

# The Protection Ranger



The Newsletter of the U.S. Park Rangers Lodge, Fraternal Order of Police

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## Lodge Confronts Medical Standards Implementation And IACP Survey Problems

**Medical Standards:** We believe the NPS is implementing the medical standards without due regard for 5CFR where the regulations governing the implementation of such standards are found. Agencies are required by law to implement their programs under these regulations. The section on waivers seems to be systematically violated.

5CFR339.204 reads: "*Sec. 339.204 Waiver of standards and requirements. Agencies must waive a medical standard or physical requirement established under this part when there is sufficient evidence that an applicant or employee, with or without reasonable accommodation, can perform the essential duties of the position without endangering the health and safety of the individual or others.*"

At last fall's meeting on the implementation, a WASO spokesperson said: "If the work history substantiates that the employee can do the work despite the medical issue, then the employee can request and receive a waiver..."

The NPS administrator of the medical standards program, Terrie Fajardo, has said, in writing, to a Lodge member on this subject: "I received your message. In the 5

CFR 339 citation you describe in your message, it says that it is up to the agency to accept or not any proof of medical change offered by the employee." and, "... There is no provision for me to waive the medical standards in your case or any case. Only the Medical Review Board has the authority to review your situation and, based on information provided by you, your doctor or others, consider either reasonable accommodation or reconsideration." It has also been reported to the Lodge from a source we consider reliable, that Ms Fajardo has told a chief ranger that 5CFR339.204 is merely advisory and that she and the NPS are under no compulsion to follow it.

5CFR339.202 says that agencies must implement medical standards in a uniform and consistent manner. Any ranger who has spoken with rangers in other parks know that this is very far from the case. Some parks have not sent anyone to the physicals and others have sent all commissioned rangers; some parks have only sent seasonals and not permanent rangers. It's make-it-up-as-you-go-along in the NPS again.

The Lodge believes that the law means what it says: That is, if you can prove you can do the job - and that's what your annual evaluation tells the agency, namely, that you can and are doing your job - that the NPS must grant you a waiver from the medical standards for your medical "issue". It takes much more than what some government paid doctor thinks he found for the agency to deprive you of your job. We've printed a copy of the letter to Director Stanton on the back cover of this issue.

**IACP Survey:** As you know the Lodge is taking a wait and see attitude toward the ongoing study of the NPS law enforcement program by the Inter-

national Chiefs of Police. On the one hand this organization has a pretty good record when it comes to analyzing police departments and recommending changes to bring it up to national standards. On the other hand, it is an organization of police chiefs, not rank and file officers and detectives: management, in other words. The Lodge would have preferred that the NPS hire the Fraternal Order of Police - the nation's largest police officer organization with vast resources and experience in this field - to do the study, or, as an alternative, pay to become an accredited law enforcement agency as many other departments and agencies have done.

The IACP study team promised that their survey forms would be mailed to each ranger - permanent, permanent STF, seasonal and term - with a franked envelope for its privacy-protecting return. In this way, the IACP could have determined how many forms were sent and could gauge the response rate. They chose not to follow their promised path.

The Lodge has reports from members that the surveys were received in the office, sometimes in a blue envelope, sometimes not; were received with only a few days before the deadline; were received after the deadline; were not received at all; were told that the ranger was responsible for postage; were told to turn the survey into the supervisor. Very few seasonals have received the survey.

How can the survey be valid if the IACP does not know who received them? Can't management corral a large number of them and fill them out to indicate that all is very well among commissioned rangers? The survey is compromised at this point.

When the Lodge pointed this out to the IACP study team and asked that the process be fixed, the Lodge's spokesperson was attacked as "unprofessional"

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and the elements of our complaint went unanswered. The Lodge was originally promised in a telephone call that no NPS officials would be on the study team. That's not the case - management is well represented and now, apparently, in a position to potentially poison the process by compromising the survey. We need all members to monitor the IACP team and its methods and to send in your survey forms even if they are late. Please check the Lodge web site for the latest on this situation.

Remember this: Commissioned rangers would not have to be in the position of monitoring if the NPS had recognized our right to organize and not fought us before the Federal Labor Relations Authority. We would be bargaining now, not monitoring. The Lodge will do what it must to promote officer safety and professionalization of the commissioned rangers.

## **Lodge Needs Office Filled**

ATTENTION VA RESIDENTS: The Lodge needs a Director to fulfill its obligation to the VA Lodge of the Fraternal Order of Police.

This member must be a resident of Virginia. The main function of this position is to attend bi-annual meetings of the state lodge and help set the agenda for state lodge affairs. The meetings last one day and all expenses are paid. We have to attend these meetings. The Lodge Director is a voting member of our Lodge's executive committee.

This is a good opportunity to serve the Lodge and its members as well as working to make the VA Lodge as effective an entity as possible. The meeting sites vary throughout the state and meals, lodging and travel expenses are paid. It will benefit us all to have this Lodge position filled as soon as possible.

Contact Randall at: randallfop@ls.net; or, 800 407 8295; or, PO Box 151, Fancy Gap, VA 24328. Now just might be the time for you to give back a little to what

the Lodge has given to you and to help us work for our mutual benefit in the future.

## **10 Years Ago**

- 10 years ago: no ranger had soft body armor to wear routinely on the job unless they bought it themselves.
- 10 years ago: no ranger had a semi-automatic pistol provided by the NPS
- 10 years ago: no ranger was in the 6(c) retirement system --they had the same retirement as clerks, personnel specialists and superintendents.
- 10 years ago: no first line non-supervisory ranger was a GS-9; you would have been a GS-5 or GS-7.
- 10 years ago: no ranger received NPS-paid immunizations against Hepatitis B
- 10 years ago: no ranger received availability pay
- 10 years ago: many rangers were subject to unpaid mandatory oncall status
- 10 years ago: many rangers were stuck in required occupancy of government owned quarters with little hope of getting out.
- 10 years ago: the US Park Rangers Lodge was just getting organized and had not yet gone coast to coast

Coincidence? Or, a cause and effect relationship? We think we can offer proof of the latter. Support your Ranger FOP Lodge and recruit a new member to the Lodge this week. Our strength is in numbers and in organization!

## **Lodge Website Offers Member Services**

Please regularly visit the Lodge website at [www.rangerfop.com](http://www.rangerfop.com)

Webmaster Duane Buck has built and is maintaining an exciting and informative site dedicated to bringing Lodge members the most relevant and helpful information about your job and your Lodge.

Need to get in contact with the lodge board? Need to update your duty station

or address? Need to get the lodge feedback on a certain issue or concern? See the Lodge Services section in the Members Only area to address these needs.

One new service is free advertising for each Lodge member who has - or whose spouse has - a business. Reach hundreds of potential customers - members and non-member - for free! Join those members who have a fishing guide service, embroidery company, travel agency, web page building service, or whatever, who are profiting from this Lodge benefit. Reach hundreds of potential customers at NO CHARGE.

Check out those that have already begun advertising and get the benefit of advertising via the World Wide Web. Lodge eProRanger updates are always posted on the website. If you can't receive email at home, you can check the latest Lodge updates of the print Protection Ranger on the homepage.

The Lodge conducts monthly polls to gauge the sentiment for priorities among rangers.

Links: Looking for another ranger-related subject? Duane has links to them that will whisk you away to the information you need with just a double click. Check out the links area for interesting links to government job sites, FOP sites, and current NPS news and links. Have a suggestion for a link? Use the link submission form to make your suggestion and the lodge will consider the site. The members only area also has a search function that can search the lodge website for your items of interest.

## **Determining Staffing Levels**

What should the staffing level of commissioned rangers be in your park? You've been there X number of years - shouldn't you know? Shouldn't your supervisor? Shouldn't your input be sought? Isn't this part of the "Law Enforcement Needs Assessment" that your park is required to maintain under NPS-9?

The NPS has determined that staffing levels per park should be based upon a formula in VRAP, that attempts to act as a universal blanket staffing plan for all parks, figuring in trail miles, road miles, visitation, and a host of other factors to determine ranger staffing needs.

Should staffing levels be based on number of visitors? Number of square miles? Types and importance of resources to be protected? National significance? Number of crimes and incidents per year? Length of stay per visitor? Number of permanent residents and associated infrastructure?

There really is no formula, and VRAP, though attempting to be scientific, is not validated, and does not take into account such factors as length of patrol coverage, training hours, sick leave hours, hours spent on physical fitness training and testing, firearms qualifications, and doing wacky projects such as Yosemite's "Ranger Story Time."

It's not based on a percentage of overall staff - for instance, 25% of all park personnel.

The Fraternal Order of Police did a study of 25 cities ranging in population from 425,000 to 1.5 million. The square miles of each jurisdiction and an average of officers/1,000 population was determined.

Some of the findings: Officers per square mile ranged from 53 in Washington DC to 1.7 in Oklahoma City. This corresponded with the density of the cities with DC having 21,994 people/sq.mi. and Oklahoma City having 739/sq.mi. The average number of officers ranged from 4.48/1000 in Baltimore to 1.68 in Virginia Beach, VA. The average is 2.52/1000 population. What is the population of your park on the average day during visitor season? How many square miles are you responsible for? How do the number of commissioned rangers in your park compare with the numbers in the FOP study cities? Shouldn't credit be given for ancillary duties such as fire suppression and

presuppression; search and rescue, and resource management work such as boundary marking? We need to have some figures in mind - and the data to back these figures up - when the IACP makes their recommendation. How will we be able to intelligently agree or disagree with them otherwise?

The IACP, and USPP, have used a "beat" concept for determining staffing needs.

How many rangers do you need on duty at one time to provide coverage to all areas of the park to a standard that meets the public need for resource and visitor safety and protection?

How many hours a day do you want these areas covered? How many days a week do you want these areas covered? Multiply this out and you have the number of overall hours you need to cover.

How many rangers do you need to cover this? Take one FTE of 2080 hours, subtract 3 weeks, of AL, one week of LE refresher, one week of EMS/fire training, one week of other training, 3 weeks of time spent in fitness training on the job, one day for medical screenings, a week of sick leave, etc. all down the line. One staff person will come out with about 1,100 hours of available patrol time, or half that needed to cover an a patrol area.

We recommend that the NPS either scientifically verify VRAP, or better yet, adopt professional staffing standards as developed by the IACP and used by agencies across the country.

## **"Visitor Assistance" in the Corps of Engineers**

*Note: Our Lodge has members from the US Forest Service, the US Fish & Wildlife Service, Lancaster County, PA, Parks Dept, the Bureau of Land Management and the US Army Corps of Engineers, as well as the National Park Service. Here is an article on conditions in the COE.*

It often comes as a surprise to those

considering a career in the great outdoors that the U.S. Army Corps of Engineers employs Park Rangers (025, just like the NPS).

Permanent, non-supervisory COE rangers are typically GS-05/07/09s just like the NPS although some are 04/05/06. Of the latter, some primarily staff visitor centers while others claim they do the same work as a GS-09. The uniforms also come from R & R with the main difference being you do not receive a badge until you receive citation authority. Corps rangers also don't wear defensive equipment, but more about that later.

The Corps of Engineers is responsible for maintaining the navigable waters of the US and with many flood control and hydroelectric projects. Parks, campgrounds, boat ramps, and prime hunting and fishing areas have grown up around Corps lands and waters so a ranger program started in the 1970s to manage them. With less than 2% of federally owned lands, the agency hosts 30% of all visits to Federal recreation areas. 97% of the Corps workforce is civilian, and there are few reminders that you work for a branch of the armed forces other than annual "SAEDA" training (Subversion And Espionage Directed against the Army).

COE areas are sometimes called "the best kept secret in the Federal government", due to their lack of overcrowding in comparison with National Parks, but there are some notable exceptions. The Atlanta area's Lake Sidney Lanier, for example, experiences regular summertime traffic jams on land and water. Some projects actually collect more in user fees than "crown jewel" NPS sites. The Corps' largest visitor center, at Bonnieville Lock and Dam in Oregon, receives 500,000 visitors a year.

With every project centered on water, a COE ranger is more likely to conduct regular boat patrols than his or her NPS counterpart. The projects of the Fort Worth District, for example,

collectively experience an average of 32 drownings a year. In the early 1970s, the yearly average was about twice that, before aggressive visitor education measures were adopted. And, unlike the National Park System, most Corps lakes allow personal watercraft. Courts tend to hold parks that are planned and built for recreation to higher standards than historic and natural areas that are simply preserved in their natural state. Therefore, most COE rangers may well spend more time on safety inspections than their NPS counterparts. Years ago the Corps replaced gray and greens in the campgrounds with contract "attendants", who are normally full-time RV-ers. Volunteer "hosts", who guide campers to their sites, etc, assist them. Don't kid yourself: selecting and orienting the right attendants and hosts can be just as time-consuming as hiring and training gray-and-greens. Most of a project's rangers will be involved in some aspect of campground management and collecting or remitting money from honor boxes.

A few projects have small fire crews but the Corps does not issue red cards or detail firefighters to other agency's fires. (You are, however, subject to being sent anywhere in the US for hurricane and flood cleanups, sometimes for longer than the standard 21 days of a fire detail.) Both the prescribed burning and wildland fire response is normally handled by state forestry agencies. Many a ranger, however, has fought brushfires with whatever tools were at hand, and some rangers work prescribed burns without any formal training or PPE. ("Nomex" What's that?") During the Gulf War many rangers were sent out with just flashlights and radios to guard the dams against nighttime terrorist attacks. Such an attack is not as unlikely as it seems. Some such structures have received bomb threats, and once two men did set off an explosion at the Old Hickory Dam north of Nashville. Their plan was to flood the downtown area and rob a bank in resulting chaos. Because dams are so solidly built, they succeeded mainly in blowing a manhole cover into the air. At least one major COE dam has had the local SWAT team conduct a hostage rescue drill on site.

Like other land and water managers, the Corps of Engineers sometimes makes enemies over lakeshore use permits, land condemnation, and marijuana eradication, etc. Not long ago a project maintenance worker discovered a tripwire leading to a live grenade. A few methamphetamine producers have discovered that the Corps' campgrounds, with their water and electrical hookups and isolated locations, are ideal for clandestine laboratories. One Tulsa District volunteer has been injured by a 5-gallon bucket of sulfuric acid left over from drug production.

Unlike the NPS, the Corps does not publish a "Morning Report", and project crime statistics are hard to come by. There is an unofficial ranger network within the agency, but it deals with questions and answers, not incident reports. Sometimes suicides, thefts, or major vandalism shows up in a weekly report within the district but it is more likely that you will hear of major crimes through word of mouth. (The female ranger being forcibly raped while on duty in the South Atlantic Division, for example.)

Two Corps rangers have been shot in the line of duty, both in the same incident. One died. Some "Visitor Assistance" instructors are reluctant to discuss the case, sometimes implying it was a freak occurrence or even partly the victim's fault. Another Corps ranger was shot to death at his home in Tennessee in 1980, but investigators found no link to his employment. The Corps, however, was notified when the killer was released from prison ten years later.

Like the NPS, the COE emphasizes taking the lowest level of enforcement action. The goal is compliance, not punishment. COE rangers differ in that they have a more limited range of options. The Corps of Engineers has only proprietary jurisdiction on its lands and waters. In the COE, rangers have no authority to arrest, detain, search, frisk, seize evidence, run radar or board vessels (unless abandoned). "Citizen's arrest" is not mentioned in training. Nor is there

any authority to physically intervene in the domestic disputes that sometime occur on project lands. Corps employees in resource management series have the same authority as rangers. They are often de facto game wardens and routinely encounter armed violators. That leaves COE rangers with only the authority to issue Violation Notices for violations of section 327 of Title 36 of the CFR, a situation similar to the old "Park Protection Designation" that the NPS abolished many years ago. COE rangers can for example, enforce state vessel registration requirements but not vehicle registration requirements. The Army refers to issuing warnings and citations as "Visitor Assistance", not "law enforcement". Corps personnel are considered law enforcement officers only if they are assaulted or killed; that is, they are covered by 18 USC 111 and 1114. The procedure is for a ranger to write a citation for the equivalent 36 CFR violation, mandatory appearance, after

#### **MEMBERS RESPOND**

The lodge is investigating parks that still do not let commissioned rangers wear defensive equipment at all appropriate times as called for by standard police procedure.

Please let us know if you are aware of this by e-mailing the lodge at:  
[randallfop@ls.net](mailto:randallfop@ls.net)

which the US Attorney should upgrade the charge to 18 USC. To date there have been fewer than a dozen such 18 USC 1111 cases arising the Corps since 1983 with approximately 70% resulting in convictions. There are no figures on how many cases were tried under the CFR, or in state courts. Some veteran rangers privately complain of pressure to downplay any such incident.

Those opposed to an expanded law enforcement role for the COE note cases where wanted felons decided not to attack park rangers because the ranger did not appear enough of an authority figure to present a threat. Other objections have ranged from the Constitutional (The Army shouldn't arrest civilians) to the budgetary ("If we send rangers to FLETC other agencies

might steal them.") When pressed, the anti-law enforcement elements ask: "How many of you are age 37 or older?" and "How many of you can do X number of pushups/pull-ups/run 2 miles in 14 minutes, etc.?" In a typical class, very few will be left standing as the instructors detail the PEB requirements.

Any COE ranger who becomes a special deputy is not allowed to exercise that authority on Corps projects or Corps time. Corps Rangers are forbidden to assist police in making arrests or conducting searches. Exceed your authority, they are warned, and your Visitor Assistance instructors will testify against you. Even working alongside state or local law enforcement has been tightly restricted ever since two Wap-papello Lake rangers found them-selves caught in a "Mexican standoff" between poachers and Missouri state game wardens.

One project devised an innovative strategy to reclaim its restrooms from sexual deviants. After carefully documenting the condition of a restroom, one ranger conducted plainclothes surveillance from the parking lot. Whenever a man entered and left the toilet, the ranger reported any messages left behind by radio to another nearby ranger riding with a city officer in an unmarked car. The city officer made the stop and determined that the scene was secure, after which the second ranger issued a violation notice for defacing public property. The program was so effective that the District Office ordered it discontinued and sent the responsible supervisors back to Visitor Assistance school for re-education. There have been serious suggestions to put chalkboards in the restrooms so that at least maintenance will not spend so much time scrubbing off magic marker.

In the late 90s employee satisfaction surveys among rangers revealed widespread concern over physical safety and frustration over their limited authority. Many rangers would like to have fully commissioned rangers on their staffs. However, it must be noted that not all of

these rangers want to be fully commissioned themselves. Indeed, some people chose the Corps of Engineers because they don't want to carry guns. Others don't see law enforcement as a major concern at their projects. And if the Army ever did decide to increase the law enforcement authority of its park rangers, what would become of those who don't meet the age or physical requirement?

Gerald Purvis, who continued to exercise an influence even in retirement, largely designed the "Visitor Assistance" program. By virtue of being one of the first park rangers hired by the Corps, he was able to almost single-handedly shape Visitor Assistance policy. Purvis not only refused to consider arming rangers, but also would not even allow training in defense against weapons. "If it (a park) is too dangerous for unarmed rangers", the reasoning went, "it's too dangerous for the general public".

There are certain areas in which the Corps is ahead of the Park Service in employee protection. Hepatitis shots are offered free to anyone with first aid in his PD. Many employees take advantage of a program that reimburses them for all or most of their health club dues. And all field employees are briefed on recognizing drug labs.

Today's Visitor Assistance training recognizes that not every park visitor is a good citizen. The weeklong course includes not only the legalities of going to court, but also the realities of avoiding/surviving a hostile encounter. NPS rangers, whether LE or not, could benefit from studying the same "Verbal Judo", a trademark for a system of controlling verbal confrontations. (Saying the first thing that comes to mind is usually going to make matters worse.) Corps rangers are taught to maintain the "interview stance" with hands always above the waist, and to move around every ten seconds or so. Training includes recognizing when words are failing and an attack is imminent. An example would be the two fugitive white supremacists that repeatedly asked the same questions of

the state troopers on a "routine" traffic stop in 1997.

The "Personal Protection" phase begins with such basics as how to shake hands with the violator so that you can still break away. It also features the "mad minute"-60 seconds of punching and kicking the air or padded shields that demonstrate how exhausting all-out combat is. Now, how often do you meet someone camping or hiking by himself? Right. In case of trouble, anticipate that the offender's buddies will jump you too. Multiply that exhausted feeling by three or four. Thus, the Visitor Assistance Program emphasizes escape, not control. Rangers are not expected to stand their ground no matter what.

After years of hearing, "But what if somebody sticks a gun in your face?" the instructors added practice in wrestling away rubber guns and knives. The training, while brief, can be intense - so much so that not everyone can fully participate.

Like the "Yosemite Riot" for the NPS, an incident in the early 1970s shaped the course of Visitor Protection for the Corps of Engineers. In the early days of its ranger program, there was no Corps-wide policy on weapons. Some rangers did carry firearms with the tacit approval of supervisors. Then one day at what is now Thurmond Lake, a seasonal was pursuing some minor offender with gun drawn. The details are in dispute, but intentionally or not the gun went off, killing the miscreant. The difference with the NPS incident is that the COE moved away from law enforcement.

Slowly, the agency is changing. The Army is currently obtaining "ORI" numbers so that its park rangers can legally run NCIC checks. The process is expected to take about two years. Corps rangers in the Fort Worth District have been carrying pepper spray on an experimental basis. At this writing, it appears that pepper spray will be adapted agency-wide, subject to the

approval of individual supervisors. On the other hand, Army brass vetoed soft body armor for rangers on the grounds that there is no proof "it would have saved anybody". One thing is certain: Any COE ranger who wants to be a fully commissioned law enforcement officer will find it easier to find a job with another agency that to change Army policy. (Written by Randall Kendrick. Reported by several of our Corps of Engineers members.)

### **COPS: They Are On Our Side**

Concern of Police Survivors, Inc. (COPS), a non-profit corporation, was founded in concept in 1983 when ten young law enforcement widows sat around a table and talked about the emotional upheaval they had experienced over the loss of their law enforcement spouse in the line of duty. With an average of 130 to 150 law enforcement officers dying in the line of duty each year in the country, COPS membership continues to increase and is now nearly 10,000 surviving families nationwide.

The only criteria to be a member of COPS is to be a survivor of a law enforcement officer killed in the line of duty. The death must meet federal criteria for line-of-duty death by the Public Safety Officers' Benefits Program, US Dept. of Justice. There is no membership fee to join COPS as the price paid is already too high.

The first program COPS introduced was the National Police Survivors' Seminars. Held each year in May in Washington, DC, during National Police Week, these seminars provide access to some of the best grief and bereavement assistance in the country. For two days survivors listen, share, grow and heal. The annual cost of this program is \$125,000.

There are also assistance programs for child survivors. They also meet other survivors in their age group, often for the first time. The COPS Kids Summer Grief Camp program was also developed and implemented. Organized camp activities

are augmented with counseling to help widowed parents and their children resolve their individual and family grief issues together. Annual cost: \$50,000 COPS introduced a new program in 1998. Surviving children age 15-21 can choose to participate in an Outward Bound experience in Colorado. Twenty three attended at a cost of \$21,500. This is now an annual program. COPS also provides scholarships for spouses and surviving children under the age of 30 who wish to pursue a college degree or technical program. COPS restricts eligibility to those who do not have tuition-free education as a death benefit.

COPS writes letters to parole hearings for convicted cop-killers and COPS volunteers will accompany the surviving family during the trial and assist in making victim impact statements; survivors can take comfort by knowing that support is only a phone call away.

COPS project Blue Light and Blue Ribbon help make citizens aware of the sacrifices made by law enforcement officers and their families. Knowing that a survivor's level of distress is directly affected by the way the agency handles the trauma, COPS believes that training law enforcement agencies will help them be prepared when a tragedy occurs. COPS has developed curriculums to accommodate one, two, and three day training sessions. They respond to requests for departmental in-service training, multi-agency trainings and regional training.

In May, 1998, COPS adopted a 1.6 million dollar budget to expand services to meet the needs of survivors. In 1998, COPS received a total of \$419,000 in grants with the rest of the budget made up by donations by citizens and organizations.

### **Anti-Ranger Advertisement**

The Chief Ranger of Yosemite Natl Park contacted a Lodge executive committee member and asked for help from the Fraternal Order of Police concerning a scurrilous advertisement which appeared

in "Climbing" magazine. The advertisement was placed by the Cole footwear company. The ad was in the form of a movie poster and pictured three young people - two males, one female - with Yosemite Valley as seen from Glacier Point. The text read: "Nazi Rangers Plan to Nuke Yosemite - Only Three Super-heroes Stand in the Way". Rangers at Yosemite were not pleased with this characterization and when they contacted Cole footwear company they were upset by the response from a spokesman who indicated the ad was not an accident and that the ownership of the boot maker believed that Yosemite commissioned rangers behaved as nazis.

Both the Grand Lodge and the Virginia Lodge of the Fraternal Order of Police were very cooperative and sent letters of protest to Cole. Individual Lodge members have contacted Cole and informed the company that they will no longer purchase any product made by this company.

If you're contemplating buying shoes or boots, you may well want to put your money into another company.

### **NPS Field Training Program To Fall Short?**

The NPS is recommending to Congress funding for a field training program for law enforcement officers. The program will train 40 officers a year, according to the the NPS "Law Enforcement Programs Study." The recommendation does not explain why the program is limited to 40 rangers. In fact, two lines down, it requests Introduction to NPS Operations training for 120 new LE hires a year.

It is unknown why the NPS did not put in a field training program for all new LE hires, instead of for only 1/3 of them. If the NPS gets its wishes with increased staffing levels, plus replacements for almost half the current workforce (who will retire within 7 years) this field training program will be woefully inadequate.

The Lodge will be researching as to why

these numbers were selected, and who will be the chosen few who will receive field training. If it is found that the training program is inadequate, we will contact the IACP, along with Senator Thomas.

## Is Your Sig Getting Serviced Annually?

The lodge is attempting to assure that all rangers receive annual service on their duty pistols. Sig Sauer recommends annual inspection and full disassembly and cleaning by a Sig-certified armorer. That means taking the gun down to the last piece.

The lodge is aware of some parks, one right next to the ocean, that have never had their weapons serviced, now 5 years after they were issued! With the NPS trying to make a statement on safety, this is hardly a step toward quality. Please let the lodge know if you or your park has not had annual Sig-Sauer weapon service.

## US Park Rangers FOP Seeks New Members

Help a fellow ranger, the ranger profession and yourself: Recruit a new member into the Ranger Lodge.

The Park Rangers Lodge of the Fraternal Order of Police has come a long way since the first few rangers at Yosemite met to form the Lodge in 1988. As we detailed a couple of issues ago, the Lodge first had to get permission to accept rangers from parks other than Yosemite and then to get permission to form a lodge east of the Mississippi River (1990) for the rangers in the eastern part of the USA. Since then, we have grown in size and have numbered not only rangers of the National Park Service but also rangers and officers of the US Forest Service, the Bureau of Land Management, the US Fish and Wildlife Service, and the Army Corps of Engineers.

Rangers and the Lodge have made

significant progress in the past eleven-plus years mainly because we have been united and because a large percentage of rangers in the service are members of the Fraternal Order of Police. Numbers have counted and still continue to count.

We would particularly like to make seasonal commissioned rangers aware of our Lodge and to invite them to become a member.

There are many benefits to being a member of this Lodge and to the Fraternal Order of Police. Your dues

support many efforts that are aimed at advancing the law enforcement profession and protecting the basic rights of officers. Recruiting new members is also an investment in your future: The stronger we are, the more progress we can make. Working together we can move forward in the new century.

Lodge Phone: 800-407-8295  
10am to 10pm Eastern time

Email us: [randallfop@ls.net](mailto:randallfop@ls.net)

### Lodge Website

Brother Duane Buck has built and maintains the Lodge website. We keep it updated with notices and links to other sites that we think are interesting and/or helpful to resource based law enforcement officers. Visit it often between issues of the Protection Ranger to keep current on things that affect you and your job. The address is: [www.rangerfop.com](http://www.rangerfop.com)

### Application for Membership

I, the undersigned, a full-time regularly employed law enforcement officer, do hereby make application for active membership in the U.S. Park Rangers Lodge, FOP. If my membership should be revoked or discontinued for any cause other than retirement while in good standing, I do hereby agree to return to the lodge my membership card and other material bearing the FOP emblem.

Name: \_\_\_\_\_

Signature: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip: \_\_\_\_\_

DOB: \_\_\_\_\_

Permanent Rangers: \$52/year

Seasonals and Retired Active Members: \$35/year

Associate (non-Commissioned) Membership (Newsletter only): \$35/year

Renewals: You do not need to send in this form to renew. Enclose a copy of your Commission (new members only).

Agency & Work Unit: \_\_\_\_\_

Mail to: FOP Lodge, POB 151, Fancy Gap, VA 24328

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FRATERNAL ORDER OF POLICE  
NATIONAL PARK RANGERS

P. O. BOX 151  
FANCY GAP, VA 24328  
April 10, 2000

Mr. Robert Stanton  
Director, National Park Service  
1849 C St, NW Room 3130  
Washington, DC 20240

Dear Sir:

The new medical standards and their implementation are causing harm to park rangers and their families, as well as to park resources, the ranger staff, and the management of the parks.

At present, when Federal Occupational Health doctors Miller and Goldhagen identify an "issue" in a ranger's medical exam report, they notify the WASSO Human Resources Office who in turn notify the park to have the park officials remove the ranger from rigorous duty. Some park managers take this as an excuse to suspend the ranger's commission, which is an adverse action in effect, if not in strictly technical terms.

The National Park Rangers Lodge feels that SCFR339.204 applies at this point and that means that the ranger should remain in full duty status until the NPS produces evidence over and above the "medical issue" that the ranger cannot perform his/her essential duties. Section 204 reads: "Agencies must waive a medical standard or physical requirement when there is sufficient evidence that an applicant or employee, with or without reasonable accommodation can perform the essential duties of the position without endangering the health and safety of the individual and others".

This section says "must waive". If a ranger has an annual evaluation showing satisfactory performance of the essential duties of the position, then the burden must be on the agency to show that he/she cannot perform the job safely. The burden does not lie with the employee. You've got it backwards in our view. You need to present evidence over and above an "issue" in a physical exam to force a ranger from his/her job. The ranger has already proven he/she can do the job as documented by the supervisor.

If the NPS can show evidence to put a ranger on light duty, then at that point the ranger's thirty day appeal period would kick in with the appeal going to the Medical Board and, if turned down, ultimately to federal court.

Your policy is disrupting park protection, causing needless anxiety to the ranger and his/her family, and placing the remaining rangers at risk because of unnecessarily reducing the active ranger staff. This program needs revamping - at the least - if not outright suspension until your staff can manage it properly.

Sincerely,

*Randall Kendrick*  
Randall Kendrick  
Executive Director



FRATERNAL ORDER OF POLICE  
NATIONAL PARK RANGERS

P. O. BOX 151  
FANCY GAP, VA 24328  
May 8, 2000

Mr. Robert Stanton  
Director, National Park Service  
1849 C St, NW Room 3130  
Washington, DC 20240

Dear Sir:

You need to suspend the medical standards program and remove Terrie Fajardo and her office's involvement in it. A commissioned ranger who has a medical "issue" and requested a waiver of the medical standards from her office has just received a letter from Fajardo which reads in part:

"I received your memorandum concerning your desire for a waiver of the Medical Standards. Regrettably, there is no provision for a "waiver" of the Medical Standards. However, if you wish to appeal the medical decision, you may certainly do so. Please refer to RM-57, Reference Manual, for the appeal process including the procedures for any oral presentation you may wish to make."

At the fall meeting on the implementation of the standards, your representative from WASSO said:

"If the work history substantiates that the employee can do the work despite the medical issue, then the employee could request and receive a waiver..."

SCFR339.204 says:

"Agencies must waive a medical standard or physical requirement established under this part when there is sufficient evidence that an applicant or employee, with or without reasonable accommodation, can perform the essential duties of the position without endangering the health and safety of the individual and others."

Suspend the implementation of this misguided and inappropriate policy immediately and reassign Terrie Fajardo to duties that do not have her interacting with commissioned park rangers. She has demonstrated, in our considered opinion, through her mishandling of the medical test results and her lack of understanding of the process, a level of incompetence that is inconsistent with her having any authority or role in this matter.

We further insist that you take no further action in implementing this policy until both the Director's Order and reference manual have been completely rewritten and all rangers have been returned to full duty.

Sincerely,

*Randall Kendrick*  
Randall Kendrick  
Executive Director



U.S. Park Rangers Lodge  
Fraternal Order of Police  
POB 151  
Fancy Gap, VA 24328

