

ATTENTION TO ROLLCALL

Association of Retired Police Officers of D.C. Inc.

14035 Canal Rd. SE
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FIGHT AGAINST TREASURY'S ASSAULT ON PENSIONS CONTINUES

The U.S. Treasury's Office of D.C. Pensions (ODCP) continues to pursue collection of past over payments from some AORP members whose pension records have been audited. Additionally, they have reduced the pensions of those who they say were receiving more than they should have, due to errors by the clerks who calculated the original amount of the affected members' pensions.

The AORP has been working to reverse or reduce the reductions for two years. We have met with representatives of the ODCP to persuade them to reconsider their decisions on how to treat errors they discovered in the audit. Their attorney advised that they were required by law to pursue every dime owed them.

When it became clear that the ODCP would not reconsider or revise their position. We went to Capitol Hill to lobby the Congress to stop the program. In 2014, thanks to a bi-partisan effort, the ODCP agreed to forgive all past over payments related to those who had retired with the maximum pension allowed by law after serving 30 or more years on the MPD; and those who ODCP says were improperly given a reach back COLA upon retiring. This "COLA Lookback" came in the 1970's & 1980's when MPD received semi-annual COLA adjustments. These two issues accounted for the majority of over payments the ODCP was pursuing.

However, in 2015, the ODCP sent letters to some 200 police annuitants, including survivors of deceased sworn members, advising them that the audit of their pensions uncovered a collection of other administrative errors not related to the two they originally announced. They began pursuing the over payments on those errors because their agreement to stop collecting over payments did not include them.

The AORP returned to the Congress to ask that this new effort of the ODCP be treated the same as the previous two issues. The ODCP refused, claiming that the law on individual errors in pension does not permit them to forgive past over payments in blanket fashion.

The AORP asked our attorney to develop templates to be provided to our members so they could appeal claims of over payments made by ODCP. These templates assisted our members in the appeals process used by the ODCP. Some members chose not to appeal because the amount of money

involved was small. Others were notified by the ODCP that they owed tens of thousands of dollars due to past over payments. One member was advised that he owed more than \$100,000 in past over payments. The appeals are now coming to an end.

For those who are not granted relief from past over payments in the appeals process, the courts are their last hope. Some of our members have reported that the ODCP has agreed not to pursue the remaining over payments. Others are still awaiting a final decision. It is our hope that most, if not all, of them will be relieved of this burden in their final appeals. If they are not, we have hired the law firm of Pressler & Senftle to represent them.

ODCP - OVER PAYMENTS ARE TAXABLE

Meanwhile, many of those members who have been granted relief from over payments due to their appeals, have been issued "1099-C's". This declares that the forgiveness of the over payments is taxable income which they are reporting to the IRS.

While common sense tells us that our brothers and sisters paid taxes on that income as they received their pensions each month, the ODCP does not agree. Some members were advised by their tax preparers that they did not believe the over payments were taxable. Others were advised to pay the taxes on the forgiven over payments. None of the tax preparers the AORP contacted were prepared to offer a formal opinion that the money reported to the IRS by the ODCP was not taxable income.

We were able to contact a law firm that specializes in tax issues. After consulting with their senior partner on this, we retained his firm, Frost & Associates of Annapolis, MD. Mr. Frost recommended that we pursue a Private Opinion Letter from the IRS on this matter.

This approach will produce a result much faster than litigation with the U.S. Treasury's ODCP in tax court. Given the average age of our affected members, the years it would take to fight this out in court would mean that many of them would have died before the court issued a decision. That decision could be appealed by the ODCP, further delaying a final result.

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SEVENTH DISTRICT REUNION

This year's Reunion will be 3-days, at the newly renovated Harborside Hotel, 6400 Oxon Hill Road, Oxon Hill, Maryland. The reunion will start:

- Friday, September 23rd, at 6:00 pm, with a Meet and Great, (cards, food, drinks {cash bar}, and music).
- Saturday, September 24th, at 11:00 am; tour of the 7th District Precincts and 7th District area (where you policed) - Party Bus (Lunch served).
- Saturday evening (7:00 p.m. until 11:00 p.m.), will be Dining/Entertainment and dancing (cash bar). Attire is casual/dressy (your choice).
- Sunday, September 25th; a Farewell Brunch, at Hotel from 8:00 am -1:00 pm (\$13.95 -discount).

The cost for entire weekend is \$85.00 per person, and \$160.00 per couple. Make checks/ money orders payable to, and send to, Barbara Powell at 8207 Bathgate Court, Clinton, Md. 20735. You must send in your registration forms/funds by September 5th. For reservations at Harborside Hotel, call 301 749-9400. Ask for 7D Reunion rate of \$119.00 per night. (Cutoff date for reservations: August 22, 2016).

For further information, please contact: Barbara Powell, 301-868-4114, or Walter Thornton, 301-535-7995.

DONATIONS TO LEGAL FUND

As you can read in Gary's article, we are going forth with what we believe will be the most effective actions to help our members who have been impacted by the Treasury audit. This, as always, will cost. Many of you have already made a donation which is sincerely appreciated.

We need to support our fellow officers, even if we are not personally affected by this unconscionable move by the Treasury. We should also pray for their peace and our success in defending them.

If you would like to make an online donation to the AORP Legal Fund, you can do by going to the AORP homepage and click on the appropriate link at the bottom left.

Checks can be made payable to AORP with "legal fund" in the memo section; and mailed to AORP, 14035 Canal Road, SE, Cumberland, MD 21502.

Any questions about this matter should be referred to Gary at gthankins@laborcops.com or 202-438-1492.

OUR OLDEST MEMBERS BY AGE (ASSOCIATE MEMBERS NOT INCLUDED)

HAROLD GIPE	101	(on September 21st)
JAMES FAIRCLOTH	99	(on December 22nd)
ROBERT MILLER	98	
JOHN BALASSA	98	(on August 25th)
FRANK STONER	97	(on June 27th)
LEONARD DENITTO	96	
YANCEY GARNER	96	(on December 23rd)
ROBERT ELDRIDGE	96	(on December 29th)
HENRY KALINOFKY	95	
JOHN INNOCENTI	95	(on September 27th)
ALFRED INNOCENTI	95	(on September 27th)
WILLIAM FARRAN	95	(on October 24th)

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Treasury Assault on Pensions

The cost would of course be many tens of thousands of dollars over the course of the litigation.

Mr. Frost's experience is that the IRS will most likely issue an official opinion in six months to a year. The Opinion Letter would be issued in an example case, but it would be available to all our other affected members as well. Other affected members who have already paid taxes on the over payments could file amended returns to reclaim the taxes they paid, citing the Opinion Letter. The Opinion Letter would be persuasive when cited in their cases since it is an official opinion of the IRS.

Mr. Frost interviewed affected members and reviewed their documentation and the circumstances of their particular cases before he recommended one to the AORP. He is now working to prepare a brief to submit to the IRS in order to secure an Opinion Letter.

While there is no guarantee that the IRS will agree with us on this, we believe we have done everything we can to secure the best example case and to retain a highly experienced and professional attorney. We hope this will provide the defense we need for our members in the quickest manner available to us.

SPECIAL TRIBUTE TO JIM HAMPTON

Our Association is a wonderful organization that continues to be membered by so many caring and loving folks who have quietly done so much, since its inception, to contribute to their fellow members. Jim Hampton is one of these special members.

Since 1992, Jim has organized the annual AORP reunion that is held in October in Daytona Beach. Each year, Jim books the location; and convinces the hotel management to keep the prices for rooms and food down. For the last few years, there have been no increases whatsoever.

Jim will be the first one to deflect any praise, spreading it to his wonderful wife, Sarah, and the great volunteers. While they certainly deserve it, Jim is the leader and works harder than anybody.

Besides the administrative aspects and the charming of hotel employees, Jim has done the physical labor of hauling in the adult refreshments for the hospitality room...and hauling what's left out again for many, many years despite his back problems. All the heavy lifting surely aggravated his condition.

Over these past 23 years, Jim has brought together old friends and new ones, who got to once again tell those great stories...and improve upon them. For a weekend, we were all young cops again, remembering the comradery and those moments that only another cop could truly understand.

In 2012, Jim decided he had done his last reunion. The AORP even gave him a plaque that hangs on his trophy wall! But, he once, again, answered the call from the regular attendees, and continued to do the annual event.

On Sunday, October 9th, Jim will complete his 24th and final reunion as organizer; and we have to let him. Jim has just been diagnosed with Macular Degeneration, so you can understand his desire to let some things go.

Show Jim how much you appreciate him by getting your registration form in early! Knowing you will have a large enough attendance early on, relieves a lot of headaches. Details are on the registration form on back. Complete and mail now! **NOTE NEW LOCATION.**

***Jim retired in 1985 after 23 years of service. He rose to the rank of Lieutenant and was the Harbor Master**

REGISTRATION FORM FOR DAYTONA BEACH REUNION 2016

OCTOBER 7TH, 8TH, 9TH, 2016 - the BEST WESTERN AKU TIKI INN, 2225 South Atlantic Avenue, Daytona Shores, Florida, 32118. - PHONE: 800-258-8454 or 386-252-9631 FOR ROOM RESERVATIONS - must be made prior to 9-07-2013. Room prices are \$99.00* per night plus tax. Upgrades are available. Rates are good before and after reunion.

Please complete the form below and indicate your choices.

REGISTRATION FEE Members No. _____ @ \$10.00 ea. = _____
Same for 20 years

REGISTRATION FEE Spouse/Friend No. _____ @ \$5.00 ea = _____
Same for 20 years

FRIDAY BAR-B-QUE No. _____ @ \$22.00 ea. = _____

SATURDAY GOLF No. _____ @ \$40.00 EA. = _____

SATURDAY EVENING SIT DOWN DINNER

CHICKEN NO. _____ @ \$34.00 EA = _____

GROUPE R NO. _____ @ \$38.00 EA = _____

PRIME RIB NO. _____ @ \$41.00 EA = _____

Donation to assist with Hospitality Room (please) _____

TOTAL AMOUNT SENT _____

Please list NAME and ASSIGNMENT as you would like them on your name tags

Member _____

Spouse or Guest (s) _____

Please make check payable to and mail to:

Jim Hampton - 6311 E Willow Street - Inverness, FL. 34452
My Phone 352 344-3970 E-mail - jhampton@tampabay.rr.com
Cell Phone 352 212-7565 Call or e-mail with any questions.

**FREE PARKING – RACE TRACK – FLEA MARKET – CASINO BOAT
HOSPITALITY ROOM OPEN FRIDAY & SATURDAY DAY AND NIGHT**

* Room rate includes two full breakfasts.

IN MEMORIAM

Since the last quarterly newsletter, the following members, or their spouses, have been added to the list of those who have answered their last Roll Call and have gone on before us. Our deepest sympathy is extended to their family and friends.

NAME	RETIRED	DEPT	RANK	ASSIGN	DOD
Robert A. Eldridge, II	10/31/76	MPD	DET/SGT	CID	03/05/16
Ricard R. Silinskie	12/20/86	MPD	DET	PERS	03/18/16
Robert W. Maughan	04/04/92	MPD	OFF	2D	03/18/16
Edward J. Bizub	04/29/84	MPD	SGT	2D	03/18/16
Daniel J. Grace	04/07/95	MPD	SGT	INTEL	03/25/16
Stewart L. Morris	07/04/98	MPD	LT	6D	03/31/16
Clayton L. Bagley	05/10/87	MPD	D2	HOMI	04/01/16
Robert E. Laughery	12/20/85	MPD	OFF	CSS	04/07/16
Robert J. Harris	09/01/88	MPD	OFF	1D	04/13/16
Arthur J. White	08/23/80	MPD	D1	5D	04/14/16
James W. Rivers	08/30/80	MPD	SGT	4D	04/19/16
David F. Powell	01/13/01	MPD	D1	4D	04/21/16
Robert S. Morris	12/02/85	MPD	LT	SOD	04/21/16
Frederick D. Johnson	07/07/91	MPD	OFF	ID&R	04/25/16
Buddy E. Smallwood	04/06/13	MPD	SGT	7D	04/30/16
James E. Simmons	08/01/68	MPD	OFF	SOD	05/05/16
Daniel E. Keller	11/01/88	MPD	INSP	LR	05/05/16
Sylvester P. Gagnon	06/01/69	MPD	OFF	CID	05/08/16
Curlen Tyson, Jr.	02/01/68	MPD	OFF	9PCT	05/20/16
Michael F. Kuruc	04/01/74	MPD	SGT	AH	05/21/16
Kershaw Shannon, Jr.	08/01/90	MPD	OFF	3D	05/23/16
Thomas S. Bruce	02/01/72	MPD	OFF	5D	05/25/16
Larry W. Farr	02/23/91	MPD	D1	MD	05/29/16

NAME	SPOUSE	DOD
Joyce R. Cooke	Leonard G. Cooke	11/11/15
Jennie A. Benigas	David O. Benigas	03/10/16
Maria M. Willett	Calvin R. Willett	03/31/16

NAME	WIDOW OF	DOD
Martha M. Kline	Gerald L. Kline	12/30/15
Dorothy E. Alexander	Stanley D. Alexander	04/05/16

NOTIFICATION OF DEATHS

No matter what your type of membership, please request your loved ones to notify the AORP upon your passing. Ask them to contact Janet Hankins on (202) 438-1494. I can assist them with the notifications that will need to be made; and, make sure that any money due your estate is located.

Have a wonderful and safe summer!

**General Membership meetings are held at 7 PM the first
Wednesday of the month from September through May.
Meetings are held at the Branchville Volunteer Fire Department,
4905 Branchville Road, College Park, MD 20740**

**September 7th October 5th November 2nd December 7th
Meetings begin at 7PM**

October 5th will be a dinner meeting. Dinner begins at 6pm and cost \$10.

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