



# The Fourword

Volume 41 Number 6

June 2013

## Police Officer First Class James Laboard Not Guilty of All Charges

On June 20<sup>th</sup>, 2013 a Baltimore County jury found Police Officer First Class James Laboard not guilty of both voluntary and involuntary manslaughter. After a full day of jury selection and two and one half days of courtroom testimony the state and defense rested. The jury began deliberation at approximately 11:30, they were allowed time for lunch, and by 2:30 they had reached a verdict.

Despite what you may have seen or heard on the various forms of news media, the important facts of the case were brought out during the course of the court room testimony. This was in addition to other information that was agreed upon by both the state and the defense. One of the stipulations was as follows:

“The following facts are agreed to be true:

On June 13, 2012, Officer James Laboard was off-duty before witnessing a crime. At that point, Officer Laboard put himself on duty in accordance with Baltimore County Police Department policies.”

Baltimore County Fraternal Order of Police, Lodge #4 will continue to assist Officer Laboard and his family through the completion of the remaining procedures as well as the process described in Article sixteen of the Memorandum of Understanding.



Representing the Professional Police Officers of Baltimore County





**MEETING MINUTES  
May 2013**

- The May, 2013 General Business Meeting was held on May 20, 2013 at FOP Lodge 4. President Weston called the meeting to order at 7:30 p.m. Brother Schubert gave the invocation. President Weston led the Pledge of Allegiance.

**ROLL CALL OF OFFICERS**

- Secretary Folderauer and Brother Rommel were excused. Brother Zito was working. Chaplain Merkle was on vacation. 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 Folio to accept the minutes of the April, 2013 General Membership Meeting. A second was made by Brother Franks. There was no discussion. The motion passed.

**REPORTS OF OFFICERS**

**~ PRESIDENT WESTON ~**

- April 26 Attended the Police Assistance and Relief Fund breakfast fundraiser.
- May 3 Attended the Fallen Heroes Memorial Service at Dulaney Valley Memorial Gardens.
- May 10 Attended the Baltimore

County Police Department Memorial ceremony and the reception hosted by FOP Lodge #4.

- May 16 Attended the Police Department budget defense to the County Council.
- May 17 Attended the oral arguments for the Court of Appeals ruling in the Retiree Health Care Subsidy case in the Circuit Court.
- May 20 Attended meetings of the Political Action Committee, the Legal Advisory Committee, the Executive Board of Directors, and General Membership.

**~ 1<sup>st</sup> V. P. COMEGNA ~**

- May 10 Attended the Baltimore County Police Memorial Service and the reception that followed.
- May 16 Attended Chief Johnson's budget presentation to the Baltimore County Council.
- May 17 Attended a meeting of the Health Care Review Committee.
- May 20 Worked at the Lodge office, attended meetings of the Political Action Committee, the Legal Advisory Committee, the Executive Board of Directors and the General Membership.

**~2nd V.P. ROSE~**

- April 24 Addressed in-service training.
- April 25 Met with a representative from Grier Financial about advertising on our website.
- April 26 Attended the Par Fund Breakfast.
- May 3 Attended the Fallen Heroes Ceremony at Dulaney Valley Memorial Gardens.
- May 7 Attended the Retired Of-

**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 <b>1<sup>st</sup> Vice President</b> <i>PC3 - Traffic</i> (410) 409-0293	David M. Rose <b>2<sup>nd</sup> Vice President</b> <i>F.O.P. Lodge 4</i> (443) 956-2643
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David J. Folderauer, Sr. <b>Lodge Secretary</b> <i>PC 4 - IST</i> (410) 382-2075	Robert W. Caskey <b>Treasurer</b> <i>CID-Robbery</i> (443) 956-2615
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W. Donald Patterson <b>State Trustee</b> <i>PC12</i>	Anthony DiCara <b>Sergeant at Arms</b> <i>PC12</i>
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Paul A. Merkle <b>Chaplain</b> <i>Retired</i>	L. Timothy Caslin <b>Past President</b> <i>Retired</i>
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**EXECUTIVE BOARD of DIRECTORS**

Kenneth F. Schubert <b>Chairman</b> <i>Retired</i> (410) 416-2800	Mike DiCara <b>Vice Chairman</b> <i>PC 4</i>
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Thomas G. Scally <i>CID - Arson</i>	Lou Lagna <i>Retired</i>
Donna Patterson <i>PC12</i>	Patrick Zito <i>PC 7 - Traffic</i>
James P. Rommel, Jr. <i>K9</i>	Ryan Massey <i>CID - Homicide</i>
Joe Caskey <i>CID - Homicide</i>	Kathy Kraemer <i>PC 6</i>

**LODGE STAFF**

Juanita Bouthner—Administrative Assistant  
Nancy Skinner—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 8*

- officers Association meeting.
- May 8 Attended the County Council budget meeting on insurance and retirement.
- May 10 Attended the Baltimore County Police Memorial Ceremony and the reception afterwards at Lodge #4.
- May 12 Responded to Precinct #4 for an officer involved shooting.
- May 14 Attended the Pension Board of Trustees meeting and met with FPE President John Ripley.
- May 15 Addressed in-service training.
- May 16 Attended the County Council budget meeting on the Police Department.
- May 17 Attended Circuit Court for the FOP's "Motion to Enforce" hearing in front of Judge Finifter.
- May 20 Chaired a Legal Advisory Committee meeting, attended the Executive Board of Directors meeting and the General Membership meeting.

**~SECRETARY FOLDERAUER~**

- May 10 Attended the Baltimore County Police Memorial Service reception.
- May 11 Attended a fundraiser for Brother Peacock.
- May 20 Attended meetings of the Political Action Committee, the Legal Advisory Committee and the Executive Board of Directors.

**~TRESURER CASKEY~**

- May 6 Worked at the Lodge.
- May 10 Worked at the Lodge.
- May 13 Worked at the Lodge.
- May 20 Attended a Legal Advisory meeting, a PAC meeting,

the Executive Board of Directors meeting, and the General Membership meeting.

- May 21 Worked at the Lodge.
- May 31 Worked at the Lodge.
- I have been researching a problem with the length of time it has been taking for our retirees to receive their retirement badges. I was able to identify the issues causing the problem and it was presented to Colonel Burris. It appears that the issues will be able to be addressed fairly quickly. I will keep the membership updated.

**EXECUTIVE BOARD OF DIRECTORS REPORT**

**~ Kenny Schubert~**

- An Executive Board of Directors meeting was held on May 20, 2013. The meeting was called to order at 5:30 p.m. Brother Zito was working. Chaplain Merkle was on vacation. All other elected officers and Board members were present. Legal counsel Mike Marshall was also 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**

**DONATION REVIEW**

**~Paul Merkle~**

- The Donation Review committee met on May 20, 2013 and made the following motions to approve donation requests:
- To donate \$1500.00 to the Special Olympics Torch Run held on June 8, 2013 at the Public Safety Building.
- To donate \$500.00 for supplies

***Bereavements***

**Retired Brother  
Michael J. Kuzmjak**

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**Charles J. Bury, Sr.  
Father of Retired Brother  
Charles J. Bury, Jr.**

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**A. William Zimmerman  
Father of Brother  
Brian Zimmerman**

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**Mary Czawlytko  
Mother of Brother  
Robert Czawlytko**


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**Irene Whitmire  
Mother of Retired Brother  
Ricky Whitmire**

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**Audrey E. Perry  
Mother of Retired Brother  
Michael S. Perry**

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for a cookout to benefit the officers detailed to the July 4th fireworks at PC12.

**GRIEVANCE COMMITTEE**

**~Dave Rose~**

- There were no grievances filed this month.
- The Brother Phil Crumbacker grievance was waived at steps

#1 & #2. An appeal was filed to step #3.

**HEALTHCARE COMMITTEE**  
~Steve Comena~

- Labor’s portion of the Health Care Review Committee met on Friday, May 17 at the FOP Lodge #4 office. There were two presentations given to the committee. The first one was from our local Kaiser Permanente Representative. He gave the committee an overview of the new Kaiser 24 hour care center in Halethorpe. The second presentation was from Ms. Amy Clary. She is an associate with the American Federation of Teachers Research and Strategic Initiatives Section. She gave the committee and overview of some upcoming health care changes that will take effect due to the Patient Protection and Affordable Care Act. Finally, the committee will be sending a request to the County for current paid claims data. This information helps the committee double check the rate structure of our health care premiums.

**LEGAL ADVISORY COMMITTEE**  
~Dave Rose~

- On May 17, 2013 The FOP’s “Motion to Enforce” against Baltimore County was heard in Baltimore County Circuit Court in front of Judge Finifter. The hearing lasted about an hour. The County has ten days to file their briefs and the FOP has ten days to respond.
- The County has thus far ignored the order by the Court of Special Appeals in the Retiree Subsidy



case. They not cooperated with our counsel in returning the affected employees to their proper subsidies and reimbursing money owed. It appears that the County is attempting to re-argue the case to either avoid or delay any resolution.

- The trial for Brother James La-board was scheduled for June 17, 2013 in Baltimore County Circuit in front of Judge Alexander.
- The Brandt Bradford case was argued on April 4, 2013 at the Board of Appeals. Closing briefs were submitted on May 6,

2013.

- We have received the transcripts for day 1 and day 2 in the Ryan Massey Trial Board.
- The County’s appeal of Judge Cox’s Circuit Court decision on our Writ of Mandamus regarding the changes to the Absence Control Policy was scheduled for June 3, 2013.
- The Employee Relations Act (County Executive Jim Smith, Binding Arbitration) case was heard on September 9, 2011 at the Court of Special Appeals. We are still waiting for a decision.
- We have filed a Complaint and Petition to Show Cause in Circuit Court in the Megan Childress case for violations of several sections of the LEOBR. The hearing is scheduled for September 12, 2013.
- The committee members met on May 20, 2013 to discuss funding for legal counsel in the step #3 grievance appeal in the Phil Crumbacker case. After some discussion, a motion was made to fund the case to step #3. Af-

**Association of  
Baltimore County  
Retired Police  
2013 Meetings**

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**September 3, 2013  
November 5, 2013**

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

## The Fourword

ter a proper second, the motion passed 6-0 with 1 abstention.

### PENSION COMMITTEE

~Dave Rose~

- At the Baltimore County Employees' retirement System Board of Trustees' Meeting on May 14, 2013 we approved thirty-five (35) total retirements. Thirteen (13) of those were from the Police Department.

### POLITICAL ACTION COMMITTEE

~Steve Comegna~

- The PAC Committee met on Monday May 20, 2013. We presented three motions to the Executive Board. They are as follows:
- A motion to donate \$125.00 to Dr. Dan Morhaim's re-election campaign. He is a State Delegate in District 11.
- A motion to be a Bronze Sponsor

for a fundraiser held by State Delegate Sue Aumann (District # 42) on May 26, 2013. The cost is \$150.00.

- A motion to be a Gold Sponsor for a fundraiser held by Brother and State Delegate John Cluster (District #8) on May 30, 2013. The cost is \$500.00.
- Each motion was approved by the Executive Board of Directors. Each motion was also approved by the general membership at the May General Business Meeting.

### POLICY REVIEW COMMITTEE

~Dave Rose~

- The committee received no policies to review this month.
- On April 10, 2013, I spoke to Chief Johnson about the status of the letter we gave to him on March 12, 2013. He stated he delivered the letter to the Coun-

ty Administration and expressed our concerns. A letter to the County Administration is currently being drafted requesting a response.

### GOOD OF THE ORDER

- During the month of May, FOP Lodge #4 sent four (4) cards and flower arrangements to bereaving members. Two (2) donations were sent in lieu of flowers at the families' request. Eight (8) "thank you" cards were received.
- The meeting was adjourned at 7:56 pm.



## Congratulations To All June Promotees!



### Sergeant to Lieutenant

Kenneth J. Busic  
Michael A. Cortes, III



### Corporal to Sergeant

Jeremy F. Boothe  
Brandon A. Branham  
Michael R. Keller  
Rick E. Shull, Jr.  
Jerrod J. Silk  
Bobbie J. Zalewski

### Officer to Corporal

Ivory K. Bing  
Christopher S. Bishop  
Brendan S. Duker  
Richard P. Hearn  
Michael T. Mertz  
Thomas J. Morehouse  
Joseph W. Robinson  
Leonard C. Schroeder  
Jason E. Todd

The July

**FOP Lodge 4  
GENERAL  
BUSINESS  
MEETING**

will be held on

**Monday,  
July 22, 2013  
7:30 p.m.**

at  
FOP Lodge 4  
9304 Harford Road

The August

**FOP Lodge 4  
GENERAL  
BUSINESS  
MEETING**

will be held on

**Monday,  
August 26, 2013  
7:30 p.m.**

at  
FOP Lodge 4  
9304 Harford Road