

December 2015

# Sentinel

Chicago Police Lieutenants' Association



## President's Message

Dear Lieutenant,

### Pension

As can be expected, nothing has been resolved in Springfield regarding pension initiatives. The bill supported by FOP Lodge 7 and Local 2 (Fire) remains on Sen. Cullerton's desk on a motion to reconsider. The casino bill like the unicorn has yet to be seen. One would assume both bills are dead due to the Mayor's budget proposal that increases property taxes to address the decades of pension underfunding by the City. Since the City will have the revenue to meet the actuarially required contributions (ARC), what will happen to the revenue from any casino deal? It will probably be used to reduce the property tax burden that passed on to Chicago residents prior to the mayor enjoying casino revenue.

### Health Care Benefit, et al

The grievance that members of the CPLA were entitled to the same Health Care benefit as members of the FOP was awarded to PBPA member groups by Arbitrator Nielsen. Although the decision fell a

little short of our expectation to the health care benefit for the same amount of time as FOP (Jun 2017), it is a win nonetheless. Members that retired paying the 2% of their annuity will be made whole and enjoy free health care until 65, and member's retiring up until October of 2016 will receive the same benefit. Thereafter, it will be 2% of a Lieutenant's annuity.

Another successful arbitration came with the "purging" of online disciplinary

and complaint files from the online system after 5 years. The Department has been keeping these readily available by computer inquiry dating back to who knows how long, but at least 1967. This was how far they were going back to release that information to a media FOIA request, but was stopped by court order. The city lawyers are in the process of asking for relief from this ruling because it would be too hard to do the bookkeeping. I guess they forgot about filing cabinets. We have yet another grievance that addresses the accuracy of the information in this computer database. The CPLA showed several examples that refuted the information contained in the database that was attempted to be released. In the current anti-police environment it would be extremely harmful to members to release erroneous complaint and disciplinary data. I'm sure they'll find a way to blame the unions for their deficient bookkeeping practices too.

### CPLA Business

December's board meeting will be my final one as President of



## President's Message Continued from page #1

the Chicago Police Lieutenants' Association. Pursuant to our by-laws, I have completed the maximum two terms. I want to thank all of you, of which there are many, who have helped me through this trying period for Lieutenants. Thanks to Tom Pleines and Sean Smoot for being invaluable sources of information and for their legal expertise.

Most importantly, I would like to thank all those serving on the Board of the CPLA during my tenure. Your commitment to the well-being of current and future Lieutenants is amazing. Regardless of the volume level of our "discussions," it was always clear that your intentions were for the good of your fellow Lieutenants.

I hope to see many of you at the Holiday meeting on January 12<sup>th</sup>, or the Corned-beef and Cabbage dinner on March 14<sup>th</sup>. And let's take good care our people, they are deserving of our best efforts now more than ever.

Merry Christmas and Happy 2016!

## Vice-President's Message - Dean Stone

### Grievances

Several grievances were settled. Two grievances filed relating to suspension time were settled through Summary Opinion. One was a reduction of suspension time from 10 days to 5 days; the other was reduced from a 3 day to no suspension time. We have two more grievances which are going to summary opinion for suspensions we hope they will have similar results.

The 2% grievance (Me-Too) which relates to receiving benefits equal to what the FOP negotiated was settled in our favor. This was a partial victory as we were asking for not paying the 2% until June 1, 2017 for the 55 to 60 free medical but only received a 30 month window which we have to retire and not pay the 2%. This window starts at the month of ratification of our current contract (April, 2014) and ends in October of 2016. After October 2016 you will have to pay the 2% if you use

the 55-60 medical benefit of our contract. Our current contract expires on June 30, 2016 but remains in force until a new contract is ratified. We asked the arbitrator to reconsider his decision to extend the free medical until June, 2017 but he denied that request. We also asked the arbitrator to clarify how his award relates to the provision of the free medical at 55 specifically regarding not being able to retire between Jan 1 and April 30 to qualify for the free medical. We are waiting for his response.

The grievance relating to the Inspector General was settled but we didn't receive the outcome that we were hoping for. The arbitrator ruled that the Inspector General can investigate Lieutenants, if IPRA or IAD attempts to obtain an affidavit from Dan Webb who conducted the investigation. This ruling only applies to this particular incident.

The Grievance relating to the destruction of files older than 5 years was settled again partially in our favor. The arbitrator ruled that the city cannot keep these files in the on line system nor use them against us but allowed the city to keep them in boxes or cabinets in case of any litigation.

### In the End

Finally, it is with great regret that I am leaving the Lieutenants board. I feel that an orderly transition now at the start of the new term of Officers is the best for the board and our membership. It has been a pleasure serving you as your Vice-President and Secretary for the past 10 years.

Faternally,

**Dean Stone**  
**Vice President**

*Grievance Committee Chairman  
Chicago Police Lieutenants' Association*

## Retiree Corner

### Terry McMahon

As I sit down to write this, the weather forecast for the next few days is for a possible 3-7" of snow. (Editor's Note: Yes this happened!) Time to put the golf clubs away (they don't work right anyway) and bring out the snow shovels and winter coat. For those of you that only have memories of these items, Stop Laughing! Actually, congratulations on your ability not to have to buy sidewalk salt while the rest of us are checking airline fares. The upcoming holiday season can be both a wonderful and stressful time of the year for many of us. My best wishes to all for a happy time with friends and family.

**Membership:** There are 221 budgeted Lt. positions; we currently have 199 active Lt.'s and 17 exempts are dues paying members.

**Retiree Contact Information:** The Association has received updated contact information for 150 retiree's. There are 340 retired Lt.'s. Please ask any retired Lt. that you may know, if they have not already done so, to go to [www.cpdlt.com](http://www.cpdlt.com) and update their information.

**Update on Health Care Lawsuit:** The judge denied the motion to stop the City from raising the premiums until the suit is settled, but agreed that there is sufficient grounds for the suit to proceed. The next hearing date on this is in Dec./15.

**Grievances:** Me-Too: This was in 2 parts.

-- The duty availability was acknowledged by the City and was paid to active Lt.'s in Sept/15. If you are retired and are owed \$\$ due to your retirement date and have not received the \$\$\$ owed to you, you need to contact Finance directly.

--The issue of the responsibility of not having to pay the 2% towards the health care when you retire until 2017, as FOP has in their contract, was ruled on by the arbitrator and won by the Association. If you retired under the current contract and are paying 2% of your annuity towards the City health care those \$\$\$'s will be refunded to you. As the ruling was handed down shortly before the submission of this article I do not have any information on a time frame for this. If this affects you, you may call Finance directly. Also, as soon as more information is known I will send an email.

**Pensions:** Nothing new to report. Multiple bills and ideas are being proposed that all try to reduce the benefits that the Illinois Supreme Court has ruled cannot be diminished. The politicians continue to try to get around the ruling instead of reducing spending in other areas. **To clarify:** The "Casino Bill" has not been introduced as an actual bill. It still is just a sound bite for the politicians.

**Pension Board:** On 22 Oct 15, Kenneth Hauser was re-elected to a new 3-year term as our Annuitant Representative Trustee on the Pension Board with 79% of the votes cast.

**IRROC:** For those of you that may be interested the Chicago Police Dept. range at the Academy is conducting IRROC qualification sessions on selected Saturdays. At this time these sessions are only open to retired CPD.

**Jan. Dinner/Meeting:** On 12 Jan 16 the dinner/meeting will be held at Home Run Inn, 4254 W. 31<sup>st</sup> Chicago, IL. at 6:00pm. All are invited. Hope to see you there.

**Rest in Peace:**

- Sep/15----Retired Lt. Vito Contino (89)
- Sep/15----Retired Lt. Hugh O'Malley (84)
- Oct/15----Retired Lt. George B. Berndt (78)
- Oct/15----Retired Lt. Kenneth G. Brown (67)
- Oct/15----Retired Lt. Karl Neumuller (84)
- Oct/15----Retired Lt. Joseph W. Schober (66)

Stay Safe & Good Health,

# Notes from a Pre-Retirement Seminar - Dean Stone

Fraternal members,

I recently attended the pre-retirement seminar and made the following notes that I wish to share with you.

**Something everyone** should do immediately is check that the beneficiaries that you have on file are correct even if you are not planning on retiring in the near future. Some of us haven't changed beneficiaries since we were in the academy. This could mean that upon your untimely death your money may go to a former significant other, mother, father or former spouse and not to your current spouse, children or the person that you want to be your beneficiary. If the currently listed beneficiary is deceased then it goes to their estate. You can call Benefits Management, deferred compensation (Nationwide) and the pension board to make sure you have the correct beneficiaries.

## Notes from Pre-Retirement Seminar

Disclaimer: although I took copious notes please verify the accuracy of this information before acting upon it.

### Pension Board

Call pension board before you submit PAR to make sure you have the correct dates of promotion and have calculated any lost time, sometimes we forget after 30 years about leave of absences, days off suspended or taking off without pay.

Schedule a meeting with the pension board 1 month before retirement date. You will need copy of approved PAR and signed exit interview. Also bring copies of birth certificates, marriage licenses, divorce decrees, social security numbers for spouses and minor children.

It is very important that you notify the pension board of any special needs children that you have as there are special provisions to take care of them.

Takes about 6 to 8 weeks to get first pension check, depending if you retire on the 15<sup>th</sup> or end of the month.

Pension annuity is based upon your best 48 months out of your last 10 years.

COLA is 3 % starting on Jan 1 the year after you retire or 1 ½ % at age 60 depending on your DOB. The 3 % continues indefinitely while the 1 ½ % has a term of 20 years. At time of death your spouse gets ½ of whatever your pension was at time of death including any COLA raises for life. No future COLA raises will apply to spouse's annuity.

Notify Pension board 90 days before you or your spouse turns 65 yoa.

### Deferred Compensation plan (457b)

When you retire you can put up to 36k into deferred comp plan. This allows you to avoid paying the 3.75% state tax. Items such as comp time sell back, unused furlough, PD or BFD days, spouses annuity refund (if unmarried at time of retirement) and the first comp time payout can be rolled into your deferred comp plan to avoid state tax. And you can make withdraws from deferred comp without any penalties and only pay federal tax. So if you roll it into deferred comp you can take it out a month later and avoid state tax.

You can borrow (loan yourself) up to 50% (maximum 50K) from your deferred comp without penalty. Only pay



## Decriminalization

by Robert Stasch

I know now that I am getting really old. When I started police work over 35 years ago the premise for us in law enforcement was to identify evil doers and lock them up. That's why we had those things on the books – you know, laws – and when someone broke the law they went to jail. If you didn't want to go to jail, well then, all you had to do was *obey the law*.

I guess it's not like that anymore. Now we have laws on the books that are called "decriminalization". Chicago has an ordinance like that. If you possess a certain amount of cannabis you are no longer arrested, although there are some exemptions, but simply issued an Administrative Notice of Violation (ANOV). And you're sent on your way. Pay your fine, fill the city's coffer, and no crime has been perpetrated. It's a revenue thing instead.

Not long ago the governor signed into law a pot bill. Under this bill possession of 10 grams of cannabis would be punishable by a fine only of \$200.00. Gov. Rauner had restructured the bill from 15 grams and a \$125.00 fine. He said those original thresholds were too low. As a result of the veto and update to the bill, State Representative Kelly Cassidy was quoted in the Sun Times on 15 Aug 2015 as saying, "Every amount that you move, that's somebody that's going to get arrested instead of getting a ticket. She said that the goal of the bill was to reduce jail and prison populations.

Am I missing something? First of all I thought laws were made and modified to get compliance from people to morals and standards that society thought was necessary. In other words, obey the law and there is no crime. Now I guess the purpose of rewriting and amending and drafting laws is simply to reduce the jail and prison populations. Like anyone, *ever* spent any extended time in jail or went to prison solely for a misdemeanor amount of weed. Just legalize the stuff already and tax the hell out of it. Maybe the city can pay for the police pensions then.

This decriminalization is getting out of control though. In an editorial in the Tribune on 17 Aug 2015 law professor Christopher Kutz

is calling for the police to curtail traffic stops because he says traffic stops have led to many police involved shootings.

He says that Walter Scott in Charelston, S.C. was shot by the police after a stop for a broken tail light. Sandra Bland was pulled over in Texas for changing lanes illegally and was so stressed she allegedly hanged herself in the lock-up. And then there was Samuel DuBose, shot by a University of Cincinnati police officer for not having a license plate. Professor Kutz says, and I quote, "They should never have been stopped by police at all."

Professor Kutz further stated in the editorial, "Traffic stops too are more typically associated with countries with notoriously corrupt police forces, where they are the pretext for shake-downs."

WTF!!!

OK, sorry, I have to watch my language. If we are going to continue down this decriminalization route then let's do it the right way. We can reduce and eventually eliminate violent crime simply by making murder and robbery and burglary and shooting people legal. Let's pass a law that says if one gang banger shoots another, then no crime has been committed. It's the cost of doing the gang's business. Some innocent person gets hit, and then it's a different story. We'll conduct an investigation and make an arrest. Maybe even give the bad guy a citation or ANOV. But we'll try not to send him to jail or prison, but counsel him instead in a social service setting. Just that alone will cut murder and shootings by more than half.

And if we take into consideration that robbers are taking from the "haves" and giving to the "have nots" then robbery won't be a crime either. Only those stick-up guys out there being overly greedy would be committing any type of crime.

As far as traffic laws go, drive how you want to because if Professor Kutz gets his way the police will be banned from making traffic stops. Our streets will look like a 3<sup>rd</sup> world country with no regulations for traffic, but at least traffic stop related police shootings will

## Continued from page 5 - Decriminalization by Robert Stash

drop. We'll leave the speed and red light cameras of course because they, after all, are for the children. And we need to have some money coming in to pay the bills.

I wonder if anyone, anywhere, has ever just sat down with academics and criminologists and cops and bad guys and just discussed what life would look like without the law and without the police. There's more than a fine line here. I know that even Cook County Board President Preckwinkle wants to reduce jail and prison populations but just decriminalizing wrong doing is not the answer. The goal for a society is to get its members to follow the law and not be a criminal in the first place. Otherwise anarchy will be only a short trip away.

A French philosopher, Pascal, said, "Law, without force, is impotent."

I agree. Maybe the problem is not with the police and the jails and the prisons, and the laws, but with the people. Maybe to solve the problem we, as a society, should simply work to have the majority of the populace, hell, the *entire* populace, simply **obey the law**.

Problem solved.

Robert H. Stash  
Treasurer

## Continued from page 4 - Pre-Retirement Seminar

interest to yourself. Loan term is 5 or 15 years depending on type of loan, \$50 initial fee, \$ 25 every year afterwards.

At age 70 ½ you are required to take out yearly 3% of balance to avoid penalty.

### General Information

Although the representative from Benefits Management didn't appear at the seminar, several important issues were discussed. The (free) insurance provision of our contract, depending on your age and if you followed all the rules, terminates at Medicare age which is currently 65. This means that your spouse other or children who were on your insurance plan cease to have insurance (special needs children may be different), so plan on getting some sort of insurance to cover the gap or have your spouse activate his/her insurance before they retire. The FOP is working on insurance plans which are based upon membership, so rates may be cheaper. The FOP also has medical plans for when you reach Medicare age. The caveat is that you have to be an FOP member before you retire. The current cost to join FOP is \$65 annually; after you retire it is \$40.

I strongly suggest that you attend one of these pre retirement seminars at least once, preferably at least 6 months before you retire. Any further information you need please let me know as I have contact information for representatives who can answer your questions.

Dean Stone  
Vice-President  
Chicago Police Lieutenants Association

***James L. O'Neill & Timothy Nolan***  
**2016**  
***Scholarship Drawing***

**PURPOSE**

To recognize the tremendous efforts made by Lt.s O'Neill & Nolan that led us from a fraternal organization to a Labor Union. The benefits derived from this have greatly improved the lives of all our members and will continue to benefit all future Lieutenants.

**RULES**

Only Active, full dues paying members are eligible

Children must be in grades 1-16

The Association Secretary must receive letter of Verification of Enrollment from the winner's school before checks will be issued.

Only one (1) entry per member.

Applications are to be forwarded to Lt Eve Gushes, Unit 007 to arrive **No Later Than 08 January 2016**. Drawing will be held at the January General Membership meeting 12 January 2016.

**JAMES L. O'NEILL and TIMOTHY NOLAN 2016 SCHOLARSHIP DRAWING**

**NAME** \_\_\_\_\_ **STAR#** \_\_\_\_\_ **UNIT** \_\_\_\_\_

**CHILDS NAME** \_\_\_\_\_ **GRADE** \_\_\_\_\_

**SCHOOL ATTENDING** \_\_\_\_\_

**SIGNATURE** \_\_\_\_\_

***4 WINNERS, \$500 each***

**Applications must be sent to  
Lt. Eve Gushes, Unit 007  
Or can be brought to the  
January Membership Meeting**

SENTINEL

December 2015

**Standing Watch for Chicago Police**



24 hour Emergency Number  
Phone: 312-332-7432

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**Join us at the next  
General Membership Meeting  
For Our  
After Christmas Celebration**

Dinner will be served

**12 January 2016**

**6:00 PM**

**Home Run Inn**

**4254 W. 31st Street**