



The Fourword

Volume 37, Number 4

April 2009

ROLL CALL MARYLAND 2008

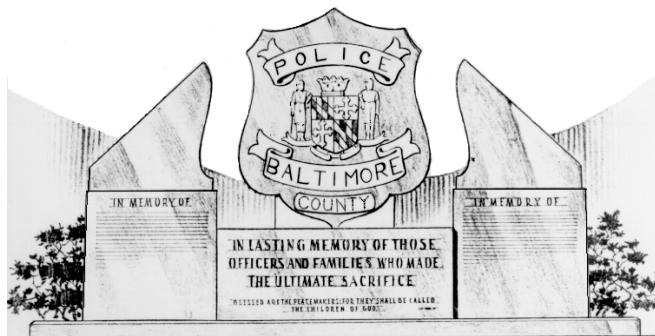
Corporal Courtney Brooks
Maryland Transportation Authority
January 1, 2008

Sergeant Richard Finley
Prince Georges County
June 27, 2008

**Trooper First Class
Mickey Lippy**
Maryland State Police
September 28, 2008

Officer Richard Bremer
Frederick Police Department
October 23, 2008

FALLEN HEROES



*Greater love has no one than
this, that he lay down his
life for his friends.*

ROLL CALL BALTIMORE COUNTY

Officer Edward Kuznar
December 9, 1969

Officer Charles Huckeba
July 6, 1977

Corporal Sam L. Synder
August 23, 1983

Officer Robert Zimmerman
November 14, 1986

Sergeant Bruce A. Prothero
February 7, 2000

Detective John W. Stem Sr.
October 19, 2000

Sergeant Mark F. Parry
January 21, 2002

Lieutenant Michael Howe
August 11, 2008

Each year during the month of May, we reflect upon the tragic loss of life sustained by our Law Enforcement family. Nationally during calendar year 2008 one hundred thirty-three officers were killed in the line of duty.

On May 1, 2009, the 24th annual Maryland Fallen Heroes Day will be observed at Dulaney Valley Memorial Gardens. The staff at Dulaney Valley Memorial Gardens are committed to honoring Maryland's Public Safety Officers who lost their lives in the line of duty, as well as providing comfort and support to their families. Six of the eight fallen heroes from the Baltimore County Police Department are interred at this location.

The Baltimore County Police Department will honor its fallen officers on May 8, 2009, at our Police Memorial in Towson. Please remember these officers and their families in your thoughts and prayers.

On May 15, 2009 the 28th annual National Peace Officer's Memorial service will take place in our Nation's Capital. Tribute will be paid to our fallen colleagues for their acts of courage and heroism.

Never forget their passion for making this county, state, and nation a better place in which to live. Never forget their commitment to the Constitution of the United States of America, and to the enforcement of our nation's laws. Continue the work they started; support their families, and each other in their loss. It is our sustained diligence to the profession of law enforcement that validates the sacrifice of our fallen comrades.



Representing the Professional Police Officers of Baltimore County





MEETING MINUTES

March 2009

recorded by

Dave Folderauer

The March 2009 General Business Meeting was held on March 23, 2009 at F.O.P Lodge 4. President Weston called the meeting to order at 7:32 p.m. Chaplain Merkle led the invocation. President Weston led the Pledge of Allegiance.

ROLL CALL OF OFFICERS

All elected officers and board members were present 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 February 2009 General Membership Meeting. A second was made by Sister Kraemer. There was no discussion. The motion passed.

REPORTS OF OFFICERS

~ PRESIDENT WESTON ~

- February 24 Attended the viewing for the Comegna family.
- February 25 Attended the funeral Mass with the Comegna Family; and addressed the In-Service Training Class.
- February 26 Met with the Labor Commissioner, George Gay. Attended the viewing and FOP recognition service for Maryland State FOP Past President Leslie Bates.
- February 28 Attended the funeral service with the Connors Family.

- March 3 Attended the Retired Officers Association Meeting.
- March 4 Met with the Negotiation Team.
- March 6 Met with Labor Commissioner George Gay, and attended the Baltimore County Police Memorial Fund Basket Bingo Fundraiser.
- March 9 Met with the Lodge 4 Health Care Consultant.
- March 10 Attended a Pension Board of Trustees Meeting.
- March 11 Addressed the In-Service Training Class; and met with the Negotiation Team.
- March 12 Attended a Police Assistance Relief Fund (PAR) Meeting.
- March 16 Attended a Retiree Subsidy Settlement Conference, met with the Negotiation Team, and attended an Executive Board of Directors Meeting.
- March 18 Addressed the In-Service Training Class; and attended a Negotiations Session with the Baltimore County Administration.
- March 19 Attended an emergency meeting of the Board of Directors regarding a tentative contract settlement with the County Administration. Met with the elected School Resource Officer's (SRO) representatives and legal counsel to prepare for mediation on March 31.
- March 20 Met with a member concerning retirement planning, and met with a member concerning an involuntary transfer.
- March 23 Attended the General Business Meeting.

~ PAST PRESIDENT CASLIN ~

- February 25 Attended a Scholarship Committee Meeting.

LODGE 4 OFFICE

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 Baltimore, Maryland 21234
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 www.foplodge4.org

ELECTED OFFICERS

Cole B. Weston
President
 (443) 956-2679

Steven G. Comegna 1st Vice President <i>PC3 - Traffic</i> (410) 409-0293	David M. Rose 2nd Vice President <i>F.O.P Lodge 4</i> (443) 956-2643
David J. Folderauer, Sr. Lodge Secretary <i>K9</i> (410) 382-2075	Robert W. Caskey Treasurer <i>CID-Robbery</i> (443) 956-2615
W. Donald Patterson State Trustee <i>Materials & Facilities</i>	Richard J. Bergin Sergeant at Arms <i>PC3 - CDVIT</i>
Paul A. Merkle Chaplain <i>Retired</i>	L. Timothy Caslin Past President <i>Retired</i>

EXECUTIVE BOARD of DIRECTORS

Kenneth F. Schubert Chairman <i>Employment</i> (410) 416-2800	James P. Rommel, Jr. Vice Chairman <i>K9</i> (717) 451-7117
Thomas G. Scally <i>CID - Arson</i> Donna Patterson <i>Planning & Research</i> Mike DiCara <i>PC 2</i> Joe Caskey <i>Homicide</i>	Louis J. Lagna <i>Retired</i> Patrick Zito <i>PC 7 - Traffic</i> Ryan Massey <i>Homicide</i> Tony DiCara <i>PC 12</i>

LODGE STAFF

Larry Sibley—Office Manager
 Juanita Bouthner—Administrative Assistant
 Michele Preston—Administrative Assistant
 Regina Ecker—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.

Michele Lynn Preston
Fourword Editor

The Fourword

- March 10 Attended a Scholarship Committee Meeting.
 - March 16 Attended the Executive Board of Directors Meeting.
 - March 23 Attended the General Membership Meeting.
- ~ 1st V. P. COMEGNA ~
- March 2 Worked at the Lodge.
 - March 4 Attended a Negotiations Committee Meeting.
 - March 11 Attended a Labor Health Care Review Committee Meeting.
 - March 16 Worked at the Lodge, attended a Negotiations Meeting, and attended an Executive Board of Directors Meeting.
 - March 18 Attended a Negotiations Committee Meeting with the Baltimore County Administration.
 - March 19 Attended an emergency meeting of the Board of Directors about a tentative contract settlement with the County Administration.
 - March 23 Worked at the lodge and attended a General Membership Meeting.
- ~ 2nd V. P. ROSE ~
- February 24 Attended the viewing with the Comegna family.
 - February 24-27 Attended the continued trial board for Brother Ruark.
 - March 3 Attended the Association of Baltimore County Retired Police Officer's Meeting.
 - March 4 Attended a Negotiations Committee Meeting.
 - March 5 Attended a meeting between shift representatives and Captain Wilson at PC-12.
 - March 6 Attended and worked the Basket Bingo fundraiser to benefit the Baltimore County Police Memorial.
- March 11 Attended a Negotiations Committee Meeting.
 - March 12 Met with a member concerning an Internal Affairs Section (IAS) disposition.
 - March 16 Attended a Negotiation Committee Meeting, and an Executive Board of Directors Meeting.
 - March 18 Attended a Negotiation Meeting with the Baltimore County Administration.
 - March 19 Attended an emergency meeting of the Board of Directors about a tentative contract settlement with the County Administration. Met with the elected School Resource Officer's (SRO) representatives and legal counsel to prepare for mediation on March 31.
 - March 20 Addressed afternoon roll call at PC-9 about the tentative contract settlement.
 - March 23 Attended the General Business Meeting.
- ~SECRETARY FOLDERAUER~
- March 16 Attended the Executive Board of Directors Meeting.
 - March 18 Attended a Negotiations Meeting with the Baltimore County Administration.
 - March 19 Attended an emergency meeting of the Board of Directors about a tentative contract settlement with the County Administration.
- ~TREASURER CASKEY~
- March 4 Attended the trial board for Brother Pierce.
 - March 6 Attended and worked the Basket Bingo fundraiser to benefit the Baltimore County Police Memorial.
 - March 16 Attended the Executive Board of Directors Meeting.
- March 19 Attended an emergency meeting of the Board of Directors about a tentative contract settlement with the County Administration.
 - March 23 Attended the General Membership Meeting, reporting on the financial status of the Lodge.
- ~TRUSTEE PATTERSON~
- March 6 Attended and worked the Basket Bingo fundraiser for the Baltimore County Police Memorial.
 - March 16 Attended the Executive Board of Directors Meeting.
 - March 23 Attended the General Membership Meeting.
- ~EXECUTIVE BOARD OF DIRECTORS REPORT~
- ~ Kenny Schubert ~
- An Executive Board of Directors Meeting was held on March 16, 2009. The meeting was called to order at 5:00 p.m. Brothers Joe Caskey and Ryan Massey were working. Brother Bergin was attending a Legislative Session in Annapolis. Legal Advisor Mike Marshall was present. All other elected officers and board members were present. Motions that were made, after receiving a proper second were discussed, voted upon, and appear in this issue under the appropriate committee reports.
 - An emergency Executive Board of Directors Meeting was held on March 19, 2009. The meeting was called to order at 10:00 a.m. Brothers Caslin, Merkle, Lagna, Zito, and Sister Patterson were excused. All other elected officers and board members were present. The Nego-

tiation Committee presented the tentative settlement agreement with the County Administration. The Executive Board of Directors accepted the agreement and directed that it be presented to the general membership for ratification vote.

REPORTS OF COMMITTEES

ATHLETIC COMMITTEE

~ Don Patterson ~

- Advised that the committee is looking into a September date for the golf tournament at Rocky Point.

DONATION REVIEW COMMITTEE

~ Paul Merkle ~

- A motion was made to place a \$1,000.00 half page ad in the Silver Anniversary program of National Concerns of Police Survivors (COPS) in memory of the eight (8) members of the Baltimore County Police Department included on the National Memorial. This motion passed.
- A motion was made to purchase ten (10) tickets for a total of \$350.00, to the 11th Annual Bull Roast held by Lodge 70, to benefit the Fallen Heroes Fund. The Bull Roast will be held on May 9, 2009 from 3 pm until 7 at the Cancun Cantina. This motion passed.
- A motion was made to be a \$500.00 Guns & Hoses sponsor of The Police and Fire Ride for Leukemia being held on April 19, 2009. This motion passed.
- A motion was made to donate \$100.00 to the R Baby Foundation, requested by Henry Belsky from our law firm, to benefit research at the Rebecca Ava

“Send-Off” 2009

LAW RIDE 14

Sunday, May 10th

Mother's Day Morning

For more information go to www.lawride.com

To RSVP by May 1, 2009 please contact:

Baltimore County Police

&

Community Relations Councils, Inc.

LAW RIDE Committee

Chairperson West at 410-944-5612

or by emailing cera1941@aol.com or bjsam@verizon.net

Rabinowitz Molecular Diagnostic Lab at the University of Maryland Hospital. This motion passed.

• A motion was made to donate \$250.00 to the Maryland Law Hockey Team to defray costs to enter charity tournaments which will be held in April 2009. This motion passed.

GRIEVANCE COMMITTEE

~ Dave Rose ~

• The class action grievance filed in reference to the mileage rate is currently at step #3. No date has been set.

LEGAL ADVISORY COMMITTEE

~ Dave Rose ~

• During the week of February 23-27, 2009, I attended the trial board of Brother Ruark. The Department presented its case which consisted of approxi-

mately fifteen to twenty witnesses who gave testimony, and approximately two-hundred (200) documents as evidence over four (4) days. Mike Marshall was able to cross examine each witness extensively and challenged several of the documents. At the conclusion of the Department's case, Mike Marshall made several motions to dismiss some of the charges. The trial board members adjourned to deliberate the motions and review the evidence and testimony given. At the conclusion of the deliberations the trial board members dismissed the major charges against Brother Ruark for lack of evidence. At the conclusion, the Board's recommendation was two (2) days loss of leave and a written counseling form.

The Fourword

LEGISLATIVE COMMITTEE

~ Rick Bergin ~

- The State F.O.P. Legislative Committee is made up of numerous members from F.O.P. lodges across the state of Maryland. The committee meets in Annapolis every Monday during the legislative session to discuss the bills at hand. The bills are monitored by a lobbyist hired by the State F.O.P. Every bill that has any effect on F.O.P. members is presented and discussed by the committee at the weekly meeting. The committee takes action on each bill by:
 - Support with testimony.
 - Support without testimony.
 - Oppose with testimony.
 - Oppose without testimony.
 - Hold (monitor until further information is obtained).
 - No Position (usually taken when a bill has minor effect on F.O.P. members or when the bill has no effect on the F.O.P.)
- Members of the committee and lodge presidents are frequently called upon to testify at hearings.
- As of March 28, 2009, there are approximately 100 (one hundred) bills in the House and Senate that could have an effect on law enforcement / public safety personnel in the state of Maryland.
- Every year the State Legislative Committee has a limited number of bills that we prioritize as "agenda bills". We, the committee, are instrumental in drafting, submitting, and obtaining sponsorship of these bills. Some agenda bills for the 2009 session are as follows:
Death Penalty Repeal (SB279 &

HB 316) - The opposition to the repeal of the death penalty stopped the abolishment of the law, however, the new death penalty bill is so loaded with amendments, that make it almost impossible to give a suspect the death penalty. The new amended bills passed the Senate and the House and is awaiting the Governor's signature. Some of the amendments are as follows:

THE STATE PRESENTS THE COURT OR JURY WITH:

(I) **BIOLOGICAL EVIDENCE OR DNA EVIDENCE THAT LINKS THE DEFENDANT TO THE ACT OF MURDER;**

(II) **A VIDEO TAPED, VOLUNTARY INTERROGATION AND CONFESSION OF THE DEFENDANT TO THE MURDER; OR**

(III) **A VIDEO RECORDING THAT CONCLUSIVELY LINKS THE DEFENDANT TO THE MURDER;** (NOTE:

there is an effort to have fingerprint evidence re-classified as biological evidence).

Hometown Heroes (HB755) Income Tax - Subtraction Modification for Retirement Income of Law Enforcement, Fire, Rescue, and Emergency Services Personnel. It is still being heard in the House with no action being taken in the Senate. This bill does **not** appear to be moving due to the fiscal note attached to it and will likely die again this year.

Workers' Compensation (HB1443) Applying the occupational disease presumption under the workers' compensation law to

officers who contract Lyme Disease underspecified circumstances. **This bill is still being heard in the House with no action being heard in the Senate.**

Cecil County Collective Bargaining (HB1606) **This bill has been withdrawn.**

Law Enforcement Officer's Bill of Rights (HB551) Looks to clean up the definition of a po-

Bereavements

**Retired Brother
Anthony Cortolillo**

**Constance Stelmack
Mother of**

**Retired Brother
Michael Stelmack
and Brother**

**Robert Stelmack
and Grandmother of
Sister Candice Hewitt**

**Wellington
"Shorty" Ruby, Sr.
Father of Brother
Michael D. Ruby**

**Delores Vaughan
Mother of
Retired Brother
Stephen Vaughan**

**Bernard Spangler, Sr.
Father of
Brother John Spangler**

**Marc A. Clymer
Son of Retired Brother
Michael Clymer**

**Clyde James Waldon
Grandfather of
Brother Mark Burger**

lice officer. Attempting to make it that, if you are MPCTC certified you fall under the definition of a Police Officer. **Unfavorable** report in the House, no action in the Senate.

Law Enforcement Officers Unsubstantiated Complaints Admissibility (HB950) Providing that evidence of a formal complaint against a law enforcement officer is not admissible in an administrative or judicial proceeding if the complaint resulted in the exoneration of the officer of all charges, determination that the charges were unsustainable or unfounded, the acquittal of the officer by a hearing board, the dismissal of the action against the officer, or a finding of not guilty by a hearing board. **One hearing in the House with no action in the Senate.**

Conroy Scholarship (HB710) Repealing the Edward T. Conroy Memorial Scholarship Program and establishing the Edward T. Conroy Tuition Waiver Program that provides a specified waiver of tuition and mandatory fees at public institutions of higher education in the State for specified members of the armed forces, prisoners of war, public safety employees, veterans, and specified spouses and

children, etc. **The hearings went well in the House with no action being taken in the Senate.**

Collective Bargaining (HB-1357) Authorizing the representatives of specified full time Maryland Transportation Authority Police Officers to collectively bargain with the Maryland Transportation Authority concerning wages and benefits. **Has had hearings in the House with no action in the Senate.**

Furlough Bill (SB-925) Requires the furlough of county employees of Lodge #89 be done by county ordinance, not by resolution. **Unfavorable** report in the Senate with no action in the House.

Emergency & Police Vehicle Personal and Protection Act (HB-622)

Requires drivers to move over a lane or slow down when observing an emergency vehicle on side of roadway. **Unfavorable** report in the House with no action in the Senate. Will likely die in committee.

• Among the large amount of bills submitted to the Senate and the House which are not agenda bills, there are numerous bills that we support and oppose. Some of the bills of interest that we are currently **opposing** are as follows:

Electronic Weapon "Taser Bill"(HB1829) Requires those who are trained and carry an Electronic Weapon (Taser), to also have an AED (Automated External Defibrillator) assigned to them. **Withdrawn.**

Limited Immunity Seeking Medical Assistance for Alcohol or Drug-related Overdose

(HB1273)

Providing that a person who seeks medical assistance for a person experiencing an alcohol or a drug-related overdose may **not** be charged with or prosecuted for possession of drugs under specified circumstances; providing that a person who seeks medical assistance for a person experiencing an alcohol or a drug-related overdose may **not** be detained on an outstanding warrant for another nonviolent crime under specified circumstances; etc. **This bill has been heard once in the House with no action being taken in the Senate.**

Police and Court Records Non-violent Crimes Expungement (HB636)

Authorizing a person convicted of a nonviolent crime, with specified exceptions, who completed the sentence imposed for the conviction, including probation, to petition for expungement. **Withdrawn.**

Public Safety SWAT Team Activation and Deployment Reports (HB1267)

Requiring the Police Training Commission, in consultation with the Office of the Attorney General, to develop a standardized format that specified law enforcement agencies shall use in reporting specified data relating to the activation and deployment of specified SWAT teams. **Passed** in the House. No action in Senate.

Family Law Surrender of Firearms (HB296) Requiring a final protective order to order the respondent to surrender to law enforcement authorities any firearm in the respondents' pos-

**Association of
Baltimore County
Retired Police
2009 Meetings**

**May 5
September 8
November 3**

F.OP. Lodge 4 would like to THANK all of the
2009 Longaberger Basket Bingo Volunteers

Mike Akehurst

Bob Caskey

Joe Caskey

Tim Caslin

John Cullum

Mike DiCara

Tony DiCara

Cindy Gebhard

Kathy Greenbeck

John Grumback

Lisa Hannon

Doug Irwin

Lou Lagna

Al Meyer

Melissa Patterson

Scott Richardson

Denny Robinson

Jimmy Rommel

Dave Rose

Barbara Schiavone

Pat Zito

session, and to refrain from possession of any firearm, for the duration of the order. Passed in the House. Being heard in the Senate. (This could be problematic if law enforcement officers are required to surrender all firearms based solely on an accusation.)

- All of the bills submitted to the Senate and the House can be viewed at mils.state.md.us/

NEGOTIATION COMMITTEE

~ Cole Weston ~

- Advised that the committee would be meeting with Baltimore County Administration on March 18, 2009.

MEMORIAL COMMITTEE

~ Don Patterson ~

- The Longaberger Basket Bingo was held on March 6, 2009. After expenses, a profit of \$6,785.00 was donated to the Baltimore County Police Memorial Fund.
- JOCK City has made a donation of \$200.00 from the purchase of mock turtlenecks by our members.

PENSION COMMITTEE

~ Cole Weston ~

- The Pension Board of Trustees

met on March 10, 2009 and approved the following retirements for Baltimore County Employees. There were thirteen (13) DROP/service/vested retirements, one (1) accidental disability, one (1) ordinary disability, and four (4) over-sixty work extensions approved.

**POLICY REVIEW
COMMITTEE**

~ Dave Folderauer ~

• Advised that the committee has received information regarding possible policy changes and will be reviewing them.

**POLITICAL ACTION
COMMITTEE**

~ Steve Comegna ~

- The Political Action Committee has been asked to consider endorsing Baltimore County Assistant States Attorney Ann Bropst, in her endeavor to be appointed to the Circuit Court of Baltimore County. The Political Action Committee will consider this request and report to the Executive Board of Directors at the April 2009 Meeting. Any member with comments or concerns should contact Chairman Weston or Vice President Comegna before the

April 2009 Executive Board of Directors Meeting.

STATE TRUSTEE

~ Don Patterson ~

- April 17 Brother Cluster is offering training before the State Meeting on "How to win an election."
- April 17-18, 2009 the State FOP Meeting will be held in Ocean City, Maryland.
- The National FOP Conference will take place August 17- 20, 2009 in Long Beach, California.

GOOD OF THE ORDER :

- Brother Mike DiCara won the 50/50 and donated it to the Baltimore County Police Memorial Fund.
- During the month of March the Lodge sent two (2) flowers, three (3) fruit baskets, and nine (9) sympathy cards to bereaving members. Five (5) donations were made in lieu of flowers (at family members request) in the name of a member or loved one.
- Note the change for the May General Membership meeting due to the Memorial Day holiday falling on the 4th Monday of the month. The meeting date is May 18, 2009.

The May

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
May 18, 2009
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road

The June

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
June 22, 2009
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road