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# F.O.P. NEWS

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1412 W. Washington Blvd. Chicago, IL 60607-1821 Phone: 312-733-7776 FAX: 312-733-1367

## President's Report, By Michael Shields



FOP, Chicago Lodge 7  
1412 W. Washington Blvd.

Newsletter Committee:  
Bill Burns, Chairman  
Dan O'Brien  
Glen Popiela  
John Lipka  
Russell Schultz

*"What fuels my anger, along with many of the members, is the incredible double standard when it comes to the investigation of police misconduct as opposed to rights guaranteed to the common thug at 26<sup>th</sup> and Cal."*

McCarthy, Pg. 5



### Unfair Labor Practice

On June 12, the Lodge filed an Unfair Labor Practice against the City of Chicago with the Illinois Labor Relations Board. As many of you are aware, the City has been using stall tactics for years. We have made every conceivable accommodation we can to encourage the City to cooperate with us, including offering to schedule 10 full arbitrations per month to help reduce the backlog, which we presented to them months ago. However, everything we do is met with resistance, or they don't even bother to respond, generally claiming that the Law Department is under-staffed and don't have the resources. The City has 200 lawyers and we have 2. They also "farm out" a number of arbitration cases.

We currently have several thousand outstanding grievances. Moreover, of the 100+ grievances that the Lodge has demanded arbitration on since December 2011, only three have arbitration dates. We have been constantly contacting the City trying to schedule and reduce the backlog, and every suggestion we make is refused. Plus, many of these grievances should be easily settled, as the City is clearly violating the contract. The NATO overtime issue is a great example of this. For some officers, the City took the position that the overtime was paid at the beginning of a tour, not the end. No matter how you read the contract, the City is wrong. Now officers working overtime don't know whether they will be compensated straight time or time and a half for a portion of their tour. That's just wrong. And now the City will deny, delay and not pay until this is ruled on by an arbitrator. And the way things have been going, the arbitration process takes up to four years. The City gets to sit on the money and not pay out until the arbitrator orders them to do so.

Now it is time for the Labor Board to step in. We have taken the necessary action filing the ULP. Our claim that the City will not properly discuss and process grievances is an unusual subject for the Labor Board. If we do not win at the Labor Board, we will attempt to use the courts to compel arbitration. Hopefully, our filing of the ULP will spur the City to at least address the backlog in a meaningful way. We want officers made whole and paid quickly when the City violates our contract. I will keep you updated as things progress.

### Overtime Initiative

For well over a year, the FOP has publicized the need for manpower. We have spoken in every media outlet and even purchased billboard advertising to publicize the issue. Now the Department has started an overtime initiative. The Lodge does not take issue with officers earning overtime, but disputes the City's logic and failure to hire more officers. In this new initiative, the City hires officers at a rate of time and one-half. They want to have 260 officers working overtime each night between Thursday and Monday. The City eliminated the Targeted Response Unit that did the same exact work in the same exact locations as this new overtime initiative. TRU disbanded because the Department claimed that it needed officers to fill the beat cars. Now the murder rate spikes and they're paying for it. The answer has always been hiring more police. This downsizing has to stop. Will the City ever listen?

### Pensions

The Lodge's efforts to keep Chicago Police out of any proposed pension reform and to fight any pending pension reform were successful for the Spring Session. But that was only one battle in a long war ahead. We did not let our guard down until the day after the session was over. Every single day, we would hear different speculation about where pension reform was heading. The Chicago Tribune's editorial board was certainly no help to labor. A pivotal argument for our members is that everything that the State wants to do for their State Pension systems would make their plans more in line with what we currently get. Chicago Police and Fire do not receive the 3% compounded COLA's. Our COLA's are either 3% simple if born prior to 1955, or 1.5% beginning at the age of 60 until age 80. The Lodge monitors all pension bills regardless

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of which system will be impacted. At some point, similar language for "reform," may appear in bills for the Chicago Police Pension Fund.

SB1673 was Speaker Madigan's bill that he introduced before the House Pensions Committee on 29 May, in which there would be no forced increased contributions by the employee or forced increased age the employee would receive a pension because, as the speaker had noted earlier, those issues would be unconstitutional. The bill offered the following options for State Employees: either continuing to receive their current pension entitlements for current employees and retirees, or choosing to have a diminished benefit in the form of a lower COLA and receiving it 5 years after retirement, but maintaining their ability to remain in the State health care program. The first choice would exclude future pay raises to be considered for pension considerations and also exclude the employee from enrollment in the health care provisions when retired. This "choice" was declared to be able to "withstand constitutional muster." The bill required the State to maintain the unfunded liabilities outstanding to 2013. However, it became an impediment for the Republicans because it would have shifted the responsibility for all Downstate teachers pensions from the State to the individual School Board Districts. Madigan relinquished this bill to Leader Cross who has since added 5 more amendments, but after doing so, Madigan pulled off the bill as did most City Dems, due to the cost shifting provision being removed. The Republicans then couldn't muster enough votes to pass it. This bill has been sent back to Committee with no action taken. The Lodge anticipates a similar bill to be resurrected during the veto session. We will continue to monitor any discussion involving our pension system for the veto session.

HB4513 was a pension bill that was negotiated and concurred with, to an extent, by the Unions representing the employees of the Metropolitan Water Reclamation District. This bill increases employee contributions by 1% for each of the next three years and the employer doubles their contribution to the fund. When the fund gets to a 90% funding level, the employee contribution increases will be rolled back. This bill passed out of both Houses on 31 May and is headed for the Governor's desk.

### FOID Requirements

HB4673 passed out of both Houses on 22 May. This bill will stop the suspension of the FOID cards of CPD members if they ***voluntarily seek psychiatric help for duty related stress factors*** up to and including spending less than 30 days in a mental health facility. Although there were several amendments to address the many concerns of various state agencies as well as the City of Chicago, our objective to prevent our members from being placed in a no-pay status when their FOID cards were pulled, was never compromised. Chicago Police Sergeant Dina Carli, who is currently serving as a State Representative, and former Chicago Police Officer and current Senator, Tony Munoz were the sponsors of this bill and handled it very well. This bill will now be sent to the Governor's Office for his approval.

Several of our officers were placed in a no-pay status thanks to a misguided interpretation of the law by the Management and Labor Affairs Section of the Department. As a result, we were forced to have the Legislature reconcile MLAS' unreasonableness by changing the law. The Legislature recognized that officers seeking help in a time of need should never be placed in a no-pay status as a result.

## 1st Vice President's Report, By Bill Dougherty



### Duty Disability- What Constitutes an Act of Duty?

When officers apply for duty disability at the Pension Board, one of the determining factors is whether or not your injury occurred while in the performance of an *Act of Duty*. For an officer to receive a duty disability pension, the statute mandates proof of disability as the result of an *Act of Duty*. However, the difficulty in proving this, in some cases, arises from a misconception by officers. Hopefully this article will help officers understand what a performance of an *Act of Duty* is.

The Pension Fund is guided by virtue of an Act of the Illinois legislature. Illinois Compiled Statutes defines an *Act of Duty* as any act of police duty inherently involving special risk, not ordinarily assumed by a citizen in the ordinary walks of life. Recent court rulings have determined that being at work is not the same as an *Act of Duty*. The courts have made it clear that every action an officer takes while at work is not an *Act of Duty* for pension purposes.

The purpose of the IOD report is not only to document an

injury on duty. Many officers overlook the fact that in many cases an officer's injury does not result in disability until many years later. It is extremely important that an officer make sure that the supervisor filling out the IOD report clearly documents what police activity the officer was doing at the time of the injury. Read your IOD reports before you sign it. If you are not happy with the wording in the report, ask the supervisor to change it. If the supervisor will not make the changes, submit a To-From report to your commanding officer explaining the *Act of Duty*. Officers who make sure that this is done will find that establishing that he/she was injured in the performance of an *Act of Duty* will be easier.

### Tour of Duty Exchange-How to Use It

Starting in January 2010, members who were denied time off could exchange a tour of duty with another member from their unit/watch. This is just a reminder about what an officer needs to do if he/she is going to request a tour of duty exchange.

1. When an officer requests the use of compensatory time off, at

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## 1st Vice President's Report Continued...

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- least seven (7) days prior to the requested date, and is denied, the Department shall be required to notify the requesting officer of a denial no less than three (3) days before the requested date. If denied, the slip should be given back to the officer.
2. The requesting officer will identify an eligible full duty officer from his unit and watch, who, #1 - is not scheduled to work the date of the requested Tour of Duty Exchange and #2 - is willing to work the date of the requested Tour of Duty Exchange.
3. The requesting officer will agree to work a tour of duty on a specific date for the replacement officer within four (4) weeks, before or after, the requested Tour of Duty Exchange date.
4. A minimum of twenty-four (24) hours before the exchange date, the requesting officer and the replacement officer will submit a report to the Watch Commander indicating they have agreed to the exchange of days. The Watch Commander must then approve the Tour of Duty Exchange, or may grant the original request for elective time.
5. Requesting officers are limited to one (1) Tour of Duty Exchange per police period.
6. The replacement officer involved in a Tour of Duty Exchange will not be allowed to use elective time to satisfy his or her Tour of Duty Exchange obligation.

7. An officer that is unable to fulfill his Exchange obligation due to placement on the medical roll (non-IOD) will be ineligible for participation in Tour of Duty exchange for 90 days.

A complete copy of the Arbitrator's Award is online at our website. The General Order on this subject is Employee Resource E02-02-04.

### Family Status Changes

If you wish to add or drop an eligible dependent from your coverage, you must wait until the Annual Open Enrollment Period, unless you experience a qualifying Family Status Change during the year. Examples of Family Status changes include the following:

- Marriage or divorce;
- Enrollment or termination of an eligible domestic partner;
- Birth or adoption of a child;
- Death of a spouse or covered dependent;
- A covered dependent reaching the limiting age;
- A change in employment status for you or your spouse.

You must submit an enrollment form to Benefits Management to add/delete within 30-days of eligible family status changes. You must also submit acceptable documentation to support the change in coverage within 60-days of your request.

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



### Firearm Safety Days

The 2012 FOP Firearm Safety Days were a huge success. During the course of the event, we had over 500 police officers come through the doors of the Hall, and over 1500 duty related weapons inspected. The representatives from various approved weapons manufacturers worked tirelessly, from the time we opened the doors until we shut down each day, inspecting and servicing our members' duty weapons. I would like to take this time to personally thank and acknowledge the firearm manufacturers who participated in the 2012 Firearm Safety Days and provided this valuable service to our members:

Boston Leather; ; Glock; Lewis Machine & Tool (LMT); Midwest Sporting Goods; Ray O'Herron's; Ruger; Sig Sauer; Shore Gallery; Smith & Wesson; Springfield Arms; Super Quick Clean.

The next FOP Firearm Safety Days will be held in May 2013.

### Parole Hearing for a Cop Killer

The Lodge was notified of scheduled hearings before the Illinois Prisoner Review Board to consider or deny parole for the convicted murderer of PO Edward Barron, Star #14873, 004<sup>th</sup> District, EOW 28 September 1973.

The Parole hearings are broken down into three phases. Phase one begins at the Penal institution where the inmate appears and tells the representative why he should be released. Phase two is held at the courthouse in the county where the offense occurred. Phase two is where the protests to release are heard.

The hearing for PO Barron's murderer was held at 26<sup>th</sup> & California on 13 June 2012. The hearing was videotaped so that the entire Illinois Prisoner Review Board may view the proceedings. The hearing began with an opening statement by an Assistant Cook County State's Attorney (ASA), who presented, step by step, the facts of the case to the hearing officer. The ASA then provided police officers, Gold Star Family members, a retired member and myself the opportunity to speak. Each person gave their personal protests to the Board, and the reasons why this convicted murderer should not be granted an early release. The ASA also read letters of protest from the Barron Family right before the hearing was completed.

Phase three is the En Banc Hearing, where the members of the Illinois Prisoner Review Board convene on the following Thursday to make their decision to deny or release this prisoner.

I traveled with 25 Chicago Police Officers and a Representative from the Chicago Police Memorial Foundation to Springfield to attend the En Banc Hearing. We entered the hearing room and

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## 2nd Vice President's Report Continued

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each Officer identified him or herself and the reason he or she attended the hearing, to protest the release of the murderer. After the introduction they are not allowed to speak or participate in this proceeding, but are only there as observers.

The Cook County State's Attorney opened with a statement reinforcing the facts of the case, made a strong case to the Board, and stated that by releasing this convicted murderer, not only would society not be better served, but also that a release would deprecate the seriousness of the offense. The inmate's lawyer then made his statement to the Board to convince them to release the inmate. The attorney, through his arguments, attempted to retry the case, which is not the purpose of these proceedings, bringing up facts that do not have any bearing on the case. The attorney continued on how the inmate has earned a college degree and has mastered shop skills, which should qualify him for an early release. The attorney, in an attempt to sway the Board's decision, left out important facts of the terrible crimes the inmate committed on 28 September 1973. Crimes which included robbing a senior citizen, the attempted murder of 3 Chicago Police Officers, as the inmate fired a handgun until he ran out of bullets, and his attempt to escape after he murdered PO Edward Barron.

There was not one word spoken by the inmate's attorney to

the Parole Board members regarding the impact that this crime had on the family of PO Edward Barron, and the loss they have had to endure.

A motion was made and properly seconded to deny parole to the inmate. A vote was taken and parole was denied 6-5 for this inmate for another year.

*WE WILL NEVER FORGET!*

### FOP Picnic

The FOP will host the Annual 2012 Picnic on the fields of Gaelic Park, 6119 West 147<sup>th</sup> Street in Oak Forest, Illinois on Wednesday, 18 July 2012 from 1000 hrs until 1800 hrs. The Lodge will transform these soccer fields into an amusement park for the day, supplying inflatable and carnival rides for all ages along with a DJ. We will also have free ice cream, soft drinks, candy and prizes for the children. The FOP Gift Shop will be moving to Gaelic Park for the day.

Bring a tent for shade, a cooler, picnic lunch, grill and chairs for the perfect picnic experience. There will be a Best Tent or Shelter Decorating Contest. The Picnic is for FOP members and their families only! Members must show their FOP ID Card to enter. Gaelic Park does not offer food services.

## 3rd Vice President's Report, *By Dan Gorman*



### Upcoming Court Cases

Please mark your calendars, appear and show support for our fallen brothers and their families. Send a message to the court with a strong police presence.

Christopher Harris and Kevin Walker  
Both charged in the murder of Officer **Alex Valadez**  
June 27<sup>th</sup>, 2012  
Room 207, 26/Cal, Judge Alonso

Bryant Brewer  
Charged in the murder of Officer **Thor Soderberg**  
July 2<sup>nd</sup>, 2012  
Room 602, 26/Cal, Judge Sacks

Timothy Herring Jr.  
Charged in the murder of ET **Mike Flisk**  
July 16<sup>th</sup>, 2012  
Room 404, 26<sup>th</sup> and California, Judge Brosnahan

Edgar Colon and Tyrone Clay  
Both charged in the murder of Officer **Clifton Lewis**  
Clay – July 17<sup>th</sup>, 2012  
Colon – July 19<sup>th</sup>, 2012  
Room 206, 26/Cal, Judge Rosemary Higgins-Grant

### Hero Update—Officer Del Pearson

On March 19, 2012, during a foot chase in the area of 84<sup>th</sup> and Kingston, an armed offender turned and shot Officer Del Pearson in the chest and shoulder. Pearson lost approximately two thirds of his blood and might not be with us today, had it not been for Sgt. Chris Kapa and Officer Kristen Lund driving Officer Pearson to the hospital themselves. Twenty year old Paris Sadler was charged with the attempted murder of Officer Pearson and is being held without bond by Judge Maria Kuriakos-Ciesel.

Officer Pearson underwent emergency surgery and was hospitalized for 8 days. Del then had to return to and undergo a second surgery and numerous medical procedures. At the June 19<sup>th</sup> General Meeting, Officer Pearson provided the membership with an update of his condition. Officer Pearson wears a compression sleeve on his left arm to keep swelling to a minimum, still has pain and numbness in his left arm and hand and attends intensive therapy three times a week. Officer Pearson hopes to return to duty.

Officer Pearson received the FOP Award of Valor at this past General Meeting (June 19<sup>th</sup>) and Officer Lund and Sgt. Kapa were presented with FOP Distinguished Service awards.

Currently, a benefit for Pearson and his family is being planned and is scheduled for November 4<sup>th</sup>, 2012. More info to come.

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## 3rd Vice President's Report, *By Dan Gorman*

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### Hero Update—Sgt. Jason Kaczynski:

Sgt. Jason Kaczynski served this Order well on July 7, 2010, when he, along with Officer Kimberly Thorp, engaged in a gun battle outside of the old 007<sup>th</sup> District station at 61<sup>st</sup> and Racine with one, Bryant Brewer. The offender, Bryant Brewer, was later charged with the murder of Officer Thor Soderberg. Both Sgt. Kaczynski and Officer Thorp were awarded the Carter Harrison award and the Superintendent's Award of Valor and the FOP Distinguished Service Award.

On May 29<sup>th</sup>, 2012, Sgt. Jason Kaczynski suffered a heart attack when he and his team were executing a search warrant in the Englewood community. Sgt. Chris Papaioannou and Officer Miriam Swiatkowski arrived and immediately began CPR. Sgt. Kaczynski was transported to St. Bernard Hospital, stabilized, and then transferred to the University of Chicago

Hospital.

For the first 24 hours, Sgt. Kaczynski's body temperature was lowered to 91 degrees to prevent damage to his brain. His body temp was slowly raised to normal, and he remained in a coma until he awoke on June 7. Jason underwent many neurological tests, medical procedures and physical therapy, all with positive results. Sgt. Kaczynski's condition improved and on June 25, he transferred to the Rehabilitation Institute of Chicago (RIC) where he will continue therapy. Jason continues to progress ahead of doctors expectations and his prognosis is for a full recovery, with the hopes to return to full duty.

Lodge 7 sends both Officer Del Pearson and Sgt Jason Kaczynski get well wishes, and we are hoping for a full recovery for both of these outstanding men.

## From the Desk of Jim McCarthy, Field Representative



On the front page of the Sunday Chicago Tribune dated June 17, 2012, the paper ran an article describing some lengthy IPRA investigations. The article highlighted the disciplinary case of a Chicago Police Officer which took over 5 years for the agency to complete the investigation. As a result of the long delay,

thankfully the case was dismissed by the Chicago Police Board. The Board cited Illinois state statute 65 ILCS 5/10-1-18.1, which states that an excessive force allegation must be investigated within a 5 year timeframe. In the Tribune article, IPRA Director Ilana Rosenzweig expressed her regret regarding the long delay that led to the dismissal of the case and stated, "It should not have happened. We are going to make sure it doesn't happen again." Despite Ms. Rosenzweig's assertions otherwise, it already has.

Recently a member who was served 30-days pending separation for an incident that took place on May 28, 2007, stopped by my office. The City filed separation papers against the member on May 29, 2012, 1 day after the 5 year limit. This case is unacceptable in particular because it is listed under CR#1006073 on the IPRA website under March 2012, "Abstracts of Sustained Cases." A written synopsis of the incident and the penalty recommendation from IPRA are available to the public before they are served to the officers themselves. In other words, if a Chicago Police Officer wants to find out the status of their 5 year old disciplinary case, he or she, along with the general public, might want to look on IPRA's website.

In light of the Tribune article, why doesn't Mayor Emanuel publicly demand the same accountability out of Director Rosenzweig that he does every Monday out of Superintendent

McCarthy? According to the article, Rosenzweig is down six of her budgeted positions. Meanwhile, McCarthy is down thousands and, right or wrong, gets called out on the carpet every Monday. The reality is very simple, inept internal investigations of the City's police force have very few political implications, as opposed to low test scores for public school students or a violent bloody weekend. Furthermore, Chicago Police Officers do not have the luxury of an army of storefront reverends and unemployed professional protesters to descend on City Hall at a moment's notice.

After the article ran, as expected, no public outcry and not a sound out of City Hall or the City Council. I do give the Mayor some credit; he was highly complementary of the membership's efforts following the NATO Summit, and he did something his predecessor never did, made an appearance at the St. Jude Parade. Although words and appearances are appreciated Mr. Mayor, some of our members' livelihoods hang in the balance while this investigatory charade carries on without any oversight. Some of our members have been terminated, and rightfully so, while many others have lost houses, marriages and missed children's tuition payments based on incompetency and indifference. What fuels my anger, along with many of the members, is the incredible double standard when it comes to the investigation of police misconduct, as opposed to rights guaranteed to the common thug at 26<sup>th</sup> and Cal. Police Officers have no right to view a videotape before an interview, have to endure investigations without time constraints, have no right to be told the allegations when getting stripped of police powers and are given sustained Rule 14 violations at the whim of a civilian investigator who has never stepped out of a squad car. Public words and praise are nice Mr. Mayor, but a sorely undermanned police force, which has shed a lot of blood over the years in an attempt to keep this City safe, deserve better.

## Financial Secretary's Report, *By Rich Aguilar*



### Arbitrations, Arbitrations, and More Arbitrations

Most of you reading this article who have filed grievances are endlessly awaiting assignment of an arbitration date. The Lodge has requested hearing dates from the City for hundreds of contractual and discipline grievances. These requests have apparently fallen on deaf ears. I have been in my position for a little over three years, and I still find it amazing that the Lodge, which has two in-house attorneys at its disposal can be ready for an arbitration date at a moment's notice, yet the City, which has unlimited in-house and outside counsel available, cannot be available until October of this year to hear even one case. Perhaps the Administrative Law Judge who hears the Unfair Labor Practice over this issue can light a fire under the powers that be within the City Law Department. The following are summaries of some recent arbitration decisions.

#### 5B Furlough Arbitration

The 5B Furlough Grievance was presented to Arbitrator George Roumell at a full arbitration hearing on May 7, 2012. The Lodge and our attorneys were optimistic when we were able to secure Arbitrator Roumell for this hearing as he is very familiar with the operations of the Department and the needs of our members.

Arbitrator Roumell rendered his decision and denied the grievance in its entirety. His decision focused on Article 29A – Furloughs, Section 29A.4 of our Collective Bargaining Agreement; specifically on the phrase *subject to operational needs*. The Department was able to convince him that they needed all hands on deck. In the arbitrator's words: *It was a unique situation against a background where in other cities in the world where there had been a NATO Summit there has been large protests causing security concerns and the need for police presence out of the ordinary, making it difficult to plan.*

There is always an inherent danger in proceeding on any grievance that you may get a ruling that may affect Lodge members for years to come. If there is a silver lining to be found anywhere in this grievance, (those of you who know me know that I am not a silver lining kind of guy) it is the fact that the Department cannot use this decision to cancel furlough segments for events that the Department has handled in the past. In the arbitrator's words: *This is a unique special circumstance that is a rare situation and is a one-of-a-kind event and certainly cannot be utilized by the Department as precedent to apply to the type of events and crowd control that the Department had been routinely able to do without blocking out furloughs in the past.*

This decision has been evaluated by the Lodge attorneys. It is unlikely this decision would be overturned in the courts. Therefore, we will reluctantly accept the arbitrator's binding decision.

#### FTO Demotion Arbitrations

Former Deputy Superintendent Peter Brust submitted a list of twenty-five Field Training Officers to the Training Division in 2009. He believed that the listed FTOs were under performing and should be evaluated. The list was reviewed by the Training Division and eventually pared down to eight FTOs.

These FTOs were notified in early 2010 that a review of their performance was being conducted by the FTO Review Board. They were advised that they could submit a To-From-Subject report to the Board. However, none were advised what aspect of their performance was being reviewed. How could any Officer submit any report under these circumstances?

The Department was notified and the FTOs were all issued new notices that included somewhat vague details as to why they were being reviewed. They were again offered an opportunity to submit a To-From-Subject report.

At least three of the FTOs were ultimately demoted back to a D-1 pay grade. All filed grievances stating that their demotions were arbitrary, capricious, and without just cause.

One demotion grievance was heard by Arbitrator Peter Meyers earlier this year. Arbitrator Meyers granted the grievance in its entirety. Arbitrator Meyers based his decision on the fact that the FTO was not afforded due process in that he did not have the ability to address the FTO Board in person to address any questions the Board might have. Additionally, after the Board made the decision to demote, the FTO was never apprised of any reason(s) why he was demoted. The arbitrator ordered the Department to reinstate this FTO to his D-2 position and make him whole for any lost pay and other benefits resulting from the improper demotion. The City was also responsible for the arbitration fees associated with hearing the case and rendering a decision.

Another demotion grievance was heard by Arbitrator Brian Clauss on March 1, 2012. Arbitrator Clauss granted the grievance in its

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## Financial Secretary's Report Continued

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entirety. Arbitrator Clauss, in essence, adopted the decision rendered by Arbitrator Meyers. The arbitrator ordered the Department to reinstate this FTO to his D-2 position and make him whole for any lost pay and other benefits resulting from the improper demotion. The City was also responsible for the arbitration fees associated with hearing the case and rendering a decision.

The third demotion grievance was heard by Arbitrator Elliott Goldstein on April 17, 2012. We are still awaiting a decision on this grievance. The Lodge anticipates a positive outcome in light of the two previous grievances.

### Weapons Swabbing

The Lodge filed a class action grievance in June 2009, when the Department swabbed an Officer's weapon for DNA after a weapon discharge where no person was hit. The grievance proceeded through the arbitration process and was finally heard at a hearing on October 17, 2011 before Arbitrator Goldstein.

The Lodge argued that the DNA swabbing constituted a genetic test without the Officer's consent, the test was in violation of Article 4 of our contract in that it was unreasonable, swabbing is only acceptable if consistent with the best practices of evidence collection, and finally that the swabbing violated both federal and state laws because the swabbing for DNA was not required, necessary or relevant to the investigation of any crime.

The City argued that the Department was simply following a protocol that was established in 2008, this protocol is followed in each instance, and the protocol is an inherent managerial right as outlined in Article 4 of our contract.

Arbitrator Goldstein denied the grievance in its entirety. His reasoning for the denial was based essentially on one issue; whether the issue before him was a contractual issue as defined by our contract or not. The arbitrator decided that it was not a contractual issue as defined by our contract when he wrote: *Moreover, I am not asked to interpret any specific contract language, other than to reconcile an apparent conflict between the Union's view of Management rights and external law.*



## ILLINOIS STATE FOP LODGE SCHOLARSHIP APPLICATION

### REQUIREMENTS:

- Parent must be an Illinois F.O.P. member in good standing.
- Applicant must be a full time, undergraduate student (12 or more credit hours per semester) at an accredited junior college or four-year institution.
- Applicant must provide proof of registration for the Fall 2012 semester with application. Proof can include note from registrar, class schedule, tuition payment receipt or letter of acceptance. Letters of acceptance must be followed by proof of registration before scholarships are awarded.
- Applications must be completely filled out to be eligible.
- **Award:** \$500 (18 individual district scholarships awarded by random drawing at the State Lodge Summer Board Meeting)
- **Application Deadline:** Friday, July 20, 2012

**For more information or to download an application visit the ILFOP website at [www.ilfop.org](http://www.ilfop.org)—Member Benefits—Scholarship Application.**

## Disability News, By Mike Lappe

During the May disability hearing at the Pension Board, it was again brought to my attention that members who may be applying for non-duty or duty related disability benefits are waiting until the end of their time to expire, provided they know for certain that they will be placed on the disability roll. It is imperative that all officers start the paper work two months before his or her year runs out.

The first order of business takes weeks to process your file. This step rests with the Human Resources/Medical Section. From there your file is forwarded to the Chicago Pension Board, where they process your claim and have it reviewed by a physician(s) and finally a date(s) is set for a hearing on your behalf. Again, this does not happen overnight.

By waiting towards the end of your time-line, you may have put yourself into a no pay status. Officers; don't start out on the wrong foot, broke and discouraged. This scenario has been mentioned before by our 1<sup>st</sup> Vice President, Bill Dougherty and myself. Heed this warning.

Stay Safe, Stay Tuned...



***Forgotten Retirees!***

*Police Officer Kent Baker retired from the job on  
17 November 2011 after 31 years.*

*Detective Allen Szudarski retired from the job on  
15 November 2011 after 42 years.*

*Police Officer Charles H. Banks retired from the job on  
02 January 2012 after 27 years.*

**March 2012 Retirees**

<b>Name</b>	<b>Rank</b>	<b>Dist.</b>	<b>Yrs</b>
Bernstein, II, William C.	Police Officer	017	21
Bradley, Beverly G.	Police Officer	006	25
Bransfield, Kathleen A.	Detective	630	29
Bresnahan, Joseph M.	Police Officer	012	26
Brown, Shirley A.	Police Officer	161	25
Butzen, James J.	Police Officer	024	30
Dietz, Robert H.	Police Officer	024	39
Dilberto, Lucy L.	Police Officer	012	20
Dust, Cheryl J.	Evidence Tech	377	30
Espinosa, Opal L.	Police Officer	002	21
Gaines, Tessa M.	Detective	620	21
Garcia, Gerardo	Agent	121	29
Graszer, Thomas A.	Police Officer	025	27
Hernandez, Antonio P.	Police Officer	019	29
Huels, Karen A.	Detective	180	27
Karp, Gail M.	Police Officer	701	17
Koger, Donald A.	Police Officer	002	24
Maldonado, Ivette	Police Officer	145	26
Miner, Susan F.	Police Officer	015	22
Nash, Dennis C.	Police Officer	051	30
Norman, Cassandra D.	Police Officer	015	23
Parker, Michael J.	Evidence Tech	477	35
Rivera, Raul	Police Officer	019	26
Rolston, Leonard T.	Detective	610	42
Rutherford, Robert J.	Detective	610	32
Schober, Joseph W.	Lieutenant	016	42
Sweeney, Michael J.	Police Officer	022	29
Tellez, Vincent	Police Officer	001	25
Vaughn, June	Police Officer	050	22
Ward, Marijo K.	Police Officer	020	30

***Christmas In July!***

*Get into the holiday spirit early by cleaning  
out your closet and helping us to stock shelves  
at the area food pantries and clothing outlets.*

*The Chaplains Unit will host a Coat Drive on  
Wednesday, July 25, 2012 from 6am—4pm at  
the Education and Training Division in the  
vendeteria. We will gladly accept new and gently used coats.*

*The Drive is open to the whole department, sworn and civilian,  
active and retired.*

*If you would like to donate but cannot make it to the Academy that  
day, please call Chaplain Kimberly Lewis-Davis to make alternate  
arrangements at 312-771-6638.*

*Thanks for thinking ahead to keep less fortunate folks warm this  
winter. Your overstuffed closet will thank you as well!*

***Departed Brothers  
& Sisters***

Edward D. Thomas, Age 74

Scott C. Dietz, Age 60

Nick Bianco, Age 85

John A. Jackson, Age 84

Raymond Kosinski, Age 74

James E. Dunbar, Age 81

John O. Suchy, Age 67

Frank R. Podolsky, Age 87

Joseph Jackson, Age 89

Frank L. Strocchia, Age 78

Robert H. Nolin, Age 79

William H. Erickson, Age 38

Frank J. Jordan, Age 82

Jerome J. Kudlinski, Age 69

James B. O'Connor, Age 75

Ronald E. Dowmond, Age 84

Albert T. Lawson, Age 84

Anthony P. Ortolano, Age 70

Ronald R. Rodgers, Age 73

Mike DeBella, Age 80

Robert T. Knieling, Age 63

John W. Brennan, Age 87

James J. O'Brien, Jr., Age 60

Donald J. McMahon, Age 71

Fred E. Drochner, Age 66

George D. Moss, Age 84

James J. Just, Age 60

Peter Genutis, Age 94

Ralph E. Feeley, Age 80

William H. Diggins, Age 82

Laurie J. Haughey, Age 58

Joel L. Robinson, Age 69

Gerald T. Murray, Age 65

Kenneth H. Fligelman, Age 65

Dennis Huminiak, Age 67

Carl A. Cicirale, Age 82

Clarence F. Black, Age 77

Charles B. Elmer, Age 60

John F. Nogafka, Jr., Age 87



## Message From Father Dan Brandt, CPD Chaplain

I'd like to bring to your attention the **Police Chaplains Ministry website**, which is fairly new and constantly being updated. On this site, you can request Mass cards, contact a chaplain, make a prayer request or donation, read archived FOP newsletter submissions from the chaplains, check out links to related sites, view memorial cards from recent line-of-duty deaths, request a ride-along by a chaplain, research several police-related resources, obtain information on the regular police Mass and many other outreaches/ministries—as well as a host of other “cyber-stuff.” There is also a photo album page with some terrific pictures...check it out as you may see yourself there!



As it is a new website, I'd be grateful to hear your input/feedback. Click on [www.ChicagoPCM.org](http://www.ChicagoPCM.org), or scan our QR code with your smart phone.

A few weeks ago, we mailed a letter to all of our regular Police Chaplains Ministry supporters, asking for financial assistance for our 17<sup>TH</sup> annual summer Gold Star Families outing. This month we are again taking the Gold Star Families on a lakefront cruise aboard the *Spirit of Chicago*. It's a first-class event, as **we** (yes, with *your* help – **WE**) take care of everything: VIP parking, food, entertainment, pictures, etc. Our cruise ship is even escorted by CPD Marine Units with blue lights flashing. The most important component of this wonderful day together is this: we once again remind Gold Star Families that the loved ones they lost in the line of duty are **NEVER FORGOTTEN!**

If you would like to help make this outing a success with your tax-deductible contribution, please visit our website or send a check to Police Chaplains Ministry, 1140 W. Jackson Boulevard, Chicago, IL 60607.

If you did not receive a mailing but would like to be added to our mailing list, please call me at the number below or click on “Join our mailing list” on the website.



The NATO Summit lapel pins (1" x 1.5") have made quite a hit. These \$5.00 pins are available at the FOP store and some uniform outlets...as well as in certain units and at the chaplains' office at the academy. Sales benefit the Chaplains Ministry. For more information, please visit our website.

CPD Masses are normally scheduled the 2<sup>nd</sup> and 4<sup>th</sup> Sundays of each month from 1100-1130 hrs at Mercy Home: 1140 W. Jackson Blvd. No matter your faith tradition, **ALL ARE WELCOME**. On-duty worshippers, rest assured: you'll be out in 30 minutes.

See you on the street,

Fr. Dan Brandt, Chaplain—312-738-7588 (office) or 773-550-2369 (cell/text) or [dan.brandt@chicagopolice.org](mailto:dan.brandt@chicagopolice.org)

### Illinois Special Summer Games Conquerors Excel!!

The Special Olympics Conquerors' Swim Team, which is sponsored by Chicago Police Amvets Post 18, performed awesomely in the 2012 Illinois Special Summer Games held at Illinois State University in Normal, Illinois. These games were held June 15-18. They are the largest of more than 175 Special Olympics competitions held in Illinois, and some 3,000 athletes participate in one or more of 6 categories: aquatics, track and field, gymnastics, bocce ball, soccer and power lifting.

Chicago Police Amvets Post 18, spearheaded by John P. O'Malley and Martin A. O'Malley, are year-round sponsors of the Conquerors' Swim Team providing much needed equipment for the physically and mentally challenged and providing great encouragement.

We were indeed very proud when the Conquerors came out of these competitions with 7 Gold Olympic Medals, 5 Silver Olympic Medals, 2 Olympic Ribbons and 4 Gold Medals for a Relay Race. We congratulate the Team for their outstanding performance in the Special Olympics Competition.

### 006th District Sixers Reunion

Join us, Rain or Shine,  
on Sunday,  
August 5, 2012  
9am—Dusk

Calumet Woods Forest  
Preserve; Grove #1  
13600 S. Ashland Ave  
Riverdale, Illinois

B.Y.O.G.F.&B.  
(Grill, Food & Booze)



## "Did G-d Create Evil?" *Compliments of Rabbi Moshe Wolf*

Talking to the troops one night on the street and we had the following discussion. "What is the best defense against temptation? Why do some handle trials and tribulations of life a bit better than others?" It seems some walk around content with their lot in life, while others always seem to be bitter and find it difficult to smile. I responded, "Keeping G-d close to the heart always helps in making the load feel not so heavy." It reminded me of the story of the student and the college professor, "Did G-d Create Evil?"

A University professor at a well-known institution of higher learning challenged his students with this question. "Did G-d create everything that exists?" A student bravely replied, "Yes he did!" "G-d created everything?" the professor asked? "Yes sir, he certainly did," the student replied.

The professor answered, "If G-d created everything, then G-d created evil. And, since evil exists, and according to the principal that our works define who we are, then we can assume G-d is evil."

The student became quiet and did not answer the professor's hypothetical definition. The professor, quite pleased with himself, boasted to the students that he had proven once more that faith in the L-rd and religion were myths.

Another student raised his hand and said, "May I ask you a question, professor?" "Of course", replied the professor. The student stood up and asked, "Professor does cold exist?" "What kind of question is this? Of course it exists. Have you never been cold?" The other students snickered at the young man's question. The young man replied, "In fact sir, cold does not exist. According to the laws of physics, what we consider cold is in reality the absence of heat. Every body or object is susceptible to study when it has or transmits energy, and heat is what makes a body or matter have or transmit energy. Absolute zero (-460F) is the total absence of heat; and all matter becomes inert and incapable of reaction at that temperature. Cold does not exist. We have created this word to describe how we feel if we have no heat."

The student continued, "Professor, does darkness exist?" The

professor responded, "Of course it does." The student replied, "Once again you are wrong sir, darkness does not exist either. Darkness is in reality the absence of light. Light we can study, but not darkness. In fact, we can use Newton's prism to break white light into many colors and study the various wave lengths of each color. You cannot measure darkness. A simple ray of light can break into a world of darkness and illuminate it. How can you know how dark a certain space is? You measure the amount of light present. Isn't this correct? Darkness is a term used by man to describe what happens when there is no light present."

Finally the young man asked the professor, "Sir, does evil exist?" Now uncertain, the professor responded, "Of course, as I have already said. We see it every day. It is in the daily examples of man's inhumanity to man. It is in the multitude of crime and violence everywhere in the world. These manifestations are nothing else but evil.

To this the student replied, "Evil does not exist, sir, or at least it does not exist unto itself. Evil is simply the absence of G-d. It is just like darkness and cold, a word that man has created to describe the absence of G-d. G-d did not create evil. Evil is the result of what happens when man does not have G-d's love present in his heart. It's like the cold that comes when there is no heat, or the darkness that comes when there is no light."

The professor sat down. The young man's name...Albert Einstein.

The moral of the story...A little faith, a little prayer, a little spirituality goes a long way in helping to nurture the heart. As the saying goes, "If you have questions, ask G-d. If you don't, thank G-d".

On behalf of all your Chaplains, May G-d bless you, keep you safe and always keep you in His loving care. Amen.

If you ever need a shoulder to lean on or if you wish some company for a ride-along, don't hesitate to give us a call.

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

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

Name: \_\_\_\_\_ Star Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
(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**

**STORE HOURS:**

MON-THURS, 9:00 – 5:00  
FRIDAY, 9:00 – 4:00  
SATURDAY, 9:00 – 1:00

**STORE CLOSED:**

JULY 4, 2012

**DIRECT LINE:**

312-733-2344

**NEW WEBSITE:**

WWW.FOPGIFTSHOP.COM

## T-Shirt Of The Month

CPD Motorcycle Unit  
Sizes S—3XL

**30% OFF**

The FOP Picnic is on Wednesday, July 18, 2012 at Gaelic Park. We have a larger tent this year so our famous “Bargain Bin” will be more accessible. The Bargain Bin opens at Noon!

New this year, the FOP Store will be open, just in case you cannot make the Picnic. As always, we have great sales at both the Picnic and the Store!

**BACK IN STOCK!**

2012 NATO Challenge Coins—**\$10 each**

2012 NATO Pin—**\$5.00**

2012 NATO Tee Shirts (3 designs)—**\$11.95** (s—xl) **\$12.95** (2xl) & **\$13.95** (3xl)

16oz double wall plastic cup with screw on lid and straw in asorted colors—**\$6.95 ea**

**NEW ITEMS!**

**25% OFF** Beach Towel with CPD Star in white or navy.  
Was \$24.95, now **\$18.71** while supplies last

Moisture management tee shirts in navy, grey, and two-tone navy/white with CPD Star on the left chest. Available in small—2xl. Great when you wear your vest.  
Only **\$14.95** each

CPD District & Old Area coffee mugs. A great souvenir of the place you now work, or used to work. Only **\$10.95**. Coming soon, new Areas and custom mugs.

**VACATION SPECIAL!**

All miniature CPD Star lapel pins on sale! Each was \$3.00 or 2/\$5.00  
Now **\$2.00** each, all ranks

**Health Evaluations From Interactive Healthcare Solutions**

For about fourteen years now, Interactive Healthcare Solutions, (IHS) has been offering health screenings for FOP members and their families. This is an amazing tool to use to become more proactive with your health. The tests results are welcomed at your doctor's office and may save your life.

According to the most current “report card” provided by IHS, 190 people from previous IHS evaluations were screened for Cholesterol above 200 at the last health fair. Of the 190, 116 improved! Same kind of results for Triglycerides above 200; of the 79 tested, 55 improved! On the other hand, of the total 1,388 people tested, 174 tested with abnormal conditions, indicating illnesses like heart disease, cancer and thyroid disease. The results speak for themselves.

As if that wasn't enough of an incentive for you to schedule your tests, did you know that you can use your “Wellness” benefit (\$600 annually) to pay for the evaluation? So can your dependents.

**Here is the schedule for the upcoming health fairs:**  
**July 19—20, 2012—010th District, Ogden, 3315 W. Ogden**

To schedule an appointment for yourself and/or eligible family member (age 18 and above), call IHS at 1-800-840-6100. Active employees and family members—please have your insurance card ready. You will need your insurance card ID number.

## FOP Days At Six Flags Great America!

August 1 — 5, 2012

2012 General Admission \$59.99  
Our Tickets Are Only **\$30.00**  
**Each!**

On Sale Now At The FOP Gift Shop!



Ours Is the  
Best Deal In  
Town For These  
Dates!  
Don't Wait, We  
Only Have 500  
Tickets Left To  
Sell!



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**JULY 2012**  
**IS YOUR ADDRESS CORRECT?**  
IF NOT, PLEASE CONTACT THE LODGE.

### **The Fraternal Order of Police Chicago Lodge No. 7's Annual Golf Outing**

#### **New Location!!**

Cog Hill Golf and Country Club  
12294 Archer Avenue, Lemont, Illinois

Monday, August 27, 2012  
Shot Gun Start: 9am

\$400 per foursome includes:

- 
- Golf
  - Cart
  - Complimentary Bag Drop
  - Complimentary Range Balls, Before Golf
    - On Course Lunch
  - Complimentary Locker & Towel Service
  - Refreshment Stand With Cold Drinks & Snacks
  - Dinner—Eagle BBQ With Pig Roast

### **F.O.P. Picnic For Members & Their Families**

(Current FOP ID Card Required)

Wednesday, July 18, 2012  
10 am—6 pm

#### **Gaelic Park**

6119 West 147th Street, Oak Forest, Illinois  
708-687-9323

Come And Enjoy...

FREE Ice Cream & Beverages    FREE Candy & Prizes  
FREE Carnival Rides For All Ages    FREE Music & Dancing  
FREE Tables Provided (Limited Quantities...First  
Come...First Served)    Best Tent or Shelter Decorating  
Contest    Shop At The FOP Gift Shop While There

Gaelic Park Does Not Offer Food Services, So Bring A Tent  
For Shade, A Cooler, A Picnic Lunch, The Grill & Lawn  
Chairs For The Perfect Pic-  
nic Experience.

For information on this  
event, please contact  
Frank DiMaria at  
312-733-7776.

