

Treasurer's Message *By Harold Brown*

I would like to wish everyone a happy and healthy new year.

The dues for 2011 dues have been coming in, and we have been sending out the membership cards within several days of receipt of you dues. We thank those retirees and widows who included an extra donation. Your donation is greatly appreciated as it will help defray some of our rising expenses.

If you received a **WHITE NEWSLETTER** your 2011 dues are paid. If you received a **YELLOW NEWSLETTER** your dues are not paid and are due now. Please use the **YELLOW APPLICATION**. This is the only way to tell our members if they are paid or not paid. If for some reason we inadvertently sent you a yellow newsletter and your dues are paid we apologize.

On page three of this newsletter there is a list of our members who are running for a office in the FOP election.

KENNETH HAUSER
President

HAROLD BROWN
Treasurer

NORTH

1st Wednesday of each month at 7:00 a.m.
Lone Tree Manor
7710 N. Milwaukee Avenue
For Info Call: Joe Nalepa at 773-763-1362

SOUTH

2nd Wednesday of each month at 10:00 a.m.
Jedi Garden Restaurant
9266 S. Cicero Avenue
For Info Call: Don Januszyk at 708-364-9903



R.C.P.A Newsletter

RETIRED CHICAGO POLICE ASSOCIATION

January 2011

IF YOU RECEIVED A YELLOW NEWSLETTER, YOUR 2011 MEMBERSHIP DUES ARE NOW BEING ACCEPTED, APPLICATION FORM IS INCLUDED IN THIS NEWSLETTER. IF YOU RECEIVE A WHITE NEWSLETTER, YOUR DUES ARE PAID. Upon receipt of your 2011 dues, we will send you a membership card and auto decal.

President's Message *Kenneth Hauser*

The next General Meeting of the Retired Chicago Police Association will be on Sunday, February 27, 2011 at 1:00PM in the 001st District Community Room at 1718 S. State Street. The very nice Fall weather has ended and Winter came in very cold and snowy. I hope the weather is mild enough for you to attend this meeting. Please read the retiree healthcare article by Class Counsel, Clint Krislov, pertaining to healthcare post 2013. If the City tries to renege on healthcare post 2013, he needs as many retirees as possible in order to prepare for a class action suit against the City.

ATTENTION ALL RETIREES AND WIDOWS, THIS IS VERY IMPORTANT. On January 1, 2011, the lifetime maximum healthcare plan was changed to zero (0) which means that you will have a new lifetime maximum of \$1.5 million. This means that if you used a million dollars on your old lifetime insurance as of January 1st, you now have a million and a half again.

Retired Public Safety Officers, do not forget the \$3000 benefit that you are provided under the Helps Provision of the Pension Protection Act of 2007. This benefit allows for tax deferred deductions of insurance premiums such as: dental, optical, healthcare and long term care. Check with your tax consultant.

As provided by statute, a cost of living adjustment (COLA) of 3% was reflected in your annuity check on January 31, 2011. This increase only applies to retirees who have attained 55 years of age and have been retired at least 13 months.

I am proud to report that this is the fifth year that the Board of Trustees have voted to provide a 13th check in December. It is also the second year that we are eligible to increase the amount to \$500. The 13th check was sent to 1418 minimum annuitants and breaks down to 188 retired police officers and 1230 widows at a cost of \$707,500 to the Richard J. Jones Annuitants Assistant

REGULAR MEETING

Sunday, February 27, 2011 at 1:00 PM
1st District Community Room
1718 South State Street

Fund. The annuitant does not have to pay taxes on this gift (check) since it is not reported as income as in previous years.

The year 2010 was another good year for the Pension Fund. The Fund's total return on our investments was a +13%. The market value of the Fund is approximately \$3.2 billion as of December 31, 2010.

SB 1716 "The Civil Union Bill", is now law in Illinois. This bill states that "Civil Union" means a legal relationship between two (2) persons of either the same or opposite sex, established pursuant to this Act. This means that your daughter or son living in a heterosexual relationship is now entitled to healthcare benefits through their insurance plans.

On October 12, 2010, President Barack Obama signed S.1132 the "Law Enforcement Officers' Safety Act," into law. The Act, now Public Law 110-272, went into effect immediately. A "qualified retired law enforcement officer" is defined as an individual who: has separated from service in good standing with a government agency as a law enforcement officer for an aggregate of ten (10) years or more or separated from such an agency due to a service-connected disability, as per Section

Cont. on page 2

RETIRED CHICAGO POLICE ASSOCIATION

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Presidents Message

(Continued from Page 1)

926C(b)(3)(B), provided that they have completed their probationary term of service. The new law exempts all qualified retired law enforcement officers from State and local laws with respect to the carrying of concealed firearms. These officers are not exempt from Federal law or regulation which governs the carriage of firearms onto aircraft or other "common carriers," Federal buildings, Federal property or national parks.

On December 31, 2010, the Governor signed SB 3538 into law, now Public Act 096-1495. This bill tiers benefits for new hires effective January 1, 2011 and mandates actuarial funding in 2015 for all public safety systems in the State. These benefits will only apply to newly hired police officers and current retiree benefits will not be affected by this legislation. Minimum retirement eligibility will be age 55 with ten years of service reduced by 1/2 of a percent per month for retirement prior to age 55. Maximum annuity will be 75% of final average salary of the best 8 of the last 10 years. Maximum salary for pension purposes is capped at \$106,800 for 2011. This cap will be increased yearly by 3% or 1/2 of the CPI-US, whichever is less. Retirees and surviving spouses will receive COLA's after their 60th birthday, equal to 3% or 1/2 of the annual unadjusted percentage increase in the Consumer Price Index-US. If the CPI-U is zero, then there is no increase. Surviving spouse's annuity will be 66 2/3% of the deceased officer's annuity at time of death.

The new statutory funding requirements are: the City will levy new taxes in FY 2015; the employer contribution (combined with police contributions and other fund revenue) will produce 90% funding by the end of fiscal year 2015 (this guarantees our annuity forever). If the City does not make the statutorily required contributions, then the State, starting in FY 2016, will withhold State grants to the City and directly deposit the withheld funds into the Policemen's Annuity and Benefit Fund.

There are two very important elections this winter that affect the future of active police and all annuitants. The Mayoral Election is on Tuesday, February 22, 2011 and the Fraternal Order of Police Chicago Lodge #7 election is on March 4, 2011. The FOP Lodge 7 Board of Directors endorsed candidate, Gery Chico, on Wednesday, January 19, 2011 based on a ballot survey taken by the membership. Considering our future, please vote in both of these elections.

To all you golfers, **Do Not Forget** that the Retired Chicago Police Association Annual Memorial Golf Outing is on Wednesday, June 22, 2011 at Bloomingdale Golf Club. The \$100 donation includes golf, cart, lunch, refreshments on the course and dinner with a two hour open bar. There will be numerous prizes raffled during dinner (GPS, 32" High Definition Color TV, golf clubs, etc., etc.). Call the RCPA at 773-763-5310 to reserve your foursomes. Hope to see you there.

There will be a General Meeting of the Retired Chicago Police Association on Sunday, May 29, 2011 at 1:00PM in the 001st District Community Room at 1718 S. State Street. I look forward to seeing you at this meeting.

Don Januszyk

2nd Vice President

A lot has been happening lately, especially here in Illinois. Both the House and the Senate voted to increase the state income tax, and the Governor signed the bill just a few days ago. They should start taking the tax out of the pay checks at the end of January. When the state wants to act fast they sure can.

What is clear to everyone is that our elected officials are the ones who got us into this mess and now we the tax payer have to suffer the consequences. But thinking about it, maybe it's our own fault. How often do we not vote?? How often do we vote for a person just because someone or a organization asked us to? I heard someone state they didn't like either candidate so they didn't vote for either one. It is our responsibility to vote for a person who we believe is the best qualified for the office. Frequently, the case may be that neither of the candidates are qualified, but we still have to make a decision. It's our right and it's our responsibility. Perhaps if everyone took the right to vote seriously we would not be in this mess. As of now the increase in the state income tax was inevitable, however we can observe and ensure that the State makes the cuts it promised to do. Did you ever notice the comfortable chairs are state legislators have?? We paid for them. Will they tax our pensions????? Another reason to watch what they are doing.

Pensions. There are a lot of people and organizations knocking our pensions and our unions. The workers in the field and in non-exempt positions have decent pensions. In 2010 there were 6 Chicago Officers and 3 Chicago Firemen killed in the line of duty. I would like to know what the complainers would have to say to the families of those killed? Yes there are exempt officials in both fields who are and will get excessive pensions, but it was our legislatures who approved these gold braid bills. In other work fields like education, public service and a few more, there are superintendents who have awesome pensions, but again it was our legislatures who gave them the right to those pensions.

Chicago alderman currently make more than a 30 year Sergeant, (plus expense stipends), can retire after 10 years, get to keep their fund raising accounts, and have a guaranteed 3% COLA each year. They can carry a gun and have an exceptional medical plan both when working and when retired. Just how much time do they really work? Then they complain about funding our pensions. How much money would the City save if we only had 25 aldermen instead of 50????

The same individuals who knock our pensions knock the unions. The unions are the backbone of America. They have ensured that everyone of their members be treated with dignity and respect. Have some unions stepped over the bounds of what is reasonable??? Yup. In the auto industry a laid off worker reports to a holding building, punches in and out, and receives their hourly wage while doing nothing. I can't see that, but it was management that agreed to the contract. Here in Chicago, a union contract was a Godsend to the department. It curtailed a police officer from being dumped to the other side of the city, and ensured that they be treated like a human being. Have the unions made it more difficult to terminate an employee, not really, they just made sure the members were treated justly.

What I'm trying to say here is that we have a responsibility to ourselves and our families to be more pro active, contact your elected officials frequently, and be a pain in their butts. We the

retirees are a powerful group here in Illinois and across the US, and we should act like it. Stay safe, healthy, and party on if you can.

All FOP Members

It is time to elect the FOP Board of Directors. The ballots will be mailed to your homes on February 4, 2011, to be returned by March 4, 2011.

Below is list of RCPA members running for the Board of Directors.

Harold Brown, John Burke, Pat Duckhorn, Chester Hornowski, Dennis Huminiak, Rick King, Robert Podgorny, Ron Shogren, Tom Skelly, Vic Rini, Mike Underwood and Mike Voight.

PLEASE SUPPORT OUR MEMBERS.

If I omitted anyone I apologize. I asked the FOP for a list of retired officers running for office and my request was denied.



CUT-OFF AND RETURN WITH YOUR CHECK OR MONEY ORDER

If you are reading a yellow-colored newsletter
2011 MEMBERSHIP DUES ARE \$15.00

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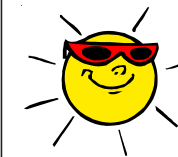
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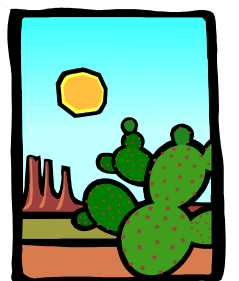
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Retiree Healthcare Alert-a short note from Class Counsel Clint Krislov

to bring you up to date on where we are, how we got here, and what's next!

A short history of 23 years of relatively continuous litigation. In 1987, in retaliation for being forced in *Ryan v. Chicago*, to repay the pension funds for using the pension tax levies for itself, the City retaliated by suing the pension funds for a declaration that it could cut off retiree healthcare, that it had been paid for by an appropriation that did not include annuitants. We intervened for participants, asking the court to force the City and Funds to continue the fixed-rate 55/21 healthcare plan for life, for the participants. After the trial, but prior to a decision by Chancery judge Albert Green, the City and Funds trustees entered into an agreement for a ten-year settlement that set an allocation between the City, the Funds, and participants through 1997, rejecting our participants' unanimous Class I objections. For your Retired Chicago Police Association, and then-president _____, we filed suit to challenge it in federal court, as well, but both the State and federal courts rejected us, all the way through the U.S. Supreme Court.

When 1997 rolled around with no permanent resolution in sight, We moved to reinstate the case for the participants classes. Over the City's opposition, and with no help from the trustees, Judge Green rejected our reinstatement, but the appellate court ruled that we were, indeed, entitled to reinstate the claims for permanent healthcare plan, both because it was promised, and as a benefit protected by the Illinois Constitution's Article 13, Section 7, protection of benefits of participation in pension funds against being diminished or impaired. That eventually produced a couple of extensions, and the 2003 settlement that is currently in place through June 30, 2013. Between now and then, we will continue to each year set premiums, reconcile, and make refunds as appropriate.

What happens in 2013? Sometime before June 30, 2013, the City's Retiree Healthcare Benefits Committee will make a recommendation, and the City will declare what it is going to do for most retirees. For people who were participants in the retirement funds (i.e., began working for the City) before August 23, 1989, especially those who retired before then, we will move to reinstate the claims for lifetime healthcare under the 55/21 plan for the rest of your lives.

Victory is by no means assured. **We need your help and participation.**

From each of you, we need your name address, phone, email, full contact information, and description of your situation. Are you the retiree?, or a widow? Retiree's retirement Date? Do you have other coverage? Or not? Do you qualify for Medicare? Or Not? What are you paying now? What percentage is that of your income? **Tell us your situation and why you need the fixed rate, subsidized healthcare plan for life.** Since there are many of you, we need to get it in writing, by email or mail or fax. Please let me hear from you.

Sincerely, Clint Krislov, Class Counsel

Email: clint@krislovlaw.com

Krislov & Associates, Ltd.

20 North Wacker Drive, Suite 1350, Chicago, IL 60606

Telephone: 312-606-0500 Fax: 312-606-0207

1Two intervenor annuitant classes were certified: the "Korshak Class" encompassing Funds' annuitants who retired prior to December 31, 1987, and the "Window" Class for those annuitants who retired after December 31, 1987, but before August 23, 1989 (the enactment date of P.A. 86-273 which set healthcare benefits for most subsequent retirees). As stated, both Classes are represented by Class Counsel, Krislov & Associates, Ltd.