



The Fourword

Volume 44 Number 2

February 2017

Tax Information for FOP Members

Beginning January 1, 2016, "law enforcement officers" can claim an income tax subtraction modification for the first \$5,000 of income earned if:

- (1) The law enforcement officer resides and works in the same political subdivision;
and
- (2) The crime rate in the political subdivision exceeds the State's crime rate.

A "law enforcement officer" is an individual who is authorized in his or her official capacity to make arrests and is a member of a law enforcement agency, including officers serving under a probationary status or at the pleasure of the appointing authority of a county or municipal corporation. Federal law enforcement officers do not qualify for the subtraction modification.

A list of the political subdivisions that have crime rates exceeding the State's crime rate is provided to the Comptroller's Office by the Maryland Police Training and Standards Commission.

If you are a Baltimore County Police Officer and you live in Baltimore County, you qualify for this tax credit.

A law enforcement officer may claim the subtraction, if applicable, by reporting it on Form 502 and Form 502SU.

Reminder for Retirees at Tax Time

The *Healthcare Enhancement for Local Public Safety (HELPS) Retirees Act* allows a deduction of up to \$3,000 annually for health care and long term care insurance premiums. The federal law went into effect Jan. 1, 2007. The deduction is for the federal income tax return only. More information can be obtained from the Lodge 4 website in the Contracts & Legislation section. Also, IRS publications have information on the topic that refer to pensions of retired public safety officers.

Representing the Professional Police Officers of Baltimore County





MEETING MINUTES January 2017

- The January General Business meeting was held on January 23, 2017 at FOP Lodge #4. President Weston called the meeting to order at 7:30 p.m. Chaplain DiCara gave the invocation. President Weston led the Pledge of Allegiance.

ROLL CALL OF OFFICERS

- Sgt-at-Arms Massey and Brother Graff were excused. Legal Advisor Marshall was also present. All other Officers were in attendance.

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

- A motion was made by Brother King to accept the minutes of the December General Membership Meeting. A second was made by Sister Kraemer. There was no discussion. The motion passed.

REPORTS OF OFFICERS

~ PRESIDENT WESTON ~

- December 31– Delivered New Year's Eve deli trays to the precincts.
- January 3– Attended the meeting of the Baltimore County Retired Police Officers Association
- January 4– Chaired a meeting of the Negotiations Committee.
- January 9– Met with the Presi-

dent/CEO of Athens Bio Solutions who currently has the county contract for bio hazard cleanup and attended the Maryland State FOP Legislative Committee meeting in Annapolis.

- January 10– Attended the Pension Board of Trustees meeting.
- January 11– Addressed the In-Service Training class.
- January 12– Met with the Director of Human Resources concerning contract negotiations and met with members of the Executive Board of Directors concerning the announced retirement of Chief Johnson.
- January 16– Attended the Lodge #4 Executive Board of Directors meeting and the Maryland State FOP Legislative Committee meeting in Annapolis.
- January 19– Met with members of the Matthews family concerning the death of our member, Brother Stephen Matthews.
- January 20– Chaired a meeting of the Negotiations Committee.
- January 23– Attended the Maryland State FOP Legislative Committee meeting in Annapolis and chaired the Lodge #4 General Membership meeting.

~ 1st V. P. COMEGNA ~

- January 3– Attended the meeting of the Baltimore County Retired Police Officers Association.
- January 4– Attended a meeting of the Negotiations Committee.
- January 9– Attended the sentencing hearing for the former president of FOP Lodge #29.

LODGE 4 OFFICE

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ELECTED OFFICERS

Cole B. Weston
President
(443) 956-2679

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1st Vice President
F.O.P. Lodge 4
(410) 409-0293

David M. Rose
2nd Vice President
F.O.P. Lodge 4
(443) 956-2643

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

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

W. Don Patterson
State Trustee
Retired

Ryan Massey
Sergeant at Arms
CIB - 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
Retired

Kathy Kraemer
PC-6

David Sweren
PC-6

Chris Hodnicki
CIB-GET

James P. Rommel, Jr.
PC-3

Ryan Franks
CIB-Property

Robert Graff
PC-6

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

- January 12– Attended the monthly meeting of the Police Assistance and Relief Fund (P.A.R.), visited Precinct #3 and met with the Captain.
- January 16– Attended the Political Action Committee meeting and the Lodge #4 Executive Board of Directors meetings.
- January 17– Attended a meeting of the Peer 2 Peer support group.
- January 18– Attended an event for Baltimore County Councilman Julian Jones (District #4).
- January 20– Visited Precinct #8 and spoke with several members.
- January 23– Attended the Lodge #4 General Membership meeting.

~2nd V. P. ROSE~

- December 31– Delivered the New Year's Eve deli trays to the precincts.
- January 3– Met with Brother Galloway and Captain Latchaw to resolve a grievance, met with Kathleen Cahill in reference to the Flanary case and attended the meeting of the Baltimore County Retired Police Officers Association.
- January 4– Attended a meeting of the Negotiations Committee.
- January 6– Met with President Weston and Jim Spearing from JMS Associates.
- January 9– Attended the Maryland State FOP Legislative Committee meeting in Annapolis.
- January 10– Attended the Pension Board of Trustees meeting.
- January 11– Addressed the In-Service Training class.
- January 12– Attended a negotiation meeting with the county.
- January 16– Attended the Lodge #4 Executive Board of Directors meeting and the Maryland State

FOP Legislative Committee meeting in Annapolis.

- January 17– Attended the Department's awards ceremony at Headquarters and met with the Matthews family concerning the death of our member, Brother Stephen Matthews.
- January 18 – Presented the mileage grievance at Step #2.
- January 21– Attended the retirement celebration for Brother Kurt Wilhelm.
- January 23– Attended the Maryland State FOP Legislative Committee meeting in Annapolis and attended the Lodge #4 General Membership meeting.

~SECRETARY PATTERSON~

- December 31– Delivered the New Year's Eve deli trays to the precincts.
- January 3– Attended the meeting of the Baltimore County Retired Police Officers Association.
- January 16– Attended the Lodge #4 Executive Board of Directors meeting.
- January 21– Attended the retirement celebration for Brother Kurt Wilhelm.
- January 23– Attend the Lodge #4 Executive Board of Directors meeting.

~TREASURER CASKEY~

- Presented the Treasurer's report to the membership at the General Membership meeting on January 23, 2017.

~TRUSTEE PATTERSON~

- December 31– Delivered the New Year's Eve deli trays to the precincts.

- January 3– Attended the meeting of the Baltimore County Retired Police Officers Association.
- January 16– Attended the Lodge #4 Executive Board of Directors meeting.
- January 21– Attended the retirement celebration for Brother Kurt Wilhelm.
- January 23– Attended the Lodge #4 General Membership meeting.

EXECUTIVE BOARD OF DIRECTORS REPORT

~ Ken Schubert~

- An Executive Board of Directors meeting was held on January 16, 2017. Brothers Sweren and Hinton were on vacation, all other board members and Legal Advisor, Mike Marshall were in attendance.
- 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

BULL ROAST COMMITTEE

~Donna Patterson~

- The 46th Annual Bull and Oyster Roast and Shrimp Feast will be held Sunday, March 26, 2017. Call the Lodge to reserve your table.

DONATION REVIEW COMMITTEE

~Mike DiCara~

- The committee met and made the following motions:
- To donate \$1,000.00 as a Blue Ribbon Sponsor to the Con-

cerns of Police Survivors for Police Week.

- To donate \$1,000.00 to the Police Assistance and Relief Fund for the Tractor Trot 5K.

GRIEVANCE COMMITTEE

~Dave Rose~

- On December 14, 2016, Sgt. Dan Galloway filed a grievance contesting his involuntary transfer from the Special Operations Division. A step #1 hearing was scheduled for January 3, 2017. A meeting was held with Captain Latchaw and Sergeant Galloway and an agreement was made to withdraw the grievance.
- On December 23, 2016, the FOP filed a class action grievance over mileage in section 11.1 of the MOU. Colonel Burris informed the FOP that mileage will no longer be paid for officers who go home after working midnight shift and having morning court.
- On January 20, 2017, a Step #2 hearing was held. It is the position of the department that since employees are being paid continuous under "Mode-4" in Appendix G of the MOU, they are not entitled to mileage because they are only allowed to go home as a "courtesy" and the agency can make them stay and work if the agency chooses. Secondly, the Travel Policy in Appendix D states that mileage must be authorized by "the agency head or designee" and since it was not approved it can not be paid.
- The FOP position is that officers attending court and being compensated under "Mode-4" are being compensated from the "end of shift" to "end of court". The clock starts when the shift ends and goes to the end of court. This provision is for compensation only for attendance in

court because the shift has ended. The agency has no control over their movement because they are not working. There is a clause in "Mode-1", which applies to afternoon court while working 3-11 shift that states "management reserves the option to work those times between court end and the shift beginning". This clause does not appear in any of the other 5 Modes for court overtime compensation. Therefore, members are free to go home if they choose. Secondly, under Section 11.1 mileage, it states "the employee shall be entitled to travel allowance for all official travel other than to report to the employees regularly assigned duty station, including portal to portal pay for court appearance on scheduled time off". Since an employees tour of duty or "shift ended", the employee is on scheduled time off. Under Section 11.1 Mileage, the employee should be compensated for the mileage. As for the department's position that the travel must be authorized by the agency head or designee, the employee has submitted a postponement request that was denied. Therefore, the agency head, in this case the Chief, is directing the employee to attend court or face discipline for not appearing. This is the agency head's authorization for travel. This would not be any different from any other call back or court appearance where mileage is paid but the agency head has not specifically authorized that travel.

- On January 20, 2017, the FOP filed a grievance under section 6.1c of the MOU, commonly referred to as the "me too clause". The FOP made an inquiry to the Office of Human Resources about the upgraded

classification of certain Fire Department positions that resulted in reclassifications on July 1, 2016 that were not provided to members of the FOP. The County provided the following response: The Office of Human Resources at the request of the Fire Chief independently performed the analysis that resulted in the recommendation to the administration to upgrade certain fire department classifications. The county takes the position upgrades of the fire department classifications were not a part of negotiations and Article 6.1c of the Memorandum of Understanding between the FOP Lodge #4 and the County is not applicable.

- The grievance is currently at Step #2 within the department. The department cannot rule on the issue but once we receive the denial/waiver, we will promptly appeal to Step #3.

LEGAL ADVISORY COMMITTEE

~Dave Rose~

- On November 23, 2016, the county notified Ericka Schneider that her spousal death benefit would be discontinued because she had remarried and will now go to Brandon Schneider until he reaches age 18, despite the fact the County Council passed legislation eliminating that provision from the section of the code effective March 2, 2015. Her attorney, Matt Clash-Drexler drafted a letter dated January 9, 2017 to the Board of Trustees for the Employees Retirement System and asked for a written affirmation that the trustees have affirmed Mr. Dorsey's determination. We are awaiting a response.
- The Flanary case had two dates in February. The Court of Spe-

cial Appeals hearing was scheduled for February 7, 2017. The hearing in Federal District Court for the Preliminary Injunction was heard on February 17, 2017. Chief Johnson was deposed on January 24, 2017.

- 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 MOU in our healthcare subsidy grievance. On June 15, 2016, we met with our labor attorney and health care consultant to discuss and prepare for the grievance as we move forward into arbitration. We have tried to arrange a meeting with the County Administration to try and resolve the issue outside of arbitration but the County has not expressed a desire to do so. We have obtained a list of arbitrators from the AAA. The County has communicated to us that they decline to participate in the arbitration of this grievance. We will move forward with the selection of an arbitrator and proceed in the process.
- Mike Marshall and his staff are working on the Marvin Haw pension appeal to the Office of Administrative Hearings. At this time, no date has been set.
- On October 19, 2016, the EEOC filed an appeal to the Fourth Circuit Court of Appeals on the decision of the Federal District Court in the pension system age discrimination case. In August, District Court Judge Richard D. Bennett ruled that the County does not have to pay back the workers who overpaid into the pension system.

PENSION COMMITTEE ~Dave Rose~

- At the January 10, 2017 Pension Board of Trustees meeting the Board approved thirty-eight (38) total retirements. Fourteen(14) of

those were from the police department.

POLICY REVIEW COMMITTEE ~Dave Rose~

- The committee members reviewed two (2) new or revised policies this month.
- The FOP sent a letter to Chief Johnson on December 12, 2016 requesting to bargain over the Social Media Policy. Colonel Burris acknowledged receipt of the letter and will designate a command staff member to sit down with the FOP to discuss the issues and attempt to come to an agreement. No meeting date has been set at this time.
- Revisions to the Disciplinary Matrix referencing Body Worn Cameras were approved and should be disseminated soon.

POLITICAL ACTION COMMITTEE ~ Steve Comegna ~

- The Political Action Committee met on Monday, January 16, 2017. There was one (1) motion presented to the Executive Board of Directors. The motion is as follows:
- To purchase a \$1,000.00 Bronze Sponsorship to an event for Baltimore County Councilman Julian Jones (District #4) on January 18, 2017.
- This motion was approved by the Executive Board of Directors on January 16, 2017. It as approved by the General Membership on January 23, 2017.

GOOD OF THE ORDER

- During the month of December FOP Lodge #4 sent two (2) cards and flowers to bereaving members. Three (3) thank you cards were received. Two (2) donations were made in lieu of flowers.
- The next Peer 2 Peer Support Group meeting will be held at the lodge on Tuesday, March 21, 2017.

NEW BUSINESS

- Brother Dave Roesler plead guilty to a misdemeanor in court and must now register as a sex offender. A motion was made to remove him as a member of the organization. That motion passed.
- Brother Bandurchin asked the President if any Lodge funds were going to be used in reference to the traffic incident he was involved in. President Weston advised they would not.

Bereavements

**Brother Stephen
Matthews, Brother of
Retired Sister Jean
Dyer, Brother-in-Law
of Retired Brother Tim
Dyer**

**Faustina Jagoe,
Mother of Brother Bob
Jagoe**

**Shirley Boone, Mother
of Brother Keith
Boone**

**Paul Maas, Father of
Brother Scott Maas**

The March

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
March 27, 2017
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road

The April

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
April 24, 2017
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road