



The Fourword

Volume 42 Number 11

November 2014



44th Annual Bull, Oyster & Shrimp Roast



Sunday

March 22, 2015

1 p.m. to 6 p.m.

**Tall Cedars Hall
Parkville, MD**

\$35.00 per person
(Reservations are being accepted)

Music, Wheels, Raffles
Food by Atlantic Catering



Open Bar



Music by Wherez Dave

For Tickets & Information
Contact Lodge 4 at (410) 668-0004



Representing the Professional Police Officers of Baltimore County





**MEETING MINUTES
October 2014**

- The October General Business meeting was held on October 27, 2014 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

- Secretary Folderauer, State Trustee Patterson, Sister Patterson, and Brothers Lagna and Zito were excused. Treasurer Caskey 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 Grumbach to accept the minutes of the September, 2014 General Membership Meeting. A second was made by Brother Speed. There was no discussion. The motion passed.

REPORTS OF OFFICERS

~ **PRESIDENT WESTON** ~

- September 22 Met with Candidate Nick D'Adamo for the sixth legislative district, attended a fundraiser for Delegate Dana Stein of the eleventh leg-

islative district.

- September 24 Attended the Parkville Community Business Association meeting.
- September 25 Met with the FOP Lobbyist, John Stierhoff concerning the 2015 legislative session, and met with representatives from Nationwide Retirement Solutions.
- September 30 Attended the memorial service for Stacey Markwordt, wife of Brother Bruce Markwordt, attended a meeting of the Health Care Review Committee, and attended a retirement celebration for Brother Mike Smith.
- October 2 Met with FOP State Lobbyist, Frank Boston and Candidate Shelly Hettleman for the eleventh legislative district.
- October 6 Attended a fundraiser for Delegate John Olszewski Jr. who is a candidate for the senate seat in the sixth legislative district.
- October 7 Attended a fundraiser for Senator Bobby Zirkin of the eleventh legislative district.
- October 8 Addressed the In-Service training class.
- October 14 Addressed the In-Service training class.
- October 15-17 Participated as a panel member of the LRIS seminar on how to run a police/fire union.
- October 20 Attended meetings of the Grievance Committee, Political Action Committee, and Executive Board of Directors.
- October 21 Attended a fundraiser for Senator Brian Frosh, who is a candidate for Maryland State Attorney General.
- October 22 Addressed the In-Service training class.
- October 23 Met with members

LODGE 4 OFFICE

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ELECTED OFFICERS

Cole B. Weston
President
(443) 956-2679

Steven G. Comegna 1st Vice President <i>F.O.P. Lodge 4</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>RATT</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>	Ryan Massey Sergeant at Arms <i>CID - Homicide</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) 404-2788	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>PC11</i>	Ryan Franks <i>CID - Gun Squad</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

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- of the Blue Guardians.
- October 27 Chaired the FOP Lodge #4 General Membership meeting.

~1st V. P. COMEGNA ~

- September 23 President Weston, Second Vice-President Rose and I met with House of Delegates Candidate Nick D'Adamo, Jr. (District # 6). We advised him of our endorsement and presented him with the approved campaign contribution.
- September 25 President Weston and I met with our representatives from Nationwide Retirement Solutions, in reference to some changes in their corporate personnel.
- September 29 Second-Vice President Rose and I attended the viewing for Stacey Markwordt, wife of Brother Bruce Markwordt.
- September 30 Attended a meeting of the Health Care Review Committee.
- October 2 President Weston, Second Vice President Rose and I met with Mr. Frank Boston III, Esquire. He is the lobbyist for the Maryland State Fraternal Order of Police. We discussed current L.E.O.B.R. issues.
- October 9 I attended the monthly meeting of the Police Assistance on Relief Fund Board.
- October 14 - October 17 Second Vice-President Rose and I attended a seminar conducted by Labor Relations Information Systems in Fort Lauderdale, Florida. The seminar was titled, "How to Run a Police/Fire Union. President Weston was one of the presenters/panelists at this seminar.

- October 20 Transmitted our "Pre-General Report # 2" to the State Office of Campaign Finance, attended a meeting of the Political Action Committee and attended the October 2014 Executive Board of Directors Meeting.
- October 23 President Weston, Second Vice-President Rose and I met the Blue Guardians President Orlando Lilly and his Vice-President Anthony Russell. We discussed the recent Lt's test grievance and the promotional process in general.
- October 27 Attended the October 2014 General Business Meeting.

~2nd V. P. ROSE~

- September 25 Met with our lobbyist John Stierhoff and attended a meeting with Colonels Evans and Burris to discuss secondary employment and other recent events.
- September 29 Attended the viewing for Stacy Markwordt.

- September 30 Attended the Health Care Review Committee meeting.
- October 1 Addressed in-service training.
- October 2 Met with the State Lodge lobbyist Frank Boston.
- October 6 Attended a fundraiser for Delegate Kathy Szelliga.
- October 9 Met with Maj. Mark Warren and Sgt. Luther to discuss a new policy on weapons and holsters.
- October 14 Attended the Pension Board of Trustees meeting.
- October 15-17 Attended the Labor Relations Information Seminar in Ft. Lauderdale.
- October 20 Met with State Lodge President Canales, chaired a Grievance Committee meeting and attended the Executive Board of Directors meeting.
- October 21 Attended the Integrity Committee meeting and attended a fundraiser for Senator Frosh, who is running for



Attorney General.

- October 23 Met with representatives of the Blue Guardians.
- October 27 Met with a member to discuss retirement options and attended the General Business meeting.

~TREASURER CASKEY~

- October 3, 4, 17 and 24 Worked at the Lodge.
- October 20 Attended the a meeting of the Political Action Committee, the Executive Board of Directors and prepared a Treasurer's report for President Weston to read into the record during the General Membership Meeting.

SECRETARY FOLDERAUER

- October 20 Attended a meeting of the Political Action Committee and attended the Executive Board of Directors Meeting.

EXECUTIVE BOARD OF DIRECTORS REPORT

~ Kenny Schubert~

- An Executive Board of Directors meeting was held on October 20, 2014. The meeting was called to order at 5:00 p.m. Sister Patterson was working. Sister Kraemer was excused. Brother Scally was on vacation. 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 COMMITTEE

~Paul Merkle~

- The Donation Review Committee met on October 20 and approved a motion to donate \$400.00 to the Police Emerald Society in support of an upcoming Bull Roast.
- The Committee also met in September and approved a motion for a donation of \$300.00 to the Law Officers' Association of Baltimore County in support of their annual Shrimp Feast.

GRIEVANCE COMMITTEE

~Dave Rose~

- On September 30, 2014 at the Health Care Review Committee (HCRC) meeting the labor organizations in attendance discussed what, if any action to take for the County not providing reports to the HCRC as required in each MOU. The County has not furnished reports for prescription rebates paid to the County and monthly variance reports, which show what the actual paid claims were each month. During the meeting a motion was made to have each labor organization file a grievance and submit them jointly through the committee. That motion passed unanimously.
- As chair of our Grievance Committee I communicated this information to the committee members. The Committee members agreed unanimously. The recommendation was presented to the board and it passed. A grievance was then prepared, addressing the County's failure to provide the prescription rebate data and the monthly variance

Bereavements

**Margaret Smith
Mother of Retired
Brother Wilbur Smith**

**Raymond E. Bivins
Father of Retired
Brother
Leonard E. Bivins**

**Margaret Hodnicki
Mother of Brother
Chris Hodnicki**

**Nancy A. Kaliszak
Mother of Brother
Daniel Kaliszak**

**George Thiess, Sr.
Father of Brother
George Thiess, Jr.**

**Doris Johnston
Wife of
Retired Brother
Rick Johnston**

**Stacey Markwordt
Wife of Brother
Bruce Markwordt**



report. It was then submitted to the Chair of the HCRC. The county then provided the HCRC with the prescription rebate data but did not provide the monthly variance report. At the request of the chair of the HCRC our grievance was modified addressing the failure of the County to provide the monthly variance report. The grievance was then submitted. On October 13, 2014 the County provided the chair of the HCRC with the monthly variance report.

- On October 20, 2014 the committee members met to discuss a grievance request by Brother Sekou Hinton. Brother Hinton was requesting the committee to file a grievance against Baltimore County State’s Attorney Shellenberger for his interpretation of Brady v. Maryland (1963) and his placing of officers on the “Brady List”. The Committee members reviewed the request and the Memorandum of Understanding, specifically Article 8, Grievance Procedures. The Committee members felt that the request did not meet the definition of a grievance as outlined. Therefore there the Committee took no action.

LEGAL ADVISORY COMMITTEE
~Dave Rose~

- The County’s briefs to the Court of Special Appeals in the Retiree Subsidy case were submitted August 1, 2014. The FOP briefs were submitted September 19, 2014. A hearing date was set for November 3, 2014.
- The County filed an appeal to the Circuit Court of the October 23, 2013 Board of Appeals deci-

Association of
Baltimore County
Retired Police
Meetings 2014

January 6
March 3
April 7
May 5
September 8 *
November 3

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



sion in the Brandt Bradford case. A hearing is set for December 12, 2014 at 9:30am.

PENSION COMMITTEE
~Dave Rose~

- At the October Pension Board of Trustees meeting the Board approved 2 total retirements. Neither of those were from the police department.

POLICY REVIEW COMMITTEE
~Dave Rose~

- There were five (5) new policies to review this month. The Committee had no bargaining issues

with of any them. However, there was one that dealt with the carrying of a privately owned weapon on duty, holster retention requirements and off duty carry approval. On October 9, 2014 I met with Major Warren and Sgt. Luther from the Planning Section to clarify some concerns with some of the changes to the policy. Major Warren communicated to me that the department was moving toward limiting the number of privately owned weapons currently being used on duty. Everyone carrying an approved privately owned weapon on duty would have to re-submit their request and justification to have it re-approved. If denied, members would have to carry their department issued weapon. The new policy also emphasizes the carrying of only 40 caliber weapons unless exempted in extreme circumstances. This is so everyone would have the same ammunition if a situation arises and it must be shared. Any non-departmentally issued holster approved for on duty use must have the same retention device used by the one issued by the agency. Currently Safari Land is the only manufacturer of that device. Finally, a dot point was modified in the off duty qualification approval process. The current section reads “Department members may carry a privately owned department-approved firearm while off duty.” The modified section reads “A member’s commander may approve the request for an officer to carry a privately owned department approved firearm while off duty.” The verbiage of this change raised concern because the plain language appears to have given a commander the new

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authority to not approve a member to carry off duty. In our discussion and review of the paperwork required for qualification and the command review notes it was discovered that there was always an approval or denial available for the commander on the FORM 145A but this was always signed after the member had qualified with the weapon at the range and the paperwork was forwarded to the members commander by the range staff. In fact, we could not find, nor could anyone recall a member being denied. Major Warren and Sgt. Luther both stated that the new policy makes Division Commanders the decision maker in many of the approvals under this new policy. This was meant to only point out that commanders (Captains) may approve privately owned department approved weapons for off duty use. As a result of this discussion we were able to develop an appeal process where an officer could appeal to a division commander any denial by a precinct commander to carry off duty. We are still waiting for the revised draft.

- I met with Colonel Evans and Colonel Burris on September 25, 2014 to discuss the language that will permit members "employment by a private security firm at a location where the sale of alcohol is ancillary to the scope of business with the permission of the Chief of Police or designee." This language is too ambiguous to be implemented consistently and impartially. Some standards need to be developed, or changes made to language defining what types of

businesses officers can work uniformed secondary employment. There was good discussion and dialogue in the meeting and both Colonels said they would meet with the Chief and other commanders and communicate back with the FOP.

POLITICAL ACTION COMMITTEE

~Steve Comegna~

- The Political Action Committee met on Monday October 20, 2014. There were two endorsement recommendations provided to the Executive Board of Directors and the General Membership. The committee also dealt with one funding request. The committee made the following motions to the Executive Board (each vote in committee was unanimous):
 - To endorse Candidate Shelley Hettleman for the House of Delegates in District # 11.
 - To endorse Delegate Mike Weir, Jr. (District # 6) in his reelection campaign.
 - To transfer one thousand dollars (\$1000.00) to the campaign account of County Council Candidate Joe DiCara (District # 7).
 - Each motion was approved by the Executive Board of Directors. This report was presented to the membership at the October 2014 General Business Meeting. Each motion was read. Each motion received a proper "second". The motions were individually discussed and voted upon. The endorsements and the expenditure were approved by the membership.
 - Our "Pre-General Report # 2" was transmitted to the State Office of Campaign Finance on

Monday October 20, 2014, well ahead of the October 24th due date. Our next report is due on November 25, 2014.

NEW BUSINESS

- Brother Wilhelm requested that FOP Lodge #4 host an annual retirement seminar. There was some discussion and President Weston agreed and advised that a seminar can be planned.

GOOD OF THE ORDER

- Brother Grumbach advised the 2015 Reunion may not happen because nobody has stepped up to coordinate it and attendance has declined since it started. It may be planned for every few years instead.
- Brother Bergin requested help for Brother John Cluster at polls on election day.
- During the month of October, FOP Lodge #4 sent six (6) cards and flower arrangements to bereaving members. Two (2) donations were made in lieu of flowers at the request of bereaving members. Four (4) thank you cards were received. Three (3) fruit/goody baskets were sent to members for hospitalizations.
- The meeting was adjourned at



Come Join Us for a Free Legal Clinic

Thursday, December 11, 2014

5 p.m. to 7 p.m.

FOP Lodge #4

9304 Harford Road

Dayna Kipnis of Potts and Potts, P.A. and Todd Schuler of Kahn, Smith & Collins, P.A. are hosting a legal clinic

Free to members and their families

**Free Raffle for 2 tickets to the December 14,
Ravens v. Jacksonville Jaguars Game**

Free Holiday Gift Wrapping

Light Refreshments Will Be Served



The December

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
December 22, 2014
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road

The January

**FOP Lodge 4
GENERAL
BUSINESS
MEETING**

will be held on

**Monday,
January 26, 2015
7:30 p.m.**

at
FOP Lodge 4
9304 Harford Road