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FOP seeks Inspector General inquiry for Montgomery Question B campaign

Berliner rejects debate with union in regard to effects bargaining

by [Kate S. Alexander](#) Staff writer

On the heels of Montgomery County Democratic Central Committee's support for repealing police effects bargaining rights, the county's police union has asked for an investigation into county efforts to sway voters to say "yes" to Question B and asked for public debates with council members on the issue.

Fraternal Order of Police Lodge 35 requested Friday that county Inspector General Edward L. Blansitt III probe the use of county resources to campaign in favor of Question B — which will ask if voters if they want to keep a county law eliminating effects bargaining for police — alleging possible misuse.

Effects bargaining involves union-management negotiations in regard to the effects of management decisions. It does not involve salaries, benefits or working conditions. In Montgomery County, only the FOP has the right to effects bargaining.

Blansitt said Monday he received the FOP's request and that it specifically alleges Patrick Lacefield, director of public information, has been using county resources to send out emails advocating for the effects bargaining repeal. Blansitt said he also received an opinion from County Attorney Marc P. Hansen arguing advocacy by the county is both legal and appropriate.

Lacefield said the county will not remain silent while special interests spend their money to "misrepresent" the issue.

Until talking with FOP, Blansitt said he could not comment further.

Although it remains to be seen if Blansitt will launch an investigation, Council President Roger Berliner Tuesday rejected an invitation to debate effects bargaining with Lanny J. Davis, the FOP's attorney for the campaign.

"The unspoken premise behind your invitation would appear to be that this issue has not been debated widely. It has," Berliner wrote to Davis.

Every debate on the topic thus far has resulted in strong support for eliminating effects bargaining, wrote Berliner (D-Dist. 1) of Bethesda.

Berliner called Davis' approach to the effects bargaining issue "unseemly," saying Davis essentially has accused County Executive Isiah Leggett (D) and Police Chief J. Thomas Manger of lying.

"Here in Montgomery County, we hold ourselves to a higher standard when it comes to our public discourse," Berliner wrote. "To date, you have failed to meet that standard."

In response, Davis said he did not accuse either Leggett or Manger of lying, but rather of possibly being misinformed, and asked other council members if they would engage him in a debate, or if Berliner speaks for them.

The FOP pushed to have the law's fate decided by a popular vote, collecting nearly 40,000 signatures, which were affirmed by Maryland highest court this summer.

Voting "yes" on Question B would uphold a law eliminating effects bargaining.

If it is enacted, the law would have "harsh, real-world consequences on the lives of our police officers and their families — the men and women who put their lives on the line for us every day, their spouses, and their children," Davis argued in a letter to the Democratic precinct officials.

In an interview with Gazette editors, Manger said the law only would have subtle impact, giving management latitude to make policy decisions that are not subject to negotiation.

When the Democratic sample ballots come out in October, it will indicate the party's support for voting "yes" on Question B.

Republican party leaders were scheduled to meet Tuesday to decide where the county GOP stands on effects bargaining, as well as the other 10 ballot questions that will be posed to county voters.

Democrats also voted to support state questions on marriage equality, the Dream Act, qualifications for orphans court judges in Prince George's and Baltimore counties, removal of elected officials and the retention of Judge Stuart Berger, as well as a county question on hiring of disabled workers.

The party will remain neutral on Maryland's new congressional district map, expansion of gambling in the state, and the sale of alcohol in Damascus.

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