroactive to January 13, 1997) the Plaintiff received workers' compensation benefits and assault benefits pursuant to Chapter 800 of the Acts of 1970 on a weekly basis. The Plaintiff continued to receive the assault benefits on a weekly basis from the date of injury until February 15, 2002 when his Accidental Disability Retirement became effective and he was moved from the Suffolk County Sheriff's Department (Department) payroll and placed on the Retirement payroll. **See Affidavit of William Sweeney; Payroll spreadsheet for Richard A. Pond.**

Once the Plaintiff was moved to the Retirement payroll, the Department no longer had access to his payroll records or information. Moreover, since the Plaintiff was no longer on the Departments' payroll there was no mechanism to process his assault benefits pursuant to Chapter 800 of the Acts of 1970. **See Affidavit of William Sweeney.** After numerous inquiries to the City of Boston Central Payroll and Office of Human Resources, the Assistant Director of Personnel for the Department, William Sweeney (Sweeney), was instructed to process the Plaintiff's assault benefits paperwork manually and forward it to the City of Boston for payment. **See Affidavit of William Sweeney.** In October 2002, having been apprized of the appropriate mechanism for processing assault benefits for a retired employee, Sweeney calculated the Chapter 800 arrearage owed to the Plaintiff since February 16, 2002 and forwarded that paperwork to the City of Boston for payment.⁴ A check in the amount of \$25,107.12 was issued to the Plaintiff on or about October 11, 2002. **See Affidavit of William Sweeney; Payroll Spreadsheet for Richard A. Pond.**

⁴ Contrary to what the Plaintiff asserts in his Memorandum of Law in Support of Plaintiff's Motion for Summary Judgment and supporting affidavit, the period between February 15, 2002 and October 11, 2002 was the **only** time since his injury in 1997 that the Defendant failed to pay his assault benefits on weekly basis. **See Affidavit of William Sweeney; Payroll spreadsheet for Richard A. Pond.** Further, as will be discussed above, by mutual agreement of the Plaintiff and Sweeney, the Plaintiff was paid his assault benefits on an approximately monthly basis from October 2002 through April 2003.

Sweeney contacted the Plaintiff to inform him about the payment for the arrearage and to discuss the difficulties of processing his assault benefits due to his retirement status. Sweeney advised the Plaintiff that because he was retired and no longer on the Department's payroll his assault benefits had to be processed manually. Since this was a time consuming process on a weekly basis, the Plaintiff and Sweeney mutually agreed to process his assault benefits on an approximately monthly basis.⁵ See Affidavit of William Sweeney. Further, the Plaintiff agreed to contact Sweeney every four to five weeks to remind him to process the paperwork. See Affidavit of William Sweeney. This mutually agreeable arrangement continued until March 26, 2003 when Wendi L. Boyden, Esquire, an attorney retained by the Plaintiff, sent correspondence to the Defendant's General Counsel demanding that the Plaintiff be paid his assault benefits weekly.⁶ See Affidavit of Anne P. Powers

Upon receiving Attorney Boyden's correspondence, General Counsel Anne P. Powers (Powers), looked into the Plaintiff's request by speaking with Sweeney. He apprized her of the difficulties in processing the Plaintiff's assault benefits due to his retirement status and, as a result, he and the Plaintiff had a verbal agreement to process the assault benefits on an approximately monthly basis. See Affidavit of Anne P. Powers. Powers communicated this information to Attorney Boyden on or about April 14, 2003 and specifically advised her that the approximately monthly disbursements of the Plaintiff's assault benefits were done with his assent. Powers inquired of Attorney Boyden whether the Plaintiff wanted to receive his assault benefits weekly. Upon being advised that the Plaintiff wished to be paid weekly, Powers informed her that the Defendant would comply. See Affidavit of Anne P. Powers. Thereafter Powers instructed Sweeney to process the paperwork for the Plaintiff's assault benefits on a weekly basis. See Affidavit of Anne P. Powers; Affidavit of William Sweeney. Commencing on or about April 25, 2003 the Plaintiff's Chapter 800 assault

⁵ The attached payroll spreadsheets for Richard A. Pond demonstrate that in fact after October 11, 2002 the Plaintiff was paid his assault benefits approximately monthly until April 11, 2003. Commencing on April 18, 2003 the Defendant began paying the Plaintiff his assault benefits on a weekly basis.

⁶ The March 26, 2003 correspondence from Attorney Boyden to General Counsel Powers was a demand letter that contained inflammatory and unsupported accusations that the Defendant's failure to pay assault benefits on a weekly basis was politically motivated and done with the intent to harass the Plaintiff and that the Defendant harbored an animus toward the Plaintiff. Significantly, those inflammatory and unsupported accusations were not contained in Attorney Boyden's subsequent correspondence. See Plaintiff's Exhibits A & B.

benefits were issued on a weekly basis.⁷ **See Affidavit of William Sweeney; Attached Payroll Spreadsheets for Richard A. Pond.** Despite the fact that he was now receiving his assault benefits on a weekly basis per his request, the Plaintiff continued to retain the services of Attorney Boyden until June 5, 2003.⁸ **See Plaintiff's Exhibit C.**

Powers did not agree to reimburse the Plaintiff for any legal fees that he incurred by retaining Attorney Boyden and the law firm of Todd & Weld, LLP to represent him. **See Affidavit of Anne P. Powers.** Other than agreeing to pay the Plaintiff his assault benefits on a weekly basis Powers did not acquiesce in any of the demands set forth in Attorney Boyden's correspondence of March 26, 2003 and May 2, 2003. Indeed, at no point did Powers agree or contract to reimburse the Plaintiff for his legal fees nor did she suggest otherwise to Attorney Boyden. **See Affidavit of Anne P. Powers.**

The Plaintiff has not produced any evidence to support his assertion that such an agreement, verbal or written, ever existed.⁹

⁷ With the exception of the pay periods ending September 26, 2003 and November 28, 2003 the Defendant has paid the Plaintiff's assault benefits on a weekly basis since April 25, 2003. The two dates just mentioned were an administrative oversight and were immediately corrected with payments of \$1,611.82 on or about October 3, 2003 and December 5, 2003, each check representing two weeks of assault benefits. **See Affidavit of William Sweeney; Attached payroll spreadsheets for Richard A. Pond.**

⁸ The billing invoice of Attorney Boyden for services rendered to the Plaintiff reflects an entry dated 05/02/03 regarding "Telephone conference with client regarding demand to Sheriff's Dept. for assurance of weekly payment, reimbursement of legal fees..." **See Plaintiff's Exhibit C.** Significantly as of May 2, 2003 the Defendants had been processing the Plaintiff's assault benefits on a weekly basis for approximately three weeks. **See Attached payroll spreadsheets for Richard A. Pond.**

⁹ Conspicuously absent from the Plaintiff's submissions in support of his Motion for Summary Judgment is an affidavit from Attorney Boyden attesting to the existence of an agreement by the Defendant to reimburse the Plaintiff for his legal fees. What has been submitted, correspondence from Attorney Boyden and the billing invoice for services rendered to the Plaintiff, suggest that no such agreement ever existed. Significantly the last entry on Attorney Boyden's billing invoice, dated 06/05/03, states: "...Conference with J. Owen Todd re: opinion regarding recovery of interest and attorneys fees; telephone conference with R. Pond regarding J. Owen Todd's opinion." The clear inference to be drawn from this entry is that there was no agreement by the Defendant to reimburse the Plaintiff for his legal fees and Plaintiff's counsel were not confident in their ability to recover said fees through the initiation of litigation. **See Plaintiff's Exhibit C.** In that vein, it is significant that this action was not filed by Attorney Boyden or Todd & Weld, LLP, but rather by the Plaintiff, acting pro se.

I. ARGUMENT

A. THE PLAINTIFF IS NOT ENTITLED TO SUMMARY JUDGEMENT BECAUSE HE HAS NO REASONABLE EXPECTATION OF PROVING AN ESSENTIAL ELEMENT OF HIS CASE.

Pursuant to Mass.R.Civ.P. 56(c), in ruling on a motion for summary judgment, the Court should evaluate the pleadings, depositions, answers to interrogatories, and admissions on file, together with the affidavits, if any, to determine if summary judgment is appropriate. Gloucester Landing Associates Limited Partnership v. Gloucester Redevelopment Authority, 2004 WL 187848 (Mass. App. Ct.) The moving party is entitled to summary judgment on a claim if it can demonstrate that the party bearing the burden of proof at trial has no reasonable expectation of proving an essential element of its case at trial. Courtois v. Legal Seafoods, Inc. and Bruce Cartwright, 2004 WL 23131 (Mass.Super.) at 6, citing, Flesner v. Technical Communications Corp., 410 Mass. 805, 809 (1991). “It is sufficient to demonstrate that “proof of the essential element is unlikely to be forthcoming at trial.” Carozza v. Blue Cross and Blue Shield of Massachusetts, Inc., 2001 WL 1517584 (Mass. Super.) at 5,6 (quoting from Flesner, supra at 809.)

This Court should grant the Defendant’s Cross-Motion for Summary Judgment, and concomitantly deny the Plaintiff’s Motion, because the summary judgment record clearly demonstrates that the Plaintiff has no reasonable expectation of proving at trial the existence of an agreement or contract between the Plaintiff and the Defendant to reimburse the Plaintiff for his attorneys fees, which is an essential element of his claim alleging breach of contract. The summary judgment record, which in this case consists only of the pleadings and affidavits, is devoid of any evidence of an agreement or contract between the parties. The Plaintiff has neither produced any document purporting to be the agreement or contract nor any record of the purported agreement. The Plaintiff has not set forth any specific facts to establish that the Defendant entered into an agreement with the Plaintiff’s attorney to reimburse him for his legal fees. Notably, the Plaintiff’s own affidavit does not assert that such an agreement existed. See Affidavit of Richard A. Pond. Even more significant is the absence of an affidavit from Attorney Boyden attesting to the existence of an agreement by

the Defendant to reimburse the Plaintiff for his legal fees.¹⁰ Given the fact that the Plaintiff bears the burden of proof at trial, his failure to present sufficient facts on an essential element of his claim warrants a finding of summary judgment for the Defendant. NG Brothers Construction, Inc. v. Cranney, 436 Mass. 638, 644 (2002)

Furthermore, the evidence that has been proffered by the Plaintiff indicates that no such agreement ever existed. The correspondence from Attorney Boyden to General Counsel Powers and her billing invoices for services rendered to the Plaintiff, suggest that there was no agreement or contract between the Plaintiff and the Defendant to reimburse the Plaintiff for his legal fees. See Plaintiff's Exhibit A, B & C. The last entry on Attorney Boyden's billing invoice dated 06/05/03, states: "...Conference with J. Owen Todd re: opinion regarding recovery of interest and attorneys fees; telephone conference with R. Pond regarding J. Owen Todd's opinion." See Plaintiff's Exhibit C. The clear inference to be drawn from this entry is that there was no agreement by the Defendant to reimburse the Plaintiff for his legal fees nor did counsel believe that there was a sufficient legal basis to initiate litigation to recover said fees. Furthermore, the affidavit of General Counsel Anne P. Powers, the only individual implicitly identified by the Plaintiff as entering into this purported agreement on behalf of the Defendant, unequivocally refutes the Plaintiff's contention that any such agreement of or contract existed. See Affidavit of Anne P. Powers. Based upon the summary judgment record before this Court, the Defendant has demonstrated that proof of an essential element of the Plaintiff's case is unlikely to be forthcoming at trial. NG Brothers Construction, Inc. v. Cranney, 436 Mass. 638, 644 (2002); Kourouvacilis v. General Motors Corp., 410 Mass. 706, 716 (1991). Accordingly, "a trial would [then] be useless and the [Defendant] is entitled to summary judgment." Kourouvacilis, supra at 715.

¹⁰ Attorney Boyden was retained by the Plaintiff to represent him in his efforts to secure weekly payment of his Chapter 800 benefits. It was Attorney Boyden who communicated, by letter and telephone, the Plaintiff's request to be paid his Chapter 800 benefits weekly. The absence of an affidavit attesting to the existence of an agreement from Attorney Boyden, given that she interceded directly on the Plaintiff's behalf with the Defendant, clearly suggests that there was no such agreement.

B. THE PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT SHOULD BE DENIED BECAUSE HE IS NOT ENTITLED TO ATTORNEYS FEES.

The Commonwealth of Massachusetts follows the "American Rule" which requires, with limited exceptions, that a litigant bears his own expenses. Ellis v. Ellis, 2002 WL 1493331 (Mass.App.Div.) at 2. Pursuant to the "American Rule" the recovery of attorney's fees is denied absent a contract or statute to the contrary. Police Commissioner of Boston v. Gows, 429 Mass. 14, 17 (1999). "Attorney's fees and interest otherwise ordered would be extraordinary relief that 'should be reserved for rare and egregious cases.'" Ellis, supra at 2, (quoting from Police Commissioner of Boston v. Gows, supra at 19.

Although the Plaintiff's complaint alleges a breach of contract See Plaintiff's complaint ¶ 3, his memorandum in support of his Motion for Summary Judgment does not support that cause of action. The memorandum simply recasts, in a self-serving manner, the chain of events that led the Plaintiff to retain an attorney to assist him in securing the resumption of the weekly payment of Chapter 800 benefits. Since the weekly payment of his benefits were restored after his attorney interceded on his behalf, the Plaintiff asserts that the Defendant is obligated to reimburse him for his legal fees. This contention is not supported in logic, fact or law. Further, although this argument is the center piece of his Memorandum of Law, it does not support the breach of contract alleged in his complaint. In the absence of a contract the Plaintiff is not entitled to attorney's fees. See Police Commissioner of Boston v. Gows, supra.

Moreover, the Plaintiff cites no authority pursuant to common law, statute, or rule of court entitling him to attorney's fees and indeed there is none. Neither Chapter 800 of the Acts of 1970 nor M.G.L. c.126 § 18A provide for the recovery of attorney's fees. Given that the "American Rule" denies recovery of attorney's fees **after** litigation in the absence of a contract or statutory authority, none of which is present in the instant case, the Plaintiff is clearly not entitled to recover attorney's fees expended prior to litigation. See Police Commissioner of Boston v. Gows, supra at 17.

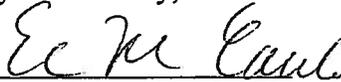
C. THIS COURT SHOULD GRANT THE DEFENDANT'S CROSS-MOTION FOR SUMMARY JUDGMENT.

This Court should grant the Defendant's cross-motion for summary judgment because the Plaintiff is not entitled to attorney's fees in the absence of a contract or statutory authority. As set forth more fully above, the "American Rule" provides that a litigant bears his own expenses. Ellis, supra at 2. Furthermore, the affidavit of Anne P. Powers, General Counsel for the Defendant, states unequivocally that there was no agreement to reimburse the Plaintiff for his legal fees. On this summary judgment record that evidence remains un-rebutted. See Affidavit of Anne P. Powers. Therefore the Defendant is entitled to summary judgment.

IV. CONCLUSION

For all the foregoing reasons the Defendant respectfully requests that this Honorable Court deny the Plaintiff's Motion for Summary Judgment and allow the Defendant's Cross-Motion for Summary Judgment.

Respectfully submitted
For the Defendant
By its Attorney,



Ellen M. Caulo
BBO #545250
Deputy General Counsel
Suffolk County Sheriff's Department
200 Nashua Street
Boston, MA 02114
(617) 989-6681

Date: February 12, 2004

Search Results

Tools:

Records 1 through 23 of 23 total records (\$5,966.64)

WHERE Vendor includes '%Verizon Wireless%' AND Filer CPF ID =14695 (Pond, Richard A. , Sheriff)

Date	Vendor	Filer	Purpose	Amount
10/26/2007	VERIZON WIRELESS	Pond, Richard A.	CELL PHONE	\$285.13
11/26/2007	VERIZON WIRELESS	Pond, Richard A.	CELL PHONE	\$273.76
12/12/2007	VERIZON WIRELESS	Pond, Richard A.	CELL PHONE	\$275.26
1/24/2008	VERIZON WIRELESS MA	Pond, Richard A.	CELL PHONE	\$283.94
2/27/2008	VERIZON WIRELESS	Pond, Richard A.	*	\$284.94
3/24/2008	Verizon Wireless MA	Pond, Richard A.		\$284.00
4/24/2008	Verizon wireless PO Box 15041 Worcester, MA	Pond, Richard A.		\$293.17
6/4/2008	Verizon Wireless PO Box 15041 Worcester, MA 01615	Pond, Richard A.		\$306.06
6/25/2008	Verizon Wireless PO Box 17120 Tucson, AZ 05731	Pond, Richard A.	phone	\$276.72
8/6/2008	verizon Wireless PO Box 15041 Worcester, MA	Pond, Richard A.	Clarification : Phone Bill	\$258.97
8/11/2008	Verizon Wireless PO Box 15041 Worcester, MA	Pond, Richard A.	verizon wireless Clarification : Phone Bill	\$270.11
9/12/2008	Verizon Wireless	Pond, Richard A.	Clarification : Monthly Phone	\$250.03
10/16/2008	Verizon Wireless	Pond, Richard A.	phone Clarification :	\$244.62
11/21/2008	Verizon Wireless	Pond, Richard A.		\$317.42
12/24/2008	Verizon Wireless	Pond, Richard A.	cell phone Clarification :	\$200.00
1/21/2009	Verizon Wireless	Pond, Richard A.	phone	\$272.42
2/20/2009	Verizon Wireless	Pond, Richard A.	Clarification :	\$100.00
6/30/2009	Verizon wireless	Pond, Richard A.	payment	\$195.21
8/5/2009	Verizon Wireless	Pond, Richard A.		\$185.00
9/28/2009	Verizon Wireless	Pond, Richard A.	phone bill	\$93.73
11/16/2009	Verizon Wireless	Pond, Richard A.		\$266.35
1/8/2010	Verizon Wireless	Pond, Richard A.	no reason given	\$569.52
3/1/2010	Verizon Wireless	Pond, Richard A.		\$180.28

Your tax dollars at work: 2009 Boston Pensioners

Below is the Boston pension report as of March 2009. Data provided to the Herald under the state's Public Records law. E-mail any inquiries or confidential tips to newstips@bostonherald.com and check for updates in the [City Desk Wired](#) blog.

Search by Last Name: POND

Sort by: Last Name Ascending

2009 Boston Pensioners (4)

First Name	Last Name	Middle	Retirement Year	Pension	Last Position
Jean	Pond	E	1988	\$6,945.72	Health And Hospitals
Marie	Pond	C	1994	\$41,284.20	Health And Hospitals
Richard	Pond	A	1999	\$36,696.60	Suffolk County Sheriff S Dep
Olga	Ponde		1994	\$25,239.72	Bos Pub Sch Business Service