

# ATTENTION TO ROLLCALL

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

14035 Canal Rd. SE  
Cumberland, MD 21502  
Toll Free 877-283-1065

Volume 24 Issue 4

December 16/January 17

## UPDATE AND ADVICE ON 1099-C's

Many members received 1099-C's from the U.S. Treasury for "forgiveness of debt" related to Treasury's decision to stop trying to collect past overpayments made to them due to pension calculation errors. Treasury wants there decision to "forgive" those overpayments to be treated by the IRS as taxable income. We also received requests for guidance from many of those members, regarding the filing of their 2016 Federal Tax Returns. The AORP is providing a copy of the STATEMENT OF LAW & ANALYSIS prepared by the law firm we retained to petition for an IRS Private Ruling on whether the forgiveness of past overpayments by the Treasury Department's, Office of D.C. Pensions is indeed taxable income within the meaning of the Federal Tax Code.

*Continued on Pg. 3*

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## NEW & IMPROVED WEB PAGE UNDER DEVELOPMENT!

Our web page fell once again to another virus in December. Our web host company has recommended that we move our Web Page to a new software platform that has all of the latest defenses and security measures. As we have reported in the past, our current we page is no longer able to incorporate the latest security measures.

Gary asked them to research and recommend a new platform to which we can transfer all of the files, and data operations; which will be stable, secure and capable of growing with the needs of our membership. The Board of Directors approved the project and work is under way as you read this article. It is anticipated that the development of a new and more dynamic web page will be complete in late February or early March. We are emphasizing easier use for those who visit the AORP site; more reliable operation and more flexibility to adapt to new uses in the years ahead.

AORP Chaplain, Manuel Rivera is helping with the development of a new "Chaplain's Corner" which will make it easier for our members to reach him. Manuel plans to make the communication two-way using emails, telephone and personal visits to assist, comfort and pray for us. Thanks to Manuel and thanks be to God!

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## DUES ARE DUE IN JANUARY – DON'T LOSE YOUR OPTICAL/DENTAL PLANS

If you are a REGULAR member, and have not already paid your 2017 dues, please do so now. Dues are still \$35 per year and can be paid by snail mail or online. Checks should be made payable to AORP, and mailed to AORP, 14035 Canal Road, SE, Cumberland, MD 21502.

You can, also, pay online. Log in to the AORP website, click on HELP (in blue banner) and click on USER PROFILE in drop down menu. Scroll down slightly and you will see "membership renewal" in gold lettering under the icon.

If you are participating in the AORP optical/dental plan(s), you must keep your membership in the AORP up-to-date.

**Look at the address label on this newsletter for your expiration date. It will read 12/31/\*\*. The last two digits are the year in which your membership expires.**

## AORP BOARD OF DIRECTORS

PRESIDENT – Gary Hankins

1ST VICE PRESIDENT – Bob Arscott

2ND VICE PRESIDENT – Ed Reddick

SECRETARY/TREASURER – Janet Hankins

### TRUSTEES

Paul Angel (2018)

Al Kelly (2017)

Dave Shannon (2018)

## TYPES OF MEMBERSHIP

**REGULAR MEMBER**– retired police officer

**LIFE MEMBER** – NO LONGER AVAIL-  
ABLE AFTER 2012.

**ASSOCIATE** – Widow or widower of a Regu-  
lar or LIFE member – not required to pay dues.

## IMPORTANT NUMBERS

**AORP OFFICE**  
(877)283-1065

**AORP OPTICAL/DENTAL PROGRAM**  
410-337-7577

**DC RETIREMENT BOARD**  
(202)343-3272 (866)456-3272

**POLICE & FF RELIEF BOARD**  
(202)442-9608

**FOP LODGE** (202)408-7767  
**FOP STORE** (202)589-1637

**METROPOLITAN POLICE RELIEF ASSOCIATION**  
Al Kelly (301)758-9553

**POLICE FEDERAL CREDIT UNION**  
**Headquarters Branch**  
(202)383-1757  
**Main Branch**  
(301)817-1200 (877)278-7328

**MPD RETIREMENT I.D.**  
HQ Room 4144  
Derek (202)727-4183

## PARK POLICE OFFICER'S HOME BURNED DOWN

United States Park Police Officer Alfred Belton (currently stationed at District 4 in Washington DC) and his family have lost their home, and most of its contents as a result of a fire on Sunday, January 8, 2017. He and his family have been provided lodging in a hotel close to their home by their insurance company.

Officer Michael A. Russo, Secretary of the USPP/ FOP, advised that there has been a "Go Fund Me" account established for the Belton's (See Below). Should you feel so inclined to help them out in their time of need, just copy and paste in your web browser.) Our "Thoughts and Prayers" go out to Officer Belton and his family.

<https://www.gofundme.com/helping-the-belton-family>

If you prefer, you can mail a check, payable to Alfred Belton, to USPP District 4, ATTN: Officer Alfred Belton, 6501 Greenbelt Road, Greenbelt, MD 20770

## SORRY FOR DELAY

As you may have noticed, the December newsletter is quite late. Due to the Ransom ware attack on my (Janet's) laptop; the unexpected crashing of our website; the additional work generated by the Inaugural badge sales and annual dues renewal, it has been a couple of tough months. But the light can be seen faintly over the horizon. Thanks for your patience.

**When ordering belt buckles by check, please indicate the color: Gold, Silver or Gold/Silver (two toned). If you have already ordered one by check and did not indicate your preference, please let me know. You can leave a message with your name – be sure and spell your last name. Thank you!**

*1099-Cs Continued from Pg. 1*

This document may be shared with the tax preparer that is handling the affected members' 2016 Federal Return. The ruling request is premised on the fact that the taxpayer requesting the ruling had properly reported, on his/her prior federal income tax returns, all income reported to him/her on Form 1099-R for years in which they received distributions from the Office of D.C. Pensions. It is intended to provide them with the argument framed by our retained AORP counsel to solicit the Private Ruling we are seeking on this matter. The Ruling has not yet been made, but this information may assist your tax preparer in determining how the 1099-C you have received should be treated within your tax filing.

Should we receive a favorable ruling from IRS, we will share with any AORP member who needs it. Members are reminded they have two years to file an amended Federal Tax Return for a year in which they paid taxes on the income reported on the 1099-C they received.

Should you or your tax preparer, wish to contact Mr. Frost for additional consultation, you may do so. However, any fees or costs related are the responsibility of the member who seeks Mr. Frost's individual assistance. Mr. Frost's number is: (410) 497-5947

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## LAW & ANALYSIS OF TREASURY'S CLAIM THAT INCOME ON 1099-C's IS TAXABLE

### B. RULING REQUESTED

The Taxpayer requests a ruling that he realized no income with respect to the amount that will be reported to him on 2016 Form I 099-C from ODCP because the repayment of such amount would have given rise to a deduction under either §162, 165, or I 341 and section

108(e)(2) therefore applies to prevent realization of income from the cancelation of the debt.<sup>5</sup>

### C. STATEMENT OF LAW & ANALYSIS

Section 402(a) provides that any amount actually distributed to any distributee from a qualified plan described in section 40 I (a) will be taxable to the distributee in the taxable year of distribution under section 72 (relating to annuities).

Section I 65(a) provides that there shall be allowed as a deduction any loss sustained during the taxable year that is not compensated by insurance or otherwise. Section 165(c) limits the deduction under section I 65(a) for individuals to losses incurred in a trade or business, losses incurred in transactions entered into for profit, and casualty losses. The performance of services as an employee is the carrying on of a trade or business. (See Rev. Rul. 79-322. 1979-2 C.B. 76. and Rev. Rul. 82- I 78, 1982-2 C.B. 59.)

Section 67(a) provides that in the case of an individual. the miscellaneous itemized deductions for any taxable year shall be allowed only to the extent that the aggregate of such deductions exceeds 2-percent of adjusted gross income.

Section 451(a) provides that the amount of any item of gross income shall be included in the taxable year in which received by the taxpayer unless the amount is to be properly accounted for in a different period.

Section I.451-J(a) of the Income Tax Regulations provides that under the cash receipts and disbursements method of accounting, an item of income is included in gross income for the taxable year in which such item is actually or constructively received.

Section 1341(a) provides rules for the computation of tax where a taxpayer is entitled to a deduction in excess of \$3,000 as a result of restoring an amount included in gross income for a prior taxable year because it appeared that the taxpayer had an unrestricted right to such amount. The amount of the tax imposed on the taxpayer under section 1341 is the lesser of the tax for the taxable year computed with the deduction or an amount equal to the tax for the taxable year computed without the deduction but minus the decrease in tax for the prior tax year or years after excluding the income. Under section 67(b)(9). a deduction under section 1341 is not a miscellaneous itemized deduction subject to the 2-percent adjusted gross income floor of section 67(a).

<sup>5</sup> The Taxpayer asserts in the alternative that if the Overpayment does not give rise to an "obligation" or "debt" then there is no cancellation of indebtedness income. See *Zarin v. Commissioner*, 916 F.2d 110 (3rd Cir. 1990).

### *Law & Analysis Continued from Pg 3*

Rev. Rul. 82-178 holds that repayment of amounts by a rehired employee in order that certain employee benefits would be restored to the level that they were at the time the rehired employee was laid off is a loss incurred under section 165(c)(1).

Rev. Rul. 79-322 holds that a repayment of amounts received by an employee for sick leave that was includible in the employee's gross income in a prior taxable year is deductible as a business loss under section 165.

Rev. Rul. 2002-84 holds that when an individual repays in the current year an overpayment made by a qualified retirement plan in a previous year, the amount actually paid in the previous year was properly included in gross income. The amount of the repayment is deductible under section 165(a). If the repayment amount exceeds \$3,000, then the rules of section 1341 would apply in determining the taxpayer's income tax liability for year in which repayment was made. In applying the rules of section 1341, the deduction is determined without regard to the 2-percent floor as provided under section 67(b)(9).

Sections 402(a) and 403(a) specifically address the tax treatment of distributions from qualified retirement plans. Under these provisions, amounts payable under a qualified retirement plan are included in gross income of the participant in the taxable year of distribution. The amounts are taxable to a distributee at the time of receipt, even though the distributee may be later obligated to repay amounts attributable to a plan overpayment in subsequent taxable years, either by direct payment or by payment reduction. Consequently, in Situations (1), (2), and (3), the amounts attributable to a plan overpayment are distributions taxable under section 402(a) in the year of receipt.

Rev. Rul. 2002-84 explains that for overpayments repaid to a qualified retirement plan in a taxable year or years subsequent to the year of the overpayment, a participant would be entitled to a deduction under section 165(a) because the amount of the plan overpayment is attributable to compensation for services rendered to the employer. The deduction is allowable in the year that the single-sum repayment is paid by the taxpayer, but only if the taxpayer itemizes his deductions. A deduction under section 165(a) for an individual with losses that are incurred in a trade or business is considered a miscellaneous itemized deduction and, thus, is subject to the 2-percent floor established under section 67(a) for miscellaneous itemized deductions. However, if the amount of the distribution instead exceeded the amount that was due to the employee by more than \$3,000, the rules of section 1341 would apply in determining the taxpayer's income tax liability for year in which repayment was made. In applying the rules of section 1341, the deduction is determined without regard to the 2-percent floor as provided under section 67(b)(9).

Section 108(e)(2) provides that no income is realized from the discharge of indebtedness if payment of the liability would have given rise to a deduction.

#### D. CONCLUSION

Under section 162, 165, or 1341, the Taxpayer would have been able to claim a deduction if he had repaid the Overpayment to ODCP. As a result, the amount to be reported to him on

Form 1099-C would not be realized as income because of section 108(e)(2). This result is consistent with the fact that the Taxpayer has already included the Overpayment on his income tax returns (i.e., annual inclusion of income from Form 1099-R) and paid the resulting tax. The forgiveness of the debt should not give rise to income a second time.

#### E. PROCEDURAL MATTERS

##### Revenue Procedure 2014-4 Statements

- I. To the best of the knowledge of both the taxpayer and the taxpayer's representatives:
  - A. The same issue is not in an earlier return of the taxpayer.
  - B. The Service has not ruled on the same or similar issue for the taxpayer or a predecessor.
2. Administrative
  - A. A Power of Attorney is enclosed.
  - B. The deletion statement and checklist required by Revenue Procedure 2014-4 are enclosed.
  - C. The required user fee is enclosed.

## 2017 INAUGURAL BADGES

We will cut off the ordering of Inaugural badge sets on March 15<sup>th</sup> Please get your order in by then. You can order on the homepage of the AORP website without logging in. Just look on the left side of the screen.

## CALLING 877-283-1065

Our 877-283-1065 line is for leaving messages only. This is an online message recorder. When you leave a message, it is transmitted to Janet's email where she can hear your voice message. She will return your call as soon as she can. When leaving a message, please speak clearly. If you have a common name, please leave your middle initial. Please speak loud enough and repeat your name twice. Please indicate why you are calling, so she can be prepared when returning your call – and she can leave the information on your message device. This eliminates phone tag. **ALSO, PLEASE SET UP YOUR ANSWERING SERVICE, IF NOT ALREADY DONE; AND PLEASE CLEAR YOUR MESSAGE BOX WHEN IT IS FILLED.** If you call is no returned within a couple of days, please recall.

## GARY HANKINS ELECTED TO FOUR YEAR TERM ON THE DCRB

The Board of Directors of the D.C. Retirement Board certified Gary Hankins as the winner of the election for the position of Board member who represents annuitants of the Metropolitan Police Department. Gary's term is for four years.

*"I thank all of the members of the AORP who expressed their confidence in me by voting for me. I will always do my best serve you faithfully. It is a privilege to work with the other Members of the Board and the exceptional professional staff. They are why our pensions are more than 100% funded."* said Gary.

## DON'T FORGET!

Please keep us informed our any changes in your mailing address, phone number and email address. Please let us know if your spouse dies. Please make sure that you family knows to notify the AORP of your passing.

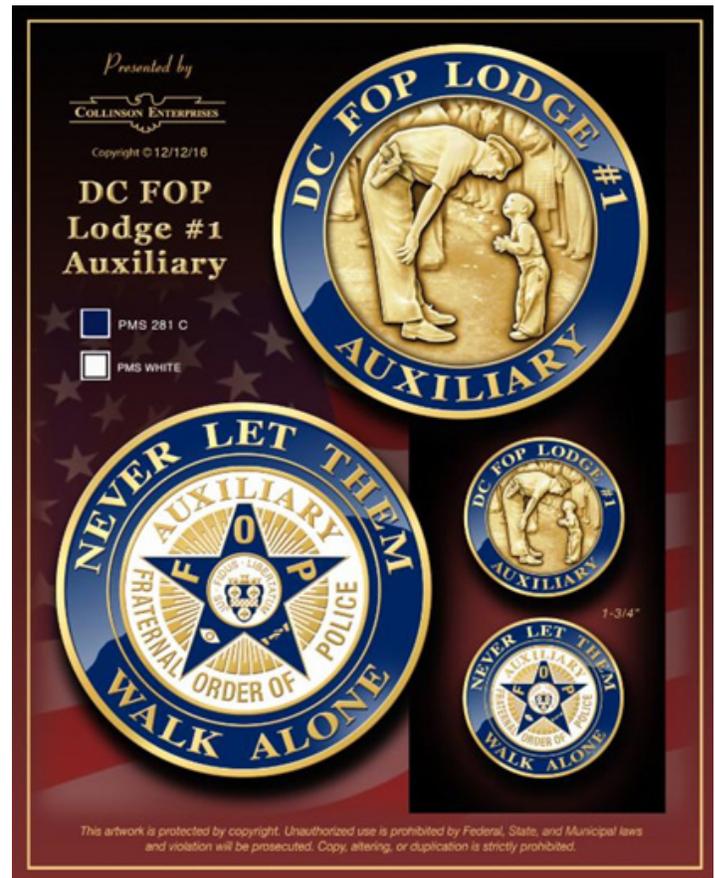
Many of the widows that I contact, once their spouse has died, have no clue about the AORP or what to do. Please be sure to give your family the phone permanent number of the AORP which is **877-283-1065**. This is an online answering service. This number stays with the AORP no matter who is the Secretary/Treasurer.

## FOP AUXILIARY SELLING PULITZER WINNING COINS

The DC FOP Lodge #1 Auxiliary is offering a unique 1-3/4" diameter die struck brass coin that features 3D modeled detail of the 1957 historic Pulitzer Prize photo of then DC police Corporal Maurice Cullinane speaking to a young boy attending the Chinese New Year parade. This iconic photo embodies the positive role model law enforcement officers have with our youth and the lasting impression they can leave with a few words of kindness.

The coins are now available and will be sold on a first-come basis. To order your memorable coin and support the FOP Auxiliary, contact Bonnie Cannon at [fopauxpres@hotmail.com](mailto:fopauxpres@hotmail.com).

The price of each coin is **\$10**. You can come by the Lodge on Wednesday, January 11 between 4:30p.m. and 8p.m. to buy them.



**For those wishing to pay by check:**

**Make it out to:**

**DC FOP AUXILIARY**

**Mail it to: 3712 7th ST. North Beach, MD 20714.**

Add **\$5** shipping and handling for **1-5 coins** and **\$9** for **6-10 coins**. For **over 10 coins** add **\$3** for every additional 5 coins.



## THE HISTORY OF THE METROPOLITAN POLICE MEMORIAL FOUNTAIN

The Metropolitan Police Memorial Fountain that currently sits in front of the Washington, DC, Metropolitan Police Department, located at 300 Indiana Avenue, NW, was authorized by an Act of Congress on April 22, 1940, under HR 8792. That Act directed the Commissioners of the District of Columbia to accept and maintain a memorial fountain to the members of the Metropolitan Police Department. HR 8792 was later incorporated into § 5- 1301 of the DC Code, entitled, “Memorial fountain to members of Metropolitan Police Department.” The facts surrounding how and why the Metropolitan Police Department Memorial Fountain came about is a tragic, but amazing, story.

It began shortly before 8:00 a.m., May 21, 1918, when deputy sheriff Lawrence McParland from Charles County, assigned to Indian Head, Maryland, requested the assistance of the Metropolitan Police Department to serve a summons, on a person, whom shall be identified only as the “subject”, wanted as a witness in an embezzlement case and return him to Maryland to testify in the court proceedings.

“Metropolitan Police Officer John Conrad, 37 years old, assigned to the Sixth precinct, joined deputy McParland and they went to 76 I Street NW. The I Street address was on Conrad’s beat and serving a summons of this nature was considered routine.”

Upon arrival at the I Street address, McParland exited their vehicle, leaving Conrad waiting in the car. Both officers were under the impression McParland would simply serve the summons and the subject would freely return to Maryland. “The Indian Head official entered and demanded the subject, who was in bed, rise and go with him. The subject refused and McParland left the house and joined Conrad. Conrad and McParland decided to enter the house and bring the subject out by force, if necessary. They ascended the steps, and as they did so the subject appeared at the door and warned them to keep out. Ignoring the threat, the two officers went to the door, opened it and entered. The subject stepped back and opened fire. McParland, who was leading, is believed to have been the first to fall. A dum- dum soft nosed bullet from the subject’s weapon, a colt .45 caliber automatic, of the type used in the American army, struck the sheriff low in the neck, killing him almost instantly. Conrad was shot in the right side of his chest, the bullet penetrating his lung. He died within a few minutes.”

“The subject went to the rear of the house and was able to jump to freedom from a second story window. Neither officer had time to draw his pistol before overtaken by death. When other policemen arrived, a general alarm, rousing every member of the police and detective forces in the city on duty and sending all nearby reserves to the I street house, was sent out from police headquarters. Maj. Raymond W. Pullman, superintendent of police [Chief of Police] aroused from his bed, took personal charge of the man hunt for the slayer.”

“A house to house search for the fugitive started in surprisingly short time. Four men and as many women, occupants of the house where the shooting occurred, were arrested as witnesses. The subjects wife and a young man volunteered to lead the police to the home of his half-brother at 1400 Carrollburg place.”

# MEMORIAL

*continued from Pg. 6*

“Lieutenant Dunigan, Lieutenant Bremmerman, together with Detective Sergeant Beckley and other detectives from headquarters and policemen from the Fourth and Sixth precincts armed with Krag-Jorgensen rifles ascended the front stairs and forced the door. Dunigan leading the way, shouted to the occupants to surrender. The subject, who was standing in a rear room, answered by firing a shot hitting Dunigan in the groin. The Lieutenant sank to the floor shouting to Beckley, who was at his side, I’m shot in the leg, Beck, go get him”

“Meanwhile the subject rushed from the rear of the house, firing as he ran. Leaving the place by the back door, he bolted for a gate in the fence, only to find it guarded by Policeman Waller, of the Fourth precinct. Waller emptied his revolver at the subject, while the shots from the rifles and revolvers of other officers rang out, driving the subject back into the house.”

The police surrounded the house. “Acting Night Inspector of Detectives Weedon ordered 100 gallons of gasoline sent to the scene to set fire to the house and drive the subject into the open if need be.”

“Precinct Detective Write of the Sixth precinct, Lieutenant Bremmerman of the Second precinct and Bicycle Policeman Flaherty volunteered to enter the house and found the subject hiding under a bed. As they entered the subject fired his last shot from his .45 automatic and he then called weakly, don’t shoot boys, I’m through. The subject was quickly subdued by Bremmerman who rushed to the bed and overturned it, while Wright flung himself on the subject, pinning his arms.” He was taken from the house and transported to Casualty Hospital and treated for four gunshot wounds as a result of the exchange of gunshots between him, Lieutenant Dunigan and Officer Waller. As the subject was being treated for his wounds, Lieutenant Dunigan was being treated in the same emergency room. Lieutenant Dunigan died from the gunshot wound a short time later.

The summons McParland was attempting to serve was only to appear as a witness in a case of embezzlement, it was believed, however, the subject thought the police were there to arrest him for murders he committed in Galveston, TX and Alabama.

The subject was released from the hospital and taken to DC Jail to await trial, however, he escaped a few months later. The bars from the window in his jail cell were found sawed off leaving the window open. The subject remained at large from 1918 until his re-capture in 1924.

Following his capture it was revealed his escape had been aided by jail guards who wished to ruin the reputation of the superintendent of the DC Jail because of poor working conditions. “The subject admitted the guards came to his cell, opened the doors and bodily removed him to a waiting taxi cab, took him to a hiding place and returned to jail in the cab. Not known to the subject, the jail guards attempted to cover his escape by cutting the bars to the window making it look as the subject escaped through the window.”

The subject was hanged at DC Jail on June 22, 1925, for the murders of DC Police officers John Conrad, Lieutenant David T. Dunigan and Charles County Deputy Sheriff Lawrence McParland. He admitted to having committed twelve murders during his lifetime. “He went to the gallows grinning a wide, nervous grin, but with no hesitancy.” The names of the guards who removed him from his jail cell were never learned, but the superintendent of the DC Jail was removed from his post. The subject’s hanging cleared death row of its last inmate as Congress had passed a law providing for electrocution as the means of capital punishment. He was the last prisoner hung in DC.

Soon after the deaths of DC Police officers John Conrad and Lieutenant David T. Dunigan in 1918, a movement was started by the business community and the citizens of the District of Columbia to raise funds to build a memorial to honor Conrad, Dunigan and all of the Metropolitan Police Officer’s killed in the line of duty. Ten thousand dollars [equivalent to \$187,091.55 today] was raised and sat in the Bank of Washington for the next twenty years waiting for Congress and the city to authorize the memorial to be built in their honor. A sculptor by the name of John J. Earley designed the memorial fountain and finally in 1940, Congress and the city approved the bill, provided the land in front of police headquarters and the Metropolitan Police Memorial Fountain was built in 1942 by Italian immigrants using marble purchased in Italy, some 22 years after the officers were killed.

***[The events depicted herein is a summary of information written by Don Blake are based on information provided by Nick Breul from historical files of the department and Dave Richardson from historical news articles from the Washington Post. They are all retired members of the Metropolitan Police Department serving on, or helping with, the Metropolitan Police Memorial Project, Inc. Quotations are used to show language taken directly from the news articles. The name of the culprit was purposely deleted so as not to allow it or its family or friends to enjoy any media attention or perceived notoriety. Plans are being finalized to renovate The Metropolitan Police memorial fountain and build a new and iconic Metropolitan Police Memorial. Please support and follow these efforts on [www.dcpolicememorial.org](http://www.dcpolicememorial.org).]***

# AORP CHAPLAIN, MANUEL RIVERA TO REACH OUT TO OUR MEMBERS & FAMILIES

AORP Chaplain, Manuel Rivera retired from law enforcement employment at the end of December and has pledged to use some of his newly freed time to reach out to our members who need him and prayers. It is an exciting new development for the AORP to have such a fine minister (and retired MPD officer) volunteer himself to this very important area of our brother/sisterhood.

Manuel is currently a chaplain for the Prince Georges County Police Department. He served as the first chaplain for the Fraternal Order of Police/MPD Labor Committee and ministered with sensitivity and compassion to many of his fellow officers. He will have a hand in developing the new page within our AORP website. We are going to include a new Chaplain's Page to provide our members with a method of communicating with their Chaplain more easily and regularly.

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## PLEASE BE PREPARED!

Please make sure you have the required documents on hand for your spouse to file for her Survivor's Annuity when the time comes. Even if you think you are prepared, double check. Often that document you have is either the wrong one or not certified. There are no exceptions to the requirements.

Take a moment to think about what would happen if you suddenly did not have your retirement annuity coming in or if that annuity was cut considerably. This is what your spouse will have to deal with...at a time of numbing grief and confusion. Documents take time to obtain from a courthouse. Adding any time to an approximate three month wait for funds to start arriving, can be an unnecessary fear at best and devastating at worse.

If you were married previously – no matter how long ago – make sure you spouse knows the year you were married along with having the certified copy of the divorce decree or death certificate.

If you have dependent children, make sure you have a plan for who will be their guardian should something happen to both you and your spouse. If you have a special needs child, investigate what must be done to have a guardian appointed ...especially if you are elderly. You do not have to hire an attorney to get the answers. Contact your county courthouse clerk for guidance.

Most folks don't think about these issues which leave a surviving spouse, or your intended guardian, with a nightmare on their hands. If you have dependent children who are entitled to an annuity, that annuity will not begin until all the legal issues are completed. A notarized letter of your wishes just doesn't cut it.

## TIPS FOR RENEWING YOUR DUES

When renewing your dues, it is not necessary to send in a renewal form unless you have had a change in your address, phone number, email address or marital situation. When sending a check, please indicate your membership number in the memo section. You can find your number on your address label of your newsletter

If you paid your dues twice (as many of you did), your expiration date has been extended for an additional year. When possible, on-line dues payments are preferred over check payments as they cut down the amount of work on this end.

## THANK YOU!

*We sincerely appreciate all the cards; kind words and 'thank you's' you have expressed over the past year. We will continue to safe-guard the awesome responsibility of carrying on the work of this great Association, as we near the end of its ninth decade of looking out for the needs of our fellow retired law enforcement members and their survivors.*

*Happy New Year and God  
bless you all,*

*Gary, Bob, Ed, Janet, Dave, Al  
& Paul*

***AORP Board of Directors***

## DON'T FORGET THIS TAX BREAK

(This tax benefit, also, applies to Associate Members who have their health insurance paid through their Survivor's Annuity.)

Under the **2006 Pension Protection Act, starting with 2007 federal income tax returns**, a retired employee who is an "eligible retired public safety officer" (defined below) can make an election for any tax year to **exclude from gross income up to \$3,000** in distributions from an "eligible retirement plan" (defined below) for health insurance premiums. The amount excluded applies to the aggregate amount of "qualified health insurance premiums" (defined below) paid for the employee, his/her spouse, or dependents during the tax year. The exclusion only applies to qualified premiums paid or distributed directly from an eligible retirement plan. Premiums paid by the employee or reimbursed with pension distributions, do not qualify for exclusion. Eligible retired employees make this election on their own tax returns beginning with the 2007 tax year. **Expenses included in this election may not then be taken into account under Code Section 213 medical expense deductions on Schedule A.**

Definitions:

**"Eligible Retired Public Safety Officer"** – an individual who by reason of disability or attainment of normal retirement age, is separated from service as a "public safety officer". Public safety officers include law enforcement officers (police, corrections, probation, parole, border patrol and judicial); firefighters (legally organized volunteer, public employee, chaplains); rescue squad workers, ambulance crew members, certain FEMA employees (performed official duties in a disaster area, emergency or hazardous duties); and certain federal employees as approved by OPM.

**"Eligible Retirement Plan"** – a Code Section 414(d) governmental plan which is a: qualified trust; 403(a) annuity plan; 403(b) annuity; or government 457(b) plan.

**"Qualified Health Insurance Premiums"** – premiums for coverage for the eligible retired public safety officer, his/her spouse, dependents, by an accident or health insurance plan, or qualified government long term care insurance contract. The premiums do not have to be for a plan sponsored by the employer, but must be paid directly from the plan.

Tax advice included in this correspondence is not intended and should not, and cannot, be used for the purpose of avoiding penalties which may be imposed by tax authorities or agencies. This statement is made pursuant to IRS Circular 230 and subsequent guidance. Consult your tax advisor for more details.

## FLORIDA REUNION 2017!

Hurricane Matthew put a real damper on what was to be our last Daytona Beach reunion! Fortunately, Jim Hampton, decided to go one more year. He has secured the Best Western Plus Aku Tiki Inn in Daytona Shore for the Columbus Day Weekend. Details and registration form will be provided in the next newsletter – but in the meantime, **SAVE THE DATE! October 6th - 8th**

## PROBLEM RECEIVING AORP EMAILS?

If your dues are paid and your email address has not changed, but you suddenly stopped receiving our emails; try putting

**admin@aorp.org**

as a contact in your email list. As your software automatically updates itself, it may block our emails. Another reason may be that you or your spouse clicked on subscribe. If that is the case, just contact us to switch it back on.

## ONE MORE TIME

First Vice President Bob Arscott will undertake the 20-year retirement issue, once again, after the Inauguration. Hopefully the new Congress will be open to correcting this issue for those effected.

## WHEN CALLING THE AORP....

If you call the AORP line or Janet's cell, make sure your message machine is not full; or, that you have your mailbox set up. Please do not leave a message if don't have a method for me to leave you one. Just call back until you reach me.

If you ask for a call back, please leave a message indicating what you want. That way, I can provide the info on your message system if I cannot reach you. Help stamp out phone tag. **PAHLEEZ!!**

## DID YOU NOT APPLY FOR SOCIAL SECURITY DUE TO WINDFALL BENEFITS PROVISION?

By Brother Jim Aurouze

[willa1@comcast.net](mailto:willa1@comcast.net) or (301)843-8187

Recently I was helping a retiree who was paying out of pocket for his Medicare Part B, did not have Part A; and, was under Blue Cross/Blue Shield. This retiree was in his middle 70's.

When questioned as to why he did not have Part A, he stated that he had not applied for Social Security because of the Windfall Elimination Provision (WEP) even though he had been told by Social Security that he had accumulated 40 credits or quarters.

Further questioning revealed that he had joined the department in the early 60's, and had completed 20 years prior to January 1, 1986. Because of this fact, he was EXEMPT from the Windfall Elimination Provisions. He had been eligible for Social Security; Part A of Medicare and to have his Part B premium deducted from his Social Security benefit.

He ended up getting his Social Security benefits, but only six months was retroactive. He got his full Social Security benefit, but lost out on benefits that peaked out at age 70.

So, if you have not applied for Social Security, because you think you would not benefit because of the Windfall Elimination, remember that the WEP only reduces your benefit by 50%; and, if you were entitled to retire by December 31st, 1985, the WEP does not apply to you.

**HELPFUL NUMBERS CAN  
BE FOUND ON BACK OF YOUR  
MEMBERSHIP DIRECTORY. PLEASE  
CHECK THERE BEFORE CALLING  
THE AORP FOR THE NUMBER.**

# 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
John C. Collins	08/25/90	MPD	DSK/SGT	2D	09/29/16
James M McQueeney	09/15/83	MPD	SGT	ID&R	10/03/16
Bobby J. Barnes	06/01/69	MPD	OFF	5PCT	10/12/16
Thomas R. Russell	05/01/78	MPD	LT	CID	10/13/16
Wayne T. Simpson	08/31/97	MPD	OFF	3D	10/15/16
Earl L. Drescher Sr	09/30/77	USSS/UD	COP	WH	10/18/16
Leonard G. Gooch, Jr	02/29/96	MPD	OFF	2D	10/19/16
John R. Workman	06/01/63	MPD	OFF	7PCT	10/25/16
William A. Budzenski	12/30/89	MPD	SGT	2D	10/30/16
Ronald H. King	01/03/88	MPD	SGT	6D	11/09/16
Charlie Moore	11/22/86	MPD	SGT	IAD	11/14/16
Henry A. Kalinofsky	04/01/76	MPD	DSK/SGT	4D	11/17/16
Ralph E. Poppell	12/01/70	MPD	OFF	1D	11/26/16
Rodney D. Zygmontas	01/01/89	MPD	S/AGT	BAL	12/01/16
Talmadge C. Lewis	08/30/80	MPD	SGT	FID	12/05/16
Robert E. Cook	12/31/74	MPD	SGT	ID&R	12/07/16
Joseph P. Thomas	09/20/13	MPD	DET/SGT	7D	12/09/16
Norman Round	07/01/78	MPD	LT	4D	12/13/16
John J. Hickey	10/31/94	MPD	SGT	1D	12/15/16
Lewis P. Cooney	02/20/93	MPD	OFF	SOD	12/26/16
William E. Bridegum	02/29/80	MPD	LT	2D	01/04/17
William T. Carbone	08/19/95	MPD	OFF	3D	01/06/17
Lawrence R. Henson	08/24/80	MPD	SGT	4D	01/07/17
Charles M. Monroe	10/01/76	MPD	D/C	P&D	01/11/17

## NAME

## SPOUSE

## DOD

Mary C. McClanahan

Carl L. McClanahan

11/09/16

Joyce D. Murdock

James T. Murdock

11/17/16

## NAME

## WIDOW OF

## DOD

Ann H. Murphy

James E. Murphy

08/13/11

Dorothy L. Nalley

John R. Nalley

09/25/16

Caroline F. Pearson

James V. Pearson

10/12/16

Clara M. Basnight

Thomas B. Basnight

10/20/16

Mary M. Bates

John T. Bates

11/12/16

Ann L. Eger

August G. Eger

01/04/17

Beverly A. Reiser

Frederic L. Reiser

01/08/17

**AORP MEETINGS ARE HELD THE FRIST WEDNESDAY OF EACH MONTH AT 7:00 P.M. WITH THE EXCEPTION OF JUNE, JULY & AUGUST. A MEAL IS PROVIDED PRIOR TO THE MAY AND OCTOBER MEETING FOR \$10 BEGINNING AT 6:00 P.M.**

**MEETINGS ARE HELD UPSTAIRS AT THE BRANCVILLE VOLUNTEER FIRE DEPARTMENT, 4905 BRANCVILLE ROAD, COLLEGE PARK, MD.**

**FEBRUARY 1st, MARCH 1st & APRIL 5th**

**Association of Retired Police Officers of D.C., Inc  
14035 Canal Rd. SE  
Cumberland, MD 21502  
Telephone (877) 283-1065**

**December16/January 17**

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