

**December**  
**2008**

# F.O.P. NEWS

**Committee: Rhonda Bullock, Chairman**

**Gerry Majerczyk**

**Bill Burns**

*Official Publication of Chicago Lodge No. 7*



FOP, Chicago Lodge 7  
1412 W. Washington Blvd.



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## President's Report, *By Mark Donahue*

### Police Officer

#### Joseph M. Airhart Jr.

On November 4<sup>th</sup>, Joe Airhart lost his long battle to recover from gunshot wounds he received while attempting to apprehend a bank robbery suspect in August of 2001. An extremely supportive family and close group of friends gave Joe much comfort these many years. We ask that all remember Joe and his family in their prayers.

### Pension Portability

After six years of effort, we were successful on November 20<sup>th</sup> in getting SB 2520 passed out of the Senate on a concurrence vote. When the Governor signs this piece of legislation, any current CPD officer who has prior law enforcement service in Article 3,7,9,10,13,14,15 and 22 [former CHA officers] Pension Funds, which covers every Illinois Law Enforcement officer we could identify, will have the opportunity to purchase up to ten years of creditable service in those funds, into the Chicago Policemen's Annuity and Benefit Fund. Those current officers will have one year to apply for this benefit after it becomes law and will then have five years to pay into the Fund the amount the Fund determines to be sufficient enough so that there is no significant increase to the Fund's unfunded liability. Future new hires will have two years from their date of hire to apply for this benefit

and five years to pay into the fund. All purchases of up to the ten years may be made in six month increments. We currently estimate that there are about 1400 members of the CPD of all ranks that have served in a Law Enforcement capacity in Illinois before joining our ranks.

This is the first time that such a transfer will be possible in the history of our Fund in which there will be no "sunset provision" included which in the past limited the time frame to make the purchases. The Lodge is proud to have accomplished obtaining this enhancement which will be available to all current and future sworn employees of the CPD of all ranks. But it was not without serious efforts put forth by us as well as representatives of the Pension Fund and the City in ensuring that this bill would have no serious financial impact on the Fund, which we all have interests in. The Lodge is appreciative of these efforts. So for now, the Fund will begin preparing tables and charts to help in calculating the required amounts to purchase the time. Any questions should be held until after the Governor signs the legislation and we will advise further when that happens.

The above legislative issue as well as all others was overshadowed during the final days of the Fall veto session by the election of leadership in the Senate. With John

Cullerton as Senate President and Chris Radogno as the Minority [Republican] Leader in the Senate, "all" are optimistic about a more cooperative level of efforts in getting things done in State Government. Lodge 7 has enjoyed a very positive relationship with both of these leaders and looks forward to continuing that relationship in the future.

### Elections

All but two of the candidates endorsed in the November elections by the Lodge won their positions. The Political Action Committee did a commendable job in making the choices they did. When we consider that all that we do in the performance of our duties is directly impacted by those who make laws at the City, State and Federal levels, the importance of being politically active should be obvious to all. A much greater involvement by our membership is needed to secure the importance of the Lodge endorsements by means that may be as basic as registering to vote.

The question of convening a Constitutional Convention failed in November which means as far as current pension benefits are concerned, they are secure. The only changes that can be made to what is currently enjoyed are enhancements, or a lessening of benefits only for new hires. These issues have expectedly become a matter of discussion

*(Continued on page 2)*

## President's Report Continued...

at the City's Pension Commission that has been meeting monthly to address the issue of funding the four City Pension Funds.

### National Memorial and Museum

For several years now there has been an effort to build a Law Enforcement Museum in Washington adjacent to the Memorial in Judiciary Square. Understandably, efforts for support have been overshadowed by the establishment of our own Police Memorial here in Chicago and the ongoing support of the Memorial Foundation. Craig Floyd, who is the Chairman and CEO of the National Law Enforcement Memorial Fund which is spearheading the museum project, came to Chicago to meet with me and Superintendent Weis and his staff to discuss the potential of the Chicago Police Department becoming a partner in the project of building the museum. Discussions were had about the project being completed exclusively from donors to the project and the potential of the CPD offering up a payroll deduction opportunity for members of the CPD to participate. The Lodge fully supports this effort and the Department is in the process of seeing if and when they can make this happen.

### Contract Negotiations

Although discussions on many issues had slowed due to the efforts that went into reaching an agreement on the several work schedules that are being piloted in January, there have been a couple of key Core Group Committee meetings with the City. At these meetings, not only was the progress of the talks evaluated but issues that are considered financial in nature were addressed.

We are currently attempting to schedule more of these meetings prior to the end of the month. The two primary financial proposals, those of pay increases and healthcare coverage for retirees at an earlier age are still open for discussion as are putting finishing touches on several of our other proposals. Although there is no crystal ball which can tell us when we will be finished, our objective of reaching an agreement that you the membership can vote on is still our priority.

### Dues Increase

As a reminder, beginning in January you will see a dues increase of .50 per pay period. This increase reflects the increases in dues that were voted on at the National Conference in 2007 and at the State Conference in 2008 that both go into effect for 2009. Our Constitution and By-laws call for the Lodge to pass these increases on to the membership and that is why this increase will appear beginning in January. We are sure that our membership understands the necessity of these changes in light of the gains that the FOP has made for Law Enforcement at the National level and in Springfield as well and it is the continuation of those gains that this dues increase will ensure.

### Breathalyzer and Garrity Update

On Monday, November 11<sup>th</sup>, the State Appellate Court ruled that prosecutors can use, in criminal proceedings, the results of a police officer's breathalyzer test that were obtained administratively (by IAD). The court reasoned that such results are non-testimonial; therefore breathalyzer results are not

covered under the Fifth Amendment and are not protected under Garrity.

This ruling in no way impacts *statements* made pursuant to an administrative investigation. Since Garrity was decided, the law prohibiting the use of administrative evidence has been watered down very much, especially in Illinois. Garrity only applies to testimonial evidence. Therefore, only statements made by an officer in an administrative investigation will be suppressed at any subsequent criminal proceedings (with rare exception); however all non-testimonial evidence is clearly admissible at criminal proceedings. (i.e. breath/blood test; identifications at line-ups, contraband found in PO's locker, etc.).

The case at issue involved an off-duty police officer who was involved in a traffic altercation which included a high speed chase and allegations that the officer threatened the individual with his weapon. The officer was placed under arrest on the scene for aggravated assault and driving under the influence. The officer was brought to the 14<sup>th</sup> District and the arresting officers asked him if he was willing to submit to a breathalyzer test. The off-duty officer refused and accordingly was processed as a "refusal" per the statute. At that point a sergeant from IAD arrived, identified himself and presented the off-duty officer with the standard administrative proceedings rights and notification of charges. As you are aware, included in those rights is the language, "any admission or

statement made by you...and the fruits thereof cannot be used against you in a subsequent proceeding." We are familiar with this as the Garrity rule.

Pursuant to Illinois law, an individual charged with DUI clearly has the right to refuse to submit to a breathalyzer exam, although that right appears to be in jeopardy as other states have legislated away the right to refuse. Regardless of an Illinois driver's right to refuse, since the Jones case was decided in 2005, the law is clear that when a driver's blood or breath is taken, despite their refusal, it is admissible in a criminal proceeding. The courts do not allow the police the authority to use physical force to obtain a result, however results obtained *any* other way are fair game at criminal cases. (i.e. coercion, blood draws at hospitals and administrative searches).

The Lodge Board of Directors has decided to appeal this decision to the Illinois Supreme Court. Use of the administrative blow in criminal proceedings is precedent setting in the CPD. The decision of an Assistant States Attorney to appeal a lower court decision to the Appellate Court on this subject sends a clear message. If any member finds themselves in this position, we recommend that you continue to contact the Lodge.

*On behalf of myself and the entire Board of Directors, not to mention the strength of the union, the Support Staff, we wish you a Healthy, Happy and Prosperous Holiday Season and please take the opportunity to spend the most precious commodity of time with your family and friends.*

## First Vice-President's Report, *By Bill Dougherty*

### Slips And Falls Are They IOD's?

The Lodge has enjoyed much success arbitrating IOD grievances over the past six years. However, there is one particular kind of IOD that has always caused a lot of grief, and grievances. It is the "slip and fall" accident.

The City's Committee on Finance evaluates all IOD cases and either approves or denies them. Historically, the City denies nearly all slip and fall IODs. Inevitably, the Lodge files a grievance. Slip and fall cases are our most common IOD grievances, the Lodge has attempted to push one of these cases to arbitration for the past six years in order to resolve the issue. Each time a slip and fall grievance got close to being arbitrated, the City would grant the grievance and the injury would be considered an IOD.

That changed earlier this year when the City actually did arbitrate a slip and fall. In that case, an officer was injured when she stepped off a curb in a District parking lot on the way to a mobile blood bank to donate blood. The officer admitted that there was no defect in the parking lot or curb. The fall was what the law refers to as an "unexplained" fall. Fortunately the officer was not badly injured and was only off work for a couple of weeks; no surgery or broken bones.

The arbitration result in the officer's case was both good news and bad news. The good news is that the Lodge got a written award stating that slip and fall injuries are generally compensable as IODs. The bad news was that this particular slip and fall was not one of them. The arbitrator held that, in this particular case, the curb

and the parking lot presented a "neutral risk" to the officer. That is, there was nothing unusual or defective about the curb or the parking lot. The arbitrator also took note of the fact that, by walking to the blood bank, the officer was not performing a task that she was obligated to perform by virtue of her employment as a police officer. For these reasons, the arbitrator concluded that the injury did not "arise out of" the officer's employment. However, the arbitration award does make it clear that slip and fall IODs are compensable as IOD as long as the officer presents evidence to show that she was exposed to a risk of injury that is greater than that to which the public is exposed.

Though we would have liked to win the case, the Lodge is nevertheless pleased by the result. We believe that it helps clarify the kinds of slip and fall incidents that are compensable as IOD versus those that are not. Hopefully, the City will take note and there will be fewer grievances as a result.

### Notify BMO Of Any Status Change

If you are getting married, divorced, adopting a child or experiencing the birth of a child, keep in mind that you must notify the Benefits Management Office of this. You have 30 days from the date of the family status change to notify the BMO. To change your benefits as a result of a family status change, you must submit a completed enrollment form and provide proper documentation. If your enrollment form indicating your request for a change in coverage is

not submitted within 30 days you won't be able to make the change until the next open enrollment period.

### Subrogation

Whenever medical treatment resulting from an accident is submitted to Blue Cross/ Blue Shield for payment from a medical provider, it prompts a letter to the officer from the law firm of Coughlin, Kukankos and Cook. This letter serves as notification from the City that they are invoking subrogation rights. This means that the City can recover any monies that they paid for

medical treatment. In addition to the letter, a questionnaire requesting certain information regarding the accident such as:

- Whether or not you have retained an attorney to sue.
- If an insurance company of another party is responsible for payment.
- Whether there is any other means of recovery.

This questionnaire must be filled out and returned or payment of benefits may be withheld.

*Jessica and I would like to wish the membership a Happy, Healthy Holiday Season.*

**10-1      10-1      10-1**

**PLEASE COME OUT TO SUPPORT ONE OF OUR OWN**

**Officer Johnace "Jan" Lewis  
Telecommunications Unit/175**

**Jan and her family experienced a catastrophic loss in a fire on 20 November 2008**

***BENEFIT***

**Friday, 16 January 2009**

**FOP Hall  
1412 W. Washington Blvd**

**Donations are also being accepted at:  
Chicago Patrolman's Federal Credit Union  
1359 W. Washington Blvd.  
Chicago, IL 60607  
Attn: "Jonace-Jan-Lewis Fund"**

### General Meeting Notice

The next General Meeting is scheduled for Tuesday, 16 December 2008 at Noon

There will be a Turkey Raffle at this meeting and all members are invited.

## 2nd Vice-President's Report, By Frank DiMaria

### Parole Hearings

The Illinois Prisoner Review Board held En Banc Hearings on 30 October 08 in the Capitol Building in Springfield to hear the cases to consider parole for the convicted murderer's of PO Kenneth Kaner, PO Anthony Rizzato, Sgt. James Severin and PO Terrence Loftus.

The Memorial Foundation supplied a bus, which transported 25 police officers including myself from Headquarters to Springfield to attend these hearings. We arrived at the Capitol just before 0800 hrs and we were admitted into the gallery which held the hearings. The case to consider the release of PO Kenneth Kaner's murderer was held first with a presentation of the evidence which was heard at the two hearings and a vote was taken. He was denied parole.

The next case heard was for the release of the murderer of PO Rizzato & Sgt. Severin with a summarization of the two hearings. Again, parole was denied for this murderer also with a continuation to place further parole hearings on the same set as his co-defendant in these brutal murderers.

The last case called was for the murderer of PO Terry Loftus. Also attending this hearing were members of the inmate's family and a group of activists who supported the release of this murderer. A summarization of the facts, along with the additional evidence which was supplied by the Cook County States Attorney's Office and CPD Gang Intelligence. The evidence presented disproved claims by this murderer and his supporters after the trial at subsequent parole hearings who claim that this gang member did not in-

entionally kill the police officer but fired a handgun into a crowded street where other persons and coincidentally uniformed Chicago Police Officers were quelling a gang disturbance which PO Terry Loftus had on-viewed off-duty and was assisting. The Prisoner Review Board went into executive session and we had to leave the room so they could discuss the matter privately without us watching or hearing what was said. They remained in executive session for at least 15-20 minutes and then called us back. We sat and listened as the members of the board cast their votes, 6 - 5. The motion failed and this gang banging murderer was denied parole by 1 vote. ONE VOTE!

Every police officer attending this parole hearing received a serious civic lesson regarding these hearings because it is inconceivable that a responsible thinking civically appointed body after being presented with the facts of this incident would consider returning a murdering gang member to the streets of Chicago during these violent times we are experiencing. Apparently the Illinois Prisoner Review Board is not seeing the facts clearly and for whatever their reasoning would consider release of this murderer.

We will continue to battle the efforts to consider release of this murderer as well as the other convicted cop killers with the petition drives, letter writing and appearing at the hearings to make our objections known and heard that no cop killer should be released before their lawful sentence is served.

I would like to personally thank the 25 police officers, members of the States Attorneys' office and the representative of the Police Memorial Foundation who made the trip to support our Fallen Heroes. I would also like to express my sincere admiration and respect to the family members of these slain Police Officers who must endure these hearings sometimes yearly, reliving that terrible day from the past when their world changed forever. WE WILL NEVER FORGET!

### Employee Assistance Program (EAP)

The Holiday Season is quickly approaching us and with these festive times may also cause some persons to become depressed. During this time alcohol related problems arise, higher rates

of suicide and general feelings of hopelessness. The Employee Assistance Program (EAP) is available to members of the Chicago Police Department (active and retired) and their families. The services of the EAP include Professional Counseling Service, Alcohol and Substance Abuse Unit and the Peer Support Program. The services of the EAP are free and confidential to those that use them. Just remember that you are not alone during a difficult time you are experiencing that there is someone willing to listen. The EAP can be contacted at 312 743-0378 at their new location 1759 W. Adams.

*I would like to take this time and wish all of our members and their families a Happy, Healthy and Safe Holiday Season.*

Drifter MMA & UMMA Combat Present



## BATTLE OF THE SHIELDS CHICAGO

Chicago's Annual Battle of the Shields Ultimate Caged Combat Championships

The toughest and the most skilled Amateur Mixed Martial Artists from Illinois Police and Fire Departments clash in the Cage for combat supremacy in Chicago's Annual Battle of the Shields. \$25,000 to be raised for local Police and Fire Charitable Organizations.

**January 24, 2009**

Doors open at 1630 hours  
First bout 2000 hours



**Aragon Entertainment Center**

1106 W. Lawrence Ave.  
Chicago, Illinois

Men in uniform, please contact us at [contact@illinoismma.com](mailto:contact@illinoismma.com) to register for tryouts or for more information. Tickets on sale now.

## Ho Ho Hoody & The Dutch Act, *By Father Tom Nangle*

The holidays are here. They follow election time. The timing is bad and we can't catch a break from the promises and pressure. People acted like fools a bit more than usual on Black Friday and disgusting human behavior is shared immediately via TV and internet. Guaranteed some religious institution will have a small statue of Jesus stolen from their manger scene by some drunken fool (ever hear of balancing wire or duct tape?), or some church will have their clothing, toy or food collections heisted (ever hear of padlock and key?) and there will be some thoughtless media attention to these moments, as if they'd never been heard of before. Then the statue will be found, and the stolen food-toys-clothing will be doubled by some good hearted person. And the holidays grind on. Sometimes we're in the mood for them, sometimes we're not. But if we are in any kind of personal battle, the holidays will add to the discomfort. There's no pain that 'Silent Night' cannot make worse. That's pretty much how the policeman felt when he decided on the Dutch Act.

He had problems in his life. To me, they seemed very normal and resolvable. But he felt helpless, hopeless and trapped. His own mind became his worst enemy. He jumped into the future and saw himself losing the job, his pension and his family. He saw arrest, humiliation, and being gang-raped in prison. He saw no future for himself without misery and agony, so he made a terribly distorted decision to kill himself. He wrote 5 suicide notes full of regret, apologies, and love. He placed the notes in a

large envelope and drove to the lakefront and parked. He took the photos of his kids and fanned them between the fingers of his left hand; in his right hand was his .45. The suicide notes were on the passenger side seat so they wouldn't get messed up, the ironic, distorted 'thoughtfulness' of the suicidal mind. He looked at the kids and wept; he raised the big gun and put it to his head. He sobbed so hard that he put the gun down for a few seconds. Then he looked at the kids' pictures one more time, took a big breath, and raised the .45 to his temple. That's when he saw the guy walk toward the left front fender of his car, look around quickly, pull up his hoody and put his hand in his sweatshirt pocket. Our man went from suicidal to the Real Police in a nanosecond. The would-be bad guy approached the driver's side window, stared at the .45 pipe looking at him, and he too changed his evening's plan. He retreated to his buddy's car and got in; our man, in no mood for police work, started his car and drove off, and the bad guys followed. They played a brief game of bluff and bluster before they peeled off LSD near McCormick Place. Our man continued to his partner's house, where he'd been staying. We met for coffee the next morning.

I wish you could have heard him describe the evening. The language was street police, and the insight was a mix of frustration, anger, and even humor. In the 12 hours that had passed, he'd regained his equilibrium to a great extent. The robber got him past his suicidal brain-

storm/impulse. After my double latte caramel grande macchiato (\$24.95) was gone and his coffee had gotten cold, I sat in awe at the story. I put the suicide notes back in the envelope and slid it across the table. I fought back the impulse to talk about an angel in a hoody because angels usually don't carry .9mm's, but our man didn't censor himself. He wondered if God had gotten him through that moment. So did I. The Great, Generous Comedian seems to pull generous loving jokes on us, and we often miss it. Whatever the explanation, the bottom line is our man got past the terrible irrevocable moment and did a one hundred eighty degree turn-around in an instant, thanks to hoody-man. He's figuring things out now with the help of a fine counselor. He knows he's not trapped or hopeless. And he told me I could tell his true story to anyone who'd listen.

This story could only happen in the police lane of life, with its unusual mixture of heroism and horror, good and evil, humor, incongruity and intensity. It's not exactly

a holiday- eggnog- fir tree- fireplace story, but it's true. It's from one of our own. It's about a life that prevailed over pain and distortion. And it's all about the incredible resilience of the human heart.

Respectfully,  
Fr. Thomas Nangle  
Chaplain, CPD  
312-738-7588

### INFO FOR THE POLICE:

-By the time you read this, your Police Chaplains Ministry will have hosted almost 160 Gold Star Families/guests at The Drake Hotel for our annual holiday dinner. We want them to know they're not forgotten. We are the only department in the USA that does this (that I know of) and your donations make it happen. We will also have sent almost 50 high quality care packages to CPD personnel in Iraq-Afghanistan, thanks to your support. If you'd like to make a tax deductible donation, we'd be grateful if you'd send it to: Police Chaplains Ministry, 1140 W. Jackson Blvd, Chicago IL 60607. Thank you, and happy holidays to you.

Retirement Celebration Honoring

### Sgt. Robert "Rocky" Nowaczyk

- 31 Years of Service With The Illinois State Police
- Illinois National Trustee
- National FOP Easter Seals Chairman

**Friday, 9 January 2009**

6:30 pm - 12:30 am

### White Eagle Banquets & Restaurant

6839 N. Milwaukee Ave., Niles, Illinois

\$40 includes dinner, 4 hour open bar, music & dancing.

For more information or tickets contact

Kris Arnold at 847-294-4424



## Third Vice President's Report, By Greg Bella

### It Never Ends

The State solved all the problems when they passed videotaped interrogation legislation, or so they thought. This would be the end of torture allegations because the suspect would be video taped the entire time he is in custody. What would happen though when the suspect had to use the bathroom? It appears this inevitability was not contemplated.

The criminals and their lawyers have come up with a new scheme. They are filing motions that their clients are being abused by the detectives while inside the bathrooms, hence outside any camera's view. The problem is that the accused detectives don't have

anything to do with the case. The poor desk detective or review detective who hears the knock on the door and takes the suspect to the bathroom is now being accused of abuse. These allegations are so preposterous that after all the testimony is done and the motion is denied, the criminal should now be charged with perjury.

I know that a criminal charged with murder has nothing to lose by making these outlandish accusations, but maybe the courts could think outside the box. If the court finds that the criminal committed perjury he forfeits commissary for his entire sentence even if it is a life sentence. I bet the system

will see just how important candy bars and pop are to a convict.

### Manpower

The outlook is bleak on manpower. The City has said they will stop hiring next year and the Department is creating new units without an influx of bodies. This means that every officer, detective, E.T., forensic investigator or supervisor who retires, will not be replaced. Everyone knows what that means, more work on less people. There will be no time to work on crime prevention, only time for report taking. Once again, the public loses.

What the Department fails to understand is how much anxiety that they create by announcing a new gang unit without a

plan in place. That causes the rumor mill to run wild and everyone on the gang teams is wondering what hours they will work and for that matter where they will be working. We can only hope that an order comes out in enough time so that officers can evaluate the new unit and decide if it's right for them.

The problem will not be rectified until we hit rock bottom and the public outcry is so great that the only solution will be change.

*On behalf of Kathy Moore  
and myself, we wish  
everyone a happy and  
healthy holiday season!*

## Upcoming Arbitrations, By Tim Fallon

### Overtime Opportunities

For this year's Chicago Marathon the Department instituted a new policy. In the past, the Department would cancel days off to ensure police coverage for the marathon. Additionally, officers would be allowed to work the marathon for time and one half if the marathon was held on the officer's regular day off. This program has been regulated by Section 23.6 Overtime for Pre-Planned Events. Section 23.6 states, "the following procedures will apply in case of events which will require the cancellation of days off and for which the Department has received a minimum of 21 days' prior notice."

The new Department policy for the marathon and other overtime opportunities is to limit the overtime opportunities to just Police Officers paid at D1. The Department's

primary reason for the new policy is to save money. The Department also states that since days off are not being cancelled Section 23.6 does not apply to the marathon. The Department has also instituted this policy for overtime opportunities pertaining to President-Elect Obama's house, at the Federal Building for the transition team, and in Washington D.C. for the inauguration.

All Officers covered by the Collective Bargaining Agreement are still able to work Special Employment at C.T.A., C.H.A., and the airports. These rights are covered under Article 16 Secondary Employment and Special Employment. The Department's new policy does not affect any Special Employment.

We can understand the Department trying to save money, but we feel that ex-

cluding 2,000 of our members from overtime opportunities simply because they worked hard, studied, passed exams, and were promoted, is an arbitrary use of management rights. We will be going to arbitration on this matter in February.

### Election Day Stand-By

On Election Day, November 4<sup>th</sup>, various units ordered Officers that were scheduled RDO on November 5<sup>th</sup>, D.O.G. 6/7, to call in to determine if their day off was going to be cancelled. We believe this order from the Department is covered by Section 20.8 Stand-By, which states, "Where the employer requires an Officer to remain on standby, available for work, and the officer is not able to come and go as he or she pleases, such time shall be paid as time worked". The Department's position is that this order does not qualify for Stand-By, and denied to pay the affected Officers for November 5<sup>th</sup>.

If an Officer is given an order to call in on his/her day off to determine if the day off has been cancelled, and the Officer does not call in the Officer is subject to discipline. If the Officer calls in and is told their day off is cancelled, and the Officer then does not report for work the Officer is also subject to discipline. Therefore Officers that were RDO on November 5<sup>th</sup> D.O.G. 6/7 were not able to come and go as they please, and should qualify for Stand-By pay.

This matter was arbitrated once before as a result of the 1998 Bulls Championships. The facts of that case were, Commander Bartik of Youth Division issued a directive on June, 12 1998, that stated, "1<sup>st</sup> watch personnel who are regular day off on a day following a Bulls Championship game shall call their

*(Continued on page 9)*

## It's A Wonderful Life, *By Rich Aguilar, Trustee/Field Representative*

Christmas is approaching and either this year or in years past most, if not all, of you have seen or will see this classic movie. It's the story of George Bailey and how things would have changed if he had never been born.

Did you ever stop to think of the daily impact that you have on people's lives in even the smallest way? I ask this because I had the opportunity to speak with one Gold Star Family member after Det. Joe Airhart's funeral service. She spoke of her husband who was no longer with us. She related that although he has been gone for several years she still feels the effects of his departure. He, like most of us,

took many of the things that he did for her for granted. Not big things mind you, but small things like changing the oil, jumping a dead battery, lighting the pilot on the furnace on that first cold day or balancing the checkbook.

This Christmas why not give a gift that keeps on giving. Take some time to teach a family member some small thing that they currently do not know how to do. They may never take the time to thank you, but they will always remember the time that you spent with them.

*Have A Safe And Merry Christmas.*

## Recording Secretary's Report, *By Sidney Davis*

### Merry Christmas

It's the time of the year when children's eyes are aglow and twinkling with magical visions of toys and gifts under the Christmas tree. Do you remember how Christmas time made you feel many, many years ago? For some families this Christmas will not be as blessed as some in the past. We as police officers have a good job that pays a decent salary, combine it with special employment and other odd jobs we may find, Christmas for us should be OK.

The Chicago Post Office each year has a program where one could acquire a letter written from a child asking Santa Claus for a warm coat and a toy. It's a very heart warming experience when one donates their time, talent, and treasures that will

benefit someone less fortunate. Play Santa this year to a child from a letter (Post Office) and discover what a magical feeling derived from helping a needy family.

### Sell or Carry Over

Members will soon think about either selling or carrying over Personal Days and Baby Furlough Days. The amount of time you have on the job determines how many Baby Furlough Days, (BFDs) and Personal Days, (P-Days) you will receive.

15 years or more; 6 BFDs  
10 but less than 15; 5 BFDs  
5 but less than 10; 4 BFDs  
1 but less than 5; 3 BFDs

Probationary Police Officers receive 3 BFDs days the day they complete 12 months of probation.

Officers who have an anniversary date during the year, which entitles you to an addi-

**Correction!** *In the November Newsletter, listed in the July Retirees, Retired Officer Roland Woo was named Ronald Woo. Apologies, Roland!*

### August 2008 Retirees

| Name                  | Rank          | Dist. | Yrs |
|-----------------------|---------------|-------|-----|
| Argentino, Kathleen   | Sergeant      | 140   | 27  |
| Baxter, William C.    | Officer       | 020   | 23  |
| Booker, Jeffrey       | Officer       | 002   | 18  |
| Brown, Derrick A.     | Officer       | 171   | 23  |
| Gibson, James J.      | Officer       | 001   | 17  |
| Grzemski, Daniel K.   | Forensic Inv. | 177   | 26  |
| Judon, Tyrone         | Officer       | 001   | 22  |
| Kaplan, Richard       | Officer       | DPR   | 36  |
| Kinnavy, Barbara A.   | Officer       | 013   | 15  |
| Laskero, Joseph       | Detective     | 640   | 38  |
| McCarthy, Dennis M.   | Officer       | 012   | 38  |
| Netecke, Linda J.     | Officer       | 601   | 22  |
| O'Connor, Thomas M.   | Detective     | 642   | 41  |
| Quarles, Gladys M.    | Officer       | 142   | 20  |
| Scanlan, Kathleen E.  | Lieutenant    | 021   | 21  |
| Scanlan, Patrick W.   | Sergeant      | 142   | 31  |
| Silva, Mario D.       | Officer       | 004   | 30  |
| Siudut, Walter R.     | Officer       | 025   | 38  |
| Szparkowski, Debra J. | Officer       | 079   | 22  |

### September 2008 Retirees

| Name                  | Rank    | Dist. | Yrs |
|-----------------------|---------|-------|-----|
| Acevez, Clemente R.   | Officer | 001   | 32  |
| Banks, James M.       | Officer | 004   | 38  |
| Chuich, George        | Officer | 171   | 39  |
| Espinosa, Gilberto    | Officer | 023   | 23  |
| Hill, Daron A.        | Officer | 001   | 22  |
| Jones, Lester         | Officer | 151   | 22  |
| Limon, Frank          | Chief   | 188   | 31  |
| Lyons, Gerald F.      | Officer | 004   | 41  |
| Neal, Roland          | Officer | 701   | 27  |
| Panagas, Peter G.     | Officer | 004   | 37  |
| Pritchett, Rita L.    | Officer | 701   | 31  |
| Schmitz, Nicholas P.  | Officer | 016   | 40  |
| Spina, Karen M.       | Officer | 025   | 27  |
| Ve Sota, Jr., Vito V. | Officer | 022   | 32  |

tional BFD day, will receive the additional day on your anniversary date.

At the end of the year, you may sell back all of your BFD days or you may carry over 4 BFD days and sell two.

Probationary Police Officers completing the 12<sup>th</sup> months of probation this month will receive 4 personal days. Rate of pay for sell back is computed as of April 1<sup>st</sup> the following year. Checks are also received on or around April 1<sup>st</sup>. P-days or BFD days cannot be carried over for more than 1 year.

For example, if you carry over 4 P-days or 4 BFD days from 2007 to 2008, you must use the carried over days by December 31, 2008 or you will lose them.

### 2009 Holiday Event Calendar

The completed 2009 HEC should be ready for print around mid December, a partial calendar (holidays and special events) was sent out a couple of weeks ago to assist members in furlough scheduling.

## A Time To Look Forward, *Compliments of Rabbi Moshe Wolf*

As the year comes to a close, we take a moment to reflect. There have been good times and laughter, hard times, challenges, and tears. But here we are; thank G-d we made it. We enjoyed G-d's blessings and at times we were shown more than we can understand. So let us take a moment to reflect and meditate....."A Time to Look Forward"...

A time comes in our lives when we finally get it... When in the midst of all our fears and insanity we stop dead in our tracks and somewhere the voice inside our head cries out - ENOUGH! Enough fighting and crying or struggling to hold on.

Like a child quieting down after a blind tantrum, our sobs begin to subside, we shudder once or twice, we blink back our tears and through a mantle of wet lashes we begin to look at the world through new eyes. This is our awakening. We realize that it's time to stop hoping and waiting for something to change or for happiness, safety and security to come galloping over the next horizon. We come to terms with the fact that "he is not Prince Charming and you are not Cinderella" or visa versa. That in the real world there aren't always fairytale endings (or beginnings for that matter) and that any guarantee of "happily ever after" must begin with us and in the process a sense of serenity is born of acceptance.

We awaken to the fact that we are not perfect and that not everyone will always love, appreciate or approve of who or what we are, and that's OK. (They are entitled to their own views and opinions.) We

learn the importance of loving and championing ourselves and in the process a sense of new found confidence is born of self-approval. We stop complaining and blaming other people for the things they did to us (or didn't do for us) and we learn that the only thing we can really count on is the unexpected. We learn that people don't always say what they mean or mean what they say. That not everyone will always be there for us and that life is not always about 'me'. So, we learn to stand on our own and to take care of ourselves and in the process a sense of safety & security is born of self-reliance.

We stop judging and pointing fingers and we begin to accept people as they are. To overlook their shortcomings and human frailties and in the process a sense of peace & contentment is born of forgiveness. We begin to sift through all that we have been fed, about how we should behave, how we should look, and how much we should weigh. What we should wear and how and where we should live and what we should do for a living. Whom we should marry and what we should expect of a marriage, and the importance of having and raising children.

We learn to open up to new worlds and different points of view. We learn the difference between wanting and needing, and that it is truly in giving that we receive.

We learn that we don't know everything. It's not our job to save the world, just to give it our best. We learn to distinguish between guilt and

responsibility, and in life it is okay if you have to say "No".

We look in the mirror and come to terms with the fact that we may never be a size 5 or a perfect 10 or as in my case, it is okay not to have a full head of hair, (or in plain English, bald).

We come to the realization that we deserve to be treated with love, kindness, sensitivity and respect and we won't settle for less, and that's okay. We learn that for the most part, in life you get what you believe you deserve and that much of life truly is a self-fulfilling prophecy. We learn that anything worth achieving is worth working for and that wishing for something to happen is different from working toward making it happen. You also learn that no one can do it all alone and that it's OK to risk asking for help.

We learn that the only thing you must truly fear is the great robber baron of all time...FEAR itself. Remember also, that life isn't always fair; we don't always get what we think we deserve and that sometimes bad things happen to unsuspecting, good people. We learn that G-d is NOT punishing us or failing to answer our prayers. It's just in life things happen that we just don't understand.

Slowly, we begin to take responsibility for ourselves by ourselves and we make ourselves a promise, to never betray ourselves. And we make it a point to keep smiling, to keep trusting, and to stay open to every wonderful possibility.

Finally, with courage in our hearts and with G-d by our side we take a stand, we take a deep breath and we begin to live today, the first day of the rest of our lives, to it's fullest.

Remember the famous quote, "We can't turn the clock

back to make a new beginning, but we can start today to make a new ending".

*On behalf of ALL your Chaplains, best wishes and best of blessings to you and your loved ones in this Holiday Season.*

Compliments of your Police Chaplain Rabbi Moshe Wolf  
773-463-4780 or e-mail:  
[moshewolf@hotmail.com](mailto:moshewolf@hotmail.com)

### Deceased Brothers & Sisters

Nelson N. Patterson, Age 82  
Jethell Ellison, Age 60  
George L. Gannon, Age 77  
Frederick F. Allen, Jr., Age 74  
Michael A. Stather, Age 67  
Cliff T. Neimy, Age 87  
David D. Smith, Age 55  
Robert B. Galloway, Age 66  
William J. Hayes, Age 82  
Harrison Mailey, Age 64  
Barry N. Hawkins, Age 66  
Frank J. Kosinski, Age 67  
Raymond H. Johnson, Age 66  
Leonard F. Labuda, Age 84  
Paul Caley, Age 76  
Joseph Airhart, Jr., Age 53





## Disability Report & Veterans' Corner, *By Carlos 'Sal' Saladino*

### Disability Report

The best of health from the Disability Committee. We are available for calls at the FOP office Monday through Friday. Click on the Disability Page link on the FOP web site, [www.chicagofop.org](http://www.chicagofop.org), for beneficial information. Feel free to e-mail me at [csaladino@chicagofop.org](mailto:csaladino@chicagofop.org).

**October Pension Meeting** – Advocates present: 1<sup>st</sup> VP Bill Dougherty, Det. Steve Schorsch, Det. Mark Howe, PO Mike Shields and myself. One appointed trustee absent. **Disability Claims:** *Duty* – 1 granted at 75%, 1 granted at 50%. *Ordinary* – 1 granted, 1 granted without prejudice. Three continued by officers.

**Death Benefits** – As of last month's article there were two deaths of disabled officers and their beneficiaries had a terrible time locating who holds the policy for the \$25,000 life insurance policy. The City of Chicago covers all active and disabled offi-

cers at no cost if you were to die. All it takes is a simple phone call to check and make sure that they have the proper information. There are only two carriers. 1) Prudential Group Life #344004, phone 1-800-778-3827 or 2) Bankers Life Extended Group Life on Total Disability Policy #1802, phone 1-800-521-5542. Take a little time to check so your loved ones won't have to.

### Veterans' Corner

**Operation Enduring/Iraqi Freedom** – Our thoughts and prayers go to the CPD members who are actively serving our country in the military.

**CPD Military Deployment Awards** - On November 18 a ceremony was held at Navy Pier Grand Ballroom by the Chicago Police Department to honor our police officers serving our country with the Military Deployment Award. Awards were presented by Mayor Daley, Superintendent Jody Weis, and Alderman

James Balcer. Family members were present and a luncheon was served.

Those honored represented the United States Army, Marine, Navy, Air Force, and National Guard. The FOP thanks the following who have returned to the CPD after their dedicated service: Det. Jeffrey S. Aldrich ~ PO Brian L. Bardsley Jr. ~ PO Kevin Beatovic ~ PO Juan Cabrales ~ PO Scott Carter ~ PO Veronica Coffee ~ Det. Gerald Cruz ~ PO Rockwell R. Del Mundo ~ PPO John Foliard ~ PO Kevin Gibbons ~ PO Katrina B. Grey ~ PO Michael L. Henderson ~ PO Paul G. Hernandez ~ PO Joel P. Holler ~ PO Steven H. Kapanke ~ ET Dominick J. Kearns ~ Det. Kenneth G. Krupowicz II ~ PPO James S. Kurth II ~ PO Louis M. Luna ~ PO Bert A. Major ~ PO Joseph E. Martis ~ PO Jay Masey ~ PPO Sean T. McDermott II ~ PPO Jorge Mendez ~ PO James E. Moore ~ PO Reece A. Murry ~ PPO Oscar Navarro ~ Det. Joseph C. O'Carroll ~ PO Dimitri Roberts

~ PO James A. Robinson Jr. ~ Commander James M. Roussell ~ PO Steven A. Sabatino ~ PO Luis H. Saldana ~ PO Joseph L. Sanders Sr. ~ ET Matthew Savage ~ Sgt Peter E. Sodini II ~ PO Scott W. Storr ~ PO Esmelida Torres ~ PO Esteban Trujillo ~ PO James L. Tucker ~ PO Gregory Williams ~ PO Lucas A. Wise ~ PO Darren A. Wright ~ PO Stefan W. Zajczenko ~ PO Andres Zayas Jr.

Those officers still serving overseas are always in our thoughts.

**The Winds and Words of War** - WWI posters and prints exhibit at Harold Washington Library through January 11, 2009.

*"Let him who desires peace prepare for war."* ~ Vegetius 375 A.D.

Airborne Sal

## Upcoming Arbitrations Continued...

*(Continued from page 6)*

unit of assignment between 2300 and 2330 hours on the day of a championship game to determine their duty status."

The Bulls did not win the championship game on June 12<sup>th</sup>. Officers called in to their unit, as directed, and were told that regular days off had not been cancelled for 1<sup>st</sup> watch Youth Officers. On June 14, 1998 the Bulls won the championship series. The regular day off for 1<sup>st</sup> watch Youth Officers was cancelled on June 15<sup>th</sup>. Youth Officers who reported for duty were

compensated for the time worked in accordance with the contract.

Youth Officers testified that they had to alter their usual day off schedule and activities in anticipation of reporting for duty. Besides altering their regular day off schedule the Officers also had to change their sleep routines, in anticipation of reporting for duty.

The arbitrator denied the grievance, stating in part, "there has been no satisfactory showing that the 1<sup>st</sup> watch Youth Officers were required to be available for

work and could not come and go as they chose during the period of time claimed under Section 20.8". The arbitrator also states "there is no evidence that the Grievants were ready to accept an assignment during the Bulls' games on the dates in question not was there a showing that the Department actually or constructively restricted the Officers' ability to come and go as they pleased prior to the start of their shifts."

In his ruling the arbitrator is focused on the time prior to the Officers reporting for duty. We contend that the Stand-By applies to your actual day off, and

the limitations incurred on that day by an order to call in to determine your duty status. If the arbitrator believed Section 20.8 does not apply to the time before your tour of duty, then Section 20.8 must apply to your actual day off.

*Merry Christmas and Happy New Year from Catharine and myself.*



## Fitness For... "Our Finest", By Coach Joe Cullen

*The Holidays are here & it's the End of the Year!...* and I hope you all had a wonderful Thanksgiving. I'd like to say *Thank You All* very much for reading my monthly column in 2008, and for all the positive feedback. I am looking forward to 2009, and providing the Chicago Police family with more coaching towards leading a *more energized, healthier & happier quality of life*. It's a rewarding experience for me, and I'm proud to contribute to the best police organization in the USA.

In 2009, I encourage you all to contact me anytime for advice and to suggest topics you'd like to hear about. I can also share with you some very affordable ways to get yourself in better shape, such as exercising with a Phone Coach, exercising at home and on-the-job. Some of the topics I have planned for

your newsletter in 2009; *Look & Feel Fine for 2009, Exercise Routines, Lowering Cholesterol, How to Stop Smoking, Keeping the Weight off, Youth Fitness Programs, Stretching routines & much more!!*

Since my aim is always to provide advice on both physical & mental health, let me offer some tips for reducing the holiday stress, now that both **Hanukah** and **Christmas** are upon us. First of all, it's the month of the year, where let's face it, you should expect to gain a couple of pounds, and don't fight this, rather expect it, and give yourself a break. I know I do. It's a time when we are more focused on our family and friends and sharing good food and yes, some *responsible* drinking at parties. So enjoy, in moderation, and we'll work it off again, starting in January.

Well, of course, I'll highly recommend you keep up your

exercising in December, which improves your spirit, and relieves the holiday stress. Other healthy tips may be to turn off that TV this month (especially that brainwashing negative news), and just turn-on that great music! Also, given that we all have tighter budgets this year, sending out holidays cards with a nice, sincere note may be more practical & meaningful this year, rather than spending money (many don't have) on gifts. There is way too much commercialism and pressure to spend money and that's very unhealthy & causes stress.

Give the Gift of Health. Some affordable ideas can be; a subscription for an exercise magazine, exercise videos, buying a gift certificate for an exercise class, a visit to a Nutritionist, running shoes, dumbbells for home, a *pre-owned* treadmill or elliptical machine. What about a rescue

dog/puppy for the family or a fish aquarium? Animals can do wonders for lowering blood pressure, and adding some enjoyment. I can also provide you with other ideas, just contact me.

*So everyone, enjoy your holidays, and Get excited for 2009 – Your Year to Look & Feel Fine!*

### Tip of The Month:

*The key to staying committed to an exercise program is accountability & discipline. Think about getting an affordable Phone Coach to keep you motivated or perhaps form a neighborhood fitness club, which can all be a fraction of the cost of a Health Club.*

Happy Holidays, and if you have any questions or suggested topics, feel free to call me on my cell, 312-972-2828 or at the office, 773-857-7027.

## State Lodge Report, By Darrin Bourret, State Trustee, District 1

On behalf of the State Lodge, I would like to take this opportunity to wish all the members of Lodge 7 and their families a safe and happy holiday.

This season, why not give the ultimate Christmas gift; a 2008 Harley Davidson motorcycle, limited law enforcement edition. The State Lodge is raffling off this beautiful motorcycle for only \$50.00 on December 11, 2008. Tickets are still available; please contact myself (312-745-4388) or you can stop by the FOP Gift Shop located at 1412 W. Washington.

The Second Annual Police and Fire Mass of St. Joseph Church in Summit

Illinois was held on October 26<sup>th</sup>. Special thanks go out to PO John Pagan for planning this wonderful event. The Nathaniel Taylor family was at the Mass, which was dedicated to all of our fallen Police Officers and Firefighters. State Lodge First Vice President Patrick Duckhorn also attended along with Chicago Firefighters and several members of the southwest suburban police and fire departments. Thanks to Rev. John P. Chrzan and Commander Graber for their help and to all for attending this successful event!

Finally, we recently lost Detective Joseph Airhart, Jr., whose memory and dedication will never be forgotten! Please keep Detective Airhart

and his family in your thoughts and prayers.

Stay safe this holiday season and enjoy your families

but also remember officers who are less fortunate and may need assistance.

The Chicago Police Association of Nevada Proudly Announces....



### The Return of the Annual Law Enforcement Reunion!

June 7th through June 10th, 2009

The Orleans Hotel & Casino  
Las Vegas, Nevada

Reception, Golf Outing, Shows, Dinner Dance and More

To make reservations please call the Orleans at 800-675-3267. Please identify yourself as being with the Chicago Police Association of Nevada or use group code 9CPACo6.

Please visit the website at [www.cpaon.org](http://www.cpaon.org)



*Holiday Store Hours:*

Mon-Thurs 9:00 – 5:00  
Friday 9:00 – 4:00  
Saturday 8:30 – 4:00  
Christmas Eve 9:00–2:00

Direct: 312-733-2344

Store Closed:  
December 25, 2008  
January 1–3, 2009  
(Inventory)

*Merry Christmas & Happy New Year!*  
*We Want You & Yours To Have A Great Holiday Season, So We Have Sales Galore!!*

Did you know that you can shop online at [www.chicagofop.org](http://www.chicagofop.org)? Click on the FOP Store. FREE shipping for all orders over \$40 until December 20th. Also, look for our new mini-catalog in the Districts and Units with many catalog exclusive items.

*Gold Sale*

10% OFF all star pendants & all rings. This sale ends on December 20th.



*CPD Patch Bath Mat*

Originally Priced at \$17.95—Now on sale for only \$14.95



*Kid Size Caps*—25% OFF, brings price to \$4.46 each!

*Glazed PO Figurine*—25% OFF, brings price to \$25.46 each!

Back in stock in time to stuff a stocking, the *CPD Uniformed Teddy Bear*, still priced at only \$9.95 each

*"Copper" Travel Mug*—30% OFF, brings price to \$6.26 each!

*On The Rocks*, 4-glass set—Was \$12.95, On Sale \$8.95 each!

*Don't Forget Our FREE Holiday Raffle...FREE Ticket With Any Purchase!!*  
*Enter As Often As You Like! Drawings Everyday Starting December 8th Through*  
*December 24th. FREE Calendar With Any Purchase Over \$30*

*All Vanmark Police Figurines*—30% OFF!

*Sabre Pepper Spray*—A Gift They Won't Forget—\$7.95 each

*All Police Officer & Wife of Police Officer framed prayer plaques*—30% OFF, brings price to \$15.36 each!

*Flashing Holiday Pins*—Was \$3.99, Now \$2.99, while they last

*All Novelty Ties*—\$8.95 each, GREAT gift idea!

*New Black Jacket, Fleece Lined*—Small—XL—Only \$35.95 each!

*Navy & White Wind Shirt* with diamond plate CPD Design on front! This is a beautiful item! Small—2XL—\$36.95—\$38.95 each. Christmas Special 10% OFF while supplies last.

*Tee Shirt of the Month:*  
*"Bomb Squad"*  
30% OFF—brings the price to \$8.36, 2XL & 3XL slightly higher

*Sports Desk Lamp, Bears, Sox, Cubs & Police Too*—Was \$29.95, now only \$24.95 each, while supplies last!

*New Mouse Pads With CPD Operations Calendar*—In Stock Now For Only \$3.95

*Holiday Special!! Singing Snowman, Santa, Teddy Bear, & Donkey*—Great & Fun Gift Idea! Various prices.



*The Entire Staff At The FOP Gift Shop Would Like To Wish Everyone The Best Of*  
*The Season & A Better, Brighter & Happier New Year! Stay Safe*

Address Change Form, Effective Date: \_\_\_\_\_

Name: \_\_\_\_\_ Star Number: \_\_\_\_\_  
(Last, First, MI)

New Address: \_\_\_\_\_ City/State: \_\_\_\_\_ Zip: \_\_\_\_\_ Telephone: \_\_\_\_\_

Return Form To The FOP – Unit 541 or 1412 W. Washington Blvd  
Chicago Illinois 60607, Attn: Doreen



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