



# The Fourword

Volume 39, Number 8

August 2011

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## Detective Bill Blake Recognized at the 60th Biennial Conference of the Grand Lodge of the Fraternal Order of Police

The following resolution was presented by Baltimore County Fraternal Order of Police Lodge #4 after endorsement of its submission by the Maryland State Board of Directors at its quarterly meeting on April 30, 2011.

**WHEREAS:** Detective William Blake has been an honorable and dedicated member of the Baltimore County Police Department since 1987.

**WHEREAS:** In 1996 he had a single seizure that was fully disclosed to his employer and he returned to work, performing in an exemplary manner.

**WHEREAS:** In August of 2006 he testified on behalf of a fellow officer who was fighting to keep his job after a medical event that was similar to the one experienced by William Blake.

**WHEREAS:** After his testimony, he was ordered by the Chief of Police to submit to a medical evaluation, even though a full decade had passed since his reported medical event.

**WHEREAS:** F.O.P. Lodge #4 assisted William Blake in seeking an injunction and supported his rights by filing suit against the Chief of Police and Baltimore County Government.

**WHEREAS:** After a six-day jury trial in April of 2010 in the Baltimore U.S. District Court, the jury found that the Chief of Police violated the rights of William Blake under the Americans with Disabilities Act and awarded him \$225,000.00 in emotional distress damages.

**WHEREAS:** Baltimore County filed an appeal of that decision.

**WHEREAS:** In July of 2011, the 4th U.S. Circuit Court of Appeals upheld the decision and award of the Baltimore U.S. District Court.

### **NOW, THEREFORE, BE IT RESOLVED THAT:**

The delegates of the 60th Biennial Conference of the Grand Lodge of the Fraternal Order of Police recognize William Blake for his courage to stand up for a fellow officer while faced with great risk to his professional and personal well-being, and that this case will serve to protect law enforcement officers across the nation from illegal medical inquiries and testing.



Representing the Professional Police Officers of Baltimore County





MEETING MINUTES

July 2011

Recorded by Dave Folderauer

The July 2011 General Business Meeting was held on July 25, 2011 at FOP Lodge 4. President Weston called the meeting to order at 7:31 p.m. Chaplain Merkle gave the invocation. President Weston led the Pledge of Allegiance.

ROLL CALL OF OFFICERS

First Vice President Comegna, Treasurer Caskey, and Brother Joe Caskey were on vacation. Brother Massey 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 June 2011 General Membership Meeting. A second was made by Brother King. There was no discussion. The motion passed.

REPORTS OF OFFICERS

~ PRESIDENT WESTON ~

- June 28 Met with the County Executive Kevin Kamenetz concerning pending litigation.
• June 29 Attended a fundraiser for Delegate Shirley Nathan-Pulliam of the tenth legislative district.
• June 30 Attended a fundraiser for Speaker Pro Tem Delegate

Adrienne Jones of the tenth legislative district.

- July 1 Met with a member concerning retirement planning.
• July 12 Attended the Pension Board of Trustees Meeting, attended the promotion ceremony, visited the funeral home with the family of Brother Bill Bocklage, Past President of Maryland Transportation Authority FOP Lodge #34, and attended a fundraiser for Senator Bobby Zirkin of the eleventh legislative district.
• July 13 and 14 Attended a Labor Law and Arbitration Conference in Baltimore City.
• July 18 Attended a meeting with the Deputy Director of the Baltimore County Office of Human Resources concerning minority recruitment and promotion within County Government.
• July 21 Met with County Council Chairman, John Olszewski Sr. concerning pending litigation with the County.
• July 25 Attended the Executive Board of Directors meeting and chaired the General Membership meeting.

~ 1st V. P. COMEGNA ~

- July 5 Worked at the Lodge office and updated our Campaign Finance Report, which is due in January, 2012.
• July 18 Worked at the Lodge office and completed PAC data entry.

~ 2nd V. P. ROSE ~

- July 8 Attended the grand opening of the new FOP Lodge #34 building.
• July 12 Attended the promotion

LODGE 4 OFFICE

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ELECTED OFFICERS

Cole B. Weston
President
(443) 956-2679

Steven G. Comegna 1st Vice President
David M. Rose 2nd Vice President

Robert W. Caskey Treasurer
Richard J. Bergin Sergeant at Arms

W. Donald Patterson State Trustee
L. Timothy Caslin Past President

Paul A. Merkle Chaplain
Mike DiCara Vice Chairman

EXECUTIVE BOARD of DIRECTORS

Kenneth F. Schubert Chairman
Thomas G. Scally CID - Arson
Donna Patterson Planning & Research
James P. Rommel, Jr. K9
Joe Caskey CID - Homicide

Mike DiCara Vice Chairman
Louis J. Lagna Retired
Patrick Zito PC 7 - Traffic
Ryan Massey CID - Homicide
Tony DiCara PC 12

LODGE STAFF

Larry Sibley—Office Manager
Juanita Bouthner—Administrative Assistant

LEGAL ADVISORS

Schlachman, Belsky & Weiner, P.A.
Phone (410) 685-2022
IAS Cases Michael Marshall

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The Fourword is the official monthly publication of Baltimore County Fraternal Order of Police Lodge 4.

Fourword Editor
Kathryn Greenbeck
Precinct 2

ceremony.

- July 13-14 Attended a Labor and Arbitration seminar.
- July 21 Met with Councilman John Olszewski, Sr.
- July 25 Met with Maj. Kibler from Johns Hopkins Campus Safety and Security, attended the Executive Board of Directors meeting and the General Business meeting.

### **EXECUTIVE BOARD OF DIRECTORS REPORT**

~ Kenny Schubert~

- An Executive Board of Directors meeting was held on July 25, 2011. The meeting was called to order at 6:00 p.m. First Vice President Comegna, Treasurer Caskey, and Brother Joe Caskey were on vacation. Brothers Massey and Tony DiCara were working. All other elected officers and Board members were present. Legal Counsel Mike Marshall was also 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**

#### **DONATION REVIEW**

~Paul Merkle~

- The Donation Review Committee met this month and the following items were considered:
- To donate \$250 to the upcoming COPS Walk in October 2011 to sponsor Caroline Parry, who will be walking in honor of her father, Mark Parry, a fallen hero from Lodge 4.



- To donate \$250 to the Chrome City Ride to benefit the Benedictine School for disabled children.
- Both motions received proper seconds, were voted on, and passed unanimously.

### **GRIEVANCE COMMITTEE**

~Dave Rose~

- We received an unfavorable decision from Maj. Burris at Step #1 in a grievance where a member is alleging she performed work at the direction of her commanding officer while at home on accident leave. She is requesting compensation for 47 hours of work performed.
- She filed an appeal to step #2 and both she and the Department

agreed to waive it directly to step #3 for a hearing in front of an administrative hearing officer. No date has been set.

- Briefs are being filed in the same-sex benefits grievance. The County and the FOP have agreed to stipulate as to the facts and are submitting briefs to the arbitrator as to the contract language. The arbitrator will review the briefs and issue a ruling or, if necessary, schedule a hearing. All parties are hoping for an August date.

### **LEGAL ADVISORY COMMITTEE**

~Dave Rose~

- On July 15, 2011 the 4<sup>th</sup> U.S. Circuit Court of Appeals issued a decision in the Bill Blake case. In its ruling, the court affirmed a lower court decision that Baltimore County must pay Bill Blake \$225,000 in emotional stress damages for improperly forcing him to take a fitness for duty test in 2006. (The decision is posted on the FOP website under FOP News.)
- In September of 2006, Bill Blake testified at an appeals hearing for another officer who was being forced to retire after having a seizure at work. Blake was subpoenaed to testify because he had a prior

*"The ultimate measure of a man is not where he stands in moments of comfort and convenience, but where he stands at times of challenge and controversy."* - Martin Luther King Jr.

**Bereavements**

**Retired Brother  
Harry W. Owings**  
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**Retired Brother  
John M. Gattus, Jr.**  
\*\*\*\*\*

**Cynthia D. Gatton  
Sister of Brother  
Thomas H. Hynson**  
\*\*\*\*\*

**Marsha Wolferman  
Wife of Retired Brother  
William J. Wolferman,  
Jr.**  
\*\*\*\*\*

**Beverly Ann Schrott  
Mother of Brother  
Craig S. Schrott**  
\*\*\*\*\*

**Rosaria Bull  
Grandmother of  
Brothers  
Anthony J. DiCara and  
Michael D. DiCara**

seizure in 1996 and had worked since then without any incidents or any inquiries as to his fitness for duty. The day after his testimony, he was ordered by then Chief Sheridan to submit to a fitness for duty examination and to produce his medical records.

- After a six day trial in April 2010, the jury found that Chief Sheridan violated Blake's rights under the Americans with Disabilities Act by making illegal medical inquiries.
- The Siedlecki case is scheduled for August 23 at the Board of Appeals.
- Briefs have been submitted to the Court of Special Appeals in the retiree subsidy case and briefs are being prepared for the Employee Relations Act case.

**PENSION COMMITTEE**

~ Cole Weston ~

- The Pension Board of Trustees met on July 12, 2011 and approved 45 service, drop, and ordinary death in service retirement benefits. One accidental disability was also approved. Three pre-employment medical evaluations were reviewed. Two were approved to participate in the pension system and one was denied. Two honorable and faithful cases were reviewed and approved.

**POLICY REVIEW  
COMMITTEE**

~Dave Rose~

- The committee reviewed three (3) new policies this month. No bargaining issues were identified.
- On June 30, 2011 County Executive Kamenetz was presented with a letter in reference to the "discontinuation of the financial award for the purchase of a savings bond" in the County's Absence Control Policy. The letter was a request to bargain any changes made to the policy. As of this date, we have not received a response to our request.

**GOOD OF THE ORDER**

- Many thanks to **Brother Troy Ray** for coordinating the vacation cruise fundraiser, which raised **\$2,720.00** for the Police Assistance and Relief Fund.
- During the month of June, the Lodge sent three (3) flower arrangements, seven (7) sympathy cards to bereaving members. The Lodge also made four (4)

Association of  
Baltimore County  
Retired Police  
2011 Meetings

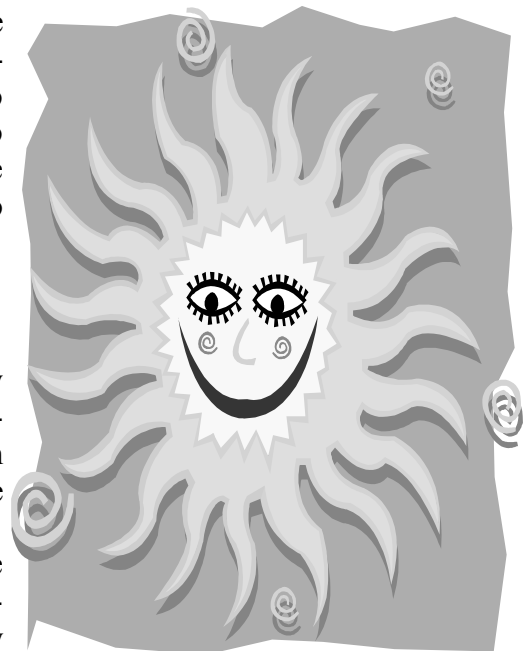
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September 6  
November 1

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

- donations in lieu of flowers at the members' request. Three (3) fruit baskets were sent to members for hospitalizations or births. Twelve (12) "Thank You" cards were received.
- The meeting was adjourned at 8:00 pm.





# **Hightopps Backstage Grille**

## **Sixth Annual PAR Fund Benefit**

2306 York Road, Timonium, MD 21093

**September 14, 2011**

**6 ~ 9 pm**

**~Free Admission ~**

**~Happy Hour Drink Prices~**

For more information call  
Lodge 4 at 410-668-0004

**50 / 50 Drawing at 9:00 pm to Benefit  
the Police Assistance Relief Fund**

The September

**FOP Lodge 4  
GENERAL  
BUSINESS  
MEETING**

will be held on

**Monday,  
September 26, 2011  
7:30 p.m.**

at  
FOP Lodge 4  
9304 Harford Road

The October

**FOP Lodge 4  
GENERAL  
BUSINESS  
MEETING**

will be held on

**Monday,  
October 24, 2011  
7:30 p.m.**

at  
FOP Lodge 4  
9304 Harford Road