



THE SHIELD

OFFICIAL NEWSLETTER OF THE BALTIMORE RETIRED POLICE BENEVOLENT ASSOCIATION

SERVED WITH HONOR

SPRING 2017

PRESIDENTS MESSAGE

As I write this President's Message, I find that my toes have finally thawed out and my old bones are aching a bit less after surviving this chilly winter. Welcome Spring and sneezing! The Boys of Summer are playing again! The only drawback to the warmth is mowing the lawn again... and again... and again (and pulling those weeds).

These past couple months have passed by pretty much uneventfully for the BRPBA. Of note are just a few things I wanted to pass along:

- On March 20, 2017, Nick Caprinolo and I met with our attorneys in reference to the pension lawsuit; we have a good case. Under Section 42, we have a contract with the City (variable annuity). The lead attorney for Saul Ewing Group, Mr. Charles O. Monk, II, informed us that Judge Julie Rubin, who is assigned this case, is a good and fair judge.

As noted above, the case is set for October 30, 2017 at 9 a.m. In May and June, the lawyers will file the briefs, at which point this lawsuit will not be over. Many people have contacted me about us pulling out of the lawsuit. In 2010, we stood up to the City about this. If we back out or down now, the City would screw us over and over. My job as the President is to look out for our pension, benefits, and our members and widows. We will continue the fight.

- In December 2005, Baltimore Police Officer Leslie Ann Holliday, a Baltimore County resident and mother, was tragically killed in a violent shooting,

leaving behind three young children and an ailing elderly mother, Ms. Bernice Johnson.

As a result, Ms. Johnson was left with little income to raise these children alone. While the children have now grown and flourished, Ms. Johnson has not been as lucky. In 2016, Ms. Johnson had a stroke, leaving her paralyzed and unable to care for herself. She is barely surviving on Social Security benefits.

Mary Eilerman and Timothy Markland became aware of her situation and the fact that her roof was in deplorable condition, with many of the shingles laying in her yard after a few of the wind storms we had earlier this year in Maryland.

With a deep desire to help Ms. Johnson, they began a fund to collect the costs of a new roof.

This lady's circumstances were spoken about at the February 15, 2017 membership meeting and the members overwhelmingly donated towards the cost of the new roof. In addition, an email was sent to our members who were also very generous. We are happy to report that her roof was replaced in March.

This work could not have been done without you and I want to thank each and every one of you who helped with this task. We are all under the blue umbrella. This proves that retired police officer's care about our family in blue. We will step up when we need to and put our money where our mouths are.

Ms. Johnson is such an honorable woman, she sent

Continued Page 2

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

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back money to several people because she had received enough for her roof. A less than honest person would have just kept the extra money. We were humbled to help such a wonderful lady.

Again, thank you to our membership for your help. And a sincere thank you to Tim Markland and Mary Eilerman for going above and beyond for this kind lady.

- We have been meeting with the City Council folks along with our lobbyist, Mr. Frank Boston to discuss our healthcare benefits and trying to keep our prescription plan because the City is removing all retirees from this plan in the year 2020. We will keep you informed of our progress.

- For those who live in Maryland, legislation has been approved by both the House and the Senate regarding firefighter and police taxes on retirement pay. This Bill, HB100 was originally introduced by our own lobbyist, Mr. Frank D. Boston, 14 years ago! It has taken this long for the politicians to play their games in Annapolis and finally make a decision. My thanks to Frank Boston, Dan Fickus, Ron Starr and Don Helms for their tireless efforts to push this Bill through. There are some who are saying this legislation is "not good enough", but I say it's a start and beats no help at all.

Please see Leonard DeLozier's article on the next page for further information.

- I have received a lot of calls about CareFirst changes in coverage. CareFirst sent out a booklet on coverage starting January 1, 2017. Medicare covers 80% of your healthcare costs. CareFirst now covers 80% of the remaining 20% - not ALL of it! Retirees or beneficiaries are now responsible for the balance. Any questions or concerns, please call CareFirst Customer Service at 1-800-535-2292. While I welcome hearing from you, I am unable to answer these questions. Customer Service is the best resource.

- I would like to take a moment and thank Karen Rader-Raffensparger, our Administrative Assistant. This lady is the glue of the BRPBA organization. A few months ago, our BRPBA Secretary, Kathy Conrad, made a motion and was passed, for us to have our own Facebook page. Karen and Kathy started the page and we now have about 300 members. Also, we have gotten several new members and addresses of some of our missing in action, and updated our email addresses. Thank you Karen.

It turns out I had much more to tell you about than I thought! Have a safe summer.

Daryl Buhrman

From Leonard A. Delozier, Jr.

Certified Public Accountant

April 19, 2017

House Bill 100

House Bill 100 was signed into law earlier this month by Governor Hogan. Below is **my understanding** of what this means for Baltimore City retired police officers. However, to better understand the new law, it is first necessary to understand the old law.

The old (current) law provides for a potential \$29,400 pension exclusion from taxable income for each Maryland resident who is 65 years old or older. In other words, this exclusion is applied to the first \$29,400 of your pension.

That \$29,400 must first be reduced by the Social Security benefits, if any, received by the retiree. Then, any pension benefits received, up to that new amount, is excluded from your taxable income.

For example, if you are over 65 and your pension is \$40,000, and your Social Security income is \$10,000, your maximum potential pension exclusion is \$29,400 - \$10,000 = \$19,400. That means that you would not pay Maryland income tax on \$19,400 of your pension, but you would pay Maryland income tax on the remaining \$20,600.

HB 100 extends this tax break to retired law enforcement officers (and to fire, rescue or emergency services retirees) who are age 55 or older. (They do not need to be 65 years old.) However, the exclusion is capped at \$15,000. So in the above example, if everything stayed the same except that the retiree was between the age of 55 and 65, then \$15,000 the pension would be tax-free, and \$25,000 would be taxable. When that person reached age 65, the higher, old law limits would apply.

The take-aways that you need to remember are:

This new law benefits retired law enforcement officers who are between the ages of 55 and 65. If you are already age 65 or older, you are already receiving the pension exclusion benefit, so the new law has no effect on you.

The pension exclusion only applies to your Maryland taxable income. It does not apply to your federal taxable income, nor to the taxable income of any other state.

This new law is effective starting with your 2017 tax returns (that you file in 2018).

769 out of 1747 members receive email updates.

This is the first line of information for our members.

If you would also like to receive updates, please email J8518@aol.com

Have news you want to share with our members or an article you would like to put in the newsletters? Let us know!

When I hear someone say "Life is Hard", I say "Compared to What? - Sydney Harris

SNIPPETS. PLEASE READ!

OUR EMAIL SYSTEM!!!

Our email system has given us a lot of headaches recently because it kept bouncing people's emails back to us (over 150!). We have worked with a lot of people to get this straightened out. If you signed up to receive email updates and are not receiving them, please let us know by emailing directly to J8518@aol.com.

Remember, this is your first line of information. We send out updates on the Pension System, recent passings, Reunions, Retirement Parties, member requests, etc. We do not send out junk email; only mail that is important to you.

Again, if you are not receiving the emails you requested, please let us know by emailing J8518@aol.com.

At one time, the BRPBA did not offer the Death Benefit to any member who did not join within a year of retirement. **That is no longer the case!** Your death benefit will be prorated on the years of service you were a member.

THEREFORE, if you did not fill out a beneficiary form at the time of joining the BRPBA, please do so now! We still have way too many members with no Beneficiary form on file. Your family will wish you had taken the time to do this once you have passed.

A Beneficiary Form is enclosed in this newsletter. Please complete it and send to BRPBA, P.O. Box 6217, Baltimore, MD 21206.

Let's face it. Nobody likes talking about this. But we have to ask that you make arrangements for yourself. If you become sick or pass away, we need to know about it. Too many times we find out months later when a member or widow has passed. Please read the next page and make a note in your final arrangements as to who your beneficiary should call. The City will contact us so that your BRPBA benefit can be processed.

When we do not know if you passed, not only does it hold up your Beneficiary check, but a member continues receiving mail from us, which we can speak from experience, is hurtful to the family.

Please help.

OUR FACEBOOK PAGE IS A HIT! WE HAD 301 PEOPLE SIGN UP WITHIN TWO MONTHS OF STARTING THE PAGE. LOOK FOR US AT "MEMBERS ONLY BRPBA" AND SEND A REQUEST TO JOIN. THERE HAVE BEEN A LOT OF CONNECTIONS MADE AND INFORMATION SHARED THROUGH THIS PAGE!!

IT COSTS \$0.00 TO BE A NICE PERSON.

UPDATED RETIREE BENEFIT INFORMATION

RETAIN THIS INFORMATION FOR YOUR FILES; CONTACT'S HAVE CHANGED.

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 Patrolman to Lieutenant \$7,000
Employee Benefits Division Captain and above \$8,500
201 E. Baltimore Street, 5th Floor
Baltimore, MD 21202
410-396-5307

Health Care Benefits

Employee Benefits Division
201 E. Baltimore Street, 5th 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
Baltimore, MD 21211
410-243-9141

Insurance Benefit \$1,500 to members

Municipal Employees Credit Union

1 South Street
Baltimore, MD 21202
410-752-8313 / 1-800-248-6328

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.

City Police As A State Agency

The Baltimore Police Department became a state agency most likely because of events that occurred even before the Civil War. The Native American Party, renamed the American Party in 1855 and nicknamed the Know Nothing movement, espoused an anti-immigrant and anti-Catholic philosophy, emphasizing purity of elections by blocking "impure foreigners." In Baltimore, 1856 saw the Know Nothing Election Day Riot as the American Party resorted to violence to hold on to power. Several people died, and scores of others were injured. Competing mobs fought a full-scale battles on Orleans Street and at Lexington Market. The Baltimore Police could not, or did not, stop the violence.

Upshur v. City of Baltimore, 94 Md. 743, 51 A. 953 (1902) described the result:

For some years prior to the adoption of Acts 1860, c. 7 and therefore during a period when the police force was wholly under the control of the municipality, the city authorities failed to suppress the disorder and lawlessness which prevailed to an alarming extent, and the riots and bloodshed which invariably accompanied a general or local election. The law was defied; the public peace was disturbed; the constabulary were powerless, if not in sympathy with the mob; and reputable citizens were driven by violence from the polls. Relief from the intolerable conditions which existed was finally sought by an appeal to the general assembly, and Acts 1860, c. 7, completely separating the police department from the city government was the result. The police board was created, and its members, and the force enrolled by them were made state officers; and the city was denied, in the most positive manner, any right to interfere with or control the policemen. The underlying purpose was to deprive the city of all power over the police. The change made Baltimore one of the most law-abiding communities in the country.

Id. at ___, 51 A. at 958.

To be sure, the *Upshur* description was not entirely accurate. In fact, a year after the city police became a state agency, Baltimore witnessed the first bloodshed of the Civil War during the Pratt Street riots on April 19, 1861. The Sixth Massachusetts militia, on its way to fight the rebels in the South, had to march through Baltimore from the President Street Station to Camden Station in order to continue its journey south. A mob of both anti-war and southern sympathizers attacked the soldiers, four of whom died, as did twelve civilians. Clearly, constituting the city police a state agency neither stopped nor prevented the carnage.

In 1976, after the 1974 police strike, the General Assembly transferred the power to appoint the Baltimore Police Commissioner from the Governor to the Mayor. Nine years later, in 1985, several city police officers mistakenly searched a house on Chase Street when they actually should have searched a house with the same number on Eager Street. In *Clea v. Mayor and City Council of Baltimore*, 312 Md. 662, 541 A.2d 1303 (1988), the owner of the house on Chase Street sued the City and lost. The court noted, "It is true that ... [in] 1976, the General Assembly transferred the power to appoint the Baltimore City Police Commissioner from the Governor to the Mayor of Baltimore City. At the same time, however, the General Assembly maintained the express designation of the Baltimore City Police Department as a state rather than a local government agency." *Id.* at 669, 541 A.2d at 1306. In fact, thirteen years after the *Clea* decision, in *Baltimore Police Department v. Cherkes*, 140 Md. App. 282, 780 A.2d 410 (2000), the court of special appeals, in an excessive force lawsuit, stated that the Baltimore Police Department "exists as an agency of the state." *Id.* at 313, 780 A.2d at 428.

Since then, numerous federal and state court opinions have held, counterintuitive as it seems, that the Baltimore Police Department is a state agency. In fact, the issue came up during the last legislative session. Delegate Curt Anderson, who in past sessions vigorously spearheaded efforts to diminish the protections afforded police officers under the Law Enforcement Officers Bill of Rights, sponsored a bill designed to give Baltimore City "control" over its police force. The city council quickly fell in line, passing a resolution in support of the bill. Then it became apparent that constituting the Police Department a city agency, rather than a state one, would

Continued page 7

deprive it of many of the immunities the State of Maryland enjoys as a defendant in a civil suit. Once it became clear that Delegate Anderson's legislation would potentially cost the city considerably more money as a result of civil lawsuits, he sought and received a letter from the Office of the Attorney General to that effect and withdrew the bill.

For the immediate future, the Baltimore Police Department, whose Commissioner is appointed by the Mayor with the advice and consent of the Baltimore City Council, shall most likely remain a state agency, at least for litigation.

Michael P. May

As we have passed on to you in the past, here are more helpful Senior links:

AOA.gov: Administration on Aging. Help for any Senior topic you can think of.

TRAVEL: roadscholar.org. and evergreen.org.

TECHNOLOGY: Simple, useful tips for using the computer. Seniorsguidetocomputers.com

HOME HELP: Home care search engine: carejoy.com

HUMOR: Who doesn't want a laugh or two? Suddenlysenior.com

JOBS: Retiredbrains.com and workforce50.com.

FINANCE AND MONEY: Help with investments, retirement planning, estate planning, etc.: the moneyalert.com

DATING: Lonely? Check out seniormatch.com.



Please join us for our Annual Bull and Oyster Roast on June 21st, 2017 at 6:00 p.m.

Place: Heritage Gardens Catering

7631 Harford Road, 21234.

Good food, good drinks, good friends.

Rusting Badges
By Richard Ellwood

As we sit in the diner having breakfast, the “war stories” start. Just a bunch of old retired cops that love to get together and talk about our time on the Baltimore Police Department.

The breakfast meeting is something that we all look forward to, even though we have heard most of the stories over and over through the years. Several of the retired cops now have hearing problems, so the talk gets quite loud. Sometimes the waitress will ask us to tone it down a little, but we don’t. The more coffee we drink, the louder we get. It seems like everyone wants to talk at the same time.

“Hold it down boys,” says Thelma. She’s our waitress and has been saying that to us for quite a few years. We acknowledge her, but ignore her. She doesn’t care if we hold it down or not. She fills our cups and moves around the restaurant with the quickness of a cat. Not sure of her age, but she has worked in the diner for over twenty years.

The ages of our retired cop crew range from the early ‘70s to the late ‘80s. We have guys that worked in the department going back as far as the 1950s. I would estimate that the guys have over two hundred and fifty combined years of service in police work.

I look forward to the breakfast get-togethers. On my way there, I’m thinking of some of the stories I want to talk about. We now have some guys who will start a story, but can’t finish it. No problem. When we see someone struggling to come up with the finish or try to remember a name from the past, we jump in. Sometimes it goes like this...*hey, you remember that guy, the big guy, you know who I’m talking about, the tall guy with the red hair.* The rest of the retirees work real hard to try and help. It might take a few minutes, but eventually someone will blurt out the name of the big tall guy with red hair.

When someone is struggling to finish a story, we feel that it is our obligation to help. We helped each other for many years in the police department, so there is no reason to stop now.

I’m sure that the other customers in the diner get a real police education from our loud talking. We have actually had people come over to our table and thank us for our service.

“Please boys, you need to hold it down.” Thelma speaks, but she’s moving so fast, most don’t even hear her as she hustles by holding more trays of food than you would think a woman her age could carry.

Pete hollers to her, “You’re the prettiest waitress in the place.” She delivers her trays and walks by us, giving Pete a kiss on the cheek. She then calls him the biggest liar in the world.

Joe shouts across the table, “Do you guys remember the riots in sixty-eight when we worked twelve hours on and twelve hours off?” There are eight of us at the table, only two can hear Joe. Frustrated, Joe gets loud and repeats his question. Now he has a majority, so he continues. “I didn’t go home for three days. I slept in the basement of the old Central District.”

“So, what’s your point,” hollers Augie from the other end of the table.

Joe jumps up and gets louder. “My point is that we didn’t get paid for all those hours we worked. Hell, today if they work one hour past their shift, they get paid big bucks. We stopped that riot in sixty-eight. I’m not sure how we did it, but we did.”

Eddie, who has been silent as he takes it all in, speaks up. “Do you guys think we will get a raise in our pension this year?”

Before Eddie can continue, several guys start talking at the same time. Don, who is the unofficial expert on pensions and anything to do with money, speaks up.

Continued Page 11

Policy 1501 POLICE BADGES

By order of the Police Commissioner, active and retired officers in good standing can now obtain a copy of their police badge(s).

Definition of Good Standing: A status of a current law enforcement officer who does not have any open or unresolved administrative complaints or criminal charges relating to his/her police employment that likely would result in termination of employment. A status of a former law enforcement officer who was not dismissed from police employment for actions that violated the mission, vision and core values/code of ethics of the BPD, and/or who did not have any open or unresolved administrative complaints or criminal charges that likely would have resulted in termination of employment at the time of separation from BPD service.

Retired Badge — May be used for identification purposes by retired members. Your badge number will be on the front of the badge. Your sequence number will be on the back of the badge. It will NOT say retired. The cost for a small badge is \$45 plus tax for each position held (if you request it). The cost for a large badge is \$50 plus tax for each position held (if you request it). There will be room on the application for three positions.

Retired Member

1. Complete the Badge Application on the next page.
2. Affix a copy of your retired BPD identification card to the form in the appropriate space.
3. Scan/Email the completed form to: RetiredBadge@BaltimorePolice.org.
 - 3.1. Approved forms shall be returned via email to the submitting retiree and directly to Irvin Hahn Co. Inc.
 - 3.2. Disapproved forms shall be returned via email to the submitting retiree.
4. When notified that the approved form has been received by Irvin Hahn Co. Inc., make arrangements directly with Irvin Hahn Co. Inc. for payment.
5. You may also mail the completed form to:

Human Resources
242 W. 29th Street
Baltimore, MD 21211

Any questions, please call Human Resources at: 410-366-3011 or 3013
6. Irvin Hahn Co. Inc. will only process approved applications received directly from the BPD Human Resources Section.

APPLICATION NEXT PAGE





BALTIMORE POLICE DEPARTMENT BADGE APPLICATION FORM for *RETIRED SWORN MEMBERS*

FORM 120

DATE

Requesting Member

Requesting RETIRED Member (Print Name):		Seq. #:
Address:	D.O.B.:	Cell #:
Email address:		

I, _____, certify under the penalties of perjury, that I retired from the BPD in Good Standing. I
(Print Name)
hereby affirm that I did not retire with any open administrative or disciplinary investigations pending and did not retire as a result of discipline. I also affirm that I am not the subject of any criminal investigations and I do not have any criminal convictions.

Signature: _____

If at the time of your retirement you were the subject of an administrative or disciplinary investigation or if you have any open criminal investigations or convictions, please provide a full explanation of each, on a Form 95, so that the Department can determine whether they would prevent you from receiving a retirement badge.

Requested Badge(s)

Requested Badge Rank:	Requested Badge #:	Type of Badge Requested (Regular, Wallet, Plaque, Mini)	
			Place Copy of Retired BPD ID Here

Human Resources Certification

The above Retiree has been approved /disapproved for the purchase of the above indicated badge(s).

 Approved: I certify that the above member Retired in Good Standing. Disapproved;

Reason _____

_____	_____	_____
Printed Name	Authorized Signature & Seq#	Date

Instructions

1. Complete Form
2. Email completed form to BPD, HR Section (with copy of your Retired BPD ID scanned in the area provided)
[@RetiredBadge@BaltimorePolice.org](mailto:RetiredBadge@BaltimorePolice.org).
3. Upon approval, submit this form to Irvin H. Hahn Co. Inc., 1540 Ridgely Street, Baltimore, Maryland 21230; Phone #: (410) 685-6337 with payment. Processing time takes 6-8 weeks.

(Continued from page 9)

“Listen guys, we have talked about this in the past. You will not be getting any more than we usually get each year. The city is strapped for money. So, dig into your savings and spend it; you won’t take it with you when you’re called to your final roll call.”

Silence sets in for a few seconds as if the news of not getting any money in our pensions is paramount to a death sentence.

Pete hollers to Augie, “If I had your money, I wouldn’t worry about anything.” Augie laughs but does not respond.

A few minutes later Augie shouts across the table at Pete, “I worked my butt off after I retired, so that I could enjoy the back-nine of my life.”

Thelma sees that we have finished our breakfast. “Can I get you boys more coffee or are you flying high enough on caffeine? Joe, you forgot to tell the story about when the cop fell asleep in his car with the door open. The car slipped out of gear and went backwards hitting a tree and taking the door off. I love when you tell that story.”

Joe just laughs and knows that we have all heard that story too many times; we just can’t remember who the cop was in the car. Could it have been the tall, red-headed guy?

The table gets quiet, we can’t think of any more stories or the caffeine has fractured our brains.

We do our usual ritual of splitting the bill. It doesn’t matter what you had; we just add in a big tip for Thelma and split it. Don is the collector of the money. Thelma always gets a big tip. I have even seen guys give her something extra as they leave the diner.

When outside, no matter what the weather is, there is always time for one more story.

Can’t wait till next week. If the story comes up again, I’ll remember that tall, red-headed guy’s name....maybe.



Reliable Lead Inspection Services
Serving Baltimore Metro Area
410-382-4860

Norman Rosenzweig
Licensed Lead Inspector
6351 Red Cedar Place
Baltimore, MD 21209
reliableleadinspections@gmail.com

The card features a background image of a hand using a wooden tool to scrape lead paint from a wall.



Mobile Notary Services 24/7
Maryland and Washington, D.C.
WHERE you need us, WHEN you need us.

Norman Rosenzweig
PRESIDENT
NormanRosen@Verizon.net
WWW.MDandDCmobilenotaryservices.com
Fingerprinting, Apostilles, Real Estate/
Mortgage Closings, All Notary Work.

Phone:
410-382-4860

The card includes a small portrait of Norman Rosenzweig, a man in a suit and tie.

WANT TO PLACE A FREE AD? PLACE YOUR BUSINESS CARD OR FOR SALE ITEM IN THIS SPACE .
(Send to P.O. Box 6217, 21206.)



Annee's Dog Walking, LLC

A tired dog is a good dog

Dog*Tec Certified
Bonded and Insured
Canine CPR Certified
First Aid Certified
Retired Police Officer

Call text or email:
443-257-0197
anneemiller6@gmail.com
coppgirlie@aol.com

The card features a circular logo with a black and white dog's head and the text "A tired dog is a good dog".

Serving Northern Anne Arundel County, Southern and Southeastern Baltimore City.



WELCOME TO OUR NEW MEMBERS!

Brian Biehler	Stephen Nalewajko
Earl Dutton	Michael Ogle
Darlene Early	Delsie Parker
Michael Fields	William Phelps
Richard Green	Gina Pugliano
Conard Hendrichs	Jeffrey Redd
Barry Irwin	Aquiles Reyes
James Magness	Shonda Williams
Gwendolyn Marshall	

CONTACT INFORMATION:

President: Daryl Buhrman 410-803-2293
1st VP: Richard Nevin 410-876-1027
Distress Fund 410-803-2293
Heritage Gardens 410-254-2272

Website www.brpba.com

Email Address: J8518@aol.com

*The phone number for the Heritage Gardens
to be used only in an emergency.*

INCLEMENT WEATHER

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

- Baltimore City Schools are closed because of snow or inclement weather; or,
- There is a snowfall after schools are dismissed and the Baltimore City 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).

Police log

BROCKTON — When police told 20-year-old Alex Pauleus of 25 Hunt St. that a woman had identified him as one of three men who burst into an apartment on Court Street late Saturday night and held the occupants at gunpoint, he said that was impossible.

"How could she tell it was me? I had a mask on," he reportedly told police.

ALEX

He's not the sharpest knife in the drawer

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.

Pension Redux

Reducing governmental pension benefits always creates both anger and controversy. Certainly the F&P pension controversy and seemingly endless litigation does not represent the first time conflict has surfaced.

Thirty-four years ago, in the 1983 Regular Session of the General Assembly, the body considered SB 606, which would have reduced future benefits available to members of the State Employees' Retirement System and the Teachers' Retirement System. Although the bill did not pass, Senators Abrams and Denis requested an opinion from the State Attorney General as to whether a reduction in benefits would have violated the Contracts Clause of the United States Constitution, which prohibits a state from "impairing the obligation of contracts."

On September 27, 1983, Attorney General Steven H. Sachs, assisted by Jack Schwartz, Robert A. Zarnoch and Avery Aisenstark, wrote an opinion, 68 Op. A. G. 366 (1983), stating that the bill's proposed changes in benefits did not necessarily violate the Contracts Clause but that a factual basis was necessary for the changes. The opinion said, "If, in fact, the modifications contained in Senate Bill 606 are found to be needed [to maintain the financial flexibility and integrity of the retirement systems], those modifications would be consistent with current law. Therefore, a bill such as Senate Bill 606 would not constitute any impairment of the contract that the law creates."

Id. The opinion relied upon *United States Trust Co. v. New Jersey*, 431 U.S. 1 (1977) for the proposition that if the impairment of contract was reasonable and necessary to effectuate a legitimate governmental purpose, it would pass constitutional muster. The opinion also took note of a 1976 Attorney General's opinion, 61 Op. A.G. 746 (1976), which concluded that vested pension rights could be legislatively modified "for the purpose of keeping the pension system flexible and maintaining its integrity."

In fact, the 1983 opinion also took note of a 1979 letter from Mr. Zarnoch to Senator Melvin A. Steinberg quoting *City of Frederick v. Quinn*, 35 Md. App. 626, 371 A.2d 724 (1977) in which police officers sued the city, asking a court to declare that the officers' pension rights could not be reduced. The court of special appeals held that public employees' contractual or vested rights in a non-contributory pension plan are subject to a reserved legislative power to make reasonable modifications in the plan or to modify the benefits if there is a simultaneous offsetting new benefit or liberalized qualifying condition. Because the F&P case is now in state court under a state breach of contract theory, the 40-year-old *Quinn* case should receive considerable scrutiny.

Meanwhile, at this point, settlement discussions remain in limbo.

Michael P. May

CHANGE OF ADDRESS OR WANT TO RECEIVE EMAIL UPDATES?

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Graphics Courtesy of Ret. Sgt. Jay Wiley



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- Rommel Harley - Davidson Annapolis - Annapolis, MD - 9:00 - 11:00 am
- Battley Harley - Davidson - Gaithersburg, MD - 9:00 - 10:00 am
- Red Eye's Dock Bar - Kent Island, MD - 9:00 - 10:00 am
- Old Glory Harley - Davidson - Laurel, MD - 9:00 - 11:00 am
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DISTRESS FUND NEWS

The process begins again. We are preparing our 2017 raffle for mailing in the first week of September. Hard to believe another year has passed. Time goes way too quickly for many of us, but time passes slowly for those who are struggling. They may have run into a bit of bad luck like a house fire or loss of employment. They may be struggling with a debilitating illness or injury. They may just simply be getting older and living off of a meager income.

The people you help are the men and women, or widows of the men and women we worked with on a daily basis: Our "brothers and sisters in Blue". Their struggles are our struggles. We are a *Band of Brothers (and Sisters)*. The Baltimore Retired Police Benevolent Association's Distress Fund is the only fund available to help our Baltimore City Retired Officers and family. The ONLY one.

So, the BRPBA yearly raffle will be sent to you once more in the hope that you will help us continue to aid your fellow officers and their families.

As it was last year, this years' raffle offers twenty-five (25) chances to win. Winning tickets will be drawn at our holiday get-together in December.

14 - \$100.00 winners 3 - \$300.00 winners

4 - \$200.00 winners 4 - \$500.00 winners

Sellers of the winning tickets receive \$25.00 each. Top Seller of over 200 tickets receives \$100.00. The next top seller of over 100 tickets receives \$50.00, and any sellers of over 100 tickets receive \$25.00 each.

As we have stated in the past, if you do not believe in "gambling", we respect that, and welcome donations of any amount in lieu of purchasing tickets.

If you have any questions or concerns, please feel free to contact me at (410) 803-2293 or email to: bigfoot571s@yahoo.com.

Thank you,

Daryl J. Buhrman, Sr.

Chairman

Sincerest appreciation is sent to Mrs. Janice Kellner, niece of deceased member, Donnell Lorenz, for her wonderful donation to the BRPBA Distress Fund.



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 under Member Information or call Daryl Buhrman at 410-803-2293.

IN MEMORIAM

Gail Addison (01/29/17)
Wife of Ret Officer Addison Willie

John Sinnott, Jr. (02/11/17)

Gloria Larkin (02/20/17)
Wife of Robert Larkin

Mrs. Betty Miller (03/12/17)
Wife of the late Richard Miller

Tina L. Warren (04/18/17)
Wife of Christopher J. Warren

*ALWAYS ON MY MIND.
FOREVER IN MY HEART.*



BRPBA FINAL ROLL CALL

William Booz (04/12/17)

Michael Constable (04/18/17)

Richard Gallion (03/01/17)

Berry Grant (02/26/17)

Herbert Hewlett (03/20/17)

Margaret Hoard (01/10/17)

John Kotrla (03/31/17)

Leopold Luberecki (03/06/17)

Frank Pereny (01/04/17)

Joseph Peters (04/07/17)

Earl C. Robinson, Jr. (04/06/17)

Dennis Wise (04/18/17)

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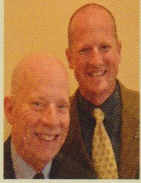
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