

**CITY OF BALTIMORE
COUNCIL BILL 06-0443
(First Reader)**

Introduced by: Councilmembers D'Adamo, Young, Conaway, Welch, Spector, Harris, Kraft,
Holton, Mitchell, President Dixon, Councilmembers Curran, Reisinger, Branch, Clarke,
Rawlings Blake

At the request of: Michael P. May, Esq.

Address: 7305 Harford Road, Baltimore, Maryland 21234

Telephone: 410-444-7606

Introduced and read first time: May 15, 2006

Assigned to: Taxation and Finance Committee

REFERRED TO THE FOLLOWING AGENCIES: City Solicitor, Fire and Police Employees' Retirement
System, Department of Finance, Labor Commissioner

A BILL ENTITLED

1 AN ORDINANCE concerning

2 **Workers' Compensation Award – Police Agent Eugene Cassidy**

3 FOR the purpose of causing the Fire and Police Employees' Retirement System of Baltimore City
4 to cease recouping a workers' compensation award received by police agent (now retired)
5 Eugene Cassidy and to return to police agent Cassidy that portion of the workers'
6 compensation award that the System has already recouped.

7 **Recitals**

8 On October 22, 1987, police agent Eugene Cassidy was shot in the head in the line of duty. As a
9 result, police agent Eugene Cassidy was permanently blinded in both eyes.

10 On June 30, 1996, after extensive litigation in which police agent Eugene Cassidy's attempts to
11 recover full workers' compensation benefits for the severe and horrific injuries he sustained met
12 with opposition, the Workers' Compensation Commission approved a settlement agreement in
13 respect of a workers' compensation award.

14 Subsequent to being blinded, police agent Eugene Cassidy returned to school, obtained
15 numerous degrees and certifications, and taught (and continues to teach) in the Baltimore Police
16 Academy.

17 Police agent Eugene Cassidy received the Medal of Honor and the Medal of Valor from the
18 Baltimore Police Department for the injuries he sustained in the line duty on October 22, 1987.
19 He taught in the police academy as an active police officer on limited duty until March 20, 2005.

20 In 2004 and 2005, the Baltimore Police Department attempted to purge its rolls of light duty
21 officers. As a result of that attempt, police agent Eugene Cassidy involuntarily applied for a
22 disability retirement, and, on March 20, 2005, he received a 100% disability retirement as a
23 result of having been blinded in both eyes after having been shot in the head.

EXPLANATION: CAPITALS indicate matter added to existing law.
[Brackets] indicate matter deleted from existing law.

Council Bill 06-0443

1 After receiving this disability retirement, the Fire and Police Employees' Retirement System
2 invoked Article 22, § 34(1) of the Baltimore City Code to recoup the workers' compensation
3 award obtained by police agent Eugene Cassidy.

4 The Fire and Police Employees' Retirement System is currently in the process of recouping
5 police agent Eugene Cassidy's workers' compensation award by way of payroll deduction,
6 thereby diminishing the disability pension payment police agent Eugene Cassidy received.

7 Police agent Eugene Cassidy continues to teach at the Baltimore Police Academy as a contract
8 employee.

9 No amount of money can adequately compensate police agent Eugene Cassidy for the horrific
10 injuries and permanent blindness he sustained while protecting the citizens of Baltimore.

11 **SECTION 1. BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF BALTIMORE, That:**

12 (a) The workers' compensation awards received by police agent Eugene Cassidy may not be
13 recovered from his retirement benefit received from the Fire and Police Employees'
14 Retirement System of Baltimore City or from any other source.

15 (b) Any money already recovered from police agent Eugene Cassidy, by way of payroll
16 deduction or otherwise, to enable the Fire and Police Employees' Retirement System to
17 recoup all or any portion of police agent Eugene Cassidy's workers' compensation award
18 shall be immediately restored to police agent Eugene Cassidy.

19 (c) Except as otherwise specified in this Ordinance, the provisions of Article 22, § 34(1)
20 shall otherwise remain in full force and effect.

21 **SECTION 2. AND BE IT FURTHER ORDAINED,** That this Ordinance takes effect on the 30th day
22 after the date it is enacted.