

Viera Office  
2725 Judge Fran Jamieson Way  
Bldg. D  
Viera, FL 32940  
(321) 617-7510

Titusville Office  
400 South Street  
Suite D  
Titusville, FL 32780  
(321) 264-6933

Melbourne Office  
51 South Nieman Avenue  
Melbourne, FL 32901  
(321) 952-4617

**OFFICE OF THE STATE ATTORNEY**  
EIGHTEENTH JUDICIAL CIRCUIT OF FLORIDA  
BREVARD AND SEMINOLE COUNTIES

**PHIL ARCHER**  
STATE ATTORNEY



Seminole County Office  
P.O. Box 8006 • 101 Eslinger Way  
Sanford, FL 32772-8006  
(407) 665-6000

Seminole Juvenile Center  
190 Eslinger Way  
Sanford, FL 32773  
(407) 665-5454

Reply to: Seminole County

December 13, 2017

Jordan Broderick  
Seminole County Sheriff Office  
100 Eslinger Way  
Sanford, FL 32773

RE: State Attorney Case No. 1717SA17797

Dear Investigator Broderick:

The Office of the State Attorney has received your investigation into the December 4, 2017, actions of Joel Greenberg. I have reviewed this matter to determine whether Mr. Greenberg's actions constitute the crimes of False Personation of an Officer, a third-degree felony (Fla. Stat. s. 843.08), and Unlawful Use of a Badge, a first-degree misdemeanor (Fla. Stat. s. 843.085).

Unlawful Use of Badges or Other Indicia of Authority [Florida Statute s. 843.085(1)] states, in pertinent part, that it is "unlawful for any person, unless . . . authorized by the appropriate agency . . . to wear or display any authorized indicia of authority, including any badge . . . of any federal, state, county, or municipal law enforcement agency . . . with the intent to mislead or cause another person to believe that he or she is a member of that agency or is authorized to display or wear such item . . ." As the Seminole County Tax Collector, Mr. Greenberg has authorized the issuance of badges both to himself and to members of staff within the Seminole County Tax Collector's Office. The badge Mr. Greenberg was wearing on December 4, 2017, is believed to be his Seminole County Tax Collector badge, and while it certainly resembles a law enforcement officer's badge, it does not fall within the purview of this statute. Accordingly, I find that Mr. Greenberg's actions on December 4, 2017, in wearing his Seminole County Tax Collector badge do not violate Fla. Stat. s. 843.085(1).

False Personation of an Officer [Florida Statute s. 843.08] states, in pertinent part, that "a person who falsely assumes or pretends to be a . . . sheriff . . . police officer . . . or a federal law enforcement officer . . . and takes upon himself or herself to act as such . . . commits a felony of the third degree" (emphasis mine). The issue turns on whether Mr. Greenberg pretended to be a law enforcement officer when he wore his badge during his separate interactions with a Deputy Sheriff and a fellow motorist on December 4, 2017, and, if so, whether he took it upon himself to act as a law enforcement officer. I find that Mr. Greenberg's decision to wear his Seminole County Tax Collector badge during these two encounters does not rise to the level of him falsely

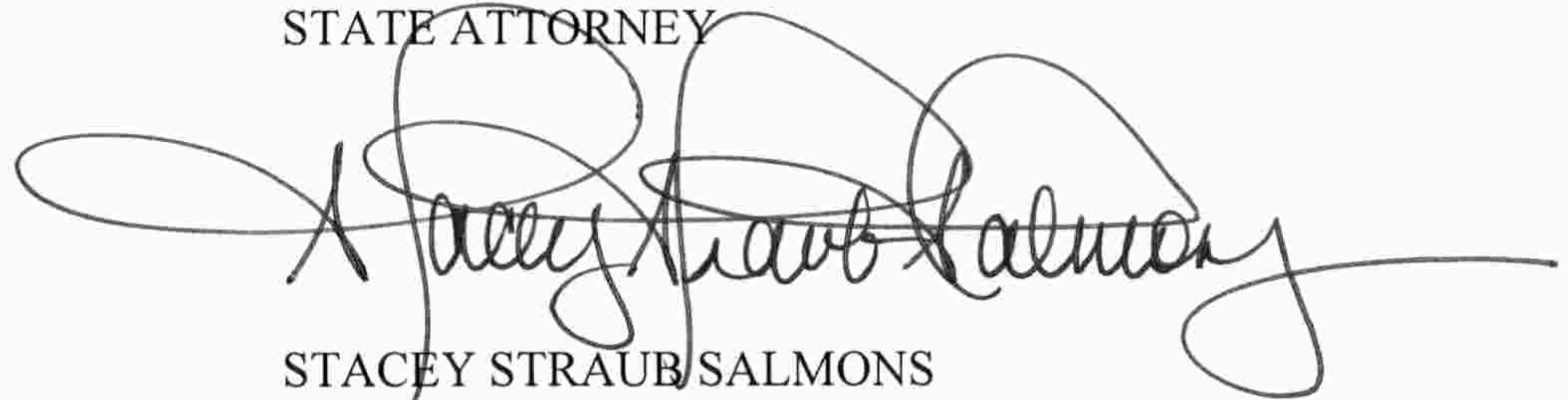
assuming or pretending to be a law enforcement officer. I further find that while inappropriate, he did not take it upon himself to act as a law enforcement officer when he turned on white lights positioned at the front of his vehicle in an attempt to stop a fellow motorist whom he believed was speeding. Accordingly, I find that Mr. Greenberg's actions on December 4, 2017, in wearing his Seminole County Tax Collector badge while attempting to stop a fellow motorist, do not violate Fla. Stat. s. 843.08.

I would be remiss if I did not take this opportunity to address Mr. Greenberg's actions, even though they do not violate the letter of our Florida criminal laws. I am of the professional opinion that Mr. Greenberg should not have been wearing his Seminole County Tax Collector badge when he was trying to slow speeding traffic near his home, nor should he have worn it during his interaction with the fellow motorist whom he felt was speeding. Neither of these incidents constitutes matters for which the Seminole County Tax Collector would be acting in an official capacity.

One could be left to conclude that Mr. Greenberg's decision to wear his badge during these two incidents was a purposeful attempt, on his part, to exert undue power and influence, or to mislead those with whom he was interacting on December 4, 2017, into thinking that he was a law enforcement officer, when in reality, he is the Seminole County Tax Collector. So, while one could conclude these points, I will not; rather, I will give Mr. Greenberg the benefit of the doubt and assume that his intentions were pure, in that he was trying to slow traffic in an attempt to make his community safer. Another person encountering Mr. Greenberg under these same circumstances may not be so gracious, and could feel it necessary to take a defensive posture. Such a situation could lead to harmful, if not potentially disastrous, results.

Sincerely,

PHIL ARCHER  
STATE ATTORNEY

A handwritten signature in black ink, appearing to read "Stacey Straub Salmons", written in a cursive style with a long horizontal flourish extending to the right.

STACEY STRAUB SALMONS  
Chief Assistant State Attorney  
Florida Bar No. 0351430  
P.O. Box 8006  
Sanford, FL 32772-8006  
(407) 665-6410  
[ssalmons@sal8.org](mailto:ssalmons@sal8.org)