



The Fourword

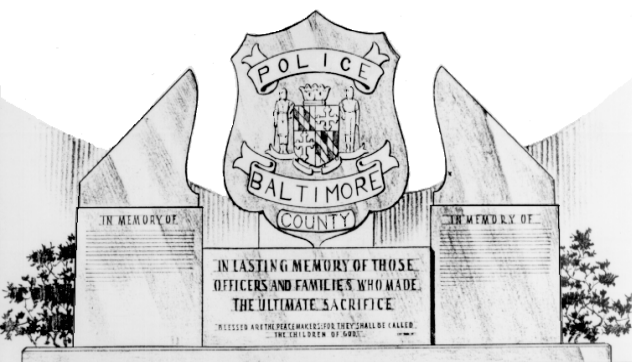
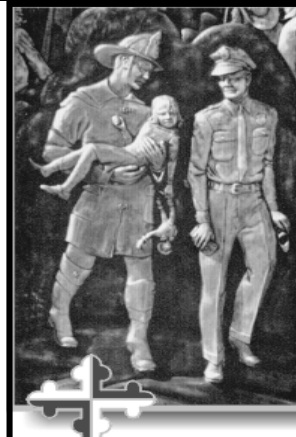
Volume 38, Number 3

March 2010

Fallen Heroes Day

May 7, 2010 at 1:00 p.m.

Dulaney Valley Gardens
200 East Padonia Road
Timonium, Maryland 21093



Baltimore County Police
Memorial Day

May 14, 2010

10:00 a.m.

Courthouse Plaza,
401 Bosley Avenue
Towson, Maryland 21204

National Law Enforcement Officers Memorial Day

May 15, 2009

United States Capitol
Washington, D.C.



Representing the Professional Police Officers of Baltimore County





**MEETING MINUTES
February 2010
recorded by
Dave Folderauer**

The February 2010 General Business Meeting was held on February 22, 2010 at FOP Lodge 4. President Weston called the meeting to order at 7:35 p.m. Brother Schubert led the invocation. President Weston led the Pledge of Allegiance.

ROLL CALL OF OFFICERS

Treasurer Caskey was sick. Sgt. At Arms Bergin was on vacation. Chaplain Merkle was excused. All other elected officers and board members were present. Legal advisor Mike Marshall was also in attendance.

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

A motion was made by Brother Huff to accept the minutes of the January 2010 General Membership Meeting. A second was made by Sister Greenbeck. There was no discussion. The motion passed.

REPORTS OF OFFICERS

~ PRESIDENT WESTON ~

- January 26 Conducted contract negotiations with the County administration, attended a county council work session and a Spending Affordability Committee meeting.
- January 27 Addressed the In-Service training class and met with Chief Johnson concerning the police department's budget.

- January 28 Hosted a meeting of the FOP leaders from the larger jurisdictions.
- January 29 Attended the PAR Fund breakfast and assisted with a rating appeal.
- February 2 Addressed the In-Service training class and attended a Spending Affordability Committee meeting.
- February 3 Met with the negotiation team.
- February 4 Met with John Cluster, who is running for the House of Delegates in the 8th legislative district.
- February 9 Attended the Pension Board of Trustees meeting.
- February 15 Attended the Executive Board of Directors meeting.
- February 17 Addressed the In-Service training class.
- February 18 Attended the Police Assistance and Relief Fund meeting and conducted negotiations with the county administration.
- February 20 Attended a fundraiser for Al Redmer, who is running for State Senate in District 7.
- February 22 Met with the negotiation team and attended the General Membership meeting.

~ 1st V. P. COMEGNA ~

- January 26 Attended a negotiation session with the Baltimore County Labor Commissioner.
- January 28 Attended a presentation on the status of our health care program.
- February 3 Worked at the Lodge office and attended a meeting of the Negotiations Committee.

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 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
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David J. Folderauer, Sr. Lodge Secretary <i>PC 11</i> (410) 382-2075	Robert W. Caskey Treasurer <i>CID-Robbery</i> (443) 956-2615
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W. Donald Patterson State Trustee <i>Materials & Facilities</i>	Richard J. Bergin Sergeant at Arms <i>VNS - CDVIT</i>
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Paul A. Merkle Chaplain <i>Retired</i>	L. Timothy Caslin Past President <i>Retired</i>
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EXECUTIVE BOARD of DIRECTORS

Kenneth F. Schubert Chairman <i>Employment</i> (410) 416-2800	Mike DiCara Vice Chairman <i>PC 6</i>
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Thomas G. Scally <i>CID - Arson</i>	Louis J. Lagna <i>Retired</i>
Donna Patterson <i>Planning & Research</i>	Patrick Zito <i>PC 7 - Traffic</i>
James P. Rommel, Jr. <i>K9</i>	Ryan Massey <i>Homicide</i>
Joe Caskey <i>Homicide</i>	Tony DiCara <i>PC 12</i>

LODGE STAFF

Larry Sibley—Office Manager
Juanita Bouthner—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.

Kathryn Greenbeck
Fourword Editor



- February 15 Worked at the Lodge office, attended a meeting of the Political Action Committee and attended the Executive Board of Directors Meeting.
- February 18 Attended a meeting of the Negotiations Committee.
- February 22 Worked at the Lodge office, attended a negotiation session with the Baltimore County Labor Commissioner and attended the General Membership Meeting.

~ 2nd V. P. ROSE ~

- January 26 Attended a presentation by the pension system actuary for the Negotiations Committee, attended the County's Spending Affordability Committee Meeting.
- January 27 Attended a patrol shift configuration committee meeting.
- January 28 Attended a Lodge President's meeting.
- January 29 Attended the PAR Fund breakfast.
- February 2 Met with a member

to prepare for a rating appeal, attended the county's Spending Affordability Committee meeting.

- February 3 Attended a rating appeal at headquarters in front of Major Canning.
- February 15 Attended the Executive Board of Directors meeting.
- February 17 Addressed the in-service training class with President Weston.
- February 18 Attended a Negotiations Committee meeting.
- February 19 Attended an emergency State Board meeting in Anne Arundel County.
- February 20 Attended a fundraiser for Al Redmer, who is running for State Senate in District 7.
- February 22 Attended a Negotiations Committee meeting with the County administration, attended the General Membership meeting.

~SECRETARY
FOLDERAUER~

- January 26 Attended a negotiations session with the Baltimore County Labor Commissioner and attended a meeting of the Spending Affordability Committee.
- February 3 Attended a meeting of the Negotiations Committee.
- February 15 Attended a meeting of the Political Action Committee and attended the Executive Board of Directors Meeting.
- February 18 Attended a meeting of the Negotiations Committee.
- February 22 Worked at the Lodge office, attended a negotiations session with the Balti-

more County Labor Commissioner, attended an Executive Board of Directors meeting and attended the General Membership Meeting.

~TREASURER CASKEY~

- February 21 Worked at the Lodge office.
- February 24 Worked at the Lodge office.

STATE TRUSTEE

~Don Patterson~

- An emergency State FOP meeting was held in Anne Arundel County on February 20, 2010 in reference to the Wicomico County FOP's efforts to obtain collective bargaining.
- The next State FOP meeting will be held in Ocean City, MD on April 17, 2010.

**EXECUTIVE BOARD
OF DIRECTORS REPORT**

~ Kenny Schubert~

- An Executive Board of Directors meeting was held on February 15, 2010. The meeting was called to order at 5:00 p.m. Treasurer Caskey was sick. Sgt. At Arms Bergin was attending the legislative session in Annapolis.
- 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

BULLROAST COMMITTEE

~Kenny Schubert~

- The FOP Lodge 4 Bullroast will be held on March 28, 2010 at the Tall Cedars Hall. Call

Bereavements

Ruth B. Swift
Sister of Retired Brother
David L. Dodson

Curt Motton
Husband of Retired Sister
Martha R. Franklin-Motton

Delores E. Redman
Grandmother of Sister
Theresa M. DuBose

William H. Kontz
Father of Brother William
Scott Kontz

Hobart D. Wolf, Jr.
Father of Brother Hobart D.
(Dan) Wolf, III

Lodge 4 for tickets.

GRIEVANCE COMMITTEE

~Dave Rose~

- The mileage and pension grievances are still awaiting a date for arbitration. Our labor attorney is working with the labor commissioner to pick an arbitrator and a date for each.

LEGAL ADVISORY COMMITTEE

~Dave Rose~

- Approximately 50 members have contacted me in reference to the bulletin in last month's newsletter about medical authorization releases. If anyone else has information or documents to forward to the Lodge, please do so as soon as possible.
- The Employee Relations Act case that was scheduled for summary judgment on February 5, 2010 was postponed by Judge Martin. It has not been rescheduled as of yet.
- The retiree subsidy case that

was scheduled for summary judgment on February 11, 2010 was postponed because of the weather. It has been rescheduled for March 12, 2010.

- Matt Ackley met with the county physician for a disability rating on January 14, 2010. We are currently awaiting the results.
- The Blake case is scheduled for trial in Federal Court on April 20, 2010.

LEGISLATIVE COMMITTEE

~Rick Bergin~

- On January 12, 2010 the Maryland General Assembly convened in Annapolis for its 427th session and will adjourn on April 12, 2010. As of 3/1/2010 there are approximately 100 bills in the House and Senate that could have an effect on law enforcement/public safety personnel in the state of Maryland.
- Some issues/bills of interest are as follows: (New bills and updated information are in **BOLD** print)
- Hometown Heroes Bill-tax exemption for public safety retirees (re-submitted from last year to make the first \$20,000.00 of retirement tax free—Support)
- Collective Bargaining with Binding Arbitration-involves Cecil County, Baltimore City and Maryland Transportation Authority. (Support)
- Criminal Procedure Search Warrant – Deployment of SWAT Team—Senate Bill 30 - A judge may issue search warrant to deploy a SWAT team with probable cause to believe a felony is being committed. Reviewed and signed by State's Attorney. (Oppose)
- Law Enforcement Unsubstanti-

ated Complaints House Bill 120—Evidence of a formal complaint against a law officers, enforcement officer is not admissible in an admissibility administrative or judicial proceeding if the complaint resulted in the exonerated of the officer.

- (Support)
- Criminal Procedure-Use of Tracking Device, Search Warrant House Bill 172— Requires a search warrant before employing a tracking device to monitor a vehicle. (Oppose)
- Criminal Procedure-Search Warrant App. Copy Filed with State's Attorney Senate Bill 014 - Requires a copy of an application for a search warrant to be filed with the State's Attorney prior to the execution of the search warrant. (Oppose). **Unfavorable Report—Withdrawn.**
- Wiretapping and Electronic Surveillance—Location of a Mobile Communications Device. Senate Bill 766 Modifies the definition of “contents” applicable to specified provisions of law relating to wiretapping and electronic surveillance, to include the location of a mobile communication device. **(Oppose. Hearing scheduled for 3/10/2010, 1:00 pm)**
- Criminal Law Death Penalty—Scientific Evidence Includes scientific evidence among the types of evidence that the State may present to the court or jury. Baltimore County Delegates DeBoy and Malone, among others, are attempting to have scientific evidence (DNA and fingerprints) placed back into the law as being admissible. **(Support)**
- Vehicle Laws – Police Vehicles Engaged in Traffic Stops.

Video Recording Systems

House Bill 1000 -Requires that a law enforcement vehicle used to initiate a traffic stop be equipped with an in-car video recording system. Baltimore City Police only) (**Oppose**)

- **Criminal Procedure Use of Tracking Device Law Enforcement Officer Search Warrant, Senate Bill 116** - Prohibits a law enforcement officer from using a specified tracking device to determine the location or movement of another individual unless a specified search warrant has been issued. (**Oppose**)
- **Vehicle Laws, Rules of the Road, Use of Signals When Changing Lanes, Senate Bill 169** - Prohibits a person from moving a vehicle right or left on a roadway in order to change lanes, unless the person gives an appropriate signal in a specified manner; etc. (**Support**)
- **Public Safety, Missing Offenders Blue Alert Program House Bill 1473** - Requires the Department of State Police to establish a Blue Alert Program to provide a system for rapid dissemination of specified information to assist in locating and apprehending specified missing offenders. (**Support**)
- **Criminal Law, Gangs Definition, Underlying Crimes, and Sentencing House Bill 227** - Alters the definition of "criminal gang" to remove a requirement that a specified group must have an ongoing association; adding specified felonies and misdemeanors to the list of underlying crimes. (**Support**)

NEGOTIATIONS COMMITTEE

~Cole Weston~

- The Negotiations Committee continues to meet with Baltimore County. While we did declare impasse on February 1, 2010, both parties are hopeful that an agreement may be reached. Any agreement made without going to arbitration will be brought to the membership for ratification. If arbitration is necessary, the decision of the arbitrator would be binding.

PENSION COMMITTEE

~ Cole Weston ~

- The Pension Board of Trustees met on February 9, 2010 and approved twenty three (23) service/drop/vested/death in service retirements, one (1) ordi-

nary disability and one (1) over sixty work extension.

POLITICAL ACTION COMMITTEE

~Steve Comegna~

- The Political Action Committee met on Monday February 15, 2010. The following motions were presented to the Executive Board of Directors:
 - To purchase two (2) tickets to a fundraiser being held by the Baltimore County Circuit Court Sitting Judges (Honorable Ann Brobst, Honorable Sherrie Bailey and Honorable John Nagle). The ticket cost is \$150.00 each, for a total PAC expenditure of \$300.00.
 - To purchase four (4) tickets to a fundraiser being held by Candidate Greg Morgan, who is run-

ATTENTION ASSOCIATE MEMBERS

Associate Members are reminded that the dues assessment for 2010 was due and payable on January 1, 2010.

Associate Members who have not paid the 2010 assessment by March 31, 2010, including those who were previously sent a pro-rated assessment notice, will be dropped from the rolls.

In addition, fraternal organization license plates will be cancelled for those who have not renewed their membership for 2010.

This is the final notice for the 2010 assessment.

Thank you to those who have already renewed.

ning for Baltimore County Council in District # 1. The ticket cost is \$25.00 each for a total PAC expenditure of \$100.00.

- To purchase one (1) Leadership Reception ticket and four (4) General Reception tickets to a fundraiser being held by Baltimore County Councilman Kevin Kamenetz (Baltimore County Council District # 2). The Leadership Reception Ticket cost is \$1000.00 and the General Reception Ticket cost is \$150.00 each for a total PAC expenditure of \$1600.00.
- These motions were presented to the Executive Board on Monday February 15, 2010. Each motion received a proper second. They were discussed and voted upon. The Executive Board of Directors approved these expenditures.
- These motions were presented to the General Membership on Monday February 22, 2010. Each motion was made, received a proper second and was voted upon. The General Membership approved these expenditures.

SCHOLARSHIP COMMITTEE

~Tim Caslin~

- Twenty-eight (28) scholarship applications were received.

REPORT OF LEGAL COUNSEL

~Mike Marshall~

- There have been several important cases recently in Maryland:
- NAACP vs. Maryland State Police - the NAACP tried to get access to MSP's traffic stop data collection forms. Because they are not a part of a person-

nel file, it was held that they are subject to discovery. There is language in the case that could affect the discovery of non-personnel other records.

- Kay vs. Elliott - A police officer was fired in violation of his LEOBR rights. The court ruled that the police officer was entitled to back pay from the date he was fired illegally to the time he was re-hired. The court noted the agency's failure to do any discovery as to whether the officer was employed elsewhere after being fired illegally.
- Bray vs. Aberdeen Police Department - established that if an officer feels that his rights have been violated, he may file a show cause before the trial board, or he can go to the trial board, raise it, then appeal it. The fact that the show cause was not filed does not preclude an officer or his attorney from raising it for the first time at the trial board, then appealing it.

NEW BUSINESS

- President Weston spoke about the Corporal's Examination, which was administered on January 30, 2010. Seventy-nine (79) questions were protested and there were fifteen (15) questions for which all answers or multiple answers received credit. President Weston advised that a meeting would be arranged with the Baltimore County Office of Human Resources to discuss the matter.

GOOD OF THE ORDER

- President Weston reminded the membership that the three recently appointed Circuit Court

Judges, Judge Sherrie Bailey, Judge Ann Brobst, and Judge John Nagle will be on the election ballot this fall. Members who have cases and interaction with them are encouraged to provide feedback to the Lodge to assist with the endorsement process.

- During the month of February, the Lodge sent two (2) flower arrangements and six (6) sympathy cards to bereaving members. Four (4) donations were made in lieu of flowers (at family members' request) in the name of a member or loved one. Seven (7) fruit baskets were sent to sick or in-distress members. Six (6) "Thank You" cards were received.
- The meeting was adjourned at 8:21 pm.

An Old Irish Blessing

*May love and laughter
light your days,
and warm your heart
and home.*

*May good and faithful
friends be yours,
wherever you may roam.*

*May peace and plenty
bless your world
with joy that long
endures.*

*May all life's
passing seasons
bring the best to you
and yours!*

DISCOUNTED LEGAL SERVICES FOR LODGE 4 MEMBERS

Maryland Residents

Daniel Udoff (Baltimore City Office)
(410) 685-2022

Larry J. Feldman (Pikesville Office)
(410) 484-8102

Montella Smith (Columbia Office)
(410) 964-2331

Dennis Robinson, Jr.
(Baltimore City Office)
(410) 346-8797

Pennsylvania Residents

John Schaumann (York)
(717) 846-8856

Hoffmeyer & Semmelman
(717) 846-8846 (York)
(717) 235-6133 (Shrewsbury)



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.

Pension Retirement Office 410-887-8246 or 1- 877-222-3741

Life Insurance County Insurance 410-887-2568 or 1-800-274-4302

PBA Police Personnel 410-887-2208

Deferred Comp. James Pessagno / Kevin McQuarrie 887-677-3678

Baltimore County Employee Federal Credit Union 410-828-4730

The April

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
April 26, 2010
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road

The May

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
May 24, 2010
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road