

BALTIMORE COUNTY
FURWORD
FRATERNAL ORDER OF POLICE
THE PRESIDENT'S MESSAGE

By Dave Folderauer

TRIAL BOARD PROTECTION

On March 3rd, we posted a Press Release in reference to decisions made by the Maryland Police Training and Standards Commission concerning the discipline of police officers in the State of Maryland. The Commission was directed by the Maryland General Assembly to produce "a model uniform disciplinary matrix for use by each law enforcement agency in the State." As noted, the Commission went beyond their scope in a move that took trial boards away from the internal complaint process.

As a result of the press release and efforts by the Baltimore County and Maryland State FOP Legislative Committees, the Maryland General Assembly amended Senate Bill 389 to guarantee due process rights in reference to police discipline. The language was then moved to Senate Bill 763. On the last evening of the session with one minute to spare, the House passed SB763 allowing it to proceed to the governor. On April 21, Governor Hogan signed SB763 into law.

I extend my thanks to so many for securing this protection. Our committee stepped up in a leadership role for the benefit of the state. Our lobbyist, former Senator Bobby Zirkin, was instrumental in getting doors opened in Annapolis. Maryland State FOP President Clyde Boatwright and his Legislative Committee, including Lobbyist Frank Boston, worked tirelessly until we had a successful resolution. There are many more that gave or offered assistance. This was truly a team effort.

POLICE ACCOUNTABILITY BOARD

On April 11, County Bill 24-22 was introduced at the Baltimore County Council Legislative Session. This bill establishes a Police Accountability Board, as required by State law. We have reviewed the County legislation and it conforms to the state requirements. The Baltimore County proposal requests nine representatives throughout the County, all named by the County Executive. We have asked the Council to come up with a process where each District gets a nominee, leaving two at-large for the Executive, including the chair. At a minimum, we have asked for Council confirmation of any proposed member.

We ask our membership to identify community leaders that would be a good fit for the Baltimore County Police Accountability Board. If these leaders do not get selected, there is always the opportunity to serve on the Administrative Charging Committee or in the trial board process as it moves forward to inclusion of civilians on the panel.

The regular monthly meeting of the Baltimore County Fraternal Order of Police was held on Monday, March 28th at 7:30 P.M., at the Maryland State Fairgrounds. President Folderauer was present, in chair, as was Secretary Patterson. A motion was made by Brother Jess, to accept the minutes from our February meeting. This was seconded by Brother King, and approved with no discussion. Said minutes have been posted to the Lodge #4 App.

REPORTS OF OFFICERS

Officers not listed have provided reports under Committees

President – Dave Folderauer

- Members were encouraged to download the APP, and to follow Lodge #4 on Facebook, Instagram and Twitter.
- Our App is being used more regularly, so please download it, if you haven't already. Also, follow us on Facebook, Instagram and Twitter.
- The Bull Roast was a great time and it nearly sold out. We're looking at moving it for next year. Carley Noppinger was honored as our first FOP Lodge #4 Officer of the Year.
- Electronic elections – tonight we vote on the By-law change.
- We're going to continue getting our message to the public out on Super Citizen radio – WCBM (AM680), on Saturday nights, at 8:30 PM.
- Several of us went to an updated Collective Bargaining seminar and we've brought back some new ideas for bargaining.
- Pay and OT Issues – Sergeant at Arms Hodnicki will provide an update.
- We remain partnered with the Fire Dept regarding COVID issues, including leave reimbursement and policy establishment.
- We laid a wreath at our memorial and sent one to the academy for the passing of Brother Perry Wright. Second VP Mike DiCara did a great job. He worked hard and spent a lot of time with Perry's family. We will continue to support Josie and the family with any needs that arise.
- Legislative work. Due Process is being addressed, as are Juvenile Laws: i.e. 8 years old to 13 years old (culpability shift), Juvenile Interrogation and Court Jurisdiction – Brother Massey stepped up and assisted with testimony. Our Lobbyist and the State's Lobbyists have stepped up their efforts. The Attorney General looks to be attempting to get more authority in one bill that looks forthcoming and would allow them to investigate AND charge Officers. They have yet to complete any of the prior year's investigations.
 - There was Question/Statement by Brother Cluster about AG Bill going to the Governor. He must get bills 10 days prior to the end of session. We may need to press him.
- We met with Mike Davey on the 4th, regarding the Critical Incident Team. That will be discussed under Committee Reports. If you're interested in being a part of this, let us know. Also, if you're involved in an incident or hear that the AG's Office is being notified regarding an incident, please call the Lodge or one of the Lodge Officers.
- Vacancies: The vacancy summary shows 136 sworn vacancies, with an operating strength of 1970. The Council is aware, and supportive of us, with regards to how this affects morale.

REPORTS OF OFFICERS...CONTINUED

- Take Home vehicles and post '07 Healthcare are priorities not the only one being addressed.
- All activities have been posted to the Lodge #4 App.

First VP - Dave Sweren

- We have two Trial Boards pending, but the Legal Director resigned. We're trying to get answers as to when trial boards will reconvene. Legislative - Provided an up-date on the Due Process vote and legislation.
- State FOP President Clyde Boatwright is doing an awesome job keeping up with everything.
- We have one member involved in a Step 3 grievance, regarding promotional process / interviews. There has been an Order given for the release for the Member's Promotional Oral Interview, by the Administrative Judge.
- A Colonel from the Agency contacted President Folderauer regarding MPIA requests for his Internal Affairs history. An emergency Legal Advisory Committee meeting was held and we met with the Colonel. The topics of Technical vs Non Technical violations, the release of his IA history possibly being inconsistent with Law, and the lack of established policy within the Police Department regarding this were all discussed. There needs to be a consistent policy for his history to be released AND for all of our members' records. On March 25th we voted to support the Colonel and send a letter to bargain over the policy effects, as well as to have our Attorneys from SBW&D assist.
 - There was a question from Brother Tollen regarding the necessity or reason for an MPIA request. The answer was that none needs to be given.
- Reference was made to President Folderauer's discussion of Due Process public debate of the issue. President Folderauer was notified by State FOP President - Clyde Boatwright, who sits on the Disciplinary Matrix Committee, that MPTSC has created two separate paths for discipline, based on internal vs external complaints. This was NOT the original legislative intent. There was a vote by the commission, including Chief Hyatt, to allow for a separate process to be carved out for originating from within individual Departments. The meaning of this in the context of our contract was discussed, as was our communication with members of the Legislature (Delegates and Senators).

LINE OFFICERS

President: Dave Folderauer
dfolderaue@fopldodge4.org

First Vice President: Dave Sweren
dsweren@fopldodge4.org

Second Vice President: Mike DiCara
mikedicara@fopldodge4.org

Secretary: Donna Patterson
secretary@fopldodge4.org

Treasurer: Bob Caskey
treasurer@fopldodge4.org

Maryland State Trustee: Don Patterson
dpatt3326@comcast.net

Chaplain: Tony DiCara
tonyangmave@aol.com

Sergeant at Arms: Chris Hodnicki
chodnicki@fopldodge4.org

Board of Directors

Chairman: Ken Schubert
schubby1969@aol.com

Vice Chairman: Doug Jess
Djessfive0@gmail.com

Steve Comegna
scomegna@comcast.net

Tom Scally
firechaser@comcast.net

Ryan Franks
rfrankse@fopldodge4.org

Rob Graff - rlgj5722@comcast.net

Joe Peach - joseph.peach.3858@gmail.com

Matt Krauch - mbkrauch5248@hotmail.com

Matt Gonzalez - gonzo3824@gmail.com

Greg Huber - ghuber12@comcast.net

Dave Rose - Past President

REPORTS OF OFFICERS...CONTINUED**Second Vice President - Mike DiCara**

- Recognized people who voluntarily assisted with Perry Wright's family after his passing. Initially, a Department representative declined the participation of two honor guard personnel for the funeral detail. We became aware of this and put a contingent together, to support his family. The Department found out about the Lodge's efforts and changed course, allowing Brother Mordy Singer and Brother Will Condon to travel and participate in Perry's funeral as members of the Honor Guard. The following members also traveled to honor Perry and support his family, and they should be recognized for their fraternalism: Brother Reggie Sutton, Brother Mike Akehurst, Brother Rodney Speights and Retired Brother Reggie Cohen. Their support was VERY much appreciated by Perry's family and was an excellent demonstration of what Joselyn calls Perry's "Blue Family".



From left to right: Brother Rodney Speights, Brother Reggie Sutton, Second Vice President Mike DiCara, Brother Mike Akehurst, Brother Mordy Singer and Brother Will Condon

Secretary - Donna Patterson

- We paid last half of the per capita to the State and National Lodges. Regarding the conference in Solomon's Island, reservations have been made and are paid for. Contact the Lodge ASAP if there are any issues, as we can cancel reservations until the middle of July.
- The State Trustee from Lodge #3 unveiled a challenge coin for National Police Week. It's priced at \$15.00 and we'll be advertising it on the App.

Treasurer - Bob Caskey

- Deposits and disbursements were discussed in comparison to the current state of the market.

State Trustee - Don Patterson

- Presented a flyer for a fundraiser for Lodge #91, received from Brother Ken Schubert, in reference to a Frederick officer who passed away.
- The next State FOP meeting will be on April 23, in Ocean City.

REPORTS OF OFFICERS...CONTINUED

Sergeant at Arms - Chris Hodnicki

- Pay Issues: We're continuing work and conversations with Major Monahan, who is under the impression that Substitution Pay is, or has been, corrected. Please check. If not, please let us know. Overtime is being paid. He has dedicated three members to ensure that current OT is being paid to ensure the hole that he inherited doesn't get any deeper. **Lauren Galliard, Katie Thomas, and Kim McNeil** have worked extremely hard at getting this done. Prior Adjustments are being paid and significant progress was made since the last pay period. PLEASE check your OLTA to see if you've received the OT you're due.
- Comp Leave is behind as well but has not been forgotten and will be addressed.
- Continue to check your pay for any money due: OT, Mileage, Substitution, Specialty Pay.

Chairman of the Board - Ken Schubert

- Motions being heard this evening:
 1. By-laws committee motion/vote to accept the change to allow for Electronic Voting
 2. Donations:
 - a. 3 members of women in police to go to training
 - b. Bronze sponsorship Annual Maryland COPS Ride to be held on June 12, 2022. The motion passed unanimously.
 - c. Italian American Charities annual dinner / dance. The motion passed unanimously.
 - d. Maryland Special Olympics Law Enforcement Torch Run. The motion passed unanimously.
 - e. Maryland Special Olympics Polar Bear Plunge. The motion passed unanimously.
 - i. Question: Regarding the money...where is it going? To whose team?
Answer: Directly to the Maryland Special Olympics

A motion was made by Brother Jagoe, and seconded by Brother Huber, to approve the Reports of Officers. The motion passed unanimously.

REPORTS OF COMMITTEES

Bull Roast: Ken Schubert - Deferred to Brother Don Patterson, but said thanks to all who attended. Brother Patterson advised that we had a great turnout and wanted to thank all who helped. We did make a profit through ticket sales, two flag/plaques which were donated, and our table and raffles. We announced our FOP Officer of the Year - Carley Noppinger.

By-laws: Doug Jess - The By-law for electronic voting will be voted on tonight. It did pass out of committee, unanimously.

Expenditure Review: Doug Jess - All receipts were found to be in order.

Finance: Bob Caskey - There were no request for loans during this period.

REPORTS OF COMMITTEES...CONTINUED

Grievance: Dave Sweren - We have a class grievance that is still going to binding arbitration. Please keep sending us your COVID Leave Request forms. The Military Grievance was heard at STEP 3 and we're waiting for an opinion from the Administrative Judge.

Healthcare Review: Mike DiCara - The committee met with the County on March 9, 2022. The current focus is to combine rate structures for pre and post '07 employees and to fix the stipend. Three additional meetings have been scheduled. We've had internal discussions of trying to get binding arbitration for Healthcare set on the ballot. Feedback from county will be a guide for whether or not this is immediately necessary. The RFP is still under way.

Memorial: Don Patterson - Fallen Heroes Day at Dulaney Valley will be held on Friday, May 6. The Baltimore County Police Memorial event will be held on Friday, May 13 with a reception to follow at our Lodge.



Pension: Don Patterson - At the March 8 Pension Board of Trustees meeting, two retirements were approved from the Police Department. With regards to one, it is/was an ongoing Disability case. Our member prevailed at the Office of Administrative Hearings and Board of Appeals. The County's attorney filed a motion to appeal at Circuit Court on Monday, March 7, but on March 8, the Pension Board met and voted unanimously to NOT appeal. The County indicated that they want to withdraw their appeal. Our Member's attorney wants the County to pay legal fees which were incurred fighting the appeal, which was not authorized. Second Vice President Mike DiCara continued to provide assistance to Josie Wright, navigating through difficulties with Brother Perry Wright's benefits and pension.

Policy Review: Dave Sweren - President Folderauer learned that the Department was forming of a Use of Force Policy Committee and recognized our lack of inclusion. He made contact with Director Anderson whereby he sought and received an invite for our involvement. We are sending a contingent of 3-4 representatives.



What is Necessary and Proportional ?

"A standard like this one cannot be 'reduced to a formula' and is 'not amenable to a precise definition' as it necessarily depends on 'the specific circumstances encountered by the officer' on the scene"

Attorney General of Maryland Brian E. Frosh (left), in reference to the new Maryland Use of Force Statute

REPORTS OF COMMITTEES...CONTINUED

Political Action: Dave Folderauer – Mike DiCara advised that the committee has five items to voted on and presented them as motions to:

1. Endorse David Marks
2. Endorse Todd Crandell
3. Endorse Scott Shellenberger
4. Make a donation as a sponsor to a fund raiser to be held on April 7th for Scott Shellenberger
5. Make a donation to the campaign of Brother Adam Streight (Lodge #2), in his run for House of Delegates in Cecil County

All above motions were passed unanimously.

Scholarships: Tim Caslin – 36 Applications were received and the Committee is reviewing them. Recipients will be notified when decisions are made.

Social Media: Chris Hodnicki – Our App usage is up to 800 Members now and growing daily. Posts are being viewed more frequently and comments have been enabled. The Police Training Commission video has been uploaded for all to view and the LEOSA forms have been updated. The FOURWORD has also been uploaded to the App and added to the Resources module. We will be launching a new Facebook Page.

Building: Bob Caskey – We're still looking for property. If you know of any, pass the info along.

Election Process: Mike DiCara – If the By-law passes this evening, we will be set to have our upcoming election for Board Members conducted electronically.

Promotional Process: Mike DiCara – There are still issues with members being permitted to look at interview questions and benchmarks. We don't know if the bench marks are appropriate or in accordance with department policy.

Retiree Matters: Dave Folderauer – We are putting a Benefits sheet / packet together. Brother Gibbs posed a question about Retirement Credentials and the Chief having sole discretion to issue them. The answer was that there had been previous attempts to change this practice, but they were not successful.

Equipment: Tony DiCara – He is working on the lack of available radios for shifts. If you're having any issues with obtaining radios for your tour of duty, or problems with your issued vest carrier, contact him.



REPORTS OF COMMITTEES...CONTINUED

Vehicles: Chris Hodnicki – We continued work on the MDT mounts. Precincts have been directed to determine which vehicles in their command require a shortened MDT mount. The Vehicle Committee has been doing the same. After SUV 930 was lost to a vehicle fire, FID was called for a consult. The BCFD advised them that the fire was electrical in cause, and originated in the rear of the vehicle. We've heard from some officers about issues with loose or unwrapped wires in the trunk area, and we've visited precincts to look at some for ourselves. If needed, the Committee will be ready to organize members to obtain signatures for the Take Home cars.

Critical Incident Response: Dave Folderauer – Mike Davey came to the Lodge on March 4th to discuss and instruct on approaches to Critical Incident response and how we can safely instruct our members regarding statements and other matters. We've put together a new, large team.

Report of Legal Advisor: Chaz Ball (SBWD) – With Rodney Hill gone, the Legal Office has no idea who will handle trial boards or when they might begin. They continue to follow developments in Annapolis as the Chiefs are trying to pull back power they either want, or lost last year. Montgomery County and Baltimore County are the only departments with Final Order and both Chiefs want it. The new Trial Board composition appears to be: a Retired Judge, an Officer of Equal Rank, and a Citizen.

- Question/comment from Brother Jagoe about how Civilian training for the Trial Boards is to be conducted via Zoom. Is there anything we can do about that? At the moment, it's not clear if we can.

OLD OR UNFINISHED BUSINESS

A reading of the entire proposed By-law change was waived and the vote was conducted. The proposed By-law was unanimously adopted.

NEW BUSINESS

NONE Reported

MEMBERS SICK OR IN DISTRESS

Brother King advised that Brother Butch Himpler is battling a health concern and his family may need assistance. A Go-Fund-Me has been posted to the App.

CLOSING PRAYER

by Chaplain DiCara

ADJOURNMENT

Motion by Brother King. Seconded by Brother McElfish. Meeting Adjourned at 2100 hrs

BEREAVEMENTS

Brother **Bryant Smith** #1663



Brother **Allan Fitzwater**



John Claypoole

Father of Brother Mark Claypool



Barbara Jones

Daughter of Brother Michael Peregoy



William "Roger" Russin

Brother of Brother Randy Russin

**ACKNOWLEDGEMENTS**

We'd like to Congratulate our brothers below, on their retirement. THANK YOU for your service!

Officer Matt Gelazela - 3/16/2022



Major Gordon Skinner - 4/02/2022



Sergeant Steve Ellingsworth - 4/02/2022



Detective Steve Morano - 4/20/2022



Additionally, we'd like to wish another 10 Members the best in their new endeavors, as they too have moved on from our Agency.

JOIN US, FOLLOW US, LIKE US OR RE-TWEET US ON:

NFOP App / The Baltimore County Fraternal Order of Police Lodge 4 / BaltCo FOP Lodge 4 / @BaltoCoFOP4

Change of Address Form

Name: _____
Address: _____
City: _____ State: _____
Assignment: _____ Zip Code: _____
Home Phone: (____) _____



Fraternal Order of Police
Baltimore County Lodge #4
9304 Harford Road
Baltimore, Maryland 21234

RETURN SERVICE REQUESTED



The May

FOP Lodge 4
**General
Business
Meeting**

will be held at 7:30 PM on
Monday, May 23, 2022
at:

Lodge #4
9304 Harford Rd

The June

FOP Lodge 4
**General
Business
Meeting**

will be held at 7:30 PM on
Monday, June 27, 2022
at:

Lodge #4
9304 Harford Rd