



# THE SHIELD



## OFFICIAL NEWSLETTER OF THE BALTIMORE RETIRED POLICE BENEVOLENT ASSOCIATION

SERVED WITH HONOR

EARLY WINTER 2018

### PRESIDENTS MESSAGE

I want to start this President's Message by wishing everyone a safe, healthy and prosperous New Year. I'm wise enough to know that won't be true for everyone, but I can still wish it for all our retired officers and their families. 2017 saw enough strife among our Brotherhood.

I think we all agree that we need a quiet year.

\* The first topic of this article is our Pension lawsuit as ruled by Judge Rubin on January 2, 2018 (See Mike May's article further in the newsletter for more detail.)

• On January 9, 2018, Mike May, Past-President Nick Caprinolo and myself met with the Attorney of Saul Ewing's office. Mr. Charles (Charlie) Monk, lead attorney, stated in easy terms that, "The Retiree's won, but the battle is not over."

The Baltimore City Government can do the right thing and say, "You won, let's sit down and settle this," but I live in the real world and believe the city will not be so gracious. I think there will be dates as far out as October 2018 where we will still be negotiating.

We have heard your concerns and made it one of the talking points of our meeting to ensure that a retired officer *or their beneficiary* does not lose out on any money that they should have received between August 2010 to the present. We will continue to push this point for you.

*A word of caution:* Do not count on this money yet. Wait until it is official and in your hands (or bank

account) before you spend.

\* I want to thank everyone who participated in our 2017 Raffle. Your generosity continues to amaze us, and your participation will go a long way in helping our members and widows in need.

\* We spoke in our last newsletter about the BRPBA beginning a program in 2017 whereby we help a needy family in the City at the holidays. This past year we helped a family at Thanksgiving and were so moved by their situation, we helped them again at Christmas.

Mary Pat Clarke was there when we presented them with our "gifts" in December and we appreciate her taking the time out of her busy schedule to join us. To give you an idea what this meant to this family, a young boy came up to Patrick Youells with tears in his eyes and hugged him, stating, "Thank you. I didn't think we were going to have a Christmas this year." It was a very emotional and touching day and we were honored to be of some small help.

\* Our January General Meeting was canceled due to the possibility of inclement weather. A few members voiced their displeasure at this decision, but I wanted to let you know that some travel from the western counties and the snow began there way before it began here on the eastern side. We strive to be considerate of our members and their safety.

\* Because our January meeting was canceled, we were unable to present the changes to our By-Laws to the membership attending and to vote on the changes. We hope to do this at our February meeting and if all goes well, the new By-Law books will be mailed in March.

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BALTIMORE RETIRED  
POLICE BENEVOLENT  
ASSOCIATION  
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P.O. Box 6217  
Baltimore, MD 21206

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\* Lastly, I wanted to end this article by sending a *thank you* from my family and I to everyone for their calls, emails, cards, flowers and their posts on Facebook expressing their condolences on the passing of my sister.

Anyone who has ever had to go through such an emotional time knows how important it is to hear from others who care. Again, *thank you*. It was very much appreciated.

Daryl Buhrman

DON'T FORGET TO JOIN OUR FACEBOOK PAGE: MEMBERS ONLY BRPBA.

WE ARE UP TO 382 MEMBERS RECEIVING ALL THE NEWS FIRST!

**868 MEMBERS RECEIVE EMAIL UPDATES!**

*If you would also like to be on our list, please email [J8518@aol.com](mailto:J8518@aol.com)*



**WE STAND AT OUR MEETINGS FOR  
THIS PLEDGE!**

## THOMAS NIEMIERA

Many of our members have heard us speak of our member, Tom Niemiera, in past newsletters regarding the horrific attack he experienced in Baltimore, but for those of you who are unaware, let me bring you up to date.

*On the 24<sup>th</sup> of October 2015 at 01:30 hrs., BRPBA Member Thomas Niemiera was at a lounge on Pennington Ave in South Baltimore. Tom was alerted by a patron that there were people throwing rocks at his pickup truck. Tom responded to his vehicle and moved his truck and returned into the lounge.*

*A short time later Tom was again notified that the young people were still throwing rocks at his vehicle. He again started to go to his truck when he observed a young female sitting on the hood of his truck. He advised her to get off his property. As Tom was walking toward the female, he was assaulted by the female's brother. He had crept up on Tom and struck him in the back of his head with his fist, knocking Tom to the ground in front of his truck. Tom then rolled over to find the male standing over him. The male then began to kick Tom in the face and head. The female then urged her brother to climb on the hood of Tom's truck and jump off onto Tom's head. The brother did just that. This vicious assault continued until Tom became unconscious. A medic responded and transported Tom to Shock Trauma at University Hospital in Baltimore. There he would stay for two weeks.*

The BRPBA honored Tom at our December 2017 Holiday Party with a plaque for his "never give up" attitude. His wife, Cynthia, and his family were also in attendance.

We were thankful that Tom was able to give a speech after the presentation of the plaque wherein he stated that so far he has had five separate surgeries on his face alone. His jaws were wired shut for five weeks. Tom further stated that he now has forty-nine pieces of metal in his face holding the bones in place. Tom also contracted pneumonia due to fluid in his left lung. The doctors had to place a drain in his body to drain the fluid out.

Tom had an allergic reaction to a medication that he was prescribed resulting in a rash all over his body. After seeing the doctor, it was found that Tom's adverse reaction caused him to acquire "Steven Johnson Syndrome". Tom states that his skin began to peel "Like a snake sheds it's skin". Tom continues to take Physical Therapy and Speech Therapy because of his injuries and continues to have pain issues due to this attack.

The two individuals that were responsible for this unwarranted attack on Tom were arrested and charged. The male received twenty years. The female received a suspended sentence with several years of probation attached. She also had to make restitution to Tom.

During his speech, Tom praised his wife who remained steadfastly by his side and has been his nurse throughout this entire ordeal. He was also grateful to his family for their love and support and to the many friends who visited during his recovery and continue to support him still.



We are here for you Tom.

Patrick Youells

## IN MEMORY

Around 1990, I started to get involved with the Concerns of Police Survivors and the National Police Memorial Fund at the request of Dottie Woods and Betty Miller. I felt honored that Dottie and Betty asked me to help.

My first year was 1990 and there was only the ceremony on the National Mall on the 15<sup>th</sup> of May every year. We would help C.O.P.S set up the chairs early in the morning of the ceremony. I found it to be an honor and a privilege to escort a survivor from another police department. What an emotional moment that was to have the widow of a fallen officer from another state interlock with your arm and proceed to walk to the wreath together where the President of the United States is standing as well as other dignitaries and she puts a red rose in the wreath to symbolize her husband.



How can you not be emotional on the inside?

As the years went by (three to be exact), the National Memorial grew. Now there is a wall, a store and a candle light vigil. The vigil will keep you in awe for days. Every year, just like the official ceremony, the vigil has grown. It has grown so much that now the vigil is held at the National Mall as well, with the names of thousands of law enforcement officers' names etched randomly on the wall panels.

I remember the first time I saw the wall. It was in 1991 for the dedication of the Wall in October. Mike Dunn, his son and I went together. Talk about an awe-inspiring moment. Words cannot describe what it

was like to be one of the first people to see this most beautiful wall that bore some friend's names. It was a place that a family member could go and see that their loved one hadn't been forgotten. Might I also say that I was glad that I was with Mike Dunn; a survivor.

May of 1993 was my last year, as I got hurt in February of 1993 and in the latter part of that year I was having issues from my injuries. That year I met Mr. John Walsh from America's Most Wanted. Another privilege.

On May 13, 2017, while at the candle light vigil, I heard someone behind me sobbing uncontrollably. Without thinking, I immediately walked over to this young lady and without saying a word I sat down beside her, put my arm around her and just let her cry. Without speaking, she still knew she wasn't alone. After about 30-45 minutes of comforting this young woman she said, "Thank You!" I responded to her by saying, "No thanks needed, you are a member of the most dysfunctional family in the world and you will never be alone"

After the young lady got herself together, we started with introductions. Her name is Melissa Pierce, her cousin was Sgt. Robert Wilson, III, a Philadelphia Police Officer who was shot during an attempted robbery at a game store on March 5, 2015.

Ms. Pierce gained her composure and hugged me, thanked me and went on her way.

Melissa and I became friends and have kept in contact since. I posted our story on Facebook and immediately received a friend request from Sgt. Wilson's sister, Shaki'ra Burroughs who thanked me for being there for her cousin.

July 15, 2017, my husband and I made a trip to Philadelphia for a dedication of a mural for Sgt. Wilson. Yes, for a police officer not a drug dealer. We were welcomed with open arms by the Chief of PPD, the Mayor of Philadelphia and the family of Sgt. Wilson. I must say this was a huge mural. It was the most beautiful thing that I have ever seen.

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The community that came out was just unbelievable. It was touching, and I am truly glad that I met this family as they are now a part of mine.

Sgt. Wilson is just one the of many names on the Memorial wall and I urge everyone who is capable to get down to the National Memorial, not necessarily during police week, but at some point. It is an awesome place and now there will be a Police Museum as well. Knowing that there is a place for "Us", where we can pay our respects to our fallen and make connections with others, lets us know we are not alone.

This article is followed by the names of those we lost in 2017. Please keep these officers and their families in your thoughts and prayers.

*As of the writing of this article, there are eight line of duty deaths and two K-9 line of duty deaths in 2018. One is too many.*

Kathy Conrad

William Parque  
 Stephen Jenkins, Sr.  
 Debra Clayton  
 Norman Lewis  
 Steven McDonald  
 Randall Scott Gibson  
 Stephen Ackerman  
 Jerry Walker  
 Colt Allery  
 Raymond Murrell  
 Gerardo Silva  
 Michael Louviere  
 David Fahey, Jr.  
 Nathan Graves  
 James Molloy  
 Steven Floyd, Sr.  
 Eric Mumaw  
 Gregory Meagher  
 David Hoefler  
 Jay Memmelaar, Jr.  
 Rickey O'Donald  
 Keith Boyer  
 Lucas Chellew  
 Michael Foley  
 Michael Butler  
 Sean Cookson  
 Kevin Haverly  
 Curtis Bartlett  
 Houston Largo  
 Michael Hance  
 Brian Falb  
 Shawn Anderson  
 Jason Weiland  
 Curtis Blackbird  
 Justin Terney

Nicholas Rodman  
 Clinton Greenwood  
 Lamonte Mecham  
 Carl Thomas Cosper, Jr.  
 Levi Pettway  
 Anthony Borostowski  
 Jason Harris  
 David Wade  
 Benjamín De los Santos-Barbosa  
 Stephen Ballard  
 Meggan Callahan  
 Justin Beard  
 Mark Burbridge  
 Jimmy Tennyson  
 Jonathan Ginka  
 Kevin Mainhart  
 Steven DiSario  
 Jason Garner  
 Mason Moore  
 Isaac Morales  
 Marvin Moyer  
 Donald Durr  
 Michael Walter  
 Matthew Tarentino  
 Aaron Crook  
 Devin Hodges  
 Joshua Montaad  
 Nathan Desjardins  
 Shana Tedder  
 Patrick Weatherford  
 Christopher Monica  
 Curtis Billue  
 William Bishop

Joe Heddy, Jr.  
 Ryan Albin  
 Miguel Moreno  
 Robert Johnson  
 Miosotis Familia  
 Joel Davis  
 Michael Stewart, III  
 Donald Meyer  
 Aaron Allan  
 Jason Fann  
 Gary Michael, Jr.  
 Elise Ybarra  
 Monty Platt  
 Henry Cullen, III  
 Berke Bates  
 James Clark  
 David Torres-Chaparro  
 Matthew Baxter  
 Richard Howard, III  
 Robert Rumpfelt  
 Timothy Braden  
 Steve Perez  
 Robert French  
 Thomas Hannon  
 Bernie Domagala  
 Kristen Hearne  
 Michael Middlebrook  
 Charleston Hartfield  
 Floyd East, Jr.  
 Michael Robinson

Mark Diebold  
 William Mathews  
 Joseph Ossman  
 Julie Ann England-Bridges  
 Roberto Medina-Mariani  
 Elias Martinez, Jr.  
 Timothy O'Neill  
 Lorenzo-González  
 Héctor Matías-Torres  
 Justin Smith  
 Veronica Darden  
 Marcus McNeil  
 Craig Lehner  
 Justin Leo  
 Daniel Reberman, Jr.  
 Wendy Shannon  
 James Wallace  
 Thomas Nipper  
 Jaimie Cox  
 \*\* Detective Sean Suiter  
 Brian Shaw  
 Rogelio Martinez  
 Eric Overall  
 Damon Allen  
 Kenneth Copeland  
 Donald Kimbrough  
 \*\* Sander Cohen  
 James Chapman  
 Paul Lazinsky  
 Andrew Camilleri, Sr.  
 Zackari Parrish, III

**Let us not forget our K9 Partners who passed in 2017**

K9 Ranger  
 K9 Rooster  
 K9 Roscoe  
 K9 Rico  
 K9 Doki  
 K9 Kyro  
 K9 Diesel  
 K9 Freckles  
 K9 Drago

K9 Aron  
 K9 Billy  
 K9 Koda  
 K9 Endy  
 K9 Mojo  
 K9 Dingo  
 K9 Chris  
 K9 Cain  
 K9 Gunner

K9 Dino  
 K9 Will  
 K9 Jax  
 K9 Argo  
 K9 Ori  
 K9 Kane



# Newsletter

January 2018

## THE NEW TAX LAW

The Tax Cuts and Jobs Act of 2017 (the new tax law) was passed by Congress on Dec. 15, 2017. The majority of the provisions of that law do not take effect until January 1, 2018, so those provisions will not affect your 2017 tax returns that I will be preparing in the next couple of months. I won't get into a lengthy discussion of the new tax law now -- I will devote my entire April 2018 Newsletter to an overview of the new law. But I would like to make some general comments now.



Generally, I think that the new law will result in lower taxes for most of my clients. We will have to wait until I actually prepare your 2018 tax returns (in 2019) to know for sure. There are several major changes that offset each other. For example, some itemized deductions are limited or eliminated all together, but there will be a higher standard deduction. So even if you lose some itemized deductions, you could still have a higher total deduction. Personal exemptions are eliminated, but there are new and increased credits available, and the tax rates are lower. These changes are intended to result in lower taxes. It is only when you combine all of those changes, as they apply to you, that we will know the net effect on your personal income taxes. Please do not be stressed over any one individual change in the law.

## SPECIFIC CHANGES OF NOTE:

1. The 2017 medical expense deduction was to be limited to those medical expenses that exceeded 10% of your Adjusted Gross Income. The new tax law changed the 10% floor back to 7.5% for 2017 (and 2018). That means more of your medical expenses would be eligible to deduct.
2. The "Health Insurance Mandate" is eliminated by the new tax law – but not until January 1, 2019. So for 2017 and 2018, you will still have to have health insurance or pay a penalty.
3. Effective January 1, 2018, interest on all home equity loans (both existing home equity loans and new home equity loans) is no longer an itemized deduction.

## FEDERAL WITHHOLDING TAXES

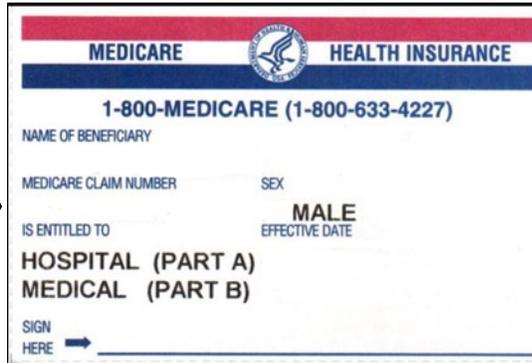
IRS came out with new withholding tables on January 11<sup>th</sup>. Using these table will result is less withholding taken out of your pay, meaning that you will get a bigger net check each payday. However, some people area suggesting that these tables take out too little withholding, which would mean that you would owe money when you file your tax returns in 2019. My suggestion is that you continue to have the same dollar amount taken out for all of 2018 as you are currently having withheld. You may have to work with your payroll department to make that happen.

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## NEW MEDICARE CARDS WILL BE ISSUED IN 2018

If you are currently on Medicare, your Social Security Number is printed on the front of your Medicare card. However, Medicare is preparing to stop using Social Security Numbers for identification this year. Beginning in April new Medicare cards will be sent to everyone that currently is on Medicare. This move is required by a law enacted in 2015 to help prevent identity theft.

On your current card, your SSAN is printed



The new cards will no longer have your Social Security Number printed on it, but instead will have something called your “Medicare beneficiary identifier” (MBIs). I’m sure this will create some confusion, especially with your doctors, etc., when they file claims. For this reason, I suggest that you do not immediately destroy your old Medicare card when you get your new card.

Instead, use the new Medicare card, but have the old Medicare card available, just in case there are problems using your new card. Once you are sure that your new card is being processed and working properly, then you should destroy your old Medicare card.

Note: Your benefits will not change with the new Medicare card.

## NEW MILEAGE RATES FOR 2018

Beginning January 1, 2018 standard mileage rates for the use of a vehicle will be:

- \* 54.5¢ per mile for business miles driven (up from 53.5¢ for 2017);
- \* 18¢ per mile driven for medical purpose (up from 17¢ for 2017);
- \* 14 ¢ per mile driven in service of charitable organizations (unchanged).



## POSTAGE RATE INCREASE

The U.S. Postal Service will implement new postage rates effective Sunday, January 21, 2018.

- \* Forever stamps will cost 50¢.
  - \* First Class Mail Letters (1 oz.) rates will increase from 49¢ to 50¢. Each additional ounce will cost 21¢.
  - \* First Class Mail Flats (1 oz.) will increase from 98¢ to \$1.00. Each additional ounce will cost 21¢.
- Postcard rates **will increase** one cent to 35¢.



This quarterly newsletter provides business, financial planning, and tax information to clients and friends. None of this general information should be acted upon without first determining its application to your specific situation.

For additional copies of this newsletter or further details on any article, please contact me.

## REVISITING THE 1976 LOMBARD STREET CARNAGE

Our family has blue blood too. On Good Friday of 1976, the best man I ever knew, Retired Sergeant John J. Dohony, my uncle and the grandfather of Detective Sergeant Bob Dohony, called me. Uncle John, one of the old “foot sergeants,” never drove a car – ever. He nonetheless took public transportation from his house on Cardenas Avenue near Herring Run Park to 1331 West Lombard St. several times a week to care for Ignatius Creaghan, a retired Baltimore Police Officer and also a cousin, left severely disabled by a stroke. Nate, then in his 80s, lived alone. We worried about him. In the summer of 1975, some of his “neighbors,” who had taken over a block populated by police 40 years before, persistently harassed the old man – until a Southern District Lieutenant named Leander Sherman (Bunny) Nevin ended that problem. The area, however, had changed dramatically.

As I spoke to my uncle on that unseasonably hot Good Friday, I found out just how much. Just up the street from Nate’s house, John Earl Williams started shooting from a second-floor window, mainly at police. He killed Jimmy Halcomb. He wounded Jimmy Brennan, Art Kennel, Neal Splain, Calvin Menken and Roland Miller. He destroyed families and terrorized an entire community. My uncle and I, as well as the rest of the family, worried that Williams would also shoot Nate.

Eventually, Williams received a sentence of life plus decades of additional imprisonment, as his victims did their best to rebuild their lives after he took so much from them. Then, the Court of Appeals of Maryland rendered the *Unger* decision, and Williams, among others, received new trials. Williams’ case came on for trial on February 8, 2018. Angie Halcomb, Jimmy’s widow, attended the proceeding and bravely spoke. Commissioner Davis took the time to come. So did Steve Danko, Steve Tabeling, Alan Small, Don Helms, Earl Kratsch and I, among others. Williams entered a guilty plea in return for a life sentence with everything suspended except for 85 years and 5 years of probation if he ever got released. Judge Melissa Phinn treated the victims with the utmost compassion. She excoriated Williams, telling him that his behavior horrified her and that she would have given him a more severe sentence. Williams said nothing in mitigation and did not even look at any of the people whose lives he destroyed almost 42 years ago.

Williams turned 60 in December. He recently completed probably 41 years of his 85 year sentence. The plea deal, however, still gives him some chance of getting released. Maryland has a diminution credit system for people sentenced to the Department of Corrections. Md. Corr. Svcs. Code Ann §3-704. Inmates can reduce the time they serve through good conduct, work tasks, education and special projects. Williams can only receive 5 days good conduct credit per month because he committed a crime of violence – obviously.

The most frequently cited Maryland case on good conduct credits, *Stouffer v. Staton*, 152 Md. App. 586, 833 A.2d 33 (2003) explains, “Good conduct credits are a behavioral incentive and a means of reducing prison overcrowding.... For those reasons, good conduct credits are applied as ‘a deduction in advance from an inmate’s term of confinement.’” *Id.* At 592, 833 A.2d at 36. The “in advance” language means that Williams got the 5 day per month reduction, which he can lose completely or partially by misbehavior, when his sentence began.

If an inmate convicted of a crime of violence or of drug dealing receives a sentence of a year, that inmate would automatically receive a 60 day reduction in that sentence as soon as it is imposed, i.e., 5 days per month. Less violent inmates get 10 days a month, so a thief with a one-year sentence would start with a 120 day reduction.

Apparently, Williams accumulated significant good time credits. At 60 days a year, he would have accumulated 2400 days in 40 years, or 6.5 years. He also claims to have engaged in work tasks and education, but it is not clear if he contends that he had also engaged in special projects as well. Thus, unless the prosecution inquired in advance of DOC personnel as to how many good time credits Williams had, no one could determine when he might be released. In fact, even if the prosecutor had asked DOC personnel about diminution credits, it is probably more likely than not that the prosecutor would not have received a reliable answer, or any answer at all, because Williams originally got a sentence of life plus many decades, making a

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calculation of diminution credits a waste of time. Therefore, the negotiated sentence included a probationary period of 5 years. While persons with experience in the area speculate that Williams could be out in 10 or 15 years, truthfully there is no way to know.

Williams could well die in prison. Sixty years old now, he appeared to have physical problems in court. Assisted by a cane, he had trouble walking. Even if he had a possibility of release in 10 or 15 years, he would be 70 or 75 years old. No one knows the future, but it does not appear likely that he will live that long.

After the hearing, Traci Robinson, Esquire, the prosecutor, assisted the victims in accessing Maryland Vine, a website enabling them to receive advance warning of Williams' release, if that ever happens.

Michael P. May  
© January 11, 2018

**CHANGE OF ADDRESS OR WANT TO RECEIVE EMAIL UPDATES?**

Are you in the process of moving? Please notify the BRPBA of your change of address so that you won't miss any important mailings. Also, if anyone would like to be included on the email updates, please send us your email address.

Name: \_\_\_\_\_

Old Address: \_\_\_\_\_ City: \_\_\_\_\_ State: \_\_\_\_ Zip: \_\_\_\_\_

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

New Phone Number: (Home) \_\_\_\_\_ (Cell) \_\_\_\_\_

Personal E-Mail Address: \_\_\_\_\_

**Return to: BRPBA, P.O. Box 6217, Baltimore, MD 21206**



## Meeting on Pension Litigation, By Mike May

On January 9, 2018, we met at the offices of Saul Ewing to discuss Judge Rubin's January 2, 2018 opinion and ruling. From our Association, Daryl Buhrman, President, Nick Caprinolo, Past President and I attended. Lead counsel, Charles. Monk, Esquire, presided.

All counsel will meet with the judge on January 12, 2018 for a status conference to discuss the future course of the case.

At this point, Mr. Monk believes that, absent settlement, trial is inevitable. For the retirees, the trial issue is damages. At the hearing on the motion for summary judgment, as indicated in my January 2, 2018 memo, the "Plaintiffs orally withdrew their Motion as to [the request that the variable annuity benefit be restored]." In response to a direct question I asked, Mr. Monk stated that he withdrew the request that the variable annuity benefit be restored only for purposes of the argument on the motion for summary judgment. He did not permanently withdraw the request for restoration of the variable annuity benefits for retirees. He explained that tactically he wanted the judge to focus on the law, i.e., the City's liability for breach of contract, and not on the damages stemming from that breach. He thought that a discussion of damages would detract from his argument-in-chief at the Motions hearing that the City breached its contract. He, and both active and retired members, prevailed on that score.

Moreover, the measure of damages for active and retired litigants differs because the retired members have already completed their contractual obligations. In fact, during the federal litigation, the city opposed the United States District Court's certifying the litigants in that case, the same as the litigants in the current State case, as a class. The City argued that because the damages differed, there was a conflict preventing the Federal Court from certifying the case as a class action. The City intends to make the same argument in this case.

In the federal litigation, Judge Garbis sent the issue to Bill Murphy, Esquire, an expert in the arena of employment law and class actions, and Mr. Murphy sent Judge Garbis a letter, which Charlie Monk promised to provide me, opining that notwithstanding the different measures of damages, there was nothing to preclude the judge from certifying, i.e., designating, that case as a class action. In all likelihood, Judge Rubin would reach the same conclusion in this case.

In that regard, the applicable law appears in Maryland Rule 2-231. One or more members of a class may sue or be sued as representative parties on behalf of all when (1) the class is so numerous that joinder of all members is impracticable, (2) there are questions of law or fact common to the class, (3) the claims or defenses of the representative parties are typical of the claims or defenses of the class, and (4) the representative parties will fairly and adequately protect the interests of the class. *Id.* In addition, a class action may be maintained if the prosecution of separate cases by or against individual members of

the class would create a risk of inconsistency, the possibility of adjudications as to individual members of the class that practically would dispose of other members' interests or impair or impede their ability to protect their interests. The court also has to find that questions of law or fact common to the members of the class predominate around the questions affecting only individual members so that a class action is superior to other available methods for fair and efficient adjudication of the controversy. On the motion of any party or on the court's own initiative, the court must determine by order as soon as practicable after commencement of the suit whether it is to be maintained as a class action. In fact, when appropriate, the case may be brought or maintained as a class action with respect to particular issues, or a class may be divided into subclasses with each subclass treated as a class. Also, there are notice requirements and orders as to how the case should be conducted. The case may not be settled, or dismissed for that matter, without the approval of the court, and there must be notice to all members of the class. The threshold of commonality for a class action is not a high one and is easily met in most cases. It does not require that all or even most issues be common in order to require that common issues predominate. It is only necessary that some common issues exist. *Bergmann v. Board of Regents of Univ. System of Maryland*, 167 Md. App. 237, 892 A.2d 604 (2006).

While no lawyer has either a crystal ball or a preternatural power of precognition, there is no reasonable likelihood that the City's argument that the court should deny the plaintiffs in this litigation class status would prevail. The fact that the measure of damages differs from one subclass to another, to utilize the language of Rule 2-231 does not eliminate class status.

The class status issue arises because of different measures of damages. In the retirees' situation, one may certainly argue that the measure of damages should be restoration of the variable annuity benefit. Maryland follows the rule of *Hadley v. Baxendale*, 9 Exch. 341, 156 Eng. Rep. 145 (1854). That case says that the plaintiff's damages for breach of contract consist of those damages which naturally arise from the breaking of the contract, i.e., the consequences of breach the defendant had reason to foresee would take place or such damages as may reasonably be supposed to have

been contemplated by both parties when they made the contract as the probable result of its breach. *Pennsylvania Threshermen & Farmers' Mut. Cas. Ins. Co. v. Messenger*, 181 Md. 295, 300, 29 A.2d 553, 656 (1943). See also, *Hoang v. Hewitt Ave. Associates LLC*, 177 Md. App. 562, 594, 936 A.2d 915, 934 (2007).

Determining the best approach to damages at this point is premature. In all likelihood, the trial of this case, from the retirees' standpoint, will focus on damages. Certainly the retirees could argue that assessment of damages requires restoration of the variable annuity benefit. It is too

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early to determine, however, whether demanding or arguing for restoration is the best approach. Certainly *Hadley v. Baxendale* probably makes that argument available. The issue of whether that approach is practical or advantageous demands further analysis.

Naturally arising from any consideration of damages is the extent to which the actives and retirees might recoup the substantial attorney's fees incurred. In general, the American Rule as to attorney's fees states that each party pays his or her own. A May 31, 2017 opinion of the Court of Appeals of Maryland discussed the rule, stating, "However, in Maryland, there are 4 exceptions to the American Rule, and an award of attorney's fees is permitted (1) where a statute allows for the recovery of attorney's fees; (2) where the parties to a contract have an agreement regarding attorney's fees; (3) where the wrongful conduct of the defendant forces a plaintiff into litigation with a third party; or (4) where a plaintiff in a malicious prosecution action can recover damages from the defense of a criminal charge. *Eastern Shore Title Co. v. Ochse*, 453 Md. 303, 330, 160 A.3d 1238, 1254 (2017). The third enumerated exception refers to Maryland Rule 1-341, which permits attorney's fees for bad faith or a lack of substantial justification. *Id.* None of those exceptions appear to apply to the current litigation.

Because the case is a class action, there was some discussion of the common fund doctrine. As explained in *Garcia v. Foulger Pratt Development, Inc.*, 155 Md. App. 634, 662-63, 845 A.2d 16, 33 (2003), that exception to the American Rule derives from the court's equity jurisdiction and permits a court to award attorney's fees to a party whose litigation efforts directly benefit others, quoting *Chambers v. NASCO, Inc.*, 501 U.S. 32, 45 (1991). It appears that the common fund doctrine, in its most basic iteration, envisions contributions from members of the class to the representative plaintiff(s), not defendants. Nonetheless, the common fund doctrine becomes a consideration for any settlement discussions.

At this point, the City has consistently ignored or rebuffed Mr. Monk's settlement overtures. Matters, however, can always change. Certainly, as Mr. Monk guaranteed in response to a specific query at the January 9, 2018 meeting, he intends to raise the issue of settlement at the status conference on January 12, 2018. If a settlement occurs, the court must approve it pursuant to Maryland Rule 2-231 (pertaining to class actions). In response to a question I propounded, Mr. Monk stated that any settlement would necessarily entail a Consent Decree to prevent the City from ostensibly entering into an agreement only to enact another version of Ordinance 10-306, which eliminated the variable annuity benefit and reduced benefits generally. Naturally, if the city reneged on any settlement at that point, the enforcement mechanisms available include a petition for contempt which could result in incarceration of City officials in its most extreme

form.

Mr. Monk additionally noted that *City of Frederick v. Quinn*, 35 Md. App. 626 (1977), upon which the court relied to find that a contract existed and that the City breached it, is an opinion of an intermediate court. There is at least a theoretical possibility that the Court of Appeals of Maryland, our highest court, could disregard the *Quinn* case altogether. That is highly unlikely, however, because the statute specifically states that the F&P pension is a contract, and unlike surrounding jurisdictions, like Baltimore County, there is no language in the law indicating that it is subject to modification. It is additionally reasonably likely that if either party appeals, the Court of Appeals of Maryland, which does not hear every case that is appealed, may grant *certiorari*, decide to hear the case, on its own motion before it even goes to the Court of Special Appeals of Maryland.

Finally, a firefighters' representative said that some of the active-duty firefighters, realizing that the cost of settlement for retirees was significantly higher, agitated for a tactic by which the active-duty members would obtain a settlement from the City and leave the retirees, both police and fire, to stew in their own juices. That proposal is breathtakingly stupid because eventually the active-duty members who desire that insane result will retire themselves and because the City would not, in all probability, see any advantage to settling part of a case if it were necessary to continue to litigate – and incur attorneys' fees.

For the retirees, the breach of contract is established, but the damages are not. Unless we can settle, a trial, at least on damages, is imminent. At this point, a good bit of work has been done. Nonetheless, with the need for at least expert actuarial analysis to calculate damages and some other rather routine discovery, the likelihood is that the case would go to trial in October, 2018 and last 10 days to 2 weeks.

**CONGRATULATIONS TO HERMAN BULLINGER  
AND HIS WIFE ON CELEBRATING 72 YEARS OF  
MARRIAGE.**

**HERMAN RETIRED IN 1981 AND  
JOINED THE BRPBA IN 1985. HE  
WILL BE 97 YEARS OLD THIS  
COMING AUGUST!**

**HE IS ONE OF OUR OLDEST  
LIVING MEMBERS.**

**CONGRATS ON EVERYTHING!**



## **In Their Own Words: John J. Wiley**

I would first like to take a moment and welcome Jay Wiley to the BRPBA. Knowing Jay since I arrived in the Northwest District in 1987, not long before Jay was promoted and sent off to the Central District. I truly did not know Jay, just in passing. I do know that a few years after being in the Central District, Jay wanted to come home. Home to where he knew the streets.

Knowing that Jay had been injured in the line of duty, I sent Jay questions and below are his own words.

### **SGT. JAY WILEY:**

#### **When, how and where were you injured?**

*It was the end of 1989, maybe early 1990.) I think it is fair to say that I have purposely tried to forget as much of the details of this and other violent incidents as is possible. Instead, I try to focus on enjoying and remembering more pleasant moments. I was a Patrol Sergeant in the Northwest District. I spotted a stolen van driving on W. Belvedere Ave, towards the Northern District. After running a registration check, dispatchers advised me that it was stolen. So I began to follow the van. The van drove into the Northern District off of Pimlico road, than turned back towards the Northwest District. It wasn't high speed because the streets were very narrow with vehicles parked on both sides. In the vicinity of Spaulding Ave. and Queensberry the suspect crashed the stolen van. The suspect had been moving around a lot prior to trying to bail out of the stolen vehicle. Fearing that he might have been grabbing a weapon, I pulled my service revolver and was able to physically force the suspect to the ground on his stomach. As I was trying to re-holster my revolver and then reach for the handcuffs, the suspect who had been screaming came up off the ground bringing me with him. He seemed to have super human strength, apparently due to large amounts of cocaine, some of which was still in the stolen vehicle. Before I could re-holster the revolver the suspect struck me and had both of his hands on the service weapon, while it was still in my hand. He managed to get the revolver pointed to the area of my face and head, while it was still in my hand and began trying to shoot me with the weapon. I recall vividly that this man was trying to kill me and my thought was I'm going to die, but it won't be*

*tonight and it won't be because of him... my thoughts were more profane, but I want to keep this as family friendly as possible. The suspect was able to break free and run, he was captured a short distance away. All 6 shots were fired from my service revolver, one of which went through his puffy coat in the area of his abdomen, just barely missing him. I was very fortunate to have not been shot. It was a true life and death battle and I was very shaken up. However, all I noticed is what seemed like a badly sprained right wrist. I was treated and released from Sinai Hospital.*

#### **Besides, ouch that hurts, if you remember, what was your first thought?**

*I was happy to be alive, but what appeared to be a sprained wrist was getting much worse. Over the next two years I underwent 3 surgeries on my wrist and hand and wound up having two large steel plates installed in my wrist and hand, causing a total fusion of my right wrist and parts of the hand.*

#### **How did you cope with not being able to take of yourself?**

*It was very difficult, during the surgeries, the periods of time that my right wrist and hand were immobilized for long periods of time afterwards. I'm right handed and had to learn to do many things over again, especially after the final surgery and the two steel plates. Things like dressing myself, pulling up zippers, tying shoes, shaving, brushing teeth and other forms of personal hygiene had to be learned all over. For the first few months after each surgery, my ex wife had to help me dress myself. However, I refused to ask anyone to help me with personal hygiene. After many years with the total fusion and limited use of my right hand and wrist, there are things that I can not do because of the lack of range of motion in my lower right arm, wrist and hand. However, I have learned to compensate with the rest of my arm and increased use of my left hand. I tend to focus on the things that I can do, instead of the things that I can't. It was easier to rehab my hand and although the period of surgeries and physical therapy, it took far less time to adjust to the physical limitations when compared to the emotional consequences of this and several other violent incidents, plus the unrelenting trauma of life as a Baltimore Police Officer. As I stated before, I tend to try*

Continued Page 13

to forget as much of the details of this and other violent incidents as is possible. Instead, I try to focus on enjoying and remembering more pleasant moments. Life is good now and very enjoyable. I don't think of my physical limitations as a disability, instead I focus on enjoying my life as much as possible.

Jay and his present wife were not married and did not know each other at the time of his injury, however, I do know from personal experience that even though they were not acquainted, Stephanie still has feelings and has to cope with Jay's injury.

**STEPHANIE:**

**When were you first notified?**

*I met my husband a few years after he retired. I remember the first time he told he retired on a medical disability. I had been dating Jay for probably a month or so and could not figure out what he was talking about. His injury is not one that anyone would know unless he told you or pay extreme attention to detail. It wasn't until Jay showed me his right hand/wrist and was unable to turn it. The only way I could describe it someone with words is it is like having a board strapped from your hand to below your wrist and try to move your wrist. You see that, that it is impossible to do. Once told of much later of the details of how he came about to be injured, I was horrified. I have not a close relationship with other police prior to meeting Jay. I remember almost immediately saying I cannot even imagine what that would have been like for your wife at the time, it is unimaginable to me.*

**Describe what your first thought was upon Jay telling you he was injured.**

*As I stated above, just being told about the incident years later, I was beyond horrified. I imagined as Jay told me his experience, that this is like a scene in a movie, not real life. I have never known of anyone that was in a life or death situation, certainly not like this. As naive as it may sound it never occurred to me that someone could actually do what this lunatic (I do not want to use harsh language) did to a police officer and don't know if the average American does either. I do remember thinking that I don't know how I would handle it if I were married to a police officer knowing what I know*

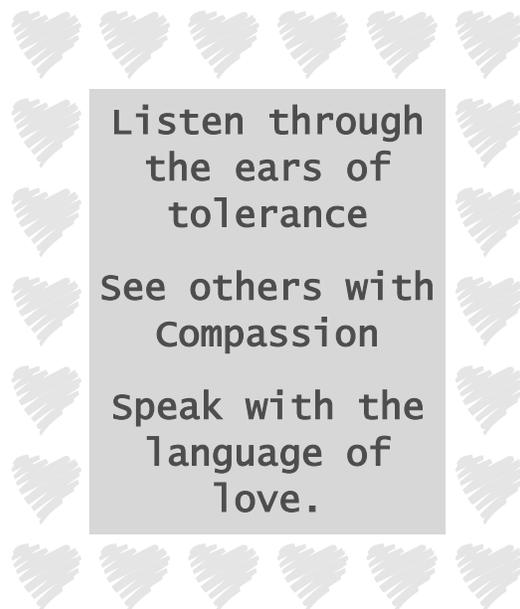
*now and I still think about that from time to time. Of course, I knew that it was a dangerous job, but the truth is, I had no personal experience with anyone in law enforcement. I never thought of it being as dangerous and violent as I have come to know and understand.*

**Final Thoughts**

*Jay is the one who copes with his past of being a police officer. I have learned so much from him and watching him live his life the way he does with everything he has gone through, never feeling sorry for himself, he lives each day with gratitude.*

Jay was medically retired on February 2, 1992 due to his injuries. Jay is now a Disc Jockey in Florida at Pirate Radio. He enjoys what he does. Jay is also co-host of radio talk show, Law Enforcement Today. Although Jay is retired, through his work with Law Enforcement Today, he still helps his law enforcement family. Thanks Jay and Stephanie!

**If you have been injured in the line of duty and want your story told in your own words, please contact me. I can be reached on Facebook and by email [kirwin3367@aol.com](mailto:kirwin3367@aol.com). Kathy Conrad**



**WELCOME TO OUR NEW MEMBERS!**

- Kirk Hastings
- James H. Kirkpatrick
- John E. Matzerath
- Barbara Sloan
- Thomas Waugh
- Sonia Young
- John J. Wiley

**CONTACT INFORMATION:**

President: Daryl Buhrman ..... 410-803-2293  
1st VP: Richard Nevin ..... 410-876-1027  
Distress Fund ..... 410-803-2293

Website ..... [www.brpb.com](http://www.brpb.com)

Email Address: [J8518@aol.com](mailto:J8518@aol.com)



**INCLEMENT WEATHER**

Please remember, monthly meetings may be canceled due to inclement weather when:

- Baltimore County Schools are closed because of snow or inclement weather; or,
- There is a snowfall after schools are dismissed and the Baltimore County snow emergency plan is placed in operation.

**SICKNESS OR DEATH OF MEMBER**

Please arrange for someone to call Ditty Baldwin at 410-666-7279 whenever a member is sick. This is the only way our Association is aware of it. Remember, upon your death, your spouse or immediate family should notify the Police Personnel Board at 410-396-2546.

**Newsletter Chairman:**

Patrick Youells  
([cody7762@hotmail.com](mailto:cody7762@hotmail.com)).

**WITH OUR NEW STREAMLINED DISTRESS FUND APPLICATION, IT HAS NEVER BEEN EASIER TO ASK FOR HELP.**

**CALL DARYL BUHRMAN, 410-803-2293 WHEN YOU NEED A HELPING HAND.**

## TURKISH BATHS

In 1975, as a brand new sergeant assigned to the Southeastern police district, I was a babe in the woods. I was new to city life, relatively new to big city policing, and totally new to supervising a squad of sixteen veteran police officers. I was also new to the district where I was assigned. That meant among other things that I was one wrong turn away from being lost every time I ventured into my assigned area of the city. I decided that an effective way to learn my way around my sector and at the same time get to know my new charges was to ride with each of them in turn for a day of bonding. For the first couple of weeks, rather than driving about blind on my own with the very real possibility of getting myself irrevocably lost, I assigned myself a driver for the day.

That's exactly how I ended up one day riding with Officer Kenny Mellott. Officer Mellott (his real name) was a seasoned veteran clearly not used to such close attention from a supervisor. Ferrying the new boss around was clearly not his idea of an ideal pursuit. But Kenny, being Kenny, decided to make the most of it by teaching the new sergeant a thing or two.

Kenny was clearly an excellent cop who knew his way around police work and around his post. He was soon to be one of my favorites despite what was about to happen, for which I blamed him. During the middle of a Sunday afternoon, he parked the car in a block of small businesses on Baltimore Street and we got out to spend a little time on foot patrol. As we walked past the mostly closed businesses we came to a business that was open. We went in to perform a "business check" at what, according to the large neon sign, was a "Turkish Bath."

I didn't know what a Turkish bath was but imagined steaming pools where people sat around soaking in the hot water for some reason that I couldn't fathom. I followed Kenny into the business where we found ourselves in a small anteroom. There we spied a rather ugly stern-faced and unfriendly man behind a counter covered by a grate. Apparently, the grate was to separate him from his customers and from any riff-raff who might wander into the "waiting room." From his expression, it seemed that he thought we were some of the aforementioned riff-raff.

This man was the only person in sight and he was clearly not happy to see us. He reluctantly let us pass through a locked door to the area behind the counter where he had taken up residence. Kenny asked to see his business license, as we were taught to do the first time we checked a business that was new to us. From this, I assumed that it was the first time Kenny had been in the "Turkish Bath" too. I should have known better because a good cop like Kenny would know every business on his post.

Still reluctant, the man took a framed license off the wall and handed it to Kenny, who examined it closely, making note of some of the information. Next, Kenny asked for entrance to whatever was in the "back room" of the establishment, where its secrets awaited. The man

was clearly disturbed by our request and was extremely resistant to let us in the back, briefly blocking our way through the closed door. A series of admonishments later, he finally relented and opened the door to a large dormitory style room full of beds with no bedding lined up in a row. The room was bereft of any other furniture, and there was no one in sight. The business of the "business" became even more of a mystery to me.

There was a stairway at the back of the room leading up to another closed door, and the man strenuously objected as we headed toward the stairs. As we brushed his resistance aside and I led us up the stairs to the second-floor door, the man angrily gave up and retreated to his station behind the anteroom counter.

At this point, I should point out that I habitually eschewed the traditional espantoon and carried instead a long, heavy, seven C-cell sized metal flashlight for defensive purposes. The advantage of that unusual arrangement was that I always had a light with me in any situation requiring it – which was surprisingly often even during daylight hours. The weighty flashlight also served as an effective defensive weapon whenever I needed one. The flashlight fit nicely in the nightstick ring on my Sam Brown belt, and as we ascended the stairs toward the mystery door, I took it out – just in case.

When I turned the knob and opened the door, I was greeted by another large room, this one dark and unlit. Though I couldn't immediately see who or what was in the room or what was happening, I could clearly hear a lot mumbling and shuffling around, so I quickly turned on my flashlight. What I saw next sticks in my mind's eye to this day.

Like a horde of roaches scurrying away from a light, I saw several naked men scrambling out of the row of beds and seeking refuge in the dark corners of the room. Taken aback, I had turned on my flashlight quickly enough to see that the men had been two to a bed – twin sized beds. I slowly realized what the business of the "Turkish Bath" was and I wanted more than anything else to just flee into the daylight and forget what I saw. I heard laughter coming from behind me, and realized that Kenny knew all too well what we were seeing, and he apparently thought my reaction was priceless. It was then that I also realized that Kenny was a man with a warped sense of humor.

Despite my surprise and momentary irritation at Kenny, as we descended the stairs I couldn't help laughing right along with Kenny. That was when I decided that Kenny would be a man to reckon with for the rest of our tenure together, which was to last seven sometimes eventful years.

Wesley Wise

## HOW NOT TO PICK AN ASSIGNMENT

I was never picky about my assignments within the Department. I liked patrol. I liked the Midnight shift. I liked dealing with the problems and for the most part being done with any given matter by the end of the shift. Before I got out of the academy I had decided there were only two districts that I did not want to work. The Central because of traffic, lack of parking and even though this was well before 9/11, a prudent man could assume if something was going to be blown up, The Central had many nice places to put a bomb. Blowing something up in the Western may not have even been noticed for weeks. The Northern was at the top of my don't want to be there list because it was infested with rich people. My temper (bad) coupled with my attitude (worse) seemed better suited to Baltimore's slum areas which lucky for me they had plenty.

When I made Sergeant I was assigned to The Western, my kind of place. If The Western was a country, The Donald would call it a Shithole and be correct. I was there about a year and Terrible Tom Frazier did one of his mass transfers of supervisors and I landed in the Northern. One out of Nine odds and I lost. Hated every minute I was there. The one good point was I met Lt Mike Tabor there. I liked the guy personally and he was an excellent supervisor. I asked him how he wound up in the Northern on the Midnight Shift since he had a fairly extensive background in CID. Mike said it was easy and the rest of the story goes like this.

Frazier called him into the throne room one day and asked if he would like to attend the FBI Academy for a lengthy course on Agency Evaluation. Frazier wanted some-

body to evaluate his policy changes as to effectiveness and their impact on morale.

Mike was being selected for grooming and Major was in his future, if he played his cards right. He attended the school and the same day he reported back for duty he was summoned to the throne room again.

Frazier asked him how the course went and did he think he could prepare a detailed analysis of the Department listing strong points and weak points. No punches were to be pulled and he wanted a truthful report.

A couple of weeks later Mike returns to the Throne Room to make his report. Mike looked at the wall behind Frazier where the words, "I don't lie, cheat or steal or tolerate anyone who does" were on a plaque. Mike said he took a deep breath and started talking. Frazier only interrupted him a couple of times to clarify some point and this went on for about an hour. Mike then turned over his report and Frazier thanked him and the meeting was over. Mike left feeling pretty good about the meeting.

The next morning when he reported in to CID, he was told two things. He was really early for his shift and he was now assigned to the Northwest Midnight shift. He put in a transfer request from there and that is how he wound up in the Northern.

See... easy peasy.

Terry Tolda

**Sitting on the side of the highway waiting to catch speeding drivers, a State Police Officer sees a car pattering along at 22 MPH. He thinks to himself, "This driver is just as dangerous as a speeder!" So he turns on his lights and pulls the driver over.**

**Approaching the car, he notices that there are five old ladies—two in the front seat and three in the back --- wide eyed and white as ghosts. The driver, obviously confused, says to him, "Officer, I don't understand, I was doing exactly the speed limit! What seems to be the problem?"**

**"Ma'am," the officer replies, "you weren't speeding, but you should know that driving slower than the speed limit can also be a danger to other drivers."**

**"Slower than the speed limit? No sir, I was doing the speed limit exactly ...Twenty-two miles an hour!" the old woman says a bit proudly.**

**The State Police officer, trying to contain a chuckle explains to her that "22" was the route number, not the speed limit.**

**A bit embarrassed, the woman grinned and thanked the officer for pointing out her error.**

**"But before I let you go, Ma'am, I have to ask... Is everyone in this car OK? These women seem awfully shaken and they haven't muttered a single peep this whole time," the officer asks.**

**"Oh, they'll be all right in a minute officer. We just got off Route 119."**

## DISTRESS FUND NEWS

The 2017 Raffle was a great success and we send a sincere thank you to all who bought, sold, or donated money.

We would like to acknowledge these Brothers and Sisters who sold over 2500 tickets collectively:

Bernard Tom Joyce	Ken Lang	Charles Milland
Tom Crowther	Jerry Landsman	John Boyd
Anthony Molesky	William McKitrich	

And one of our widows, Mrs. Lynn Franklin.

**Well done!**

This money goes a long way toward helping our widows who are on a limited income, and our members who are experiencing financial difficulties due to illness, fire, etc.

**As of this writing, we are working on two Distress cases for our widows, and one member in need. This is your money at work!**

### Memorial Donations:

From Dawn and Sam Walters in memory of Gretchen Schweitzer (Sister to Daryl Buhrman)

Robert P. Sharp in memory of Wallace Brenton, III

Robert P. Sharp in memory of Paul Wingate

*Thank you*



Proudly state your retirement from the Baltimore City Police Department by purchasing your own license tag. Visit our website for more information at: [www.brpba.com](http://www.brpba.com) under Member Information or call Daryl Buhrman at 410-803-2293.

HALF THE DAY, I WONDER  
IF IT'S TOO LATE FOR COFFEE.  
— — — — —  
THE OTHER HALF, I WONDER  
IF IT'S TOO EARLY FOR ALCOHOL.

## Newsletter

January 2018 – **Special Edition**

### **THE TAX CUTS AND NEW JOBS ACT**

The Tax Cuts and New Jobs Act was passed and signed into law in December 2017. Almost all of the provisions of this law went into effect January 1, 2018, and do not affect your 2017 tax returns. This new law is a vast overhaul of our federal tax system. With so many changes, taxpayers are understandably confused and concerned about how their own personal tax situation will be affected. (It is my opinion that most of my clients will pay less tax in 2018, under the new law.) This entire newsletter is devoted to a discussion of some of the changes that are relevant to my clients.



### **ITEMIZED DEDUCTIONS** (Deductions reduce taxable income.):

The new law made the following changes to allowable itemized deductions:

1. The Medical expenses deduction reverts to the 7.5% base for all taxpayers in 2017 & 2018.
2. State and local income taxes. (including property taxes) are still allowed as an itemized deduction, but limited to \$10,000.
3. Mortgage interest incurred to purchase or build a primary residence, as well as a second home, is still deductible. However, for any new loans taken out (or existing loans refinanced) after 12/15/17, the interest can be deducted on a maximum of \$750,000 in mortgage debt.
4. Home equity interest is no longer deductible.
5. Charitable contributions are still deductible.
6. Generally, all Miscellaneous Itemized Deductions are not deductible. This includes:
  - \* Moving expenses (except for active duty military);
  - \* Employee Business Expenses (including work clothes and mileage expenses);
  - \* Investment Expenses (including broker fees and safe deposit box rentals);
  - \* Tax Preparation Fees.

### **STANDARD DEDUCTION** (Deductions reduce taxable income.):

The standard deduction was almost doubled.

- \* For single taxpayers the standard deduction is increased from \$6,350 to \$12,000.
- \* For married taxpayers the standard deduction increased from \$12,700 to \$24,000.
- \* The additional standard deduction for those over age 65 and for the blind still is in effect.



**My Comment:** Even though many itemized deductions were either reduced or eliminated, the increase in the standard deduction will mean that many taxpayers actually are better off!

**ADJUSTMENTS TO INCOME** (Adjustments reduce taxable income.):

Adjustments to income are allowed whether you itemize deductions or take the standard deduction.

- \* Student loan interest can still be included as an adjustment to income.
- \* Teachers can still include up to \$250 in school supplies as an adjustment to income.
- \* Health Insurance Premiums paid by self-employed taxpayers can still be included.

**CREDITS** (Credits reduce the actual taxes, not taxable income.):

Credits are a dollar for dollar reduction of your taxes (not a reduction of taxable income).

- \* The Child Tax Credit (for dependent children under age 17) is increased from \$1,000 to \$2,000.
- \* Starting in 2018 there is a new \$500 Dependent Credit for dependents age 17 and over.

**OTHER ITEMS:**

The many other provisions of the law include:

- \* Personal Exemptions are eliminated.
- \* There is no change to how much you can contribute to an IRA or 401(k) plan.
- \* Social Security Income is still taxable (provided your income is above the threshold).
- \* Alimony (currently deductible by the payer and taxable income for the receiver) has been repealed for divorces after 12/31/18. There is no change for divorces prior to 2019.
- \* Tax rates (percentages) are lower, and tax brackets are widened (see the tables below), so that the tax on taxable income is lower.



**THE NEW TAX TABLES ARE SHOWN BELOW:**

Single				Married Filing Jointly			
Old Law (2017)		New Law (2018)		Old Law (2017)		New Law (2018)	
Rate	Bracket	Rate	Bracket	Rate	Bracket	Rate	Bracket
10%	Up to \$9,525	10%	Up to \$9,525	10%	Up to \$19,050	10%	Up to \$19,050
15%	\$9,526 to \$38,700	12%	\$9,526 to \$38,700	15%	\$19,051 to \$77,400	12%	\$19,051 to \$77,400
25%	38,701 to \$93,700	22%	38,701 to \$82,500	25%	\$77,401 to \$156,150	22%	\$77,401 to \$165,000
28%	\$93,701 to \$195,450	24%	\$82,501 to \$157,500	28%	\$156,151 to \$237,950	24%	\$165,001 to \$315,000
33%	\$195,451 to \$424,950	32%	\$157,501 to \$200,000	33%	\$237,950 to \$424,950	32%	\$315,001 to \$400,000
35%	\$424,951 to \$426,700	35%	\$200,001 to \$500,000	35%	\$424,951 to \$480,050	35%	\$400,001 to \$600,000
39.6%	\$426,700+	37%	\$480,050+	39.6%	\$480,051+	37%	\$600,000+

This quarterly newsletter provides business, financial planning, and tax information to clients and friends. None of this general information should be acted upon without first determining its application to your specific situation. For additional copies of this newsletter or further details on any article, please contact me.



**THE BALTIMORE RETIRED POLICE BENEVOLENT ASSOCIATION, INC.**  
**P.O. BOX 6217**  
**BALTIMORE, MD 21206**

**BENEFICIARY FORM**

*Please type or print clearly all information below.*

\_\_\_\_\_  
TODAY'S DATE

I, \_\_\_\_\_ upon my death, desire all benefits entitled to me as a member of Baltimore Retired Police Benevolent Association, Inc., be paid to:

\_\_\_\_\_  
Relationship \_\_\_\_\_

**BENEFICIARY'S NAME**

**Beneficiary Information:**

Home Address: \_\_\_\_\_

City: \_\_\_\_\_ ST \_\_\_\_\_ ZIP: \_\_\_\_\_

Telephone: \_\_\_\_\_

Contingency Beneficiary ('s) Name/Relationship/Address:

\_\_\_\_\_  
-----

**Member Information:**

Date of Birth: \_\_\_\_\_ Date of Retirement: \_\_\_\_\_

Social Security # \_\_\_\_\_

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

Witness: \_\_\_\_\_ Date: \_\_\_\_\_

Member's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**RETIREE BENEFIT INFORMATION**

Listed below is Financial benefit information that may be available for your beneficiary. These benefits vary as it depends on the coverage of each member. It is the responsibility of each RETIREE to inform his/her BENEFICIARY what benefits they are entitled to receive.

Fire & Police Employees Retirement System    Widow/Widower Benefit

7 E. Redwood Street, 18th Floor  
Baltimore, MD 21202  
410-497-7929  
Toll Free 1-888-410-1600

Baltimore City Life Insurance  
Employee Benefits Division  
201 E. Baltimore Street, 5<sup>th</sup> Floor  
Baltimore, MD 21202  
410-396-5307

Patrolman to Lieutenant \$7,000  
Captain and above \$8,500

Health Care Benefits  
Employee Benefits Division  
201 E. Baltimore Street, 5<sup>th</sup> Floor  
410-396-5307

Securian Life - Formerly Minnesota Life Insurance  
P.O. Box 64114  
St. Paul, MN 55164-0114  
1-888-658-0193

Police Beneficial Association (PBA)  
Fiscal Division    410-396-2114  
Tefanie Glee    Group #3870

Fraternal Order of Police  
3920 Buena Vista Ave  
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In the event of the death of a member, it is important to notify the Employee/Retiree Affairs Unit at **410-396-2546**. This office handles every benefit the beneficiary, spouse or family is entitled to.

A member of the Retiree Affairs Unit will respond to the home of the beneficiary (if within a reasonable distance) and assist in completing all the necessary paperwork for pension, health care, life insurance, credit union, etc. If the beneficiary is living out of state the documentation will be handled by mail.

*IN MEMORIAM*

Patty Bauer (12/08/17)  
Edward Biernacki (12/23/17)  
Ronald Collins (01/16/18)  
Rosemary Hager (01/27/18)  
Ronald Larmore (01/15/18)

*BRPBA FINAL ROLL CALL*

Franklin Blake (12/01/17)  
Darryle Blake (01/20/18)  
Norman Hook (01/28/18)  
Charles Ireland (01/26/18)  
Robert MacKenzie (01/30/18)  
Eugene Wratchford, Sr. (11/26/17)

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*You left me beautiful memories  
your love is still my guide,  
and though we cannot see you,  
you're always at my side.*

*In Loving Memory*

I thought of you with love today,  
But that is nothing new.  
I thought about you yesterday,  
And days before that too.

I think of you in silence,  
I often speak your name.  
All I have are memories,  
And your picture in a frame.

Your memory's my keepsake,  
With which I'll never part.  
God has you in his keeping,  
I have you in my heart.



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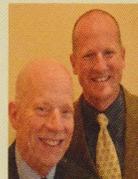
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General Meetings on the third Tuesday at American Legion Post 130,  
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