

The Protection Ranger



The Newsletter of the National Park Rangers Lodge, Fraternal Order of Police

December • 2017

President's Message

George Durkee

As most of you know, we've decided to shut down operations of the Ranger Lodge of the Fraternal Order of Police. The web page is already closed and the Lodge itself will officially end all activities at the end of December.

In 1986, Mead Hargis, Charlie Fullam, Greg Jackson, myself and Randall Kendrick were among the founders of the first Ranger Lodge. The current Board has been here for decades and most of us are now retired. More and more, we feel we've become too distant from the day to day interests and needs of current rangers to be as effective as we should be. Also, at a certain point, it's just time to go... .

When we started, standardized LE training and support were almost non-existent for rangers. We had no 6(c) retirement; we were not provided ballistic vests; there were no physical fitness requirements where LE rangers had to meet at least basic fitness standards; everyone used wheel guns and too many park managers were, at best, uncomfortable with our LE function and, at worst, actively hostile.

We're proud of our record in helping to advance standards, training and benefits for LE rangers over the last 30 years. We are especially grateful to all of our members who joined us over the decades to improve our profession.

Below are some of the substantive contributions we've made. We list them in part to show how far we've come but, equally important, to show what's possible when rangers work collectively to become the professional rangers we are today.

- OT for previously unpaid on-call.
- Ballistic vests as standard issue.
- Supporting members on a case by case basis before the MSPB for 6(c) retirement.
- Eventually prevailing to win 6(c) retirement for all LE rangers.
- Hepatitis B & C immunization.
- Working with NPS IG Devaney to professionalize the law enforcement function.
- First to call for reinstatement of illegally fired USPP Chief Chambers and removal of Director Stanton for illegally firing her (both of which happened).
- Advised IACP in setting long term standards and goals for rangers.
- Suing the Department of Interior over random drug testing. Winning the case for most all employees, but not LE.
- Held a successful 'show of interest' vote to unionize LE rangers. Unfortunately, because of the unyielding hostility of NPS and DOI, we lost the right to organize because, as the FLRB ruled, LE rangers were not a sufficient "community of interest" – that is, different from other NPS workers – to form a collective bargaining unit.
- Advocated for federal benefits for line of duty deaths.
- First to advocate for increased journey level pay (Ranger Careers).
- Strong and early advocate for professional field training for LE rangers.
- Pushed to form an LE ranger Honor Guard.
- In 2015 worked with WASO to modernize our firearms inventory.
- In 2015 we strongly advocated for an overhaul of NPS vehicle markings as a critical safety measure. There was the usual hand-wringing anti-LE sentiment from several regional directors and, as a result, the final recommendations were not what we wanted but, at least, an improvement from what it was.
- Participated in all RM-9 revisions over the decades.

Unfinished Business

Although our accomplishments have been many, there are many issues that still need improvement. While we'll no longer be running the Ranger Lodge, each Board member will be happy to help and encourage others who may want to continue the efforts we started.

Vehicle Markings

NPS vehicles need to have the word "Police" on them. As most of you know, we conducted a survey of NPS rangers, and they overwhelmingly wanted vehicles marked with the word "Police" to help the public recognize the occupants as having arrest authority, using a common internationally recognized word.

The NPS had several parks participating in an unofficial pilot program to test whether the Police marking was effective. Rather than conduct their own survey of whether these parks noticed the markings to be effective, or conduct their own survey to prove what the field believed to be the safest marking for the vehicles, WASO ignored field input (in violation of its own safety program)

and added a tiny badge and the words “law enforcement” to the vehicle, then went on a vendetta to shut down any park marking vehicles with the word “Police.” One might have asked these parks whether they found it effective, and to what extent, but instead, they were told to shut up, and drop the subject.

At one point, the Lodge was having regular dialogue with WASO on this. We recommended revisions to RM-9 to improve vehicle markings and other safety issues. For reasons we’re not clear about, that cooperation abruptly stopped and was followed by retribution against a Board member and others. Our design ideas were initially endorsed by the Associate Director at the time but then vetoed by the Director.

One Superintendent even wrote that, were the dreaded word “Police” to appear on vehicles, rangers would somehow be less approachable by visitors seeking EMS, fire, interpretive or other assistance. The Lodge answered him directly:

With respect, I must say I find that deeply insulting to every LE ranger who is out patrolling roads, trails and waterways. Surely you are not implying that the mere phrase “Law Enforcement” or “Police” will cause us to disregard our long, proud tradition of public service, not only in law enforcement and other emergency services but visitor assistance, interpretation, wildlife protection and the full variety of duties that make us rangers?

As far as we’ve come as LE rangers, and as many as our accomplishments have been to advance our profession, it is this sort of attitude that is still deeply ingrained among many managers.

This effort is not finished. It continues as a long story still being played out, but it leads us to our second challenge

that we leave for those taking on the mantle of leadership.

The “commission suspension” process and its misuse

The “commission suspension” policy and process is, simply, a farce. There are two established channels under federal personnel law and policies for managing employees.

First is the performance evaluation process. There are policies in place for the proper evaluation of employee performance, and many protections for employees and the government in place. These are enforced by the Merit System Protection Board and higher levels of appeal to ensure objective fairness.

The second channel is that of dealing with employee conduct. There are standards for employee conduct, and various responses defined in policy for dealing with conduct issues: from warnings to reprimands to termination. Again, there are policies and procedures for these, and legal oversight by the MSPB to ensure fairness.

The NPS has found a way to bypass these employee rights and protections by means of the “commission suspension” process.

Over the years, the Lodge has seen many similar cases. An otherwise good ranger goes through the indignities of turning in their law enforcement equipment because of a conduct issue that, for any other employee, would be dealt with using the established policies of employee conduct. But for NPS law enforcement personnel, they must go through the commission suspension/Board of Inquiry ordeal.

There are, and should be, professional standards for being a law enforcement officer. The NPS spends hundreds of thousands of dollars a year in

conducting background checks to ensure its employees meet these standards.

Yet the NPS invents its own standards for law enforcement personnel above and beyond these. These standards vary between regions, as do the penalties for violating these standards. And which standards are serious and which are not depends on who you are.

For example, if a ranger is accused of violating a conduct standard in RM-9, chances are their commission will be suspended, an investigation will ensue, and depending on the results, the ranger may have to go to a Board of Inquiry, hire an attorney, all the while having no law enforcement status, losing their equipment, vehicles, and other indignities.

We have long recommended that at the first hint a supervisor may bring an adverse personnel action against a ranger, that ranger needs to consult with an attorney. Equally critical every LE ranger should obtain legal defense insurance!

Boards of Inquiry are often used unreasonably and place a huge cost burden on the employee. Management often stacks the deck against the employee. Time and again, we’ve seen boards of inquiry where the person calling the board selects their best friend and coworker as the presiding official. How is this supposed to be fair to the employee? And while the NPS may spend tens of thousands of dollars on investigations and boards, there is no mechanism to reimburse an employee for lost pay or legal charges for bogus charges from a BOI.

For all other NPS employees, there is a “table of punishments” for conduct issues throughout the government. The NPS bypasses these standards by using the BOI process. Punishments for violations of RM-9 vary from one region to another. We’ve seen rangers performing the same action in two

different NPS region. In one region, they are recognized for their actions, in another, their commissions are suspended and they are off to a kangaroo BOI court.

BOI's are patently arbitrary, unfair, and their "punishments" are vary wildly between park and region, and often depend upon the professional status of the ranger involved – who you know.

Even worse, NPS routinely games the system by imposing suspensions of under 30 days. When that's done, there is no appeal outside of the region involved. It almost always means the region knows they don't have a case that would withstand a fair hearing by MSPB.

Of course, none of this applies if you're a law enforcement officer for NPS wearing a uniform with the blue or white shirt. That's right, the US Park Police have a completely different method of handling policy violations. Primarily, it relies on established performance and conduct standards and policies.

If a USPP officer misbehaves, he or she is given an alternative assignment while things are sorted out. No turning in gear for every infraction, no kangaroo courts, no widely varying standards.

In fact, this is the same standard used by the vast majority of agencies with law enforcement functions.

Collective Bargaining

Our final issue is the one that gives rangers the platform to address all others – collective bargaining. In the early 90s, the Lodge attempted to form a collective bargaining unit. That was more than 20 years ago, and things have changed.

The primary position of the government at the time was that law enforcement rangers weren't that different from other employees, and it

wasn't efficient to try and manage them that way.

In the interim, the NPS, and the federal government in general, has acted in just the opposite direction.

We believe that the case for a law enforcement ranger collective bargaining unit is stronger now than ever.

What will a successful collective bargaining effort take?

In the past, we didn't affiliate with other unions – our effort to unionize was self-funded. We lacked the resources that other large unions could have brought to the table. The choice was deliberate but, in hindsight, it was mistaken.

Affiliating with the FOP Bargaining Council or other established union would have given us the money, experience and resources that may have made a difference to match up against those of the government. We would advise any rangers today looking at a similar effort in the future to bring in the big guns, because you're going against the government, and they've got a lot of resources and experience themselves.

In years gone by, those who would step up and take on the NPS establishment head on in order to improve the ranger profession were legion. The Lodge had chapters in many parks holding regular meetings. The Lodge held a national meeting. Rangers across the country headed workgroups to take on various issues and wrote articles that educated and inspired others. Some took the NPS to court as a roadmap that others followed.

Alas, most of those rangers are now retired.

While pay and safety equipment may have improved, the sexual harassment

scandals plaguing the NPS show that some things never changed – as further evidenced by Paul Berkowitz's book, *Legacy of the Yosemite Mafia*.

We realize that there is a tangible and valid fear of retribution for those that speak out against the NPS. It is more valid now than it has been at any time in our experience.

How do we overcome this? What will motivate the next leaders to step forward? How long will it take?

Transitioning the Lodge into PEER

The Lodge has come to an agreement with PEER – Public Employees for Environmental Responsibility. PEER has a long history of supporting rangers. They supported USPP Chief Teresa Chambers when she was unjustly fired for suggesting that the NPS hadn't budgeted enough money for law enforcement (and won). They have supported several ranger whistleblowers as well, and have done so successfully. More recently, they have taken an active role in working to improve ranger staffing levels.

The Lodge has a long history of working with PEER. We have provided them information and expertise, they have assisted us in publicity efforts on numerous occasions.

The PEER program provides rangers with the anonymity they need. With PEER speaking out on ranger issues, and rangers speaking to PEER behind the scenes, PEER can serve as a voice for rangers, and give rangers the anonymity they want.

PEER is an organization filled with lawyers. They aren't going to be bullied by the NPS, and are able to defend themselves, and members, against attacks.

And those of us who wish to keep up the fight can do so under the PEER umbrella.

Frankly, the FOP State and Grand Lodges have been a drain on resources over the past several years – taking more and more of your dues money and listening less and less to our specific concerns.

This is the opposite of what we've been getting through our relationship with PEER. PEER has given us wonderful support without asking for anything in return. We have a common cause.

Your Lodge leadership intends to continue as a resource for PEER as they deal with NPS issues.

To those who have been with us through thick and thin over the decades, we thank you, and thank you deeply. For those who have just recently joined the Lodge, we're sorry to have to wind things up. You've missed some good stuff over the years. The journey continues, it's time to change vehicles to adjust to current conditions.

Join the Thin Green Line

A message from PEER:

Now, more than ever, national park law enforcement needs an advocate and a voice.

The departing leadership of the FOP Park Rangers Lodge has asked PEER to step in and fill the void.

As you know, federal law enforcement in the National Park Service is under attack. NPS law enforcement officers face declining budgets, lower force levels and dispirited morale under less than inspired leadership—and yet the need for your services on our cherished and increasingly-embattled park lands has never been greater. To make matters

worse, agency leaders are either silent or passively hostile to their own law enforcement operations. NPS law enforcement desperately needs an advocate.

Having fulfilled the role of advocate for National Park Law Enforcement Officers for over 30 years, the National Park Rangers Lodge of the Fraternal Order of Police is closing its doors. Public Employees for Environmental Responsibility (PEER) offers to take over its functions of providing support to members of National Park Rangers.

As a service organization for public employees, whose goal is to champion the employees who protect the environment and to help these employees hold their agencies to high standards of environmental ethics, PEER's Thin Green Line is available to you to:

Assist and support Lodge members in being powerful advocates for your mission of enforcing laws to protect park resources and the public;

Advocate for your safety, by ensuring you have an effective level of staffing and the right tools and resources to do your job;

Provide a safe, anonymous channel by which you hold management accountable, as well as free legal support for officers suffering career consequences for doing their jobs; and Provide guidance and, if necessary, legal assistance on workplace issues such as improper payment, workplace discrimination, harassment, etc.

In addition, PEER is available to assist you in more proactive efforts including helping to inform and rally the public to oppose attempts to abolish or defang park law enforcement, reforming NPS leadership to better protect resources, visitors, and employees of National

Parks, and addressing other issues you bring to our attention.

PEER would like to offer you a free membership in our organization that will allow you to receive our newsletter and other mailings, stay on top of our work, and let us know of your needs. You will receive a one-time mailing (or email) that will allow you to opt in—or, visit our website at <https://peer.salsalabs.org/jointhingreonline/index.html> today to join PEER's Thin Green Line.

Kirsten Stade
Advocacy Director
Public Employees for Environmental Responsibility (PEER)
962 Wayne Ave, Suite 610
Silver Spring, MD 20910
(240) 247-0296
www.peer.org

Member Information: Shutting Down Paige Meier, Business Manager

As we move towards shutting down the Lodge, here's some important information regarding the business end of things.

Contact Information

We will be keeping our post office mailing address as well as our email address for at least 6 months. The 800 phone number will be disconnected at the end of December. The Ranger FOP web site has already been shut down. So, email will be the best way to contact us if you have any questions.

The National Park Rangers Lodge, Fraternal Order of Police Facebook page will stay active, but the name will be changed to US Park Rangers Lodge to reflect that we are no longer affiliated with the FOP. If you have trouble finding the page, send us an email and we'll direct you.

Dues Payments

Important information for our members who have paying their dues directly by Payroll Deduction:

You will need to contact your payroll office and arrange to have the automatic deduction stopped effective 12/31/17. The bank account to which those payments are routed will be shut down at the end of the year.

If you have been paying your dues via PayPal and are set up for automatic payment, you will need to go to your Pay Pal account and cancel this recurring payment. We can't do it from this end.

Many of you have your dues sent through the Payment Processing Center as a check. If this is an automatic payment, you will also need to contact them and cancel any upcoming payment.

For the few members that have already sent in a payment for next year, we will contact you directly by email to arrange to have the payment returned to you, or a refund issued.

Transferring Your FOP Membership To Another Lodge

We've heard from Bonnie at the Virginia Lodge, and she advises us that Active members may transfer to another lodge before we shut down. The Virginia Lodge should be sending out information on this option. She's also told us that if members choose to not transfer to a different lodge AND they have FOP license tags, they must be turned in. This only applies to a few members, so please contact her if necessary. Here's her contact information:

Bonnie Stinson
Administrative Assistant
5821 Iron Bridge Road
Richmond, VA 23234
804-745-6720 office
804-745-6715 fax
Email: vafop@aol.com

Legal Defense Insurance

If you are currently covered by the FOP Legal Defense Plan (Hylant), it's important to know that you MUST be an FOP member in good standing. They do verify this through the FOP. So you may want to transfer to another lodge, or consider switching plans.

And last, but not least, thanks to all of you for your support of the Ranger Lodge over the years, especially those of you who have been with us since the beginning. It's been a pleasure working with everyone over the last 12+ years.

Au Revoir!

Well, it's been a great run. We especially want to thank all our members for their support over the decades – many of you have been with us since the beginning. We're grateful for that loyalty and faith in our combined efforts. With that support and active collaboration, the Lodge was able to achieve much in furthering the professionalization of LE rangers.

And another big thanks to past and present Lodge Board and Officers over the years. A lot of work goes into writing letters, position papers, keeping in contact with WASO, Congress, attorneys helping members, and deciding on policy.

An equal amount of effort goes into the day to day running of the Lodge: dues, member questions, maintaining a membership list, pay our per capita charges to the VA & Grand Lodge & etc. For over 10 years, it's been our Business Manager, Paige Meier, who's handled that. A small benefit of closing down the Lodge is she'll get to move out two filing cabinets and several boxes of Lodge papers from her office.

Most everything will be kept for at least 6 months as part of an FOP Starter Kit, should anyone appear to resurrect the Lodge.

Our current Board will continue to offer individual advice to members even after COB. Contact us at: rangerfop@sonic.net.

A Quick History

Before the Ranger Lodge and our association with the Fraternal Order of Police we formed, in 1985, as the National Alliance of Park Rangers and Firefighters. In our very first issue, we printed this cartoon which we repeat to emphasize that success comes from working together for a common good.



"Wait! Wait! Listen to me! ... We don't have to be just sheep!"

In those days, our goal was to include all uniformed employees in an effort to improve pay and benefits. Unfortunately, there was a general lack of interest from all except law enforcement rangers.

It was LE rangers who were the most supportive of the need for change, back when the journeyman grade for an LE ranger was a GS-5 – some even at the GS-4 level – and, of course, no additional rate for having a Commission.

On the west coast, the first organizational meeting was held in Yosemite with about 30 rangers showing up. Randall organized the first meetings at Blue Ridge Parkway for the east coast. We then combined Lodges under the VA Lodge.

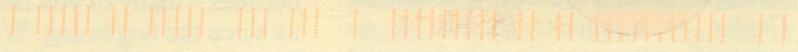
So, that's it. Thanks again to everyone. If anyone comes forward to resume advocacy, all of us here here ready to give advice!



And, last, our thanks to Randy Neal, the attorney who's worked with a number of members facing adverse personnel actions. He can be contacted at:

Law Office of Randolph B. Neal, Esq.
Attorney and Counselor at Law
482 Constitution Way Ste 222
Idaho Falls, Idaho 83402
(208) 980-6072 FAX (208) 419-3474
Neal.Law@att.net

One last time: Get Legal Defense insurance! After decades of working with rangers faced with an adverse action from often-vengeful supervisors, I can tell you no matter how good a ranger you are, sometime in your career you're going to piss off a supervisor – usually through no fault of yours. Bad supervisors are out there. I wish you all careers without running into one but it's best to be prepared with insurance that covers you if you need an attorney.



National Park Rangers Lodge
POB 1481
Twain Harte, CA 95383

