



For immediate release
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Montgomery County Police Officers Seek State Special Prosecutor Investigation of Possible Violations By County Officials for Misuse of County Funds for Political Advocacy on Question B

County Fraternal Order of Police Urge Voters to Vote AGAINST QUESTION B to Support Police and Their Families

Describe Use of Taxpayer-Funded Political Activities by Executive Council Unlawful, Citing Councilman Phil Andrews Opposition to Use of Public Monies in 2010 As Precedent

Gaithersburg, MD – In a letter delivered today to State Prosecutor Emmett C. Davitt, Montgomery County Fraternal Order of Police is requesting an investigation to determine whether any laws have been violated by what appears to be unlawful political activity by Montgomery County Government employees working on the job and expenditure of public funds by the Montgomery County Government to engage in one-sided political advocacy for passage of Ballot Question B in the November 6, 2012 general election. The investigation should include all elected and nonelected officials who have authorized these political activities and expenditures.

In an interview this morning with Bruce DePuyt at Newschannel 8, Master Police Officer and past president of the Fraternal Order of Police Marc Zifcak announced the FOP is calling on the county to halt spending public funds on political advocacy campaigns, and asking a special prosecutor to investigate.

Zifcak stated, “We believe it is illegal to use county taxpayer funds to engage in one-sided political advocacy for passage of Ballot Question B in the November 6.”

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Montgomery County Fraternal Order of Police FOP Lodge 35 stated in the letter that one-sided political advocacy has included:

- *advocating "Vote for Question B" on the Montgomery County web site
- *purchasing time on a local radio station to advocate for Question B
- *placing banners advocating "Vote for Question B" on county Ride-On buses
- *placing bumper stickers advocating "Vote for Question B" on county vehicles
- *distributing flyers advocating "Vote for Question B" at County libraries and other county facilities
- *county employees advocating support of Question B at the Montgomery County Democratic Central Committee ballot committee meeting
- * emailing individuals on a county regional service center email list to vote "yes" on Question B
- *county council member's email newsletter urging voters to support Question B

The political activities are a violation of Maryland Code Ann., Article 24 § 13-105, which prohibits local government employees from engaging in political activity while on the job during working hours.

Lanny J. Davis, attorney for the police, cited incumbent Democratic Councilman Philip M. Andrews as taking the same position two years ago when the county government spent tax money to advocate in favor of a Ballot Question that would have imposed fees on ambulances. He quoted Councilman Andrews as saying then:

"I think the issue of the county executive using county personnel to lobby for keeping ambulance fees is highly inappropriate and a misuse of county employees, regardless of the legality. I'm very concerned about the precedence it may set for the future."

Question B is about the repeal of a thirty year old Montgomery County ordinance that provides certain collective bargaining rights and procedures for Montgomery County police officers. FOP 35, the certified bargaining representative of Montgomery County police officers, as well as many other Montgomery County, state and national public and private sector labor organizations strongly oppose Question B which, if approved, would repeal the ordinance.

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