



The Fourword

Volume 38, Number 4

April 2010

ROLL CALL BALTIMORE COUNTY

Officer Edward Kuznar
December 9, 1969

Officer Charles Huckeba
July 6, 1977

Corporal Sam L. Snyder
August 23, 1983

Officer Robert Zimmerman
November 14, 1986

FALLEN HEROES



ROLL CALL BALTIMORE COUNTY

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

Greater love has no one than this, that he lay down his

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 2009 one hundred twenty-five officers were killed in the line of duty.

On May 7, 2010, the 25th 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.

The Baltimore County Police Department will honor its fallen officers on May 14, 2010, at our Police Memorial in Towson. Please remember these officers and their families in your thoughts and prayers.

On May 15, 2010 the 29th 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 2010
recorded by
Dave Folderauer**

The March 2010 General Business Meeting was held on March 22, 2010 at FOP Lodge 4. President Weston called the meeting to order at 7:30 p.m. Chaplain Merkle led the invocation. President Weston led the Pledge of Allegiance.

ROLL CALL OF OFFICERS

Brother Scally was working. 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 Cullum to accept the minutes of the February 2010 General Membership Meeting. A second was made by Brother Grumbach. There was no discussion. The motion passed.

REPORTS OF OFFICERS

~ PRESIDENT WESTON ~

- February 23 Met with the labor commissioner and attended the County Council work session.
- February 24 Met with a member concerning retirement options, addressed the In-Service training class, and attended a fundraiser for County Councilman John Olszewski.
- March 2 Attended the Retired Officers Association meeting.

- March 3 Addressed the In-Service training class.
- March 4 Conducted contractual negotiations.
- March 8 Conducted contractual negotiations.
- March 9 Attended the Pension Board of Trustees meeting.
- March 10 Addressed the In-Service training class.
- March 11 Attended the Police Assistance and Relief Fund meeting.
- March 12 Conducted contractual negotiations.
- March 15 Met with the labor commissioner, attended a Political Action Committee meeting and the Executive Board of Directors meeting.
- March 17 Conducted a tentative settlement agreement explanation at Headquarters.
- March 18 Met with a candidate for County Council for the 2010 election, and conducted a tentative settlement agreement explanation at PC-02.
- March 22 Attended the General Membership meeting.

~ 1st V. P. COMEGNA ~

- March 8 Attended a negotiations session with the Baltimore County Labor Commissioner.
- March 12 Attended a presentation on the status of our health care program.
- March 15 Worked at the Lodge office, attended a meeting of the Political Action Committee and attended the Executive Board of Directors Meeting.
- March 22 Worked at the Lodge office, attended a meeting of the Political Action

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

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Committee, attended a meeting of the Executive Board of Directors and attended the General Membership Meeting.

~ 2nd V. P. ROSE ~

- February 23 Attended a meeting with a member and Lt. Storke at Precinct 1.
- February 24 Attended a fundraiser for Councilman John Olszewski.
- March 2 Attended the Retired Officers Association meeting.
- March 4 Attended a negotiations meeting with the County Administration.
- March 8 Attended a negotiations committee meeting and a meeting with the County Administration.
- March 12 Completed contract negotiations with the County Administration.
- March 15 Attended the Executive Board of Directors meeting.
- March 17 Addressed in-service training.
- March 18 Addressed morning and afternoon roll calls at Precinct 8.
- March 19 Addressed morning and afternoon roll calls at Precinct 9.
- March 22 Attended the General Membership meeting.

~SECRETARY FOLDERAUER~

- February 24 Attended a fundraiser for Councilman Olszewski.
- March 4 Attended a negotiations session with the Baltimore County Labor Commissioner.
- March 8 Attended a negotiations session with the Baltimore County Labor Commissioner.

- March 12 Attended a negotiations session with the Baltimore County Labor Commissioner.
- March 15 Worked at the Lodge office, attended a meeting of the Political Action Committee and attended the Executive Board of Directors Meeting.
- March 22 Worked at the Lodge office, attended a meeting of the Political Action Committee, attended a meeting of the Executive Board of Directors and attended the General Membership Meeting.

~TREASURER CASKEY~

- March 15 Attended the Executive Board of Directors meeting.
- March 22 Attended the General Membership meeting.

STATE TRUSTEE

~Don Patterson~

- The next Maryland State FOP meeting will be held on April 17, 2010 in Ocean City.
- February 24 Attended a fundraiser for Councilman John Olszewski.
- March 15 Attended the Executive Board of Directors meeting.
- March 22 Attended the General Membership meeting.

EXECUTIVE BOARD OF DIRECTORS REPORT

~ Kenny Schubert~

- An Executive Board of Directors meeting was held on March 15, 2010. The meeting was called to order at 5:00 p.m. All 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.

REPORTS OF COMMITTEES

GRIEVANCE COMMITTEE

~Dave Rose~

- The mileage and pension grievances were settled with the Labor Commissioner. The mileage rate will be paid at \$0.55 per mile until July 1, 2010 as provided for in the Memorandum of Understanding. Any mileage slips submitted after January 1, 2010 at the rate of \$0.50 will be adjusted to reflect the higher rate.
- The affected members in the pension grievance will not have to pay the five (5%) percent interest on their back contributions. They will still have to pay back any owed contributions over a specified time period.

HEALTHCARE COMMITTEE

~Steve Comegna~

- The "Request For Proposals" (RFP), in reference to the health care bids, is scheduled to be released in April. The labor side of the Health Care Review Committee has two members sitting on the health care selection committee.

LEGAL ADVISORY COMMITTEE

~Dave Rose~

- I have compiled a list of approximately 70 members who have contacted me in reference to the bulletin in last month's newsletter about medical authorization releases. Calls con-

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tinue to come in with additional information. If anyone else has information or documents to forward to me, please do so as soon as possible.

- The retiree subsidy case scheduled for March 12, 2010 in front of Judge Finifter was postponed due to a criminal trial that continued over from March 11.
- Brother Matt Ackley was examined by County's physician for a disability rating on January 14, 2010. As a result of the examination, Matt was given a higher rating of disability for his upper left extremity. After receiving the report, the Pension Board of Trustees voted to increase Matt's pension to the higher disability percentage of 66 2/3%, as stated in the Memorandum of Understanding. In November 2008, the Pension Board of Trustees approved only a 50% disability pension, reasoning that Matt had "not yet reached maximum medical improvement". Matt's pension will be adjusted to the higher percentage and he will receive back pay from his original date of retirement. His appeal to the County Board of Appeals will be withdrawn.
- The Blake case is scheduled for trial in Federal Court on April 20-23, 2010.
- The Employee Relations Act case that was scheduled for summary judgment arguments on February 5, 2010 was postponed by Judge Martin. It has not been rescheduled yet.

LEGISLATIVE COMMITTEE

~Rick Bergin~

- On January 13, 2010, the Maryland General Assembly convened in Annapolis for its 427th

session and will adjourn on April 12, 2010. As of 4/01/10, there are approx. 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, HB 989 Tax exemption for public safety retirees (re-submitted from last year to make the first \$20,000.00 of retirement tax free.) **Not likely to move due to fiscal note.** (Support)

• Collective Bargaining with Binding Arbitration Cecil County (HB 916 & SB 726 – **No action**, Baltimore City HB 1098 & SB 613 (**Passed in House 130-10. No action in Senate**), Maryland Transportation Authority - **Rejected (36-104), 2nd Reading Passed with Amendments, Third Reading Passed (106-32) No action in Senate** (Support)

• Criminal Procedure – Search Warrant Deployment of SWAT Team SB 30 A judge may issue a search warrant to deploy a SWAT team upon probable cause to believe a felony is being committed - reviewed and signed by States Attorney. No action taken by House or Senate (Oppose)

• Law Enforcement Officers – Unsubstantiated Complaints – admissibility. HB 120 Evidence of a formal complaint against a law Officers, unsubstantiated - is not admissible in an administrative or judicial proceeding if the complaint resulted in the exoneration of the officer. **Passed in House (137-**

Association of Baltimore County Retired Police 2010 Meetings

May 4
September 7
November 2

All meetings are held
at Parkville Heritage
Gardens at 7:30 p.m.

1) **No action in Senate** (Support)

• Criminal Procedure- Use of tracking device, Search warrant, HB 172 Requires search warrant before employing a tracking device to monitor a vehicle. **Unfavorable Report by House Judiciary** (Oppose).

• Wiretapping and Electronic Surveillance Location of a Mobile Communications Device, SB 766 - Modifying a definition of "contents" applicable to specified provisions of law relating to wiretapping and electronic surveillance to include the location of a mobile communication device. No Action by House or Senate (Oppose)

• Criminal Procedure - Search Warrant App. Copy Filed with State's Attorney. SB 014 - Requiring a copy of an application for a search warrant to be filed with the State's Attorney, designated in writing by the State's Attorney, prior to the execution of the search warrant. (Oppose) **Unfavorable Report – With-**

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- **drawn.**
- Criminal Law Death Penalty - Scientific Evidence HB 994 Including 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. **Unfavorable Report by House Judiciary, No action in Senate** (Support)
- Vehicle Laws – Police Vehicles Engaged in Traffic Stops. Video Recording Systems, HB 1000 - Requiring that a motor vehicle of a law enforcement agency used to initiate a traffic stop shall be equipped with an in-car video recording system. **Unfavorable Report by Judiciary Withdrawn** (Oppose)
- Criminal Procedure Use of Tracking Device Law Enforcement Officer Search Warrant, SB 116 Prohibiting a law enforcement officer from using specified tracking device to determine the location or movement of another individual unless a specified search warrant has been issued. **Unfavorable Report by Senate Judicial Proceedings,** (Oppose)
- Vehicle Laws Rules of the Road Use of Signals When Changing Lanes, SB 169 Prohibiting 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. **Unfavorable Report by Senate Judicial Proceedings,** (Support)
- Public Safety Missing Offenders Blue Alert Program HB 1473 Requiring 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. **Passed in House (138-0) (Support)**
- Criminal Law, Gangs Definition, Underlying Crimes, and Sentencing, HB 227 Altering the definition of "criminal gang" to remove a requirement that a specified group must be an ongoing association; adding specified felonies and misdemeanors to the list of underlying crimes. No action by House or Senate (Support)
- Political Subdivisions - Collective Bargaining Agreements - Binding Arbitration, SB 1123 Authorizing a county or municipal corporation to adopt a specified local law or ordinance regarding binding arbitration. **Favorable with Amendments Report by Finance** (Support)
- Workers' Compensation - Death Benefits – Dependency, SB 953 Altering the authority of the Workers' Compensation Commission to make specified determinations of dependency; altering the provisions relating to calculation of death benefits. **No action by House or Senate. (Support)**

MEMORIAL COMMITTEE

~Don Patterson~

- May 7 is Fallen Heroes Day at Dulaney Valley Memorial Gardens.
- May 14 is Baltimore County Police Memorial Day in Towson. Reception to follow at

Lodge 4.

- May 15 is National Police Memorial Day in Washington DC.

NEGOTIATIONS COMMITTEE

~Cole Weston~

- President Weston reviewed the settlement agreement reached between the FOP Lodge 4 Negotiations team and the Baltimore County Administration with the members present.

PENSION COMMITTEE

~ Cole Weston ~

- The Pension Board of Trustees met on March 9, 2010 and approved 10 service, lump-sum death and ordinary death in ser-

LAW RIDE 15
Sunday, May 9th

Coffee & Doughnuts 7:00am at the Courthouse Square in Towson.

Departing Towson at 8:30 am SHARP. Full Police Escort to LAW RIDE staging area at RFK Stadium in Washington, DC.

The RIDE will leave RFK Stadium at 11:00 am and proceed in formation to the National Law Enforcement Officers Memorial.

THIS RIDE IS FREE. T-shirts, pins, etc. will be available at RFK.

Email cera1941@aol.com or bjsam@verizon.net for



Bereavements

Brother Thomas P. Jensen
Prince George's County FOP
Lodge 89

Retired Brother Alfred O. Deems, Jr.

Retired Brother Frederick Holland

Maureen Prendergast
Sister of Brother Michael C. Prendergast

Alma "Sis" Kalman
Mother of Retired Brother Craig S. Kalman, Sr.

Mollie M. Campbell
Mother of Brother John A. Campbell

Colleen McNutt
Mother of Brother Stephen F. McNutt

Josephine Lettieri
Grandmother of Brother Michael Lettieri, III

Isabelle Beacham
Grandmother of Retired Brother Scott H. Richardson

Theodora Welsh
Wife of Retired Brother William E. Welsh

Michael Mulqueen, Sr.
Father-In-Law of Associate Member Elizabeth M. Mulqueen

William C. Norwood
Step-Father of Brother Dana P. Kaczynski

Deacon Willie Bowman, Jr.
Father of Brother Timothy W. Bowman



vice retirements. One ordinary disability and 2 over sixty work extensions were also approved. Additionally, the board was

POLICY REVIEW COMMITTEE

~Dave Rose~

The committee reviewed one new policy this month. There were no bargaining issues.

POLITICAL ACTION COMMITTEE

~Steve Comegna~

The Political Action Committee met on Monday March 15, 2010. The following motions were presented to the Executive Board of Directors:

To purchase two (2) tickets to a fundraiser being held by Baltimore County State's Attorney Scott Shellenberger. The ticket cost is \$150.00, for a total PAC expenditure of \$300.00.

To purchase a Candle Sponsorship to a Happy Birthday Happy Hour with former State Delegate John Cluster, candidate for the House of Delegates 8th District. The cost of the sponsorship is \$250.00.

To purchase four (4) tickets to a fundraiser being held by the Friends of Joe Bartenfelder, Baltimore County Councilman in District # 6. The ticket cost is \$40.00 each, for a total PAC expenditure of \$160.00.

These motions were presented to the Executive Board on Monday March 15, 2010. Each motion received a proper second. They were discussed and voted upon. The Executive Board of Directors approved these expenditures.

The Political Action Committee also met on Monday March 22, 2010. After this meeting, the PAC Committee presented the following motion to the Executive Board of Directors:

To direct President Weston to write a letter supporting Assistant States Attorney Steve Kroll is his campaign to be appointed to the District Court Bench in Baltimore County.

These motions were presented to the General Membership on Monday March 22, 2010. Each motion was made, received a proper second and was voted upon. The General Membership approved these expenditures.

REPORT OF LEGAL COUNSEL

~Mike Marshall~

We are still awaiting a decision in the Siedlecki case.

GOOD OF THE ORDER

Treasurer Caskey informed the membership of a fundraiser for Matt Ackley that was held on Saturday March 27, 2010.

During the month of March, the Lodge sent four (4) flower arrangements and fourteen (14) 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. Three (3) fruit baskets were sent to sick or in-distress members. Thirteen (13) "Thank You" cards were received.

The meeting was adjourned at 8:25 pm.

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You marked your calendars for the
Mark Parry bench dedication,

Now, we **NEED** your **RSVP** by **May 5, 2010**

**If you plan to help us honor Mark's life, service and love of Civil War history on
Saturday June 5, 2010 at 12pm,
please RSVP to Kathy Kraemer
(410-887-2365 or kkraemer@baltimorecountymd.gov)**



Washington Monument State Park (Fort Necessity Shelter)
6620 Zittlestown Rd
Middletown MD 21769

Directions:

From points east: Washington Monument State Park can be reached off Interstate 70 westbound to Exit 49, MD Alternate Route 40. Travel westbound (turn left) on Alternate 40 for approximately 9 miles. At the top of South Mountain, turn right on Washington Monument Road. After 1 mile, the road intersects with Zittlestown Road at a four-way stop. Go straight to enter the park.

From points west: Washington Monument State Park can be reached off Interstate 70 eastbound via Exit 35, MD Route 66. Go south on Route 66 (turn right) and travel approximately 6 miles to MD Alternate 40 in the town of Boonsboro. Go east on Alternate 40 (turn left) and travel approximately 4 miles to the top of South Mountain. Turn left on Washington Monument Road. After 1 mile, the road intersects with Zittlestown Road at a four-way stop. Go straight to enter the park.

<http://dnr.maryland.gov/publiclands/western/washington.html>

Lunch will be served, hope to see you there!

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

The June

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
June 28, 2010
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road