



The Fourword

Volume 41 Number 9

September 2013

Baltimore County FOP Lodge 4 Mourns the Loss of POFC Jason Schneider End of Watch 8/28/2013

Officer Schneider was killed on August 28, 2013 while he and other members of the Baltimore County Police Tactical Unit were serving a high-risk search warrant for a suspect wanted in a shooting in the Precinct 1/Wilkens area. While making entry, he was fired upon by one of the suspects. Before succumbing to his wounds he, along with another team member, returned fire, killing the suspect.





MEETING MINUTES
August 2013

- The August, 2013 General Business Meeting was held on August 26, 2013 at FOP Lodge 4. President Weston called the meeting to order at 7:30 p.m. Chaplain Merkle gave the invocation. President Weston led the Pledge of Allegiance.

ROLL CALL OF OFFICERS

- Brother Scally was excused. All other elected officers and Board members were present. Legal advisor Mike Marshall was excused.

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

- A motion was made by Brother Grumbach to accept the minutes of the July, 2013 General Membership Meeting. A second was made by Brother Folio. There was no discussion. The motion passed.

REPORTS OF OFFICERS

~ PRESIDENT WESTON ~

- July 26 Met with attorneys from Kramon and Graham, who represented Brother James Laboard.
- July 29 Attended a meeting of the Baltimore County Economic Advisory Commission.
- July 30 Met with Baltimore County State's Attorney concerning issues relevant to police officers and the State's Attor-

ney's office. Welcomed the Board of the Maryland Concerns of Police Survivors who used our facility for one of their annual meetings.

- July 31 Attended a fundraiser for Senator Bobby Zirkin of the 11th legislative district, and met with two members concerning retirement planning.
 - August 1 Met with two members concerning retirement planning.
 - August 6 Attended a meeting in Prince Georges County with the Lt. Governor and other F.O.P. leaders concerning his candidacy for Governor.
 - August 9 Met with Senator Jim Brochin of the 42nd district.
 - August 11 – 15 Attended the 61st Biennial Conference of the National Fraternal Order of Police.
 - August 20 Attended the Step 3 Crumbacker grievance hearing concerning his salary.
 - August 23 Participated in the F.O.P. Lodge #4 golf tournament.
 - August 26 Chaired a Negotiations Committee meeting and attended the Political Action Committee, Legal Advisory Committee, Executive Board of Directors, and General Membership meetings.
- ~ 1st V. P. COMEGNA ~**
- August 8 Worked on our Campaign Finance report.
 - August 11-15 Attended the 61st National FOP Biennial Conference in Cincinnati, Ohio.
 - August 23 Played in FOP Lodge # 4's annual golf tournament.
 - August 26 Worked at the lodge

LODGE 4 OFFICE

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Baltimore, Maryland 21234
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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 4 - IST</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>PC12</i>	Anthony DiCara Sergeant at Arms <i>PC12</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>Retired</i> (410) 416-2800	Mike DiCara Vice Chairman <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>Retired</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

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

Fourword Editor
Kathryn Greenbeck
Precinct 8



office and attended meetings of the Negotiations Committee, the Legal Advisory Committee and the Political Action Committee. I also attended the August 2013 Executive Board of Directors Meeting and the August 2013 General Business Meeting.

~2nd V.P. ROSE~

- July 26 Met with attorneys from Kramon and Graham to discuss the Laboard case.
- July 29 Met with Brother Atteberry and the Legal Division to settle an IAS case.
- July 30 Attended Phase 2 of the range.
- August 6 Met with Lt. Governor Brown and Ken Ulman at FOP Lodge 89.
- August 9 Met with Senator Brochin.
- August 11-14 Attended the 61st National Conference in Cincinnati, OH.
- August 14-18 Attended the Labor and Worklife Program at Harvard Law School.
- August 19 Met with Brother Damon White to discuss his case.
- August 20 Attended the Crumbacker grievance at step #3.
- August 22 Attended a Fair Prac-

- tices meeting at Headquarters.
- August 23 Participated in the FOP Lodge 4 Golf Tournament.
- August 26 Attended a Negotiations Committee meeting, chaired Grievance Committee and Legal Advisory Committee meetings, attended the Executive Board meeting and General Business meeting.

~SECRETARY FOLDERAUER~

- August 11-15 Attended the 61st National FOP Biennial Conference in Cincinnati, Ohio.
- August 23 Played in FOP Lodge # 4's annual golf tournament.
- August 26 Worked at the lodge office and attended meetings of the Negotiations Committee, the Legal Advisory Committee and the Political Action Committee. I also attended the August 2013 Executive Board of Directors Meeting and the August 2013 General Business Meeting.

~TRESURER CASKEY~

- August 6, 8, 9 Worked at the lodge office.
- August 11-15 Attended the National FOP Convention in Cincinnati.
- August 26 Worked at the lodge office and attended meetings of the Grievance Committee, Legal Advisory Committee, and PAC Committee.
- August 28 Worked at the lodge office.

STATE TRUSTEE

~Don Patterson~

- I attended the National Conference on August 11-15 in Cincinnati. There were 3 amendments to the by-laws that were to be

presented for discussion and vote. The first was to raise the per-capita from \$9.50 to \$10.50 per member with 50 cents going to the NFOP Foundation and 50 cents going to the National Memorial Service. After much discussion, this amendment was defeated. The second was to have new lodges pay a prorated per-capita starting in the month they are chartered. This amendment passed. The third amendment was to raise the per-capita from \$9.50 to \$10.50. This amendment passed. Resolution #1 was adopted and will supersede resolution #6, adopted in Louisville in 1993. The 1993 resolution called for the Grand Lodge to support H.R. 1472/S. 639 the "Anti-drug Assault Weapons Limitation Act of 1993," prohibiting the import and manufacture of certain military assault weapons. This adopted resolution allows the Grand Lodge to support measures to curb criminal misuse of firearms while supporting the Second Amendment rights of law-abiding citizens.

- There was a vote for the site of the 2017 National Conference. Nashville was selected over Orlando by a landslide, 1,970 votes to 583.

EXECUTIVE BOARD OF DIRECTORS REPORT

~ Kenny Schubert~

- An Executive Board of Directors meeting was held on August 26, 2013. The meeting was called to order at 5:35 p.m. Brother Scally was ex-

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cused. All other elected officers and Board members were present. Legal counsel Mike Marshall was excused.

- 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

ATHLETIC COMMITTEE

~Don Patterson~

- On August 23, the annual FOP Lodge 4 golf tournament was held at Rocky Point Golf Course in Essex. We had 112 golfers. After all expenses, the profit was \$961.00. This included \$340 from the “beat the pro” on hole 11.
- The winning group was Dave Rose, Floyd Rose, Rick Ash and Joe Santopietro. 2nd place was

Kevin Smith, Chris Raut, Sean Moran and Paul Grossman. 3rd place was Brian Jednorski, Charles Jednorski, Mike Bertling and Bill Butler.

- Closest to the pin winners were: hole 4 Ron Schlicht, hole 7 John Wissman, hole 11 Steve DeBoy Jr., hole 14 Irv Lambdin.
- Longest drive winners were Joe Santopietro (senior), Rob Hoerr (men), and Kristin Burrows (women).

DONATION REVIEW COMMITTEE

~Paul Merkle~

- The committee met on August 26, 2013 and the following requests were discussed and voted upon.
- Motion to donate \$300 to the Law Officers Association of Baltimore County in support of the upcoming Shrimp Feast being

held on September 30, 2013.

- Motion to donate \$250 to the Brad Fox Memorial 5K for entry fees and a donation for a team of FOP members from Lodge 4 to participate in the event on November 2, 2013.
- Both motions received a proper second and were approved unanimously.

GRIEVANCE COMMITTEE

~Dave Rose~

- The committee members met to discuss two grievances.
- President Weston brought a class action grievance to the committee. The grievance involves the placement of an officer in a position at the Training Academy as an instructor. The position in question was filled by the Department with an officer who never participated in the application process



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"Baltimore County
Fraternal Order of
Police Lodge 4"**



and is not on the current or former list of candidates. The committee members voted unanimously to file the grievance. The recommendation was presented to the Board of Directors on August 26, 2013 and it passed unanimously.

- Brother Jim Rommel requested to file a grievance of his involuntary transfer from the K-9 unit. The committee members met and discussed the issues with Brother Rommel and received input from our attorney, Matt Clash-Drexler. There was a motion to support the grievance and a proper second. The motion passed unanimously.
- The Phil Crumbacker grievance was argued at step #3 on August 20, 2013 at the Office of Administrative Hearings. We are waiting for a decision.

**LEGAL ADVISORY
COMMITTEE
~Dave Rose~**

- On August 14, 2013 Baltimore

County Circuit Court Judge Finifter issued a decision in the FOP's "Motion to Enforce" in the retiree subsidy case. In his decision, he ruled in favor of the FOP. He went on to state in his decision that the County's arguments were precluded from consideration by the Law of the Case Doctrine. That doctrine states that "once a decision is established as the controlling legal rule of decision between two parties in the same case, it continues to be the law of the case. The purpose of this doctrine is to prevent 'piecemeal' litigation, and also, to prevent successive appeals that involve the same questions that were previously decided or could have been decided by the court." In Judge Finifter's review of the record of this case, he stated "it appears the plaintiff (Baltimore County) is presenting the same arguments that were either presented in its Complaint, Motion for Summary Judgment, to the Court of Special Appeals in its appeal, or to the Court of Appeals in its Motion for Reconsideration. As such, the Court does not find it necessary to delve into the merits of these arguments."

• An Unfair Labor Practice Complaint against Baltimore County Executive Kamenetz for refusing to negotiate over the modified duty policy was drafted. It will be submitted to the Director of Human Resources George Gay.

- The Legal Advisory committee met on August 26, 2013. Two items were on the agenda.
- Brother Damon White submitted a written request for reimbursement of legal fees in the

Bereavements

**Retired Brother
Marvin Carter**

**Harvey L. Leichling, Sr.
Father of Retired Brother
Lohn Leichling**

**Margaret B. Brubach
Mother-in-Law of Brother
Tom Scally**

**Charles Kincaid
Father of Brother
Russell Shipley**

**Delores V. Dunaja
Mother of Retired Brother
Leonard G. Dunaja, Jr.**

**Geraldine M. Roemer
Mother-in-Law of Retired
Brother Richard Koller**

**Frederick M. Romeo
Brother of Retired Brother
Vincent J. Romeo**

**Patricia Mae Rassa
Mother of Brother
Michael Peterson and
Step-Mother of Brother
Todd Rassa**

**Walter Boushell
Father-in-Law of Brother
Patrick Stonko**

amount of \$7,500, as per the Constitution and Bylaws, Article 2, Section 7. On February 21, 2013 he originally requested the Lodge to pay his legal fees for another attorney to represent him in his internal affairs case. His request was denied because the Lodge has a retainer with Mike Marshall of SBW Law Firm for these cases. Brother White's attorney successfully challenged

the LEOBR violations in Circuit Court through a Petition to Show Cause. Judge Ballou-Watts found the Department violated the LEOBR and dismissed the charges related to the LEOBR violations. The Department then settled the case. The committee members reviewed the request and after lengthy discussion, a motion was made to refund the total amount of \$7,500. There was a proper second and the motion passed 4-2. The committee's recommendation was later presented to the Executive Board and it passed 14-3.

- Mike Marshall addressed the committee members regarding Sister Angela Avent's case. It is his opinion that a Petition to Show Cause should be submitted in Circuit Court on her behalf. In reviewing her case, he feels her rights under the LEOBR may have been violated. He feels procedurally, the department made errors similar to those in the Damon White and Megan Childress cases. The committee members reviewed and discussed the request with Mike Marshall. There was a motion to fund and a proper second. The motion passed unanimously. It was later presented to the Executive Board and it passed unanimously.
- The Complaint and Petition to Show Cause in the Megan Childress case for violations of several sections of the LEOBR is scheduled and there will be a settlement conference on September 12, 2013.
- The Brandt Bradford case was argued on April 4, 2013 at the

Board of Appeals. Closing briefs have been submitted. We are currently waiting for a decision.

The FOP case against the Employees Retirement System has been assigned to Judge Souder in Baltimore County Circuit Court. On July 1, 2013 she denied the County's motion to dismiss. A scheduling conference was held on July 19, 2013. A hearing date is set for January 3, 2014.

The Employee Relations Act case was heard on September 9, 2011 at the Court of Special Appeals. On August 22, 2013 the Court issued a decision affirming Judge Martin's decision in favor of the FOP. In the decision, the court stated that former County Executive Smith violated the Employee Relations Act.

POLITICAL ACTION COMMITTEE

~Steve Comegna~

The PAC Committee met on Monday August 26, 2013. We presented three motions to the Executive Board. These motions were as follows:

- To purchase two tickets to a fundraiser being held by Maryland State Delegate Eric Bromwell (District # 8) on September 10, 2013. The total cost was \$250.00.

- To purchase a Chardonnay Sponsorship to a fundraiser being held by Maryland State Delegate Susan Aumann (District # 42) on September 20, 2013. The Sponsorship cost was \$250.00.

- To be a Sponsor for a fundraising event for Baltimore County Councilwoman Vicki Almond (Council District #2) on October 29, 2013. The Sponsorship cost was \$1000.00.
- The committee continued conversation about our endorsement process and an endorsement timetable for 2014's primary election.
- Each motion was approved by the Executive Board of Directors. Each motion was also approved by the general membership at the August 2013 General Business Meeting.

GOOD OF THE ORDER

- During the month of August, FOP Lodge #4 sent six (6) cards and flower arrangements to bereaving members. Five (5) donations were sent in lieu of flowers at the familys' request. Eight (8) thank you cards were received.
- The meeting was adjourned at 8:14 pm.



PLEASE JOIN US FOR OUR FUNDRAISING
BULL ROAST TO BENEFIT
DAN & KRISTIN KOHNLE

Sponsored by the Baltimore County Police Community Relations Councils



Date: Sunday, November 3rd, 2013

Time: 1:00-6:00

Place: Tall Cedars

2501 Putty Hill Avenue

Parkville, Md 21234

Price: Ages 13 & up - \$45, 8-12 - \$20, 7 & under - FREE!

Menu: Pit beef, turkey & ham, oysters on the half shell, Maryland crab soup,
BBQ pulled chicken, buffalo wings,
BEER, soda, dessert and more!!!

To help you with your Christmas shopping, there will be representatives from
Stella & Dot, Thirty-One and Scentsy available for purchases.
(A portion of sales will be donated to the Kohnle's)

There will also be a silent auction, raffles and a DJ!

Anyone interested in tickets please contact
Cpl. Paul Borowski (WATF) 410-365-1145
Ofc. Becky Borowski (Pct 4) 410-887-6786 or 410-707-6186

The October

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
October 28, 2013
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road

The November

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
November 25, 2013
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road