



# The Fourword

Volume 43 Number 8

August 2016

## **NFOP APPLAUDS DISMISSAL OF CHARGES AGAINST BALTIMORE OFFICERS AND CALLS FOR STATE ATTORNEY MOSBY'S DAY IN COURT**

Chuck Canterbury, National President of the Fraternal Order of Police, expressed satisfaction and relief that the witch hunt against the Baltimore officers by State Attorney Marilyn Mosby has officially ended with all charges dropped for the remaining officers.

Canterbury said, "We have said time and time again from the onset of this witch hunt that these officers were wrongly charged with absolutely false claims. Today has vindicated and proven that these officers did everything by the book and that there was a gross miscarriage of the law by State Attorney Mosby."

"It is terrible that in our country today that law enforcement officers doing their job the right way can still be falsely accused of misconduct and have their lives potentially ruined, even though facts were there from the very beginning that no misconduct occurred." Canterbury continued, "It is now time for State Attorney Mosby to face her days in court for malicious suits, abuse of process, and malfeasance in office. Some of these matters will be resolved in civil courts, by the bar association, and also criminal court. The men and women of the Baltimore Police Department and officers around the country know how to uphold the law unlike Mosby who answers to public pressure rather than actual facts of investigations."

The men and women of law enforcement around this country will continue to stand up and protect the people of our great country no matter what. They will continue to do this even though members of the media and our elected officials continue to stay silent and ignore the facts.

The Fraternal Order of Police is the largest law enforcement labor organization in the United States, with more than 330,000 members.

Representing the Professional Police Officers of Baltimore County





## MEETING MINUTES July 2016

- The July General Business meeting was held on July 25, 2016 at FOP Lodge 4. President Weston called the meeting to order at 7:30 p.m. Chairman of the Board Schubert gave the invocation. President Weston led the Pledge of Allegiance.

### ROLL CALL OF OFFICERS

- First VP Comegna, Chaplain DiCara, Vice Chair DiCara, Brothers Rommel, Franks, Sweren and Sister Kraemer were excused, all other Officers were in attendance as well as Legal Advisor Mike Marshall.

### APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

- A motion was made by Brother Grumbach to accept the minutes of the June General Membership Meeting. A second was made by Brother Siedlecki. There was no discussion. The motion passed.

### REPORTS OF OFFICERS

#### ~ PRESIDENT WESTON ~

- July 18– Attended a meeting of the Political Action Committee and the Lodge #4 Executive Board of Directors meeting.
- July 19– Attended a meeting of the Peer to Peer Critical Incident Group.
- July 21– Met with counsel concerning department ordered compelled medical testing cases

and met with a member concerning supervisory responsibilities.

- July 22– Attended a viewing for the Robinson family.
- July 25– Chaired the Lodge #4 General Membership meeting.

#### ~ 1<sup>st</sup> V. P. COMEGNA ~

- June 28– Attended a special meeting of the Police Assistance and Relief Fund (PAR).
- June 29– Visited Precinct #3 (Franklin) and Precinct #4 (Pikesville).
- July 11– Along with Second Vice President Rose, met with a member and their spouse to discuss a possible medical retirement and the members options with that situation.
- July 18– Attended a meeting of the Political Action Committee and the Lodge #4 Executive Board of Directors meeting.
- July 19– Attended meeting of the Peer to Peer Critical Incident Support Group.

#### ~ 2<sup>nd</sup> V. P. ROSE ~

- June 28– Assisted a member with an ADA issue.
- June 30– Attended a fundraiser for Delegate Dana Stein.
- July 6– Met with a member to discuss retirement options and attended a motions hearing in Circuit Court.
- July 11– Met with a member to discuss retirement options.
- July 12– Attended the Pension Board of Trustees meeting.
- July 18– Attended the Executive Board of Directors meeting.
- July 20– Attended Phase II at the range.

### LODGE 4 OFFICE

9304 Harford Road  
Baltimore, Maryland 21234  
Phone (410) 668-0004  
FAX (410) 668-8126  
Toll Free (888) 313-3501  
www.foplodge4.org

### ELECTED OFFICERS

Cole B. Weston  
**President**  
(443) 956-2679

Steven G. Comegna  
**1<sup>st</sup> Vice President**  
*F.O.P. Lodge 4*  
(410) 409-0293

David M. Rose  
**2<sup>nd</sup> Vice President**  
*F.O.P. Lodge 4*  
(443) 956-2643

Donna M. Patterson  
**Lodge Secretary**  
*PC-12*  
(410) 365-8481

Robert W. Caskey  
**Treasurer**  
*CID-Robbery*  
(443) 956-2615

W. Don Patterson  
**State Trustee**  
*Retired*

Ryan Massey  
**Sergeant at Arms**  
*CID - Homicide*

Anthony DiCara  
**Chaplain**  
*PC-8*

L. Timothy Caslin  
**Past President**  
*Retired*

### EXECUTIVE BOARD of DIRECTORS

Kenneth F. Schubert  
**Chairman**  
*Retired*  
(410) 404-2788

Mike DiCara  
**Vice Chairman**  
*PC-4*

Thomas G. Scally  
*CID - Arson*  
David Sweren  
*PC-6*  
James P. Rommel, Jr.  
*PC-3*  
Robert Graff  
*PC-6*

Kathy Kraemer  
*PC-6*  
Sekou Hinton  
*CID-Property*  
Ryan Franks  
*CID-Property*  
Patrick Zito  
*Retired*

### LODGE STAFF

Nancy Skinner—Administrative Assistant

### LEGAL ADVISORS

Schlachman, Belsky & Weiner, P.A.  
Phone (410) 685-2022  
IAS Cases      Michael Marshall

\*\*\*\*\*

*The Fourword* is the official monthly publication of Baltimore County Fraternal Order of Police Lodge 4.

### *Fourword* Editors

Donna Patterson  
Don Patterson

## *The Fourword*

- July 21– Met with Heather Flanary and Kathleen Cahill to discuss the ADA case and met with the IAS Commander.
- July 25– Attended Circuit Court for a hearing and attended the Lodge #4 General Membership meeting.

### **~SECRETARY PATTERSON~**

- July 4– Hosted the cookout for personnel working the Dundalk Fireworks Detail.
- July 18– Attended the Lodge #4 Executive Board of Directors meeting.
- July 22– Attended a viewing for the Robinson family.
- July 25– Attended Lodge #4 General Business meeting.

### **~TRUSTEE PATTERSON~**

- July 4– Hosted the cookout for personnel working the Dundalk Fireworks Detail.
- July 18– Attended Lodge #4 Executive Board of Directors meeting.
- July 19– Attended a meeting of the Peer to Peer Critical Incident Support Group.
- July 22– Attended a viewing for the Robinson family.
- July 25– Attended Lodge #4 General Business meeting.

### **EXECUTIVE BOARD OF DIRECTORS REPORT ~ Ken Schubert~**

- An Executive Board of Directors meeting was held on July 18, 2016. The meeting was called to order at 1:30 p.m. Sister Kraemer and Brother Sweren were on vacation. Brothers Massey and Franks were working. All other board members were in attendance as was Legal Advisor Mike

Marshall.

- A recess was taken to allow three guests to address the Board. State First Vice President O'Brien Atkinson addressed the Board and advised he was running for State Lodge President. Brother Matt Frasca from Montgomery County Lodge #35 spoke to say he was running for State Lodge Second Vice President. This position was being vacated as Second Vice President Young is running for First Vice President. Sister Tracy Lieberman from Maryland National Capital Police Lodge #30 spoke to say she was running for the office of Conductor.
- Motions that were made, after receiving a proper second, were discussed, voted upon, and appear in this issue under the appropriate committee reports.

## **REPORTS OF COMMITTEES**

### **ATHLETIC COMMITTEE ~Don Patterson~**

- The Annual Golf Tournament is scheduled for Friday August 26, 2016. The tournament will be held at Rocky Point Golf Course in Essex. Shotgun start at 0800 hrs. The cost is \$400 per foursome. The tournament is full at this time.

### **DONATION REVIEW COMMITTEE ~Mike DiCara~**

- The committee met and made the following motions:
- To make a donation of \$2400.00 to purchase 2 tables at the Make-a-Wish fundraiser to be held on September 17, 2016.
- Donate \$250.00 to the "Frank G. Messina and the late Esther Mes-

sina" Law Enforcement Scholarship Program at CCBC.

- Donate \$550.00 for the annual 4th of July picnic at Precinct #12.
- Donate \$100.00 to the support Precinct 8's First Annual Parkville Community Day held on July 23, 2016.

### **GRIEVANCE COMMITTEE ~Dave Rose~**

- On or about March 26, 2016, 271 members who receive stand-by pay under the Memorandum of Understanding were notified by the County Administration that a corrected 2015 W-2 was posted on their ESS account. The letter explained they were taxed on this pay in their original pay checks but it was not included as taxable income on their original W-2. Several members contacted the lodge explaining they have incurred or will incur additional expense for filing an amended tax return because they have already filed their taxes with the IRS. Some have even received a refund and will have to pay the IRS for additional income taxes owed.
- On April 6, 2016, the FOP filed a class action grievance directly to Step #2 as identified in Article 8 of the Memorandum of Understanding. The grievance states that any employee who has incurred additional expense because of the County's actions should be reimbursed. The grievance was delivered to Colonel Burris that day. On April 14, 2016 Colonel Burris issued a disposition stating he cannot rule on the grievance at his level.
- On April 18, 2016, the Grievance Committee met and voted

## ***Do you have a story for the newsletter?***

***So many of our members participate in meaningful organizations and events that support neighborhoods and charities. Please consider sharing this information with us. We would like to collect photographs accompanied with a brief explanation to share with our membership. It is also important for the public to know what kind of people wear the uniform and work so diligently to protect them.***

***Send the information to :  
office@foplodge4.org***

unanimously to appeal the decision to Step #3. That appeal was filed on April 20, 2016. It was originally scheduled for early May but we requested a postponement so we could collect the refund information from our members.

- We have sent e-mails and posted notification on our website for members wishing to become parties to the grievance to contact the lodge and submit a receipt for any additional expenses incurred. We received sixty-six (66) total responses from members. Some members had not incurred any additional cost. However, forty-one (41) members have incurred an additional cost totaling \$2,393.50.

- The County Administration responded by requesting the Office of Administrative Hearings dismiss the grievance by stating they do not know what rule, regulation, code provision and/or MOU provision the FOP is relying upon for our position that our members are owed a reimbursement from the Administration. The FOP communicated that it intends to make that argument at the Step #3 hearing. The case was heard on July 29, 2016 at 10 a.m.

### **LEGAL ADVISORY COMMITTEE**

**~Dave Rose~**

- On March 9, 2016 we filed a notice of intent to arbitrate as per Article 8, Section 8.3, step #4 paragraph (b) of the Memorandum of Understanding. We tried to arrange a meeting with the County Administration to resolve the issue outside of arbitration but the County has not expressed a desire to do so. Our attorney is currently working with OHR Director Gay to select an arbitrator and a hearing date.
- The Retiree Health Care Subsidy case was presented at the Maryland Court of Appeals on November 9, 2015 in reference to the County's refusal to pay the damages owed. We are still waiting for a decision.
- The Heather Flanary case is filed with the EEOC. The County has filed a response to the claim and we have thirty (30) days to respond to their brief. Her appeal is filed with the Court of Special Appeals. A briefing schedule has been set. A hearing date is projected for February 2017.

## ***Bereavements***

**Retired Brother Ronald  
G. Miner, Sr.**  
\*\*\*\*\*

**Retired Brother William  
L. Yancey, Jr.**  
\*\*\*\*\*

**Dennis G. Robinson, Father of Retired Colonel  
Dennis Robinson, Grandfather of Brothers Joseph  
Robinson and  
Christopher Robinson**  
\*\*\*\*\*

**Norma Boer, Mother of  
Retired Brother Tony  
Boer**  
\*\*\*\*\*

**Kathleen Chester, Mother-in-Law of Brother  
Thomas Insley**  
\*\*\*\*\*

### **LEGISLATIVE COMMITTEE ~Cole Weston~**

- National President Chuck Canterbury and National Legal Counsel Jim Pasco are working on legislation to classify crimes targeting police to be hate crimes.
- Delegate John Cluster announced he was stepping down from his seat to take a job with the State of Maryland.
- Senator Delores Kelly was appointed to the Senate Judiciary Committee, giving Baltimore County three Senators on this committee.

## *The Fourword*

### **PENSION COMMITTEE**

~Dave Rose~

- At the July 12, 2016 Pension Board of Trustees meeting the Board approved fifty-six (56) total retirements. Three (3) of those were from the police department.
- Trustees voted to lower the discount rate to 6.375%.

### **POLICY REVIEW COMMITTEE**

~Dave Rose~

- The committee members reviewed two (2) new or revised policies this month. There were no bargaining issues identified.

### **POLITICAL ACTION COMMITTEE**

~ Steve Comegna ~

- The Political Action Committee met on Monday, July 18, 2016. There was one motion presented to the Executive Board of Directors. That motion was as follows:
- To purchase a \$2500.00 Gold Sponsorship to a fundraiser being held by State Senator Bobby Zirkin (District #11, Chairman Judicial Proceedings Committee) on Wednesday September 14, 2016.

### **OLD BUSINESS**

- There was discussion on the Patrol Rifle Program. The Department has 174 military surplus weapons issued to officers working the street, 10 are assigned to training. There are currently 229 trained operators.
- There is a RFP to add 40 new weapons from last years budget and to purchase 40 from this years budget.
- The Chief directed the Training Academy Staff to write specs to allow officers to carry their own rifles at work.

### **NEW BUSINESS**

- Brother George Mussini talked about his incident in Washington DC. He discussed the (P2P) Peer to Peer group organized to assist members and their families after critical incidents. The group meets the 2nd Tuesday of every other month.
- President Jim Kruszynski from FOP Lodge 34 would like to let all of our members that the Lounge at Lodge 34 located at 730 Wampler Rd., Middle River, MD 21220 is still open for business. He wants to dispel rumours that it is closed.
- The lounge is open Thursday night through Saturday night from 6PM until Close. It will also be open on Sundays during football season.

- If you would like to plan a shift event please call Cindy Griffith at 410 622-2657.

### **GOOD OF THE ORDER**

- During the month of July, FOP Lodge #4 made one (1) donation in lieu of flowers at the request of a bereaving member. One fruit basket was sent to a member recovering from an injury. Six (6) thank you cards were received.
- Brother John Cullum advised that the 6th Annual Police Reunion Bull Roast will be held on September 16, 2016 at Columbus Gardens.

### **Welcome**

**Christopher Michael  
Roussey, Son of Brother  
Christopher Roussey**

\*\*\*\*\*

**Delaney Lynn Topper,  
Daughter of Brother  
Daniel Topper and Sister  
Lindsey Topper**

\*\*\*\*\*

### **ARE YOUR BENEFICIARIES UP TO DATE ?**

***Please ensure that your beneficiary designees are current. Take a moment to verify that your loved ones are provided for in the manner you intend. The following offices can assist you.***

<b>Pension</b>	<b>Retirement Office</b>	<b>410-887-8246 or 1-877-222-3741</b>
<b>Life Insurance</b>	<b>County Insurance</b>	<b>410-887-2568 or 1-800-274-4302</b>
<b>PBA</b>	<b>Police Personnel</b>	<b>410-887-2208</b>
<b>Deferred Comp.</b>	<b>Richard Dinardi/Kevin McQuarrie</b>	<b>1-877-677-3678</b>
<b>Baltimore County Employee Federal Credit Union</b>		<b>410-828-4730</b>

The September

**FOP Lodge 4  
GENERAL  
BUSINESS  
MEETING**

will be held on

**Monday,  
September 26, 2016  
7:30 p.m.**

at  
FOP Lodge 4  
9304 Harford Road

The October

**FOP Lodge 4  
GENERAL  
BUSINESS  
MEETING**

will be held on

**Monday,  
October 24, 2016  
7:30 p.m.**

at  
FOP Lodge 4  
9304 Harford Road