

December

2009

F.O.P. NEWS

Committee: Rhonda Bullock, Chairman

Gerry Majerczyk

Bill Burns

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FOP, Chicago Lodge 7
1412 W. Washington Blvd.

President's Report, By Mark Donahue

Contract Issues

On November 16th, the Lodge and the Department signed off on the long anticipated Memorandum of Understanding regarding the expansion of the 4-2 Work Schedule. Although not complete, this is another huge step in meeting the objective given to the Lodge by the Membership of doing away with the 6 consecutive work day schedules. As with the pilot program, the Work Schedule Committee will stay in place and meet with the City on a monthly basis to address the problems and concerns as well as the benefits of the program in an effort to identify potential for the further expansion of an agreed to program. The agreement was posted on our website about 10 minutes after receiving it. The new memorandum extends the 4-2 schedule to an additional 19 Districts and 4 Areas. It cancels out the Rapid Response 10 hour pilots at the end of the 13th period but maintains the 10 hour shifts in 005 and 020, Area 1, the JISC Center, TRU, Special Functions and the Mobile Strike Force through 2010. The 6-3 schedule in 008 and 013 will remain through 2010 and these programs will continue to be evaluated on a monthly basis. There has been much discussion over extending the 4-2 schedule to more if not all units covered by the Agreement and those discussions will continue in our efforts to reach the objective. It is now estimated that of the 10,000 members who were working the 6-2 schedule in late 2008, about 9000 of them will now be working a different schedule.

We continue to meet with the City over the Contract. At our last meeting on November 18th, we set three dates to meet with the Arbitrator to review issues and take direction as to which remaining issues that the City and Lodge have that can realistically be considered for the process. Those dates are December 11th and 14th and January 13th. There are numerous other open dates in January and they will be utilized as necessary for the continuation of this process.

Legislation

The Veto Session ended on October 30th with no action on our primary issue which is HB2581/SB1651, the legislation that would allow those born after January 1, 1955 to retire at age 55 and receive their 3% COLA each year thereafter. This would impact those retirees who choose to retire and become 55 after January 1st, 2010. Although the City has delayed this in the past, when it did become effective the benefit was retroactive and we anticipate the same will apply when this bill passes. Again, the City agreed to this process of changing the legislation every 5 years back in 1982 as a means to decrease the long term liability to the fund. Every 5 years, the FOP takes this issue back to the legislative body and is met with resistance by the City. With the climate across the country now, any pension changes are being met with skepticism, but this is an agreement that is over 25 years old and we expect the City to honor it.

While in Springfield I attended meetings between members of Law Enforcement, Firefighters and Village and City Managers who were attempting to offset their short and long term liabilities in regards to pensions. This was an issue that is new and improved as they had set similar guidelines to fund their systems back in the mid 90's and failed to live up that plan. My point here is that even though we all recognize the shortfalls of pension funding these days, there are legitimate reasons why there is skepticism on our side.

There was positive movement in legislation before the session ended and that came in the form of HB4142. This, prior to the veto session, was SB1812 which increases the penalties for gangbangers carrying guns. As passed on October 30th, HB4142 when signed by the Governor will be known as the Alejandro Valadez Act and there is an attempt to have the ceremonial signing in the 007th District. The Cook County State's Attorney as well as the Department are to be commended on the passage of this bill. The Legislative Committee will be meeting in December to address our plans and issues for the remainder of the 96th General Assembly.

"...HB4142 when signed by the Governor will be known as the Alejandro Valadez Act and there is an attempt to have the ceremonial signing in the 007th District."

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Prisoner Review Board Hearing

On November 19th, the Prisoner Review Board met in Springfield to decide on whether three individuals convicted of murdering three Chicago Police Officers should be released on Parole. Arriving for this hearing was a bus from Chicago which contained about 30 members of the Chicago Police Department and representatives of the Chicago Police Memorial Foundation. All three of the killers were denied parole and two of the three will have to wait for three years before being considered for parole again giving the family and friends of these Officers reprieve from their annual anguish. There was grave concern over the fact that one killer needed only one more vote in favor of parole this year as he had received six votes in favor last year. Even though an additional member was added to the Board requiring a total of eight votes for parole, this killer's count was reduced to only four. Seeing it with my own eyes, I firmly believe that the presence of those officers in uniform sitting in that hearing room had an impact on that vote. Thank you to all who took their own time to attend and for the efforts of Frank Di-Maria and the Memorial Foundation in this cause. With their continued support, these killers will never walk as free men.

Federal Appellate Court

There was little fanfare the week before last when the Federal Appellate Court ruled on an appeal from the Corporation Counsel's Office. Their appeal was to deny the release of information regarding the identity of 662 members of the Department who had accumulated C.R. #'s over a five year term. This was the Bond case in Judge Lefkow's Courtroom that caused 28 members of the City Council to jump on board with her decision over the objections of the FOP and the Corp. Counsel's Office. The Lodge filed an Amicus Brief in the City's case and held firm on our position that the information should not be released. The Appellate Court ruled that the party requesting the release of the information had no standing to do so as the charging party in the case had already reached a settlement on her issues and overturned the Judge's decision. Although we would

have liked the Court to have reached the verdict based upon doing what is right as well, the Lodge recognizes the efforts of the City on our member's behalf.

Retirees Health Care

Once again the Lodge has received the Segal Report from the City which itemizes the costs that have been charged to not only our retirees but all City retirees. And once again the Lodge has turned this document over to an accountant to ensure that the charges are proper. When his examination is finished, our attorney will once again go to the Court with the findings and demand reconciliation of the charges as well as reimbursement for those that have been overcharged. The Lodge will continue to do this annually to ensure proper enforcement of the Korshak decision.

Pension Board Issue

On Wednesday, October 28th, the Lodge was notified that several exempt members of the Police Department were making their contributions into the Chicago Police Pension Fund even though they did not meet the criteria mandated by legislation. Our concerns were delivered to the Board who assured us on October 30th that the issue was an error on their part and would be rectified. On November 24th, the Board voted to send the deposits to the Municipal Fund where they should have been sent by the Department originally.

Lodge Security

With the recent turmoil over the allegations against the President of the Sgts. Association/PBPA Unit, many of our members have questioned what we do that ensures these types of allegations could not surface in the FOP. The Lodge has more oversight over its finances than any other organization that I am aware of. Only the President and the Secretary have credit cards for which receipts must accompany each transaction. Officer's expenses are vouchered and those vouchers are accompanied by receipts as well. We require two signatures on each check that goes out of this office. The Lodge Board of Directors this past year established the "990 Committee" to properly address this IRS form that has been drastically altered to require all information

about the organization, its members and finances and has become burdensome for any one person to accept responsibility for. This document, about 60 pages in length, is addressed by our accounting firm and the 990 Committee who formulate a recommendation as to its accuracy and completeness to the Board of the Directors. We have a permanent "Audit Committee" which is responsible for overseeing the financial transactions of the Lodge and all of its property. At each Board Meeting, which this administration opened up to all members wishing to attend, and all General Membership Meetings, the Treasurer has available the "Books" for any member's inspection. This book contains each and every financial transaction made by the Lodge in the previous 12 months. If a member would like to see more, an appointment can be made at which to do so. Not only do we hire an outside firm to oversee the finances of this Lodge but we also have another independent audit conducted on our finances annually. Some consider what we do overkill, but when issues arise like the allegations that have been made against the Sergeants Association, this Administration and our Membership can take comfort in that overkill.

On behalf of myself and the entire Board of Directors of Chicago FOP Lodge 7 and Support Staff, we wish you a Healthy, Happy and Prosperous Holiday Season and ask that you please take the opportunity to spend the most precious commodity of time with your family and friends.

The Next General Meeting Will Be
Held On:

Tuesday
15 December 2009, Noon

All Members Are Encouraged To
Attend.

Please Remember To Be Mindful
Of Where You Park Your Vehicle,
The Lung Association Tows!

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



What Does The Pension Board Have To Hide?

On November 20, 2009, the Pension Board had their monthly Finance meeting. I attended that meeting and various money managers were in attendance, as many of them had reports to submit to the Pension Board Trustees. All these reports were made in open session, but when it came time for DV Urban Realty to be discussed, City Trustee Gene Saffold made a motion for executive session, which was seconded by Lt Jim Maloney. There were six trustees present for this meeting and four of them voted to go into executive session (Lux, Saffold, Reusche and Lt Maloney). Trustees Shields and Lazzaro voted to leave the meeting open. Now it doesn't surprise me that Lux, Saffold and Reusche voted to go into executive session because they are appointed by the Mayor, and we all know that the Mayor's nephew was behind DV Urban Realty, but what surprised me was that a sworn officer (Lt Jim Maloney) voted with the City Trustees. There was no reason to go into executive session. This was not a disability case in which they were discussing something privately about an individual officer. The discussion, no doubt, was probably about the dismal performance of DV Urban Realty. Lt Maloney, it is bad enough that you agreed to this in the first place, but what do you have to hide by going into executive session?

Injury On-Duty Bills

We receive many calls regarding the bills that are incurred as a result of an Injury on Duty. Whenever medical treatment is received, the medical providers will start sending bills to the officer for services rendered. The payment for all I.O.D. related bills becomes the responsibility of the City of Chicago. In order to get the bills paid, the officer will need to send a copy of the bill to the I.O.D. Unit

at the Medical Services Section, located at 3510 S. Michigan.

After the I.O.D. Unit receives the bills, they are compiled and audited in order to substantiate payment. Once this part of the process is completed, the bills are forwarded to the City of Chicago-Committee on Finance. In turn the Committee on Finance submits the bills to the City Council for their approval to pay. Finally a check is rendered to the provider.

Each time an officer receives another notice of the bill; he/she should again forward it to the I.O.D. Unit at 3510 S. Michigan. In the event that the officer receives a collection notice for non-payment of the bill, the officer should contact the Committee on Finance at (312) 744-7464 as soon as possible to determine the status of the claim.

IOD Reports

Complete your IOD report before the end of your tour of duty; don't wait until you're sore two days later. Before you sign your IOD report, make sure that the report is filled out properly. You must show in your IOD report what police function you were performing at the time of your injury, traffic stop, responding to a call, placing an offender in custody, etc. List all the body parts that were injured on your IOD report. If your IOD report is filled out wrong, and you don't discover it until the next day, write a To/From report to your District Commander informing him/her of the discrepancies in the IOD report. Always make a packet for yourselves when you are injured on-duty. You may need copies of your reports at a later date. If there are people, citizens or police that witnessed your injury, get their information in case your IOD is denied in the future.



Richard Lis Scholarship Winners

The Lis Scholarship winners drawn at our October Meeting are listed below. Their college enrolled children will receive checks for \$1,000 at our January General Meeting.

Unit 603, Michael McDonough's
Daughter, Caitlin

Retiree Bernard McErlean's
Daughter, Kristin

Unit 620, Steven Worsham's
Son, Ryne

2nd District, Landry Reeves',
Daughter, Camille

Unit 477, James Mathey's
Daughter, Leah

Unit 253, Wayne Novy's
Daughter, Katherine

025th District, Rafael Medina's
Son, Adriel

Unit 132, Michael Medina's
Son, Michael

2nd District, Herbert Wilson's
Daughter, Brittany

Retiree Joseph Tenzer's
Daughter, Joey

3rd District, Stephanie Reid's
Daughter, Erin

Retiree James O'Donnell's
Son, Sean

Unit 650, Joseph Tripoli's
Daughter, Jacqueline

Unit 051, Jeffrey Johnson's Son, Joel
10th District, Diane Johnson's
Daughter, Amy

Unit 006, Gregory Jones' Son, Gregory
9th District, Margaret Malone's
Daughter, Margaret

Unit 050, Brian Kratz' Daughter,
Brianna

2nd District, Lauria Williams'
Son, Joshua

Unit 376, Willia Robinson's
Daughter, Pashaey

Second Vice-President's Report, *By Frank DiMaria*



Parole Hearings

On 19 November 2009 the members of the Illinois Prisoner Review Board met to review the following cases and vote to deny or release the convicted murderers of Chicago Police Officers:

- Herman Stallworth, #10965,
003rd District, EOW 24 May 1967
- Kenneth Kaner, #2662,
007th District, EOW 19 June 1970
- Terrence Loftus, #5701,
014th District, EOW 12 October 1976

I along with 26 other Chicago Police Officers which included the representative from the Memorial Foundation and the son of one of the slain officers who is also a police officer met at 0400 hrs that morning at Headquarters and we rode a bus down to Springfield which was supplied by the Chicago Police Memorial Foundation. The Prisoner Review Board anticipating a large attendance held these En Banc Hearings at the Capitol Building to hear these cases. Each case was called individually and was reviewed by the Board. The Board on each case would go into executive session and discuss the particulars of the individual case detailing particular objections or reasons to release the murderer. The Assistant States Attorney who represented the officers spoke into the record all the different reasons

why parole should not be granted. There was further discussion by some of the members of the Prisoner Review Board in regards to each of the cases either to deny or grant parole. A motion was made to deny parole which was seconded and a vote was taken in open session and in each case parole was denied to each of the convicted murderers of Chicago Police Officers. We returned back to Chicago and some of the officers who had never attended these hearings before now had a new lesson in civic government. The Lodge will continue to monitor these cases as they come up for review some of them annually and will ensure that our protests are heard and our presence known that these convicted murderers should never be released back into society. We will continue to represent the memory of each of these Officers who made the ultimate sacrifice Serving and Protecting the citizens of the City of Chicago.

WE WILL NEVER FORGET!

Employee Assistance Program (EAP)

The Holiday Season is quickly approaching. 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 is located at 1759 W Adams and their telephone number is 312 743-0378.

Season Greeting

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

Deceased Brothers & Sisters

- James J. Zimmerman, Age 68
- William K. Morrin, Age 83
- James E. O'Toole, Age 79
- James A. Noto, Age 78
- James B. Ralph, Age 71
- Dennis V. Rayl, Age 60
- Wallace A. Faust, Age 84
- John P. McHugh, Jr., Age 52
- Leonard J. Wasicki, Age 82
- Richard A. Thompson, Age 78
- Charles H. Fountain, Age 54
- Joseph Valentino, Age 87
- Samuel A. Pollock, Age 54
- Richard W. Sullivan, Age 61

Third Vice-President's Report, *By Greg Bella*



Lodge Legal Service

The Lodge is pleased to announce that beginning January 1, 2010; the Law Offices of Daniel Q. Herbert will be providing legal representation for the members of F.O.P. Dan Herbert, a former Chicago Police Officer and Cook County Prosecutor, will be leaving his role of in-house counsel for the F.O.P., a position he has held for the past five years. Dan will be joined by Tom Needham and Will Fahy. All three of

these attorneys have focused on representing Chicago Police Officers for years with great success. In addition to these lawyers, Dan will be joined by Colleen Daly and Jen Russell who have over thirty years experience between them. Daly and Russell, both of whom are married to police officers, come with tremendous skills. All five of these attorneys are former prosecutors who have excelled both in the State's Attorney's Office as well as in private practice. Equally important as their legal skills is the fact that these lawyers have an intimate knowledge of the disciplinary system for the

Chicago Police Department. Also, they are lawyers who genuinely care about police officers and have dedicated their professional lives to serving them. We look forward to this change and are confident our officers will receive legal representation that will be second to none.

The 2008-2009 I.P.R.A. Report

The 2008-2009 Independent Police Review Authority report has been released. A quick comparison shows that there were 10,176 complaints compared to 9,578 complaints in 2007-2008. I.P.R.A. retained 2,923 complaints for

(Continued on page 5)

Third Vice-President's Report Continued...

investigation compared to retaining 2,501 cases in 2007-2008. I.P.R.A. was not able to get affidavits signed in 1,108 cases compared to being unable to obtain affidavits in 889 complaints in 2007-2008. Of the 1,815 cases that were turned into C.R. investigations, 42 cases were sustained. In 2007-2008 1,612 cases were turned into C.R. investigation resulting in 46 sustained cases.

As you can see the total numbers of complaints were up and the numbers of affidavits were up but the number of sustained cases dropped.

I.P.R.A. recommended that a Force Analysis Panel be created to review police shootings. The function of this panel is not disciplinary but to review shootings in an effort to identify areas where police policy, training or equipment can be improved to enhance officer safety. An

example of how the panel would work is where in tracking several shootings it becomes apparent that there is a defect in a certain type of holster or a certain type of weapon. The panel would then recommend a change in equipment that would resolve the problem.

Another change being recommended is that in some instances in lieu of punishment I.P.R.A. will make a recommendation that the officer receive training. Training was used instead of punishment in some cases two administrations ago in the old O.P.S. We believe that training is always a better option.

As always we will monitor these programs and report back to the membership.

Witness Statements

When you are served with a notifica-

tion that you are required to give a statement whether it is oral or a written report as a witness officer you are entitled to representation by the Lodge. If you must write a "to-from" witness report check the box that you request counsel. This gives you 72 hours to consult with the Lodge and receive assistance in writing your report.

If you must go to I.P.R.A. or I.A.D. to give an oral witness statement check the box requesting legal counsel and call the Lodge to secure an attorney to accompany you when you give your statement.

These are your rights don't give them up because it is only a witness statement.

Have a safe and happy Holiday from me and my family.

Recording Secretary's Report, *By Sidney Davis*



Military Veterans Police Officers

To all 361 CPD Officers serving their country in the 5 branches of service, (Army, Marines, Navy, Air Force and Coast Guard), including National Guard Units I salute each and every one of you. Thank you for serving your county during these trying times of unrest aboard and all your years of service. Some of you are away for the holiday season (Thanksgiving and Christmas) again. May the Joy of the season be with you and your family throughout the remainder of 2009 and into 2010. God Bless you and keep you safe and sound.

Sell or Carry Over

The end of the year is approaching fast and members will soon think about either selling or carrying over Personnel 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.

- 6 BFDs, 15 years or more
 - 5 BFDs, 10 but less than 15 years
 - 4 BFDs, 5 but less than 10 years
 - 3 BFDs, 1 but less than 5 years
- Probationary Police Officers receive 3 BFD days the day they complete 12 months of probation.

Officers who have an anniversary date during the year, which entitles you to an additional 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 12 months of probation this month

will receive 4 personal days. Rate of pay for sell back is computed as of April 1st the following year. Checks are also received on or around April 1st. P-days or BFD days cannot be carried over for more then 1 year. For example, if you carry over 4 P-days or 4 BFD days from 2008 to 2009, you must use the carried over days by December 31, 2009 or you will lose them.

2010 Holiday Event Calendar

The completed 2010 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.

**MERRY CHRISTMAS
from the Davis family**

Address Change Form, Effective Date: _____

Name: _____ Star Number: _____
(Last, First, MI)

New Address: _____ City/State: _____ Zip: _____

Home Telephone: _____ Cell Phone: _____

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

Do You Have The Heart To Dance???

As we are about to say goodbye to another year, let us take a moment to ponder some thoughts. The most common remarks we hear people say are, "I've made some mistakes", or, "I've made some bad financial decisions", or, "I wish I could start over". So here is the question, where do you go from here? How do we make a better tomorrow? Maybe the following story can help our thought process. "Do YOU have the heart to dance??"

"You are never given a wish without also having been given the power to make it come true."

Richard Bach.
Trite? But true.

What you need is patience, perseverance, and a burning desire that constantly needs to be fueled. The quest for the realization of your dreams is like waging a momentous battle during which you might encounter severe setbacks. But success comes to those who turn adversities into opportunities, overcome their limitations and bounce back with renewed vigor.

If you have fallen down, get up and brush the dust off your knees and move on. A temporary setback is not a defeat. For that matter, there's no such thing as defeat. Nothing is impossible in this world. If you have the will to win, you can achieve anything. And always remember that the whole world will, or perhaps will not, help you when you want to achieve something, your job is to keep trying.

Just imagine a young girl who learned dancing when she was three-years old and whose greatest passion remains dancing. She loses one of her legs in an accident. Read on, this true incident that took place almost 20 years ago and find out whether she gives up dancing or fights back to realize what she believes in:

Sudha Chandran, a classical dancer from India, was cut off in the prime of her career - quite literally - when her right leg had to be amputated after a car accident. Though the incident brought her bright career to a halt, she didn't give up. In the

painful months that followed, she met a doctor who developed an artificial limb made from vulcanized rubber filled with sponge. So intense was her desire that she decided to go back to dancing after she had been fitted with an artificial leg. Sudha knew that she believed in herself and could fulfill her dream. She began her courageous journey back to the world of dancing - learning to balance, bend, stretch, walk, turn, twist, twirl and finally dance.

After every public recital, she would ask her Dad about her performance. "You did well, but you still have a long way to go, don't give up" was the answer she used to get in return.

In January 1984, Sudha made an historic comeback by giving a public recital in Bombay. She performed in such a marvelous manner that it moved everyone to tears while catapulting her to the number one position again. That evening when she asked the usual question to her dad, he didn't say anything, he just smiled as tears of joy ran down his face. He touched her feet as a tribute to a great artist.

Sudha's comeback was so heart-warming that a film producer was inspired to capture the incident into a celluloid box office hit, 'Mayuri.' When someone asked Sudha how she managed to dance again, she said, quite simply:

"You don't need feet to dance, only a willing heart.".....End of story.

So the question to ask yourself is, "Do YOU have the heart to dance?"

As we are about to say goodbye to one year and welcome a new year, take a moment to reflect. There were good times that made us laugh and there were times that made us shed tears. It is inevitable, but we all have those moments where we say to ourselves, "I wish I could go back and do things over". Please remember one of the best quotes I have ever heard, "YOU CAN'T TURN THE CLOCK BACK AND MAKE A NEW BEGINNING, BUT WE CAN ALL START TODAY AND MAKE A BETTER ENDING".

As you look forward to a new year, two thoughts 1) sometimes a good dance is healthy for the heart, even if your feet don't feel like it, and 2) find something to laugh about each day, even if it means you look in the mirror.

Best wishes to all for a Happy, Healthy and Prosperous New Year.

May G-d bless you and keep you safe, today and always. Amen.

Compliments of your Police Chaplain, Rabbi Moshe Wolf, 773-463-4780 or e-mail: moshewolf@hotmail.com



3rd Annual Benefit Concert

Featuring

24*13

Saturday, January 2nd, 2010, 1900 hours

Irish American Heritage Center

4626 N. Knox Ave., Chicago, Illinois

\$15.00 Admission—\$10.00 Students

All proceeds will be used to assist the Chicago Police Department's Police Chaplains Ministry in sending needed supplies to the men and women of the Chicago Police Department fighting the war in Iraq and Afghanistan.

For more information, please visit the website at www.2413band.com

From The Desk Of Jim Bailey, Field Representative, Trustee



Illinois Supreme Court Ruling

On October 8th, 2009, the Illinois Supreme Court filed an opinion in People v. Diggins regarding Aggravated UUU and what constitutes

an enclosed case, carrying box, shipping box or other container as it pertains to the charge of Aggravated Unlawful Use of Weapon. This opinion stemmed from an arrest made by the Peoria Police Department in March of 2006. A Sergeant and an Officer stopped a vehicle for a traffic violation. When the Sergeant requested to see the driver's license and insurance, the driver produced his insurance card. When asked again to produce a driver's license, the driver stated that he had an FOID card. The Sergeant then asked if there were any guns in the vehicle. The driver stated there were weapons in the vehicle and pointed to the center console of the vehicle and informed the Sergeant that the guns were in said console. Subsequently recovered from the console were two (2) unloaded handguns and two (2) magazines each containing live rounds. Recovered from the rear of the vehicle was a duffel bag containing additional live ammunition. Also recovered

from the console was the driver's DL and FOID Card. There was a key to keep the console locked. The Illinois Supreme Court ruled that the definition of the word "case" is unmodified and that the term "case" can include any receptacle (portable or non-portable) and does not only refer to firearms. Even though in this case the weapons were immediately accessible, the Illinois Supreme Court ruled that this case did not meet the requirements for Aggravated Unlawful Use of Weapon because the Court considered the console a locked case. Keep this ruling in mind when there are instances that a weapon is recovered within the passenger compartment of a vehicle and an arrest is made. This ruling was filed under People v. Diggins, Docket #106367.

FOID Cards

Per a recent arbitration decision, officers must have a valid FOID card, in particular when returning from a leave of absence. If your card will expire in the near future, ensure that a renewal application is sent to the Illinois State Police as soon as possible. Applications are available on-line at the Illinois State Police's website www.isp.state.il.us or call the Springfield office at 217-782-3849. Prior to receiving your renewal application, make a photo copy and keep with your records in the event you do not re-

ceive your new FOID card prior the expiration of your old card.

Furloughs

If an officer is entitled to 24 consecutive furlough days and elects to split the furloughs in such a manner that the first segment begins prior to his/her anniversary, the officer will receive 12 consecutive furlough days for the first segment. If the second segment begins after the 10th anniversary date, the officer will receive 11 working days. If a member has 22 working furlough days and elects to split the furlough in such a manner that the first segment begins prior to his/her 15th anniversary date, the member will receive 11 furlough days. If the second segment begins after the 15th anniversary date, the member will receive 13 furlough days. For those members who are entitled to 20 consecutive days and select a furlough prior to their 5th anniversary, they would receive 10 consecutive furlough days. If the second furlough segment begins after the 5th anniversary date, the member receives 12 consecutive furlough days. Additional information regarding furloughs can be found in Article 29A of the contract and Department Special Order 02-17. Have a safe and Happy Holiday Season. JB

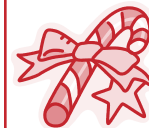
From The Newsletter Editor, *By Rhonda Bullock*

It is that time of year again when we give thanks for all of the blessings in our lives. For those who have lost loved ones or who have loved ones hospitalized, this time of year is extremely difficult. Although your sorrow may make you feel there is nothing to give thanks for, I would like you to pause for a moment, think of everything your loved ones mean to you and how they would want you to spend the holiday season ahead.

This Thanksgiving and Christmas I want you to leave a seat empty at the dinner table. Leave a seat empty at the table this year. Your loved one is there with you, a spirit who cares. You can't see them with your eyes but your heart they can touch. They hear the prayers you whisper in silent at night, they see the tears you shed in the dark out of site.

Their love is never ending they know your worst fears. They hover and soar; they sit by your side never minding closed doors. They watch over their loved ones with the greatest of pride. Put one foot in front of the other, walk with a stride, breathe in, breathe out, and erase your self-doubt. Leave a seat empty because angels exist, your loved one will be there, you just have to believe.

Have a joyous holiday season, give thanks for what you have, stay safe and most of all, LEAVE A SEAT EMPTY! Happy New Year!!



*Merry Christmas
and
Happy New Year,*

*From The Support Staff of the
Fraternal Order of Police*

Including ...

Kathy Moore,

Doreen Plachta,

Catharine Manning,

Patty Suchocki,

Jessica Rosolowski,

Mary Pat McCullough and

Marie Krawczyk

Financial Secretary Report, *By Richard Aguilar*



Carbine Qualifications/Purchases

Several officers, feeling outgunned on the street, have opted to purchase their own carbine. Officers who are contemplating a purchase of one of the authorized carbines may want to reconsider their purchase after reading General Order 07-01-02 which outlines registration of and qualification with the carbine. In an instance where an officer cannot successfully complete the required POWER test, the officer will be unable to register the newly purchased carbine. This would put the officer in violation of the Rules and Regulations of the Chicago Police Department as he would now be in possession of an unregistered weapon.

The Lodge strongly suggests that offi-

cers schedule, take, and pass the POWER test prior to purchasing a carbine. Completion of the POWER test will afford officers a pending registration that can be completed upon completion of the training and qualification process. Officers might also consider training and qualifying with a Department carbine prior to making their actual purchase. An officer may ultimately decide that this weapon is not the officer's weapon of choice.

Privileged Conversations

The seven elected Lodge Field Representatives enjoy the provisions of 735 ILCS 5/8-803.5 which addresses the protection of Union Representative/Union Member conversations. In essence, the law states that Union Representatives *shall not be compelled to disclose, in any court or to any administrative board or agency arbitration or proceeding, whether civil or criminal, any informa-*

tion he or she may have acquired in attending to his or her professional duties or while acting in his or her representative capacity, except for very limited sets of circumstances.

One of these circumstances is when the Union Member waives his right to these protections. In those cases where a member is represented by a Corporation Counsel attorney, and that member voluntarily discusses the content of the Union Representative/Union Member conversation with the attorney, this will constitute a waiver of the member's right to these protections. Members should contact the Lodge for advice in these situations prior to making a statement.

Tuition Reimbursement

Applications for the Tuition Reimbursement Program have recently been a subject of several grievances arising out of application denials by the Human Resources Division. Many are denied due to claims of late submissions of applications and final grades. Many are denied due to claims of non-receipt.

Although there is nothing in any General Order that requires an officer to hand-carry his or her application directly to the Human Resources Division, members are encouraged to do just that. Additionally, members should request a time-stamped receipt and document the name of the person who accepted the application. Members who follow this practice will protect themselves from the denial of tuition payments.

The Lodge has suggested that the application process be completed electronically by incorporating it into the CLEAR system so that there is not any debate as to whether an application is timely or not.

Holiday Wishes

My family and I would like to wish all members a Merry Christmas and a Happy New Year. Stay safe this Holiday Season. Wear that seatbelt. Pick or volunteer to be a designated driver. Reach out to a family that is not as fortunate as yours.

I look forward to serving each of you in the upcoming year. Rich

DAY OFF HOLIDAY—A SENIORITY ISSUE

There are 13 established Holidays designated in Section 11.1 of the Contract. The contract guarantees you the day off, however, it also recognizes that we are not the kind of business where all employees can simply take the holiday off and we close our doors. The contract further establishes two additional provisions: 1) the compensation which you are entitled to if you work on a Holiday or if it is your regular day off, and 2) the method of selecting which officers will work when only some officers are needed.

The compensation given on a holiday for officers is outlined in Article 11.2. The section calls for 8 hours of comp time, credited to the officer's comp time balance if the officer works, plus 4 hours of additional Holiday compensation in pay or comp time, which is at the officer's choice. If an officer's regular day off coincides with the Holiday, the officer would get 8 hours of comp time credited to his/her comp time balance.

Who has to work on a Holiday and who is off is determined by seniority. Plain and simple—if you have seniority you may decide to work on Pulaski Day but be off for Christmas. It is your choice. This is outlined by the seniority provision of Article 23.7. The contract states: *"When operational considerations require that some officers of a unit work on a holiday, the most senior officers will be given the option to work..."* In plain English, it means that if you work in a unit, such as a District, where some officers will be allowed off on the Holiday but others have to work, the selection of who will have to work, (or be off) will be done by seniority. If you work in a Unit that completely shuts down on the Holiday, then all employees will be off on the Holiday, but if even one officer has to work, then the selection must be by seniority.

As a practical matter, most Watch Commanders just ask officers seeking the holiday off to submit a time due slip. The WC must select who will be off by seniority and the A&A sheet will carry officers *Day Off Holiday* and the time due slips are discarded.

For some of you less senior officers who may be working the more desirable Holidays for a few years, keep in mind that oh so soon you'll be off all holidays you wish because of your own seniority. You may also want to consider a transfer to a different district, where the seniority you now have is sufficient to assure you all holidays off.

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

Disability Report

Happy Holidays and 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, for beneficial information. Feel free to email me at csaladino@chicagofop.org.

October Pension Meeting – Advocates present: Det. Steve Schorsch, Det. Mark Howe, 1st VP Bill Dougherty and myself. All Trustees present, no Pension Board doctor present. Disability Claims: Officers making application for disability: 3 granted without prejudice, 2 granted Ordinary. *Duty:* 1 granted at 75%, 1 continued by the Board for a vote.

Request for pension credit for prior service 5-214c – 15 officers granted.

Credit for other service pension portability 5-214.2 – 1 officer granted.

November Pension Meeting – Advocates present: Det. Steve Schorsch, Det. Mark Howe and myself. Also in attendance were approximately 15 active and retired officers and Larry Yellen from Channel 32. One Trustee was absent and

no Pension Board doctor present. Disability Claims: Duty: 3 granted at 75%, 1 granted Ordinary.

Request for pension credit for prior service 5-214c – 17 officers granted.

Credit for other service pension portability 5-214.2 – 7 officers granted.

Exempt Police Department members were removed from our Pension Fund by a unanimous vote and placed into the Municipal Employees Fund.

Mayo Clinic Free Lodging for Police Officers. The Rochester Police Benevolent Association has apartments available to Police Officers or members of their immediate family who are visiting the Mayo Clinic for medical reasons. The fully furnished apartments are provided at no cost to the Officer or their family and they are available for long or short term stay. For more information please contact Officer Don Bray at dbray@rochestermn.gov or call 507-251-3197.

Veteran's Corner

Our thoughts and prayers go to the CPD members who are actively serving our country in the military. May you have a safe holiday and New Year.

Bonus Payment by the State of Illinois Department of Veterans Affairs is available for WWII veterans and a \$100 bonus is payable for Korea, Vietnam, Persian Gulf and Global War on Terrorism (OEF/OIF) veterans. For more information and application visit www.veterans.illinois.gov and click on Benefits. You can also call 312-814-2460 or the FOP Hall.

Officer Pedro Medina assigned to the 014th District was deployed to Afghanistan. Officer Medina was inside of a building and seriously injured when a helicopter crashed into the building causing it to collapse. Pete is now at a Veteran's Hospital in Tampa, FL. He was initially admitted as a paraplegic. He is now undergoing extensive physical therapy six days a week where he is making progress. He is now able to walk slowly with the help of a cane. Members are encouraged to call, send a card, letter, or email to Officer Medina and his family.

James A. Haley Veteran's Hospital, 13000 Bruce B Downs Blvd., Tampa, FL 33612, Spinal Cord Injury Unit Room D47—Phone: 813-631-6045 - E-mail: pmedina08@gmail.com

Pension News, By Mike Shields, Pension Board Trustee

Prior to the last board meeting, an alert Detective on the Police Department inquired as to whether Mike Masters, the Superintendent's civilian Chief of Staff, was participating in the Policemen's Annuity and Benefit Fund of Chicago. I found out that he was in fact a participant in our pension fund. I decided to investigate further in order to determine if there were other exempt appointees somehow participating in our fund. Weis, Brust, Daly and Klimas were all former FBI agents appointed to exempt ranks. I discovered that they too were somehow participating, though they are disqualified by law.

This is *not* simply a matter of sworn vs. non-sworn members of the exempt rank. The fact that **these members never participated in our fund prior to their exempt appointment eliminates them altogether**. Here is the law: The Illinois Pension Code that governs our fund in-

cludes persons of exempt rank in our fund *only* if they meet the following criteria under Sec 5-109:

"Policeman": An employee . . . who is serving in the regularly constituted police department of a city in a rank or position which is exempt from civil service and who, immediately prior to the time he began such service, was a participant in the Policemen's Annuity and Benefit Fund Act.

Giving these high-salaried appointees a foot in the door of our pension fund creates a lot of financial risk should they ultimately receive a pension. If these members were allowed to participate in our fund for a mere **3 Years**, they could take advantage of certain loopholes in the pension code. If they got another "safety or investigative" job after the 3 years on our department, whether it be with the

County, the State, the City, the Federal Government, or become a police chief outside of the city, they could continue to participate in our fund. This provision is in the pension code and could be taken advantage of without proper vigilance and oversight. The relevant section of the pension code is Sec. 5-214 (Credit For Service).

Since this matter was brought to my attention, the situation has been rectified in the short term. On 24 November, the Board removed those five exempt appointees from our fund. Vigilance is required to ensure this doesn't happen again.

I encourage all participants of this plan to e-mail me if you have any questions or concerns about the pension fund. If you wait until you have ten years on to start paying attention, it could be too late. E-mail any inquiries to me at mikeshields@chipabf.org.

State News, *By Darrin Bourret, State Trustee*

On Behalf of the State Lodge I would like to wish all the members of Chicago Lodge 7 happy holidays.

Since my last newsletter, Police Officer Gerold Lee, # 15949, was given a letter of commendation from lodge,#263 (Corrections) President James Simmons along with District3 Trustee Bill Kerffin. The award was for actions that Officer Lee took while he was off duty, which ultimately saved the life of a correctional officer. The actions that Officer Lee took again remind us that we need to take care of each other no matter what department it is, and that's what truly makes up a police officer.

I also wanted to say that I recently became a peer support member and look forward to working with Joe Panico. During the holiday season it is a good time to think about other officers who need the peer support program and employees assistants. Remember that it is never too late to help others.

In December I will be attending a state trustees meeting in Springfield. Further information about the meeting will be posted in the next newsletter. As always, be safe in the changing weather and have a wonderful Thanksgiving holiday.

When Coppers Cry, *By Father Tom Nangle*

- The little neighborhood boy was looking at the squad car, fascinated, as the officer stood near the front fender and spoke to a friend. He looked thru the front window at the computer and siren/light controls and the battered aluminum clipboard with all the paper. When he looked in the rear window the German shepherd inside (which he hadn't noticed) came to life and shocked and terrorized the kid and took a year off the end of his life. The officer came over. The kid said, 'Wow! You've got a dog in there!' "Yep", said the officer, and the kid said, 'Geez...What'd he do?'

- The power of the Internet fascinates me. No doubt it was the Internet that got the large number of police out to march around City Hall. I wish it had been ten times that number, but it's just the beginning of a new way of labor showing its muscle...I hope.

- The power of the Internet concerns me. It makes all of life's previously hidden vices more available and seductive, and it makes the most perverse, deviant behavior seem normal, thereby lowering, even more, the bar of human behavior. Use extreme caution going in.

- The power of the Internet, as a forum for cowardly snipers, disgusts me. Although a good reputation cannot be created there, a person's good reputation can be ruined by a single accusation, and there's a pile-on effect once the accusation appears. There's a serious moral-ethical issue here. The Internet is the new toilet stall wall multiplied by a thousand.

- The power of the Internet inspires me. I've found a few very good sites that are spiritual and prayerful, that send a new message every day. Google it in your own way. When it comes to prayer: Sometimes you need a boost, sometimes you don't.

- Bill Cozzi has called me from prison in Louisiana a number of times, always on Sunday nights around 8 p.m. I always feel humbled he'd spend a precious phone call on me. Be advised: Conditions are very bad there. He always asks me to thank you for your mail and books and kindness, and he always says how much he loves and misses Chicago and his CPD. When we get off the phone after our 15 minute limited conversation (interrupted peri-

odically by a robot saying 'This call is from a federal prison') I am always very angry and profoundly disgusted at what happened to him. I know what he did; frankly, that's what police work looks like sometimes: physical, messy, emotion-charged, and subject to intense analysis. And frankly, I wonder what has happened to the power of 13,000 (more or less) police officers, that one of their own could be treated like this and there's no demonstration of outrage other than the rants and support on...the Internet.

- By the time you read this, your Police Chaplains Ministry will have, for the sixth year, sent about 35 boxes of very good items to our CPD personnel in Iraq-Afghanistan, just to let them know they are not forgotten in this long, wandering war they're in. In addition, we will have hosted about 160 members of the Gold Star Families at The Drake Hotel, just to let them know that their police officer who died in the line of duty is not forgotten, either. For some, the loss occurred almost a century ago (grandpa) and for others, the loss is very recent. When the bills come (totaling about \$30,000), we pay them all with your donations. We don't look for any media coverage on these two missions; we just do it because it's the right thing to do. Kind of like why you do police work. If you'd like to help pay those bills, we could really use a hand this year, and your tax deductible donation can be sent to Police Chaplains Ministry, 1140 W. Jackson Blvd., Chicago 60607.

- Finally, the holidays are upon us: The best and worst of times. Best---because such good times can be had with people we love and care about. Worst---because if we have worries or grief, they are magnified by 'Silent Night' and we feel as if we are the only person on earth who's not happy. Dangerous, distorted thinking. From the little window through which I see life, these seem to be very strange days to be a Chicago police officer: the promotional system is distrusted by officers, the contract is still hanging, bosses are taking a substantial hit with forced days off, coppers are working too many jobs just to pay the bills, religious people (who know and care nothing about policing) are openly shaping policing in this city, officers are putting up

with outrageous treatment by politicians and the media, the street is short-handed and every beat car feels the pain, nobody but nobody's got your back (let's forget that phrase...those days are gone) and the list can go on for pages. My wishes for you, my people, are simple: I wish the powers of this City would realize that, without you, The Real Police, this City cannot exist. A police department in any municipality of any size is always going to be political; it's the nature of the beast. But when politics can shape promotions (an officer's life and future!) and when politics can shape the way the law is enforced, when politics (and not the ideal of justice) can shape the way police officers are disciplined and disgrace them, then a profound and fast correction is needed. And I wish the great power of the 13,000 (more or less) officers of this great CPD would come together and become a force to be respected and feared at the polling place. I wish that the people of this City would realize that without the blue and white cars, with the blue shirts inside (wearing the stars with letters missing) there is no good life in Chicago. And my warmest wish is that you can look back over 2009 and, for those who are the working police, know that you made a great difference in the lives of hundreds of people who don't even know your name. But the Reader of Hearts knows, and you know, and that just might be enough to warm your hearts during this season: Proud still, and quietly satisfied. May the good God keep you healthy in body and soul.

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

P.S. Please don't call me and ask me if I'm OK, or 'What's wrong?' I just got off the phone with Bill Cozzi. I'm fine. He's not. Please consider adding this address to your Christmas cards:

William Cozzi, #40222-424
FCI Oakdale
P.O. Box 5000
Oakdale, LA 71463



Extended Holiday Hours, Effective:

Mon-Thurs, 9:00 – 5:00
Friday, 9:00 – 4:00
Saturday, 8:30 – 4:00

Store Closed:

25 & 26 December 2009
1—4 January 2010

Direct Line:

312-733-2344

Merry Christmas and Happy New Year!

Let's Brighten Up Your Holidays With A Great Sale. Remember, All Items From The November Ad Are On Sale Through The End Of The Year.

Polar Fleece Varsity Jacket, Blue With Grey Sleeves, Sizes Small—XL
Was \$38.95...Now **On Sale For Only \$28.95**...A Quality Gift.

20% OFF Austrian Crystal Snowflake Necklace, Bracelet and Earrings, Makes A Lovely Gift.

CPD Full Color Welcome Mat, Was \$17.95, Now **On Sale For Only \$14.95**

Chicago Police Star Custom Photo 4"X6" Frame, **Only \$14.95**

We Have A Great Assortment Of Police Christmas Ornaments Ranging In Price **From \$2.95 To \$10.95**
Stop In, Take A Look, And Add To Your Ornament Collection.



Correction! Pewter Star Coffee Cups, **Buy 2 At \$6.95 Each and Get 1 FREE.**
(Previous Ad Stated \$4.95 Each. Sorry For The Error. This Is Really A Great Deal!)

The New 2nd Edition Police Officers Field Guide Book Is **On Sale For Only \$9.00** Each.
Leather Cover Available For **Only \$9.95** Each.

New Item: Infant or Toddler Sweatshirts in Royal or Navy In Sizes 12 Month, 18 Month, 3T, 5/6T and 7T, **\$9.95** Each!

New Item: Ladies Long Sleeve Thermal Tee Shirt
Small—XL, White, Blue, Coral, **\$19.95** Each

New Item: CPD SWAT Hoodie
Small—2XL, **\$28.95** Each or **\$30.95** for 2XL

Tee Shirt of the Month

FOP Initials Design, Short Sleeve Tee Shirt—(Small—3XL)

30% OFF—Brings Price To \$8.36 Each.



FREE Holiday Raffle—FREE Ticket With Any Purchase, Enter As Often As You Like, Winners Need Not Be Present To Win! Great Prizes. Thank You For Coming In To Shop!

Buy 2, Get 1 FREE...Miscellaneous Cities or States "Road Champs" Die Cast Squad Cars.

Chicago Police Star Custom 4"x6" Photo Frame
Looks Great! Now On Sale For **Only \$14.95**

Carry A Little "Christmas Cheer" In This Pewter Star, 8oz
Stainless Steel Flask, **Now Only \$6.95**...Unbelievable Price!

Gold Went Up 10% On December 1st, However, We Are Holding The Price Down Until December 18th! This Is The Last Day To Order Items To Ensure Christmas Delivery. Don't Miss This Chance To Get The Old Price!



The Entire Staff At The FOP Gift Shop Would Like To Wish Everyone The Best Of The Holiday Season and A Safe and Better Happy New Year! Thank You For Your Loyal Support!

PROJECT BLUE LIGHT



The FOP Family Auxiliary of Chicago Lodge 7 invites you to join them this Holiday Season in showing support of all our Police Officers including those who have given their lives or who have been disabled while in service.

Please show your support by displaying a BLUE LIGHT in a front window or in a front porch light fixture.



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RETIREE BREAKFASTS AND LUNCHEONS

<p>North:</p> <p>1st Wednesday of Month @ 7:30 am Lone Tree Manor, 7730 N. Milwaukee Ave, Niles, IL Joe Nalepa, 773-763-1362</p>	<p>Chicago, Illinois Roosevelt Lowe, 773-779-4073</p>
<p>South:</p> <p>2nd Wednesday of Month @ 10:00 am Jedi's Garden, 9266 S. Cicero Ave, Oak Lawn, IL Don Januszyk, 708-364-9903</p>	<p>8th District 8 Balls:</p> <p>Last Wednesday of Month @ Noon Call for location: Al Bilacki, 773-767-1885</p>
<p>Bomb & Arson:</p> <p>2nd Tuesday of Month @ 8:30 am Fiesta Tapatia Restaurant, 2752 W. Cermak, Chicago, IL Roger Elmer, 773-763-2115</p>	<p>Old School Deuce:</p> <p>2nd Tuesday of Month @ 10:00 am Lumes Pancake House, 11601 S. Western Ave, Chicago, Illinois Elbert Parker, 773-593-7743</p>
<p>12th District Retirees and Alumni</p> <p>1st Thursday of Month @ 10:00 am Southern Belles Restaurant, 6737 Archer Ave., Bridgeview, IL 12retirees@comcast.net</p>	<p>Survivors Lunch:</p> <p>2nd Saturday of Month @ 11:00 am Beverly Woods Restaurant, 11532 S. Western, Chicago, IL</p>
<p>Crime Lab, ETs, Forensic Services & Mobile Unit</p> <p>1st Tuesday of Month @ Noon Flap-Jack's Restaurant, 4830 West 111th Street, Oak Lawn, IL Bob Baikie, 773-284-1935</p>	<p>Arizona Retirees:</p> <p>3rd Thursday of Month @ 11:00 am Hometown Buffet, 1312 N. Scottsdale, Scottsdale, AZ Ed Plawinski, 480-502-1630</p>
<p>Orland Park Law Enforcement Organization:</p> <p>3rd Thursday of Month @ 7:30 pm Orland Park Civic Center, 14800 Ravinia, Orland Park, IL Don Ade, 708-408-9308</p>	<p>Arkansas Retirees:</p> <p>3rd Friday of Month @ Noon Elks Lodge, Highway 62 E, Mountain Home, AR Dennis Dwyer, 870-431-4458</p>
<p>Brothers & Sisters Band Together:</p> <p>3rd Saturday of Month @ 10:00 am Pancake House, 700 East 87th Street,</p>	<p>Las Vegas Retirees:</p> <p>Every Thursday of Month @ 9:30 am The Willows, 2020 W. Horizon Ridge, Henderson, NV Jerry Rutkowski, 702-575-4301</p>
	<p>Florida Retirees:</p> <p>1st Wednesday of the Month @ 1:00 pm Cop Shop, 4423 S/E 16th Place, Cape Coral, FL Tom Faragoi, 239-770-7896</p>