

Meeting Dates & Events

Mon., March 3
Retiree's Meeting

Tue., March 4
FOPA Meeting

Mon., March 10
Executive Board Meeting

Tue., March 11
Olivia Zick Memorial at FOP Hall

Tue., March 11
East Side L-18 Luncheon at APG

Wed., March 12
West Side Luncheon at Triple Cats

Mon., March 24
Regular FOP Meeting

Wed., March 26
West Side Luncheon at Triple Cats

Fri., May 9
Awards Dinner

Mon., May 12
Memorial Parade

Thur., June 5
FOP Picnic

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Retired Info.....Mike Bolte
Photographers.....Jim Brown
Bill Holzman

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2nd Vice President.....Sean Woods
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Two-Six NEWS



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Editor . . . Brent Eve

VOLUME 30, ISSUE 3

CINCINNATI, OHIO

MARCH 2025

FOP President's Message

In August 2024, the FOP sent a cease-and-desist order to the City Manager's office regarding the "community responders" who were being hired to respond to auto accidents, hazards and noise runs. After no thoughtful response, the city hired several civilians in October. The FOP then filed an unfair labor practice. So why is this a problem? The answer is this is the work of the Cincinnati Police! Any attempt to take work from OUR bargaining unit must be negotiated. The end result of this could be the city hiring less police officers. I have received numerous complaints from officers who have had the community responders respond to police runs that have then made matters worse by their lack of ability to handle a police run. I've had citizens call me complaining about the lack of service from the community responders and their desire to have a Cincinnati Police Officer show up when they call 911. This is a slap in the face to the rank and file of the Cincinnati Police Department to think an untrained civilian is capable of making the same decisions with the same level of professionalism and compassion as you do every day. I will be in Columbus on March 11th, along with Vice Presidents Meece and Woods and our attorneys to attempt to mediate this disaster with the City of Cincinnati in front of the the State Employment Relations Board. I will provide an update in next month's newsletter.

At the September 10th staff meeting, COS Cosgrove informed the command staff she was actively working on updating Kronos so Sergeants and Lieutenants are able to work details at the PO rate. Between then and the first week of January, I was advised the Chief decided not to allow this with no meaningful reason as to why. I met with the Chief and City HR who want to "bargain" for the supervisors to work details for less pay. This has been a practice that has occurred for years. Supervisors who are working in a police officer capacity would be paid at the rate of a police officer. I am not asking the city to reinvent the wheel. I am asking the city to do what's right. We should be praising CPD officers and supervisors for their willingness to work extra hours to ensure the safety of businesses, residents and visitors. Instead, the city is insistent that the FOP give up benefits. As the weather gets warm and details go unfilled, this is going to be a ticking time bomb. I hope the city administration comes to their senses. Safety of cops and citizens depend on it.

Fraternally,
Ken Kober

POLICE RETIREES NEWS

By Mike Bolte

Retirees for Cincinnati and Hamilton County Officers Meet the First Monday of the month and begins at 1900 hours and will be on March 3rd, 2025. Call Michelle at the FOP Hall, 513-381-2550, to join IF you are not a member.

Luncheons and Breakfasts

All LEO Retirees, Active Officers and Supporters are encouraged to come and have breakfast and/or lunch at these events.

West Side: The West Side luncheon at Triple Cats is the 2nd Wednesday **and** LAST Wednesday of each month. Both are in Harrison and start at noon. The West Side breakfast is EVERY Saturday at Price Hill Chili in the Garden Room and starts at 0800 hrs.

East Side: The East Side L-18 Luncheon is always at the Anderson Pub & Grill at Beechmont/Nagel. The luncheon will be on March 11th. The East Side Saturday breakfast is at the Country Inn located at 910 Ohio Pike, Amelia, Ohio and starts at 8 am.

2025 FOP LEOSA Qualifications

Please contact Carl Rauschenberger by email or by cell phone for information: carler272@yahoo.com or 513-325-8022. Certification course is at the Fairfield Sportsmans Assoc., 6501 River Rd. There is a \$5 guest fee, and a \$40 charge for the qualification with 1 or 2 guns. The dates for training are flexible.

Greater Cincinnati Police Historical Society and The Shield

The Greater Cincinnati Police Historical Society and the Shield are always accepting donations. If you are a member of the Cincinnati Police Federal Credit Union, you can fill out a form and make a monthly donation to one or both. It is easy and tax deductible.

The FOP Retiree Meeting is on March 3rd.

The Regular FOP Meeting is on March 24th.



*A few FOP members enjoying sunny Florida:
Rick Krummen, Tom Martin, Mark Yontz, Mike Bolte, Dave Lundy*

Make sure to call the FOP Hall at (513) 381-2550 to notify them of a death of a retired police officer.

L-18 EASTSIDE LUNCHEON John Burke

The L-18 Eastsiders met today and, considering the weather, the crowd wasn't a bad turnout. John Burke had a very good quiz about famous dates and years as when there were changes in the police department. Frank Fede and many of his classmates from 1975 had a great BS session with plenty of laughs. Also, Cary Jodice was there with camera in hand as we enjoyed camera talk. Cary is one of the good guys.





OLIVIA ZICK
Memorial

WOD & BRUNCH **MARCH 11**



BUILD A STRONG MINDSET, THE BODY WILL FOLLOW

WORKOUT

- 9:00 a.m.
- CPD Training Section, 800 Evans St.
- Modifiable to all fitness levels

BRUNCH

- Immediately following WOD (~10:30)
- FOP Hall, 1900 Central Pkwy
- Hot breakfast, coffee, hot chocolate

ALL ARE WELCOME CPD & FRIENDS



BUCKETHEADS LUNCHEON Jim Brown

Around 55 Brothers, Sisters and Supporters of Law Enforcement showed up at Bucketheads for the Presidents Day LE Luncheon. We saluted the Nation's Presidents and a salute to FOP President Ken Kober. Good friends, and had a good time. Next Luncheon will be March 24, when we Salute the Irish.



COMMUNICATIONS COUNSEL

Ryan Stubenrauch / Jamieson Gordon

This month's crisis communications in the news comes from Charleston – but not the charming city in South Carolina. This Charleston comes from a state two over, Illinois.

Here's what the Charleston Police Department posted on Facebook following an incident that left a 22-year-old dead:

At around 1:07am on January 25th Charleston Police officers were dispatched to the 200 block of West Lincoln Avenue to conduct a wellness check on a 22 year old male subject who called 911 requesting immediate assistance. Upon arrival, officers attempted to identify the issues.

During the course of the investigation a rapidly evolving event took place where a CPD Officer was disarmed. Preliminary investigation indicates the individual became in possession of this firearm and discharged it toward himself. CFD EMS personnel arrived to render aid and transport the male for treatment.

The male was later pronounced deceased at the hospital. No officers were injured during the incident.

The Charleston Police department requested the assistance of the ISP Division of Criminal Investigations Zone 5 to investigate the incident. The investigation is currently
(continued on page 6)

IN MEMORIAM Greater Cincinnati Police Museum

Sergeant Kathryn M. Horn S-8

On April 30, 1995, Kathy joined the Cincinnati Police Division's 80th Recruit Class. She was promoted to Police Officer on September 24, 1995, issued Badge 769, and assigned to District 5. A year later, she was rotated to District 2. On January 20, 1996, Officer Horn was assigned to the District 2 Neighborhood Unit to serve the East End. During a reorganization, she returned to District 2 patrol in 2006. A year later, she transferred to District 3. On January 20, 2008, she was promoted to Sergeant, issued Badge S-8, and assigned to District 1. On March 21, 2010, Sergeant Horn transferred to the Mounted Patrol Unit operating out of the Downtown Services Unit. Sergeant Horn retired on June 7, 2014 with 19 years of service and 12 letters of commendation and/or appreciation.



Sergeant Horn entered hospice care on February 5, 2025. She died the next morning, February 6, 2025 at the age of 63.

A memorial service will be held at the FOP hall Friday, March 14th from 1300-1600 hours with an FOP service at 1500 hours.

Specialist James Monroe McClain PS-104

On July 30, 1972, Jim joined the Cincinnati Police Division's 57th Recruit Class. He was promoted to Patrolman on December 17, 1972, issued Badge 61, and assigned to District 1. He also attended the University of Cincinnati, majoring in Criminal Justice, from 1975 to 1977. Eight years later, in October 1980, Officer McClain transferred to District 4. By the mid-1980s, Officer McClain was assigned as the Crime Prevention Officer. On January 28, 1990, he was promoted to Police Specialist and issued Badge PS-104. In May 1991, he was assigned to one of the Division's first five Community-Oriented Police (COP) teams and was assigned to Walnut Hills. Specialist McClain, ending his career as a Neighborhood Officer in Paddock Hills, retired on November 8, 2003 with 35 years of service to his country and community and an astounding 109 letters of commendation and/or appreciation.



He then moved to Florida and most recently resided in Oviedo.

Specialist McClain died on January 27, 2025.

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Please remember to call Michelle Comarata at (513) 381-2550 if you have moved, have gotten married or divorced, have added a child/dependent, and also to check or update your death beneficiaries.

STEVE WATT AWARD

FOP 69 Facebook Post

At the January FOP regular meeting, a Law Enforcement Legend was honored. After 41 years of service, Steve Watt retired. But he is continuing his decades of service as the bag piper at hundreds, if not thousands, of events. From police funerals, to parades, to retirement parties, you will find Steve. We are proud to have you as the newest member of Lodge #69.



DELEGATE ELECTION RESULTS

The following members were elected as Delegates at the February, 2025 monthly meeting:

Jason Bolte	Dan Carder
Dan Kowalski	Deb Mercado
Mike Bolte	Tamara Brown
John Heine	Dave Bailey
Kim Horning	Ben Williamson
Kara Graves	Jackie Metz
Jonathan Gordan	Dan Mitchell
George Jason	Mark Yontz
Bill Halusek	Terry Peirano
Mike Miller	

9th DISTRICT TRUSTEE Jon Halusek

Below I have attached a copy of a draft that Bill Dean (R) is having drafted by the Office of Research and Drafting LSC Legislative Budget Office. This bill would eliminate collective bargaining as we know it today. Your rights to bargain for wages and protections will be eliminated.

Bill Dean is an American politician serving as the state representative for the 74th District of the Ohio House of Representatives. He is a Republican. The district includes Madison County as well as portions of Clark County and Greene County (Xenia).

I would encourage you to write or call his office in opposition to introducing this bill. The office phone number is 614-466-1470 and email is rep71@ohiohouse.gov.

January 13, 2025

The Honorable Bill Dean
Ohio House of Representatives
Statehouse
Columbus, OH 43215

Dear Representative Dean:

Attached is the bill draft you requested, 1_136_0009. The bill makes it a third-degree misdemeanor for an employer or employee organization (essentially, a union) to recklessly do any of the following:

- Require an employee to become or remain a member of any employee organization;
- Require an employee to pay any dues, fees, assessments, or other charges to an employee organization;
- Require any employee to pay any amount to a charity or other third party in lieu of paying dues, fees, assessments, or other charges to an employee organization.

If the bill is enacted as drafted, it may be challenged on the basis that the criminal penalty is preempted by the federal National Labor Relations Act (NLRA).² Collective bargaining involves an employer and employees reaching an agreement with respect to rates of pay, wages, hours of employment, or other conditions of employment. Subject to limited exceptions, private-sector collective bargaining is governed by the NLRA. Currently, under the NLRA, a private sector employer may require either of the following as a condition of employment:

- An employee to join the employee organization that represents the employer's employees 30 days after the date the employee begins employment;
- An employee who is not a member of the employee organization but is covered by an agreement between the employer and an employee organization to pay agency, or "fair share," fees to the employee organization.

The NLRA expressly permits a state to enact a law prohibiting requiring employee organization membership as a condition of employment.³ However, the NLRA is silent on whether a state law may include a criminal penalty for violating a prohibition against requiring membership.

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New Legal Developments in Ohio Concerning FMLA and Police Body Cam Footage

Steve Lazarus, Esq. • Lazarus Law, LLC • SteveLazarus@hlmlaw.com • (513) 607-4455

In Ohio, recent court rulings and legislation have the potential to affect public safety employees in the state. First, the Sixth Circuit Court of Appeals recently held that an employee could take leave under the Family Medical Leave Act of 1993 (“FMLA”) to care for a sibling under certain circumstances. Second, the Ohio Legislature recently passed a new law that allows police officers to charge up to \$750 for requested police body cam footage.

FMLA Expansion

FMLA provides certain employees the right to unpaid, job-protected leave for specified family members and medical reasons. The general rule is that an employee who has worked for an eligible employer for at least one year may take twelve weeks of FMLA leave in a twelve-month period. Historically, FMLA leave could only be taken to care for the birth of an employee’s child, the placement of a child for adoption or foster care with the employee, to care for the employee’s spouse, child, or parent with a serious health condition, or if the employee herself has a serious health condition preventing her from performing the essential functions of her job. However, in December 2024, the Sixth Circuit Court of Appeals held that an employee should have been granted FMLA to care for her adult sister, who was dying of cancer.

The case arose in Columbus, Ohio, after an employee who had been caring for her terminally ill sister, battling non-Hodgkin lymphoma, was terminated by her employer for arriving to work late. The employee had regularly traveled from Columbus to her sister’s home in Kentucky to care for her sister. The employee requested FMLA leave to care for her sister as her primary caregiver before her termination, but her employer denied the request because the plain language of FMLA does not include siblings. The employee’s sister died two days after her termination. The employee sued her employer for FMLA interference shortly after.

The District Court rejected the employee’s claims and granted summary judgment to the employer, denying an argument that the employee stood “in loco parentis” for her sister. In other words, the employee argued that she operated in the place of a parent for her sister. The District Court reasoned that the “in locos parentis” parent-child relationship under FMLA could not exist between the employee and her sister because the cancer did not develop before her sister turned eighteen. The employee appealed, and the Sixth Circuit Court of Appeals ultimately ruled in favor of the employee.

The Sixth Circuit rejected the District Court’s reasoning, holding that under common law, an “in loco parentis” relationship can form between two adults if intent exists to create such a relationship. The Court looked at several

factors to determine if this parent status existed, including 1) close physical proximity, 2) whether the caregiver assumes responsibility for support, 3) whether the caregiver exercises control and has rights over the dependent adult, and 4) if a close emotional or familial bond exists.

Charging for Body-Worn Camera Public Records Requests

The Ohio Legislature passed House Bill 315 (“Bill”), called “Revise the Township Law” that Governor DeWine signed into law on January 2nd, 2025. The Bill includes a new public records provision that allows law enforcement agencies to charge members of the public \$75 per hour for producing police body and dashcam footage, up to a maximum of \$750. Previously, public agencies were permitted to charge only the actual cost of copying the records. Now, agencies can charge for the estimated costs of processing the video.

The new law has caused discontent among some citizens and media platforms concerned with the new financial barriers to requesting police bodycams and dashboard footage. Opponents argue that taxpayer dollars should already pay for the footage, and charging up to \$750 can prohibit some from obtaining the footage. Opponents of the Bill also argue that the law is a step backward for transparency and accountability.

Governor DeWine has continued to support the Bill, stating that he strongly supports the public’s and the news media’s right to access public records but is also sensitive to the fact that changing technology such as body and dashboard cameras has affected law enforcement agencies by creating unfunded burdens on the agencies, especially concerning the time-consuming and labor-intensive work it takes to provide those public records. The Columbus Division of Police received 6,400 public records requests in 2024, and the Franklin County Sheriff’s Office received 125-150 requests each week in their public records office. Governor DeWine has also emphasized that this Bill is optional for law enforcement agencies and not mandatory. If the Bill produces any unforeseen consequences, he will work with the General Assembly to amend the language of the Bill.

Legal Lesson Learned: The new decision in the Sixth Circuit expands relationships covered under FMLA leave, provided that certain circumstances and factors are met. Further, House Bill 315 provides law enforcement agencies the option to charge \$75 per hour, up to \$750, to produce police body cameras or dashboard footage.

**Please contact Austin Lee at:
austin.lee_21@yahoo.com
to have your police or police family
owned business added to the newsletter.**

(continued from page 4)

The NLRA precludes additional state regulation of private-sector collective bargaining unless Congress presumably contemplated those regulations. Courts apply two doctrines when determining if a state regulation is permissible. The first doctrine (known as “Garmon preemption”) prohibits state regulation of activities that the NLRA protects, prohibits, or arguably protects or prohibits.⁴ The second doctrine (known as “Machinist preemption”) prohibits regulation of labor issues that Congress left unregulated because of their importance to the collective bargaining process.⁵

If the bill’s criminal penalty were challenged, a reviewing court might examine the penalty under either or both doctrines to determine whether the penalty is permissible under federal law.

I trust that you will find this information helpful. If you have any questions, or if I may be of further assistance, please contact me at paul.luzzi@lsc.ohio.gov or (614) 752-6366.

Respectfully,

Paul Luzzi

Attorney

In the House:

The House considered and passed H.R. 35, the “Raul Gonzalez Officer Safety Act,” on a 264-155 vote. The bill, which would establish new Federal criminal offenses for operating a motor vehicle within 100 miles of the U.S. border while fleeing from U.S. Border Patrol, now awaits action in the Senate. The House considered and passed H.R. 77, the “Midnight Rules Relief Act,” on a 212-208 vote. The bill, which allows Congress to disapprove multiple regulations under one joint resolution of disapproval if the regulations were submitted for review during a portion of the final year of a President’s term, now awaits further action in the Senate.

In the Senate:

The Senate confirmed Tulsi Gabbard to serve as U.S. Director of National Intelligence on a 52-48 vote. The Senate confirmed Robert F. Kennedy, Jr. to serve as Secretary of the U.S. Department of Health and Human Services on a 52-48 vote. The Senate confirmed Brooke Rollins to serve as Secretary of the U.S. Department of Agriculture on a 72-28 vote. The Senate passed S. 146, the “TAKE IT DOWN Act,” by unanimous consent. This bill, which the FOP supports, would protect victims from harassment, intimidation, and exploitation by holding accountable the individuals who publish or intend to publish non-consensual intimate imagery (NCII) as well as requiring websites to remove NCII that have been manipulated or generated by AI. The legislation will now go to the House for further consideration.

This year 13 Officers have been killed in the line of duty. Please watch each other and cover over. As I have said many times, one is too many.

(continued from page 3)

ongoing, and law enforcement officials are working to determine the circumstances surrounding the incident.

This is an isolated incident and there is no threat to the safety of the community. Additional inquiries should be directed to the ISP DCI Zone 5.

First, let’s talk about what was done well in this statement. The statement noted that there’s no current threat to the community – this is good as members of the public could be concerned if there was an ongoing safety concern.

The statement also notes that the department requested investigation assistance. If we take initiative on asking outside investigators to come in, we should make that known. This relays to our stakeholders that we are committed to justice and transparency.

Now let’s talk about what could be improved in this statement. There’s a little bit of police-lingo that makes it sound more formal than how the average person would speak. There are also probably more details than needed for a public statement.

Here’s how we would recommend rewriting it:

Early Saturday morning, Charleston Police officers responded to 22-year-old man requesting a wellness check. Unfortunately, during the course of officers conducting the check, the man disarmed one of the officers and allegedly harmed himself.

Charleston Fire Department and EMS personnel attempted to save his life and transported him to a local hospital. He was sadly pronounced dead at the scene.

CPD requested the assistance of the ISP Division of Criminal Investigations Zone 5 to investigate. While we’re working quickly to understand what transpired, we’re committed to transparently sharing what we learn with the public.

Every loss of life is a tragedy, and our hearts are with the young man’s family and friends today. We’re grateful no CPD officers were injured, and we can assure the public there’s no ongoing safety threat.



2ND ANNUAL JIM ROBB BENEFIT Golf Outing

FRIDAY, MAY 9TH 2025

ASTON OAKS GOLF COURSE
Per Person \$160
Foursome \$640

7:30 AM OUTING **1:30 PM OUTING**

Register Now
513-462-7087

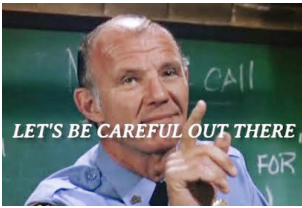
Facebook:
Robb Strong Golf Outing

Jim Robb Benefit Golf Outing

FRIDAY, MAY 9TH, 2025
7:30am and 1:30pm Tee Times
Aston Oaks GC

Cost: \$160.00 per golfer, \$640.00 per team

Mail checks payable to: **Jim Robb Benefit**
1 Aston Oaks Drive
North Bend, Ohio 45052
c/o AI



ROLL CALL

Brent Eve

Attention all retired detectives and retired officers

The museum is looking for people to collect oral histories from the over 500 retired CPD officers.

We cannot let these stories fade into history never to be heard from again.

If interested, contact Bill Beuke at the police museum 513-290-8036, or 513-300-3664 for more information.

Honoring District One Officers – CPD Facebook Post

At the February 20th City Council meeting, Councilmember Albi proposed a resolution to honor the remarkable efforts of multiple collaborators in activating the cold weather shelter during the winter storm in January.

PO Johnson, PO Pham, PO Thompson, PO Bailey, PO Kiper, PO Mellman, PO Boggio, PO Bailey, PO Myres, Sgt. Jason, and Captain Snider worked diligently to keep the shelter safe and secure.

When one family arrived at the shelter after being displaced from a fire, PO Amanda Johnson even went above and beyond to buy them clothes and lunch.

Thank you to these officers for your unwavering commitment to our city and upholding peace in our community spaces!

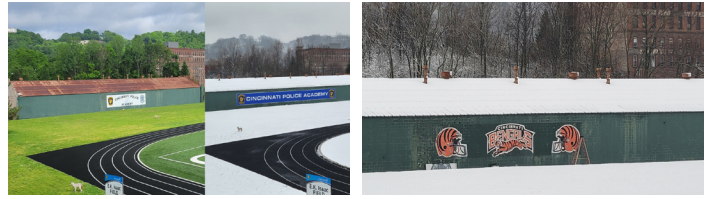


Hoxworth Blood Drive Results – CPD Facebook Post

Thanks to all who came to the Hoxworth blood drive at the FOP hall. We had 19 donors, 8 first time donors and collected 20 units of blood. That's 60 potential lives that will be saved!

Police Academy Makeover – CPD Facebook Post

The Police Academy is undergoing a little makeover and when we removed the sign we've had for many years, we found this hidden memory! If you didn't know, the Police Academy used to be the Cincinnati Bengals training field! How cool is that?!



Tips about On-duty Injuries and Reporting – Louise Shields

There have recently been several issues regarding reporting of injuries, so here are some tips to ensure on-duty injuries are reported on time and covered appropriately.

1. Report injuries when they occur. When you report an injury to your supervisor, ensure the supervisor completes an injury report (Form 91S) in Axon. Don't just mention that you were injured to the supervisor. Request the report to be completed. The injury may be worse than you originally thought. When an injury is not reported at the time of occurrence, you risk your injury not being covered by the City and not getting approved for Injury With Pay (IWP) if needed. Also, going back to complete the injury report requires a lot more documentation, and you might not have the medical documentation needed. Protect yourself by having a report completed at the time of occurrence.

If you are a supervisor, complete the 91S for your employees. Even if they "only mention" that they are injured, complete the report. It's better to make the 91S and the injury be minor or not need treatment, than not make the report and the injury be worse than originally thought.

2. If you go somewhere other than EHS for treatment, complete a Worker's Comp First Report of Injury Form. Ensure you get a copy and that the copy is attached to the 91S in Axon.

Supervisors – ensure all necessary reports are attached to the Axon report.

3. Contact EHS the day of occurrence. If EHS is closed, contact them the next business day. EHS might not need to see you, but they should make the determination.

Supervisors – remind your employees to contact EHS that day or the next business day, if after hours.

4. If EHS needs to see you, make sure you go to EHS as close as possible to the date of injury. This will help you get the medical treatment you need and ensure that your rights as an injured employee are protected.

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Cincinnati, OH 45214

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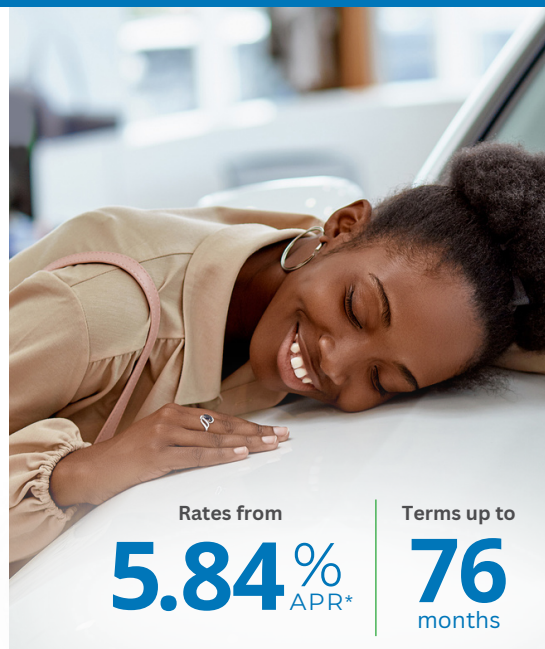
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