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2013

# F.O.P. NEWS

Official Publication of Chicago Lodge No. 7 -  
1412 W. Washington Blvd. Chicago, IL 60607-1821 Phone: 312-733-7776 FAX: 312-733-1367  
www.chicagofop.org



FOP, Chicago Lodge 7  
1412 W. Washington Blvd.

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

Attorney Clint Krislov will be attending the North-Side Retirees Luncheon to discuss and answer questions regarding the upcoming, "City of Chicago v. "Korshak" Retiree Healthcare Litigation".

The next, "Northsider's Luncheon", will be at Biagio's Superosa, located at 4240 N. Central, on Tuesday, 16 July 2013, from 12:00 p.m. to 2:00 p.m. This is for active and retirees...

Kindly contact me, and RSVP by Monday, 15 July, so I can give the restaurant a head count.

Paul Vitaioli Cell: 312-402-1040  
email: p.vitaioli@comcast.net  
Retiree Committee Chairman

## President's Report, *By Michael Shields*



Last month, FOP Financial Secretary Rich Aguilar wrote an article about our recent 6<sup>th</sup> & 7<sup>th</sup> workday case involving the NATO Summit week last year in Chicago. The article was critical of Superintendent McCarthy, mainly because the Department tried to hide the outcome of the same arbitration won by the Lieutenants' union. Additionally, the Superintendent chose not to honor that arbitration award and instead decided to pursue a frivolous court challenge in what appears to be an attempt to prevent the FOP from using the case.

I want you to know that a good deal of thought and discussion went into Rich Aguilar's article and we do not routinely put articles in our newsletter that are personally critical of Department leadership. We understand that the Chicago Police Department is a paramilitary organization and, as such, chain of command and respect for supervisory officers are important parts of our job. But respect is a two way street. And I do not believe that Superintendent McCarthy has much respect for the Fraternal Order of Police. The Superintendent was upset about the article and told me that FOP was being amateurish and not being professional. I countered by telling him that the FOP had no interest in mudslinging, and asking him why he doesn't honor the contract and pay the officers that worked a 6<sup>th</sup> or 7<sup>th</sup> workday. After all, the Lieutenants' contract language is identical to ours. McCarthy told me that he would respond once he reads the arbitration award. Well, that arbitration award came out months ago, and the article came out last month, and still we have no response from Superintendent McCarthy. Like I said, respect is a two way street.

We used to attend monthly meetings with the Superintendent in his office. At the last three meetings, the Superintendent has been a no-show. No notice. No explanation. Our last two scheduled meetings have been cancelled by the Superintendent's office. We have not been rescheduled. The FOP Field Reps that do regularly attend the meetings feel like they are a waste of time. We ask questions, they promise answers, nothing happens – except the repeat next month. Brothers and Sisters, it has gotten old, real old. We have repeatedly invited the Superintendent to come to contract negotiations, and though we have met many times with the City, Superintendent McCarthy has never once been in attendance.

I was at the Police Awards luncheon last month and I heard Rahm Emanuel and Garry McCarthy tell everyone there how the CPD was the best police department in the world. They basked in the afterglow of NATO and told us about the ongoing double digit crime reduction. Superintendent McCarthy surprised us all with the great news that crime is down to its lowest levels since Lyndon Johnson was President.

It is real easy to take credit for a job well done, for a lower murder rate, for a lower overall crime rate. But it's tough to stick your neck out and say the troops who helped you achieve this success deserve a raise. June 30, 2013, marks one year that we will have been working without a contract. We have no financial proposals, nor does the Fire Union. We received only ten percent in raises from 2007-2012. We have been downsized. We cost the City less money. We do so much more now with far less manpower. Superintendent, I ask you, can you not help us? Our members have stood up for you. It is time for you to stand up for us.

### Legislative Update

The legislature adjourned the Spring session unable to agree upon changes to the State's retirement systems' funding or benefit structures. The final days of the session were more hectic than expected, with the introduction of many new initiatives for the first time. Among these were initiatives by the City of Chicago to take a holiday from contributing the Actuarially Required Contribution (ARC) to the Teachers Pension Fund (See SB 1920) and to avoid implementation of ARC funding for the Police Pension Fund for many years. (See HB 3088 and S.A. #2). We forcefully argued that further delay in proper funding would exacerbate

*(Continued on page 2)*

## Inside this issue:

Constitution and By-Law Amendments P. 3

Meet Richard Schnadig P. 6

FOP Golf Outing P. 8

Father's Day Store Sale P. 11

FOP Picnic Back Page

## President's Report Continued...

the already dangerous pension underfunding. Fortunately, common sense prevailed and the City's attempts to "kick the can down the road" failed.

After adjournment, several meetings with legislative leaders, and intense media criticism, the Governor called the legislature into special session last week to attempt to reach a consensus regarding Pension Reform. Recognizing that the issues regarding "Pension Reform" and the concomitant constitutionality thereof could not be easily reconciled, the leaders appointed a conference committee comprised of ten members (6 Democrats and 4 Republicans). The committee is due to report its progress to the legislature by mid July.

One of the purposes of this article is to attempt to provide you with the highlights of the Spring session with an emphasis on the last month. During this session, many bills were introduced to negatively impact the manner in which Public Sector unions could represent their members, while others focused exclusively on pension "reform". The following bills are a sampling of those that the lodge has monitored and sought to impact:

HB96	an attempt to close State Pension Systems failed
HB116	an attempt to disallow pension service credit for union employees failed
HB131	documentation of Taser Use by Law Enforcement was diminished to a study of training standards—passed both houses, sent to Governor
HB182	requirement that Contract Negotiations fall under the Open Meetings Act failed in Committee
HB183	Concealed carry Bill that passed, FOP remained neutral (passed both Houses)
HB958	enhances penalty for Domestic Battery for third offense, make it a Class 4 felony
HB1199	limits the use of tracking devices on automobiles (passed both Houses)
HB1346	became the large capacity magazine bill on 31 May and lost 28-31
HB1372	if passed would delay diversion of state money if City fails to pay into the pension
HB2764	allows for the City to place Billboards more frequently along highways – significant value to City
HB2893	initiates "Blue Alert" system for cop killers much the same way "Amber Alert" works (Martwick and Mulroe)
HB3006	allow for retired P/O's and Civilians to serve summonses in the City – defeated...see SB2318
HB3035	Amendment mandated Zero Tolerance for Alcohol for Police – amendment removed... see SR337
HB3088	City request to delay pension contributions into Police and Fire Pensions relative to the ARC by 7 years, passed out of Committee with the understanding that it be held as long as Unions and City negotiate over issue;
HB3139	allows for electronic transmission of proof of insurance
SB1	State Pension Reform bill that lost in the Senate by a vote of 16-42
SB35	Sen. Biss' bill for Pension Reform that lost in the Senate 23-30
SB450	FOP/CFD Local 2 sponsored bill to "smoke out" the City on their intentions for the Retiree Health Subsidy
SB1006	vastly watered down version of all the bills introduced to require recordings of all or some Felony interrogations in the state...requires doing so in several cases of interrogations of juveniles when practicable
SB1245	started out as a definition of catastrophic injury alleviating the public employers responsibility to provide pensions/benefits, turned into a study to be overseen by COGFA and various associations including us
SB1584	extends deadline for Pension Fund Health Care Subsidy till 31 Dec '16 or until the City no longer provides Health Care for annuitants...this bill has been badly misinterpreted based on the House republican Analysis
SB1653	Our Police Suicide bill passed out of the Senate and was assigned to Rules in the House, both bills were held due to the potential cost factor to the State
SB1693	our bill to allow for Police to use their work address as their home address on their DL/ State I.D. on way to Gov
SB1920	this bill would have allowed the City of Chicago to continue not paying into the Teachers retirement fund for another 2 years as they have not for the past 3 years, lost 39-78.
SB2231	sponsored by the Memorial Fund and will enhance penalties for defacing memorials
SB2318	the more palatable version of HB3006 in that it allows only active and retired P/O's to serve Summonses
SR337	Directing the Police Training and Standards Board to establish a standard for impairment due to alcohol for Law Enforcement.
HJRC A11	An amendment to the Constitution removing the Pension guarantee was never addressed on either floor

## 1st Vice President's Report by Bill Dougherty



### Another Slip and Fall Arbitration Award

The grievant has been employed as an officer for 26 years and was assigned to Mass Transit. The grievant was on duty when she received a disturbance call on a CTA Platform. It was a cold and snowy day and when the grievant exited the vehicle she had to go over a mound of snow. The officers checked the platform and returned to their car. The grievant while entering the car, stepped on the mound of snow and slipped causing her knee to hit the car door. The officer reported the injury to her Sergeant and her partner completed a witness report. The officer was taken to Mercy Hospital for medical attention.

Approximately three weeks later the officer received a letter from the Committee on Finance (COF) that her IOD was denied. The officer testified at the hearing that she has \$1000s of dollars in bills that haven't been paid. At the hearing the COF Director stated that getting in and out of a vehicle does not put the grievant at a greater risk than the public. The Director testified that if the officer would have been running to an emergency that would be different.

The Union argued that again the COF did not conduct much of an investigation. They didn't go to the scene and they didn't talk to either of the officers. The Union also argued that the officer was engaged in her work as a police officer, serving the public and responding to these disturbances is part of her duties. The arbitrator sustained the grievance and ordered the City to code time off as IOD, pay bills and give recurrences as needed.

The interesting thing about the award is that the arbitrator spelled out that it is the City's responsibility, not the officers to conduct a proper investigation when someone is injured on duty and that simply looking at an IOD report was clearly unreasonable. Because the City failed to conduct a sufficiently extensive investigation to gather all the facts necessary and relevant to the resolution, the grievance was sustained. The City did not have enough credible evidence about what happened during the inci-

dent to determine whether the grievant's IOD claim should be sustained or denied.

### Coughlin, Kukankos and Cook - Subrogation Letters

Whenever medical treatment resulting from an accident is submitted to Blue Cross/Blue Shield for payment from a medical provider, it prompts a letter to the officer from the law firm of Coughlin, Kukankos and Cook. This letter serves as notification from the City that they are invoking subrogation rights. This means that the City can recover any monies that they paid for medical treatment. In addition to the letter, you will find a questionnaire requesting certain information regarding the accident such as: whether or not you have retained an attorney to sue; if an insurance company of another party is responsible for payment; whether there is any other means of recovery. This questionnaire must be filled out and returned or payment of benefits may be withheld.

### 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 or is contacted by bill collectors the officer should contact the Lodge to file a grievance as soon as possible.

### Constitution and By-Law Proposals

The Constitution and By-Laws Committee has received two proposals for amending our Constitution. Both proposals were tendered properly through the Secretary and were addressed at the June Board of Directors Meeting. The proposals for which parts that would have been removed are in bold are:

#### Article IV- Board of Directors

The Board of Directors shall be composed of the Lodge President, the Immediate Past President, the 1st, 2nd **and 3rd** Vice Presidents, Recording Secretary, Financial Secretary, Treasurer, three (3) Sergeants-At-Arms, and seventeen (17) Trustees.

#### Article IV -Board of Directors

The Board of Directors shall be composed of the Lodge President, the Immediate Past President, the 1st, 2nd and 3rd Vice Presidents, Recording Secretary, **Financial Secretary**, Treasurer, three (3) Sergeants-At-Arms, and seventeen (17) Trustees.

### Departed Brothers and Sisters

Andrew J. Wise, Sr.

Walter J. Murphy

Raymond A. Downes

Terence E. Mathews

John J. Reyes, Jr.

Isidore Williams

Richard H. Deckman

Daniel D. Franklin

Otto C. Stuparitz

## 2nd Vice President's Report by Frank Di Maria



### FOP Picnic

The 2013 FOP Picnic will be held on 17 July 2013, at Gaelic Park, 6119 W 147<sup>th</sup> St, Oak Forest, Illinois from 1000 hrs – 1800 hrs. There will be inflatable and carnival rides along with beverages, candy ice cream and prizes. Tables will be provided on a limited availability. The FOP Gift Shop will be moving to Gaelic Park for the day. So bring a tent for shade, a cooler, picnic lunch, a grill, and some chairs for the perfect picnic experience. Gaelic Park does not offer food service.

### 2013 Fishing Tournament

A correction has been made from the June 2013 Newsletter. The 2<sup>nd</sup> Place winners of the 2013 FOP Fishing Tournament are: Joe Incaprera & Tony LaFata. We are sorry for any inconvenience.

### Policy Changed and History Made Right

Until recently, unless a Chicago Police Officer was killed by violent means (knife or gun) or by the hand of another, these Police Officers did not qualify for the benefits or the honor of Line of Duty Death. Police Officers who were injured and suffered complications resulting in death or suffered massive heart attacks while attempting to affect an arrest or were killed in a auto accident while performing their official duties were not granted the benefits and honors including retiring of their star. It did not matter that the Officer was performing their duty Serving and Protecting the citizens of the City of Chicago. The policy and guidelines of the Chicago Police Department has changed over the years regarding the requirements to be considered for Line of Duty Death.

On 25 June 2013, I had the privilege to attend the Superintendent's Honored Star Case Ceremony where seven (7) historic names and stars of Chicago Police Officers who were killed in the Line of Duty were retired. Some of the honorees' deaths date back over 100 years. Many of their families were in attendance as these overdue honors were finally bestowed, giving the families some closure. Listed below are the Chicago Police Officers whose names and stars were placed in the Superintendents Honored Star Case:  
PO Francis Williams Star# Unknown EOW 27 March 1891

Sgt Michael Twohig 392 EOW 4 November 1930  
PO Edward Healy Star Unknown EOW 9 September 1937  
Detective Martin Moylan 1112 EOW 17 May 1952  
PO Zollie Reiger 5517 EOW 13 January 1958  
PO Casey Tristano 5086 EOW 13 March 1970  
PO Thomas Gesiorski 5462 EOW 26 December 1977

To the families of these Chicago Police Officers an overdue thank you for their Service. **WE WILL NEVER FORGET!**

### Parole Hearing for a Cop Killer

The Lodge was notified of the en banc hearing before the Illinois Prisoner Review Board on 27 June 2013, for the convicted murderer of PO Edward Barron #14873, 004<sup>th</sup> District EOW 28 September 1973. Twenty-five Chicago Police Officers, a Representative from the Chicago Police Memorial Foundation, and I traveled in the early morning hours by bus to Springfield to attend the en banc hearing. We arrived at the Board's Office, each of us identifying ourselves and advising the Board that we were here to protest any possibility of release of the convicted inmate. The case was presented by the hearing officer. An Assistant Cook County State's Attorney reinforced our issues of protest and the inmate's attorney presented their case. After further discussion the Hearing Officer made a motion to release, which was properly seconded and a roll call vote was taken with the result of a tie 7-7, and the motion failed. The inmate's case is now continued for another year and will remain in custody.

I would like to thank the Officers who attended the en banc hearing, the Memorial Foundation for supplying the bus and the many Police Officers and citizens who assisted with the protest.

### Parole Information

The Lodge has assisted and supported the family of Hillside Police Officer Anthony Raymond, EOW 1 October 1972, in the past with circulating and obtaining signatures on petitions to deny parole for PO Raymond's murderers before the Illinois Prisoner Review Board. I was recently notified that the last living convicted murderer died while in prison on 20 June 2013, serving his lawful sentence. This 41-year battle and ordeal is finally over for PO Raymond's family.

**WE WILL NEVER FORGET!**

## From your Disability Chairman Tina Perilli...

### While on the Medical Roll

At some point during your career, it is likely that you will get sick or injured and have to go on the medical roll. When this happens, it is important to know all of your benefits. Every active officer is entitled to the same amount of medical time. This is equal to 365 days of medical time for each Injury on Duty and 365 sick-days within a 2 year period. It is important to keep track of the medical time you have used so that you can prepare for either a return to duty or the possibility you may have to apply for disability benefits.

While on the medical roll, you should prepare for the possibility that you will need to apply for disability benefits. While it may seem that applying for disability benefits is putting an end to your career, keep in mind that many officers return to duty, off of disability. The benefits are provided to give you an opportunity to rehabilitate yourself to resume your career.

**Take into account that if you apply for disability benefits, there will be a period of time when you are without income.** That period of time can last for a minimum of 6 weeks to several months. It is advisable that you use your time on the medical roll to prepare for this hardship. By planning ahead, you can be prepared to bridge the gap from active pay to disability benefits.

Until next month, enjoy the warm weather, take care of yourself and be safe out there!

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



### An Alderman's Day in Court

It's been reported in major Chicago media outlets that Alderman Roberto Maldonado accused an officer of being a racist after the alderman was issued a moving violation in the 014<sup>th</sup> District. This City and the Department have made so much progress erasing racial divides that even some of the alderman's own supporters have posted comments on social media challenging his reaction to the traffic stop, "pulling the race card", and "If I can get a ticket, so can Alderman Maldonado".

A Sun-Times article last modified on June 8<sup>th</sup> (which can easily be found with an internet search) quotes the alderman as saying to one officer, "*Officer, you have a lot of time on your hands. The violence we have in our community, yet you have to stop me for this minor traffic violation?*" The alderman calls the stop a "*petty offense*". Maybe so, but I'm guessing this alderman hasn't heard of the "Broken Windows" theory.

The alderman was pulled over for breaking the law, he made mention of his "aldermanic office," and he told each officer that he was "*going to call the Commander*" (a common threat hurled at police). Aren't Aldermen held to some type of professional standard?

He then describes one officer as "*belligerent and disrespectful*" and having a "*racist attitude*". Well, what exactly is a "racist attitude"? I'm reading and re-reading this Sun-Times piece and I'm still trying to find where "race" comes in. The next scheduled court date for the moving violation is July 29<sup>th</sup>, 2013, 0900 hrs., Traffic Court, Room 408.

### Take the Celebrations to the Streets

The month of June called celebrations to be taken to the streets. One being the championship Blackhawks bringing the Stanley Cup back to Chicago and the other is the end of employment for the Independent Police Review Authority's (I.P.R.A.) Chief Administrator, Ilana B.R. Rosenzweig, who we hear has travelled to a land where flogging by the police is authorized.

Under Chief Administrator Rosenzweig, officers have served many days of suspensions, lost wages, and worse, broken households. The Lodge has also expended resources and members' dues defending allegations of misconduct which the Superintendent of Police had recommended "Not Sustained" findings!

When an allegation of misconduct is received by the I.P.R.A., a CR number is generated and then investigated by an Investigator. Affidavits are signed, interviews are conducted, evidence is collected, and the accused are given administrative rights who are then required to give compelled statements which can be used against them. As some officers are no strangers to CR numbers, the investigations can take years and the officers have gone through multiple career changes within the Department.

If the CR investigation leads to a "Sustained" finding by the civilian investigator, I.P.R.A. recommends a penalty to the Department which then is reviewed by four exempt rank

members in the Command Channel, each either can concur or not-concur. In instances of a non-concurrence, the Superintendent then forwards a report to I.P.R.A.'s Chief Administrator providing such input as the accused officer's work history, disciplinary history, complimentary history and the Superintendent's own professional opinion. To the Superintendent's credit, most of the non-concurrences that we have been seeing are for a reduction in penalty, even alternate findings of "Not Sustained".

One would think that Chief Administrator Ilana Rosenzweig, a civilian, would honor the Police Superintendent's input and other professionals within the Command Channel, but that's not the case. Instead, Rosenzweig maintained the practice of over-riding the Department by sending the CR to a three person panel at the Police Board for a review, which in most cases, agreed with the I.P.R.A.

Who Ilana Rosenzweig's successor will be remains a mystery. We hope that the next Chief Administrator of the I.P.R.A. is one with a sense of reason, one who is aware of what police face day to day in some of the most ruthless communities literally on this earth, one who realizes Chicago is not the City of Angels and one who knows that, "please and thank you", doesn't necessarily work in every police action, especially "10-1" situations.

### 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:

Antwon Carter "Pro-Se" - charged in the murder of  
**Officer Michael Bailey**  
July 8<sup>th</sup>, 2013, Room 602, 26<sup>th</sup> / Cal, Judge Sacks

Robin Johnson - charged in the murder of  
**Officer Richard Francis**  
July 8<sup>th</sup>, 2013, Room 302, 26<sup>th</sup> / Cal, Judge Gainer

Paris McGee, Toyious Taylor, Marcus Floyd - all charged in the murder of  
**Officer Thomas Wortham IV**  
July 10<sup>th</sup>, 2013, Room 606, 26<sup>th</sup> / Cal, Judge Porter

Timothy Herring Jr - charged in the murder of  
**ET Mike Flisk**  
July 16<sup>th</sup>, 2013, Room 404, 26<sup>th</sup> / Cal, Judge Brosnahan

Bryant Brewer - charged in the murder of  
**Officer Thor Soderberg**  
July 18<sup>th</sup>, 2013, Room 602, 26 / Cal, Judge Sacks

Christopher Harris and Kevin Walker - both charged in the murder of  
**Officer Alex Valadez**  
July 22<sup>nd</sup>, 2013, Room 207, 26 / Cal, Judge Alonso

Edgar Colon and Tyrone Clay - both charged in the murder of  
**Officer Clifton Lewis** August 1<sup>st</sup>, 2013  
Room 206, 26 / Cal, Judge Rosemary Higgins

## “Meet Richard Schnadig” by Financial Secretary Rich Aguilar...



Over the past few months, on several different occasions, I have had the displeasure to meet an attorney who is allegedly a Special Assistant Corporation Counsel for the City of Chicago. This attorney refers to himself as Dick Schnadig. I use the phrase “allegedly a Special Assistant Corporation Counsel” because a recent response from the

City to a Freedom of Information Act request submitted by the Lodge indicates that Mr. Schnadig has not received any salary or monies from the City of Chicago.

Now I don't know why a seventy-four year old attorney would work for free, but here is what I do know: In 2010, Mr. Schnadig was one of the Vedder Price PC defense attorneys assigned representing a drug company called Novartis Pharmaceutical Corp in a gender-bias class action lawsuit that was filed against Novartis. A jury heard the case and the female class of plaintiffs were awarded \$250 million in punitive damages. Many wondered why this case went to trial instead of settlement. What follows is an excerpt from an article entitled *Legal Briefing: Did Sexist Closing Hurt Novartis in Discrimination Case?* Written by [Abigail Field](#), and appearing at <http://www.dailyfinance.com/2010/05/20/legal-briefing-sexist-closing-hurt-novartis-discriminati/> on May 20th 2010:

*The Am Law Litigation Daily's Susan Beck had a theory, one that underscores what the plaintiffs were talking about: Novartis and its lawyers just didn't get it. The defense's closing argument was laced with sexist stereotypes and must have left jurors with the impression that the company really didn't respect women.*

*Beck cites portions of the statement where the defense tries to discredit the 12 women who testified about discrimination, ranging from being discouraged from having children, being pressured to have an abortion, and being punished for reporting a rape -- in addition to groping, sexual comments, and other sexist behavior. How did the defense go after these witnesses' credibility? By portraying them as "overly emotional, lying, hysterical women."*

*In support of that critique, Beck includes these choice quotes from Vedder Price partner Richard Schnadig's closing argument: "I've never seen anybody cry so much on the witness stand in my life.... She didn't have very much to cry about.... It's like she had been knifed. Honestly. What was wrong with this woman? She was so fragile."*

*That woman was "a troubled person" among several "troubled, troubled" witnesses, including another who was a "troubled" liar, whose testimony was "highly emotional" and "ridiculous." Schnadig described another witness as "that little blond that came up here from Texas."*

*Beck's piece has a link to a Word document of the closing argument. Of all the derogatory comments she cites (Beck has more in her article), I think the "little blond that came up here from Texas" was most damning because it's so gratuitously demeaning, doesn't apply to*

*the women's credibility or serve any other substantive purpose. What exactly was he trying to convey about the witness' testimony with that characterization?*

*... the overall tone is just so condescending to the women it's hard to imagine Schnadig had a clue how it would come off.*

This may look like an attack of Mr. Schnadig, but let me assure you, it is not. I am merely pointing out the tactics that Mr. Schnadig still employs today. In my opinion, he still doesn't get it. Here are some examples of his behavior in recent FOP cases. Mr. Schnadig represented the City at an arbitration where an Officer's bill was placed in collections and he suffered harm to his credit rating due to the City's non-payment of IOD bills. While speaking to the arbitrator, Mr. Schnadig referred to the Officer as a “whiner” because his credit rating did not suffer all that much. Mr. Schnadig represented the City in another arbitration regarding payment for working the sixth and seventh consecutive workday. Mr. Schnadig's witness referred to a meeting 20 years ago with FOP Past President Bill Nolan where Nolan allegedly stated that a sixth or seventh workday could be any day of the week. The Lodge was given a continuance to have Past President Nolan testify. Nolan said that he never made the statement when he was cross-examined by Mr. Schnadig. Mr. Schnadig, not hearing what he wanted to hear, now became condescending and attempted to discredit Nolan by characterizing him as only a political figurehead that did not have dealings with the day to day operations of the Lodge. To Past President Nolan's credit, he did not take the bait and promptly put Mr. Schnadig in his place.

Finally, Mr. Schnadig recently represented the City in an arbitration regarding an Officer being carried Absent Without Permission for eleven days and the Officer not being paid for those days. This Officer was in the Philippines for his annual furlough. The Officer had requested to extend his furlough beyond the normal furlough extension period. His extension was denied. Just prior to his scheduled return, he was hospitalized with a heart condition (unstable angina) and advised by a physician that he could not travel without risking a heart attack. The Officer supplied the required documentation to the Department. IAD was assigned to investigate a CR number that was issued when the Officer did not return at the end of his furlough. The CR investigation was classified as Unfounded. During the arbitration hearing, Mr. Schnadig ignored IAD's Unfounded finding as he again became condescending to the Officer and implied that his heart attack was “convenient.”

Well, Mr. Schnadig, the joke is on you. The Officer passed away this week from the very same heart condition that caused him to be unable to report for work. I am certain you would simply dismiss his demise as being “convenient” in order to prove his case. You can advise the City to make the check out to his estate when the arbitrator rules in his favor.

If I could only use one word to best describe Mr. Schnadig what would it be? Crotchety? Cantankerous? Difficult? Argumentative? I could use any of the above, but I sincerely believe his nickname sums him up best.

## From the Desk of Jim McCarthy, Field Representative



### Disciplinary Case heads to the Illinois Appellate Court

Way back in March of 2006, on the far Northwest side, three of our members were confronted by a four-time convicted felon, while off-duty. An altercation ensued where the convicted felon did not fare so well, and as result was placed under arrest. Immediately following the incident, the offender/scholar was arrested and just like every other hard core gangbanger, he filed a complaint with IPRA. The marathon IPRA investigation that followed took four years and three months to complete.

Based on the findings of the investigation and on the word of a four-time convicted felon, all three officers were sent to the Police Board for a hearing. The Police Board eventually issued a finding terminating the employment of two of the three Police Officers. The Police Board’s decision was appealed to the Circuit Court of Cook County and was heard by Cook County Judge Kathleen Pantle. Judge Pantle reversed the Police Board’s decision holding that the amount of time in between the March 24, 2006 incident and the July 2010 dismissal notice was unreasonable and prejudicial to the officer’s case. The judge further held that the practice of carrying out disciplinary investigations over the course of several years was in violation of City Ordinance. Under the IPRA City Ordinance, all police misconduct cases must be resolved, “fairly and timely.”

Despite the lackluster and unlawful investigation, the City appealed the Circuit Court Order to the Illinois Appellate Court. Corporation Counsel filed a brief on behalf of the Department, outlining why Judge Pantle’s Order should be overturned and the Police Board decision restored. One of the attorneys representing one of our members was kind enough to send me the brief submitted by the City. After reading the City’s brief, I wasn’t sure if this was a brief prepared by a City attorney or the People’s Law Office. At the center of the incident, is the complainant Obed DeLeon, who is a four-time convicted felon and future CeaseFire employee. In addition to his stellar community service, the complainant is a member of the Spanish Cobra street gang. According to the City’s brief, this fine individual was in the midst of turning his life around when the incident took place. The City’s brief states, “DeLeon testified that at the time of the incident, he was getting tattoos removed because he was no longer affiliated with the ‘Spanish Cobra’ and he was merely on his way to get food for his pregnant fiancé.” Sounds like a great guy. The City also found it legally relevant to mention the fact that “DeLeon did not have a gun, nor did he own one.” Newsflash City lawyer, legally, he is forbidden from owning a weapon because he’s a four-time convicted felon. Notice how the City attorney never told the court that “he never” owned a weapon.

As hilarious and ridiculous as the aforementioned may sound, it only gets worse. Section 2-57-160 of the Municipal Code states that IPRA investigations must be conducted “fairly and timely.” The City actually argued that the word “timely” does not impose any deadline whatsoever. More specifically, the brief states, “As for section 2-57-16, it states a public policy of resolving complaints ‘fairly and timely’, but the general word ‘timely’ does not impose any deadline even for IPRA, much less

a deadline for the Superintendent to bring charges.” Wow! Using City logic, I guess a synonym for the word “timely” would be “infinity”. The City goes on to argue that even if the officer’s due process rights were violated, they can’t show injury. Specifically the City writes, “even if the provisions were applicable, petitioners cannot show that failure to abide by them denied them due process. The record is devoid of any evidence that petitioners suffered substantial and actual prejudice from the gap between the incident and charging. The Circuit Court’s determination to the contrary was impermissibly based upon its speculation of what petitioners might have done to obtain evidence if charged sooner, rather than petitioners’ actual failed efforts, or even their arguments, and was therefore legally erroneous.” In other words, Judge Pantle got it wrong because the officers can’t prove that although their due process rights were violated, they were harmed. Such a concept defies common sense, as well as United States Supreme Court precedent. In a case before the court, former Supreme Court Justice Brennan wrote the following, “Today the Court puts to rest any remaining debate over whether public employers must provide meaningful notice and hearing procedures before discharging an employee for cause. As the court convincingly demonstrates, the employee’s right to fair notice and an opportunity to present his side of the story before discharge is not a matter of legislative grace, but of constitutional guarantee.” It’s a pretty sad state of affairs, when the City bends over backwards and advances the cause of a convicted felon. Yet, won’t lift a finger or even recognize the guaranteed constitutional rights of its own police officers.

### February 2013 Retirees

Name	Rank	Dist.	Yrs
Clark, Gwen E.	Officer	018	19
Deanes, Richard P.	Officer	002	28
Dorsey, Lester C.	Officer	002	25
Eaker, Daniel T.	Officer	050	22
Estrella, Fred S.	Officer	010	24
Finnigan, Helyn I.	Officer	010	22
Flores, Dionisio	Officer	025	22
Fuller, Stephen B.	Officer	018	27
Holmes, Robert D.	Officer	012	18
Jackson, Deborah J.	Officer	009	25
Kennedy, Alphonso	Detective	393	27
Killacky, Sharon L.	Officer	276	26
Koplitz, Donald R.	Sergeant	050	40
Lappe, Christopher J.	Officer	313	23
Lark, Willie C.	Officer	025	28
McClain, Robert E.	Detective	630	31
Miller, Tanya D.	Officer	003	26
Murray, Cecil A.	Detective	620	31
O’Connor, Mary C.	Officer	016	31
Rodriguez, Robert R.	Detective	620	30
Rolon, Tommy J.	Officer	020	25
Scherr, Curtis E.	Explosive Tech	603	36
Short, Brian C.	Officer	022	27
Smith, Dwain D.	Officer	003	28
Steele, Michael L.	Officer	024	27
Steele, Terry	Officer	007	41
Sullivan, Maryanne	Officer	008	23
Woznicki, Izabella M.	Officer	016	17

## Message From Father Dan Brandt, CPD Chaplain



Thanks to the many who made our annual outdoor Fathers Day Mass at Gold Star Families Memorial and Park a tremendous success. It was the best-attended such Mass I've seen, and Mother Nature came through for us as always.

Last month, Police Chaplains Ministry hosted hundreds of **Gold Star Family** members on a luncheon cruise aboard the Spirit of Chicago. It was a first-class outing and a chance to again remind our esteemed guests that the loved ones they lost in the Line of Duty are **NEVER FORGOTTEN!**

**Thank you** to all who financially supported this outing! If you would like to join our mailing list so that you can help us with these worthwhile endeavors in the future, please visit our website, listed below, and click on the appropriate link.

We continue to remember those killed in the Line of Duty (as well as other deceased CPD family members) at the regular **CPD Mass**, celebrated the 2<sup>nd</sup> and 4<sup>th</sup> Sundays of each month (this month, that's the 14<sup>th</sup> and 28<sup>th</sup>) from 1100 -1130 hrs at Mercy Home: 1140 W. Jackson Boulevard. No matter your faith tradition, **ALL ARE WELCOME.**

**Congratulations to CPD Chaplain Kimberly Lewis-Davis**, who after five years of graduate-level study, recently earned her Master of Divinity degree from Chicago Theological Seminary!

**Kudos also to CPD Chaplain Bob Montelongo**, who just celebrated his first anniversary of ordination as a Deacon of the Catholic Archdiocese of Chicago!

Finally, I'd like to call your attention to the **Police Chaplains Ministry website: [www.ChicagoPCM.org](http://www.ChicagoPCM.org)**. 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!

God bless you in your most noble, God-ordained work,

Fr. Dan Brandt, CPD Chaplain

312/738-7588 (office) | 773/550-2369 (cell/text)

[dan.brandt@chicagopolice.org](mailto:dan.brandt@chicagopolice.org) | [www.ChicagoPCM.org](http://www.ChicagoPCM.org)

**JOIN OUR MAILING LIST BY VISITING THE ABOVE WEBSITE.**



## The Fraternal Order of Police Chicago Lodge No. 7's Annual Golf Outing Now Renamed in Memory Of Our Friend Tom Skelly

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

Monday, August 26, 2013

Shot Gun Start: 9AM

\$500 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





## “Just Be There,” Compliments of Rabbi Moshe Wolf

This past Father's Day, our very own Fr. Dan Brandt, Director of the Chaplains Unit, held an outdoor Mass at Gold Star Memorial Park in memory of our 562 fallen brothers and sisters whose names are inscribed on the wall, and to honor the Gold Star Families, and to reinforce our motto that their loved ones are "GONE BUT NEVER FORGOTTEN." Thanks to all who attended, what a great crowd.

Let me share with you a lesson that inspired me most. In back of the crowd stood a gentleman with his hat under his arm and hands together in front of him, head bowed. I did not recognize the gentleman so I walked over to him introduced myself, gave him a piece of candy and asked him where he worked. He answered "Oh, I don't work for CPD, I am a policeman from out of town and I heard about this service, so I came to show my support for my brothers and sisters." He made me choke up for a moment, I shook his hand and we hugged.

The words of the poet came alive, "I came to inspire and left inspired, I came to give strength and left strengthened, I came to give comfort and left comforted." It brought to mind that in life one of the most precious human gifts is to just be there.

"Just Be There"

The Marine walked up to the nurses' station, and before he could say a word she said, "Glad you made it on time, let me show you the way". The nurse took the tired, anxious serviceman to the patient's bedside. "Your son is here," she said to the old man in bed. She had to repeat the words several times before the patient's eyes opened. Heavily sedated because of the pain from his heart attack, the old man dimly saw the young uniformed Marine standing outside the oxygen tent. He reached out his hand. The Marine wrapped his toughened fingers around the old man's limp ones, squeezing a message of love and encouragement. The nurse brought a chair so that the Marine could sit beside the bed. All through the night the young Marine sat there in the poorly lit ward, holding the old man's hand and offering him words of love and strength. He hummed some tunes of the past, not even sure if the old man could hear him. Occasionally, the nurse suggested that the Marine move away and rest awhile or go into the family lounge, but the Marine refused. Whenever the nurse came into

the ward, the Marine was oblivious to her and to the night noises of the hospital – the clanking of the oxygen tank, the laughter of the night staff members exchanging greetings, the cries and moans of the other patients. Now and then she heard him say a few gentle words. The dying man said nothing, only held tightly to his son's hand all through the night. Near dawn, the old man passed away. The Marine released the now lifeless hand he had been holding and went to tell the nurse. While she did what she had to do, he waited. Finally, she returned. She started to offer words of sympathy, but the Marine interrupted her.

"Who was that man?" he asked. The nurse was startled, "He was your father," she answered. "No, he wasn't," the Marine replied. "I never saw him before in my life." "Then why didn't you say something when you came in before I took you to him?" "I knew right away there had been a mistake, but I also knew he needed his son, and his son just wasn't here. When I realized that he was too sick to tell whether or not I was his son, knowing how much he needed me, I stayed. I came here tonight to find a Mr. William Grey. His son was killed in Iraq today, and I was sent to inform him. What was this Gentleman's Name?" The Nurse with tears in her eyes answered, "Mr. William Grey."

The moral of the story....The next time someone needs you ... just be there. Stay. Don't worry that you won't have the right words to say. Because in life, one of the most precious gifts and one of the most comforting that one person can give another is your presence."JUST BE THERE". WE ARE NOT HUMAN BEINGS GOING THROUGH A TEMPORARY SPIRITUAL EXPERIENCE; WE ARE SPIRITUAL BEINGS GOING THROUGH A TEMPORARY HUMAN EXPERIENCE.

On behalf of all the Chaplains, May G-d bless you and keep you safe. Should you wish company for a ride along or should have some good humor to share, don't hesitate to drop us a line.

Have a blessed, safe summer.

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

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

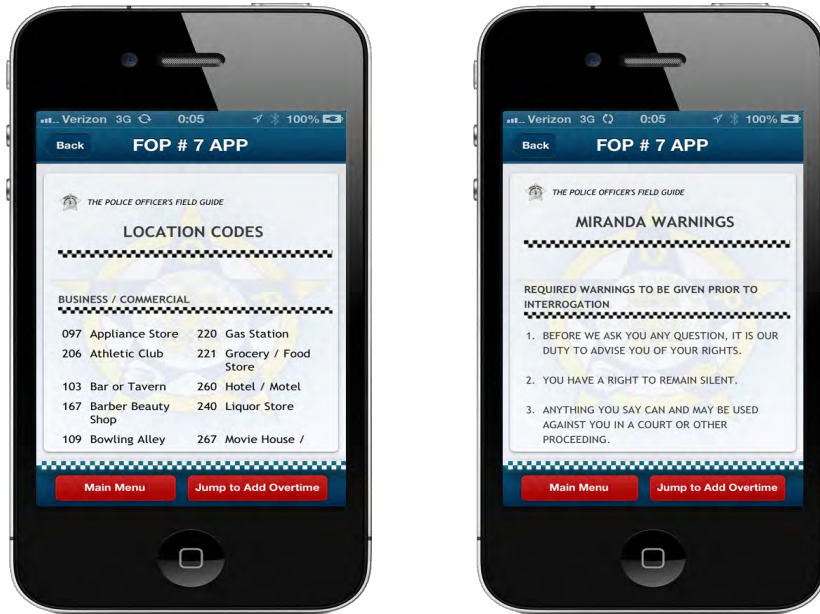
Name: \_\_\_\_\_ Star Number: \_\_\_\_\_ E-Mail: \_\_\_\_\_  
(Last, First, MI)

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**

# Introducing the FOP Chicago Lodge 7 APP!



The new FOP Smartphone Application features all of the resource data from our handbook, plus a calendar programmed specifically to an Officer's schedule and DOG. We also partnered with ChicagoCop.com to integrate the Police Officer's Field Guide. Displayed here are just a few representative screen shots from the APP.

To sign up for the APP and for more information please visit <http://fop7app.com/blog/>. Any questions can be addressed to Saul Del Rivero via e-mail at [saul@chicagofop.org](mailto:saul@chicagofop.org).





# Happy Fourth of July!!

We're moving the FOP store (for just one day) to 6119 W. 147<sup>th</sup> St. Gaelic park for our Annual FOP Picnic. We have some great new stuff this year, including our famous BARGIN BIN.

So meet us there on July 17<sup>th</sup> at 10:00 a.m.

For your convenience, the FOP Gift Shop will be open 9 a.m. to 5 p.m. at 1412 W. Washington.

Don't forget FOP family Days at Great America. Tickets are only \$31.00 each for July 31<sup>st</sup> through August 4<sup>th</sup> 2013. THESE DATES ONLY!! Any other days check out the Credit Union for great prices. Don't wait until the last minute these tickets sell fast. We only have 700 tickets. Purchase as many tickets as you like, no limit. Cash and Credit Card only.

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

**STORE CLOSED:**  
4<sup>TH</sup> OF JULY WEEKEND

**DIRECT LINE:**  
312-733-2344

## Recent FOP Happenings!



National Peace Officers Memorial,  
Washington DC



Mike Shields and Nyls Meredith Star#12547, Valor Award  
Recipient



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**JULY 2013**  
**IS YOUR ADDRESS CORRECT?**  
IF NOT, PLEASE CONTACT THE LODGE.

**F.O.P. Picnic—For Members & Their Families**  
**(Current FOP ID Card Required)**

**Wednesday, July 17, 2013, 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 Quanti-**  
**ties...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 Cool-**  
**er, A Picnic Lunch, The Grill & Lawn Chairs For The Perfect Picnic**  
**Experience**

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