



Palm Beach County OFFICE OF INSPECTOR GENERAL

Executive Summary
Case Number: 2010-0004

Sheryl G. Steckler
Inspector General

EXECUTIVE SUMMARY

The allegation that Palm Beach County (PBC) Consumer Affairs Compliance Officer Arthur Ring induced an employee from Pagasus (a “vehicle for hire” company) to come to the Palm Beach International Airport to illegally pick-up a passenger; represented himself as a law enforcement officer by detaining the Pagasus employee; and illegally searching the vehicle is not supported. The investigation, however, did disclose that PBC Division of Consumer Affairs did not have a policy or procedure on how to conduct a “sting” on unlicensed vehicles for hire. It is noted, during the course of the Inspector General investigation, the Department Director drafted a written procedure on compliance “sting” operations. It is recommended that the County Attorney’s office review the procedure and work with the Department Director to implement and train staff on the newly created written procedure.

BACKGROUND

Between July 26-27, 2010, Joe Jadusingh, a Hobe Sound Taxicab driver contacted the Consumer Affairs office complaining that Pagasus a “Vehicle For Hire” service in Hobe Sound was operating illegally in PBC. This complaint was subsequently assigned to Compliance Officer Arthur Ring who conducted a “sting” operation against Pagasus which resulted in the Pagasus driver being cited for operating without a PBC license.

On August 3, 2010, James Tribble an individual claiming to be an attorney representing MRC Management & Development and its subsidiary Pagasus “vehicle for hire” service, Hobe Sound, FL filed a letter of complaint with the Board of County Commissioners which stated that Palm Beach County (PBC) Consumer Affairs Compliance Officer Arthur Ring did cause and induce an MRC Management & Development, Inc., Pagasus vehicle for hire driver employee to come to the Palm Beach International Airport with intent and purpose to impersonate a Police Officer; detain the driver; and illegally search the vehicle. On August 4, 2010, Assistant County Administrator Vincent Bonvento requested an Inspector General investigation.

MATTERS INVESTIGATED AND FINDINGS

Matter Investigated

Palm Beach County Consumer Affairs Compliance Officer (CO) Arthur Ring induced an employee from Pagasus a “vehicle for hire” company licensed to operate in Martin County (but unlicensed in Palm Beach County), to come to the Palm Beach International Airport to illegally pick-up a passenger and represented himself as a law enforcement officer by detaining the Pagasus employee and illegally searching the

vehicle. If supported, the allegation would constitute a violation of Palm Beach County Merit Rules – 7.02 (32) - Conduct Unbecoming a Public Official.

Findings

The information obtained **does not support** the allegation.

When contacted, the complainant James Tribble declined to be interviewed.

According to Robert Hitt, a Manager in the Consumer Affairs Division and CO Ring's supervisor, PBC Consumer Affairs routinely conducts compliance operations (referred to as "stings") against unlicensed and uninsured "vehicles for hire" which illegally operate within PBC. Mr. Hitt further stated he feels this situation was blown out of proportion and these types of complaints are common and usually forthcoming when unlicensed and uninsured drivers are "caught in the act" of illegally picking up PBC passengers in an unlicensed vehicle. He stated that in previous years the rule for making a case against unlicensed "cars for hire" operating in PBC required the investigator to actually see money change hands. He stated CA investigators would set up observation positions at the taxi drop off spots in front of the various airlines. When an investigator observed a driver acting as a "vehicle for hire" by removing the passenger's bags from the trunk and accepting cash for the ride to the airport the investigator would approach the passenger and inquire if he /she had paid the driver for services. Generally the passenger admitted he/she used and paid the driver but usually stated they had a plane to catch and would not be able to talk any longer. Mr. Hitt stated when these cases came to court, the judge would demand the CA investigator produce the witness (passenger) who was involved in the violation. Invariably this was not possible because the witness(es) lived in some other part of the country. As such, this situation caused many of these cases to be lost in court. In an attempt to improve the effectiveness of CA investigations a "sting" method was subsequently employed. Mr. Hitt explained that generally the violating "vehicle for hire" operators would use some method to enable interested customers to contact them. Some of these methods took the form of business cards, on-line posts to Craig's List (internet site) or some other method announcing their willingness to transport passengers even though they had no operating license for PBC. Mr. Hitt stated it was very difficult to identify these individuals since a cell phone number or email address was the only information available to the CA investigators. The "sting" method was employed mainly to "identify" these violator(s). According to Mr. Hitt since the "sting" method has been employed for the past few years, the success rate for adjudicating these violators has jumped to a near perfect record of convictions.

When interviewed, CO Arthur Ring stated that on August 3, 2010 he followed the procedures for these types of operations as he understood them at the time. CO Ring acknowledged that at the time of the "sting" no written procedures were in place to which he could refer for instructions. However, using a pretext telephone call to car services suspected of illegally operating in PBC is a normal procedure used in most if not all cases and is primarily done to positively identify the driver. He stated he relied on his training and experience and the verbal guidance from superiors about the proper

method to conduct these operations. He also stated that at no time during his compliance stop of the Pagasus driver, Mary Revoller-Chavez, did he identify himself as anything other than a compliance officer. He denied searching her vehicle or preventing her from calling an attorney because she at no time made that request. CO Ring also noted that PBC Deputy Sheriff Bruce Visentin was present during his interaction with the Pagasus driver.

An interview was conducted with Deputy Visentin who stated he personally knows CO Arthur Ring having worked with him on numerous “stings” at Palm Beach International Airport (PBIA). Deputy Visentin stated that because of the high number of operations conducted by PBC Consumer Affairs personnel at PBIA he is unable to recall the specific incident on August 3, 2010. However, Deputy Visentin stated that although he cannot remember the specific incident, he has worked with CO Arthur Ring on many operations of this type and he can unequivocally confirm that at no time, on any operation, did he ever hear CO Ring identify himself as a law enforcement officer or observe him illegally search anyone’s vehicle.

The letter of findings was sent to CO Ring on September 14, 2010. Mr. Ring responded on same date that he had no objection to the finding.

This investigation has been conducted in accordance with the ASSOCIATION OF INSPECTORS GENERAL Principles & Quality Standards for Investigations.