

Sheriff generous with extra pay

But if given as bonuses, program could run afoul of Florida law

Mike Diamond Palm Beach Post | USA TODAY NETWORK

Palm Beach County Sheriff Ric Bradshaw has been distributing millions of dollars in extra compensation to his executive staff and deputies for at least the past three years, department data shows.

Every sheriff's employee received a raise in fiscal years 2019, 2020 and 2021, but they also received extra compensation in each of those years as well in the form of "supplemental COLAs" — cost-of-living ad-



Bradshaw

justments — that were initially called "bonuses."

After the Post questioned the justification for a bonus program and pointed out that it might be illegal under state law, Public Information Officer Teri Barbera said the column should have been labeled "one-time COLAs." Except they weren't "one-time," as they were paid in the fiscal years of 2019, 2020 and 2021. It is unclear when they began or if they will continue to be paid. Barbera said additional research needed to be done to answer the question.

If the payments were bonuses as they were initially

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labeled, the program may have violated state law.

In January 2021, the Auditor General cited the South Florida Water Management District for improperly distributing \$750,000 in bonuses in the 2019 fiscal

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year. In that case, the district was found to have given bonuses to more than 400 employees without establishing adequate performance standards related to how the bonuses should be awarded.

A public agency can distribute bonuses but they must be based on merit and the standards must be clearly defined, according to the Auditor General's report.

No other agency in county government pays extra compensation to employees in addition to yearly pay raises. During the same three fiscal years, county employees received 3% pay annual raises.

That is not the case with the Palm Beach County Sheriff's Office.

In 2020, for example, Chief Operating Officer George Foreman saw his salary rise from \$253,383 to \$263,787, an increase of \$10,404 or 4.1%. On top of that, his supplemental COLA was \$16,500, or another 6.3% increase, pushing his total compensation to more than \$280,000 for a total total percentage increase for that year of 10.4%.

Bradshaw's top commander, Frank DeMario, also had a total wage increase of more than 10%, pushing his 2020 salary from \$241,983 to \$267,806 when the supplemental COLA of \$15,000 was included.

Colonels saw total wage increases in fiscal year 2020 of around 9%, with the special COLAs accounting for slight more than half of the increase. Majors received COLAs of around 2%. Officers below the rank of captain received COLAs of around 1%. The 1% figure was negotiated through a memorandum of understanding between Bradshaw and the union.

Police Benevolent Association President John Kazanjian said the payments were nonetheless bonuses despite the wording in the memorandum of understanding. "As long as there is money left over at the end of the year, our deputies get the bonus," Kazanjian told The Post. "The sheriff takes care of his people. It is why everyone wants to work for him."

Six bureau directors, which are civilian positions, received supplemental COLAs of \$5,000. Included among them is Barbera, whose annual base salary is \$213,888.

County Administrator Verdenia Baker said she was unaware the sheriff was distributing extra payments. It would have been difficult to discover them through the annual budget the sheriff submits as it is not a line-item budget, and there was no mention of supplemental COLAs in the budget documents recently submitted to Baker. She noted that as a constitutional officer, Bradshaw can spend his budget as he wishes.

Baker added the county has never distributed across-the-board supplemental COLAs. Tax Collector Anne Gannon said her employees receive whatever raises are given to county employees, noting: "We do whatever the county does."

According to a Florida Department of Law En-

forcement database, the Palm Beach County Sheriff's Office pays the highest salaries of any sheriff's department in the state.

An analysis of the data provided by the sheriff's office showed that the fiscal year 2021 median annual salary — boosted by the COLAs — for 48 captains was \$188,000. The median salary for 12 majors was \$231,000 and five colonels, \$248,000.

DeMario recently told county commissioners that he sometimes "poaches" other police departments to recruit law enforcement personnel, adding: "Everyone wants to work for the sheriff. Retention is not an issue (in Palm Beach County)."

The high salaries at the sheriff's office have had an impact on the statewide Deferred Retirement Option Program (DROP). The program essentially allows public employees to retire without retiring. They can continue working after they reach their retirement age for up to eight years while retirement benefits accumulate and earn interest. They then can obtain a lump-sum cash payment for their DROP participation when they formally retire. That payment is in addition to their regular pension.

Watchdog group TripleDippers.org recently analyzed DROP payments to law enforcement personnel throughout the state. It showed that 11 of the 13 highest payouts in the coming years will be made to Palm Beach County Sheriff's Office employees. A sergeant and a major are each scheduled to receive DROP payments of \$1 million in 2024 and 2025, respectively. Should they continue to work for another three years, the payments would approach \$1.7 million.

Dave Jaye, the author of the tripledippers.com report, noted that DROP payments are based on years of employment along with total compensation. So the higher the earnings, the higher the DROP payment.

Jaye said he was unaware of any other public agency that routinely provides employees with COLA adjustments. Those extra payments make it possible for an increase in the DROP payments, he noted.

"That is rare for supplemental (COLAs) to be paid in the public sector and it is rarely ever done in the private sector. There is no DROP-type program in the private sector as well," he noted. "The large DROP payments have an impact on taxpayers who foot the bill."

The size of the sheriff's budget and his annual increases have long been a source of frustration for county budget officials who have complained that the sheriff's spending plan comprises far too much of the county budget and has made it difficult for county officials to adequately fund other departments.

The sheriff's fiscal year 2023 law enforcement budget by itself comprises about a third of the amount raised by taxation. Since the 2012 fiscal year, it has increased by 114%, more than double that of county departments supervised by County Commission.

Baker cut Bradshaw's budget request this year by \$10 million. He accepted the cut. Even with it, his budget still increased \$38 million to \$724.3 million, another record.