Collective Bargaining - Show of Interest Vote

Tim Woosley, President

I am very pleased with the membership's initial response on the collective bargaining show of interest vote. Your enthusiasm confirms that Protection Rangers want a collective bargaining unit to represent their best interests in a labor partnership with the National Park Service.

Please keep on sending in those show of interest cards. As we stated in the last newsletter, please send in the cards even if you work in a park that already has a collective bargaining unit. Remember, you can duplicate the cards locally as long as we receive only one card from each protection ranger, criminal investigator, special agent, or jailer.

Because we were delayed in distributing both this issue, and the last issue, of the newsletter, we have extended the due date for submitting the show of interest cards. The revised due date is now November 30th. Please take a few minutes to complete your cards. If you are thinking that you don't really need to send in a card, read on. Thanks in advance.

In the June 26, 1995 issue of the Federal Times, page 17, National Park Service Chief of Labor and Employee Relations, George Morris, stated in reference to Protection Rangers forming a national collective bargaining unit, "I'm not aware of any serious problems that would encourage employees to form a union."

This statement has three interesting facets. One, it implies that, while Mr. Morris recognizes there are some problems, he doesn't consider the problems to be serious. Two, it implies that collective bargaining units are "needed" to address the serious problems. And three, Mr. Morris seems to be implying that the National Park Service is resistant to a partnership relationship sought by protection rangers through the formation of a collective bargaining unit.

Now, we hope Mr. Morris was not saying that the NPS is against the formation of a protection ranger collective bargaining unit. The "experts" all agree that collective bargaining units are good for everyone including the agency, the employee, and the public they serve.

Studies have shown that large bureaucracies make it difficult for the employer to "do the right thing" when it comes to employee management. The agency managers are not trying to hurt the employees, in fact, the managers usually care very deeply for the field employees. The problem usually lies in the size of the system which promotes numbers and position management instead of people management. Simply put, the bigger the organization, the more difficult it is to properly manage individuals.

As an example, Hepatitis B was, and still is, a recognized threat to emergency workers. When vaccines were made that could protect employees, the employing agencies didn't rush to immunize their employees, in fact many resisted providing the shots stating that they couldn't afford to provide immunizations. Some agencies claimed they shouldn't be responsible for bearing the cost of the shots. How can anyone think that money should enter into this type of decision - peoples lives were, and are, at stake! In the end, it took rule-making regulations, from the U. S. Government, to "force" agencies to provide immunizations for their employees. How many other issues are similar to HEP-B?

So, maybe Mr. Morris is right - in the case of HEP-B we had a major problem that couldn't be solved locally, it needed national
attention. Take a look around and it is easy to see that many decisions need to be made at the national level. We have a national NPS-9 for a reason - could you imagine a system where each park or field area had its own individual version of NPS-9?

The FOP, ANPR, and the organizations that preceded FOP and ANPR, have had some successes in solving the minor problems, but the major problems are usually solved by legal or legislative action. And, once in a while, the occasional agency initiative. In the end though, we are still dealing with many of the same major issues that have been around for the past twenty years. Who, or what, is best suited for addressing these issues? We think a national collective bargaining unit is the answer.

Here is a brief review of some of the issues that we are currently addressing. While reading this list, ask yourself if you think these are minor problems, as implied by Mr. Morris, or major problems in need of national attention. Also, while contemplating each issue, ask yourself what would be the best way to resolve each issue. We think you will agree that these issues would best be resolved by a national bargaining agreement. The individual issues are not listed in any particular order.

RANGER CAREERS: Was Phase One of Ranger Careers properly implemented at your park? We are constantly receiving communications that Ranger Careers was not properly implemented at several parks. It appears that some superintendents chose to ignore the Ranger Careers Phase One Implementation Guidelines. We have received reports that some superintendents used ranger careers money to upgrade non-protection/interpretive rangers. We have heard that some superintendents simply refused, or claimed ignorance, about implementing ranger careers for first and second line supervisors. We have heard that some superintendents ignored the Federal Law Enforcement Pay Reform Act when determining pay rates for protection rangers. We have heard that some superintendents refused, or claimed ignorance, about applying the 6(c) provisions to protection rangers. We have asked that both Phase One and Phase Two be properly implemented, but without exclusive bargaining rights, not only are there no guarantees, but there isn't much hope either.

I was glad when Ranger Futures/Careers was actually implemented. It helped out a lot of people who were hurting. However, I was glad about it in the same sense that a man who has been purposefully starved is happy when he's given some food. Just because I'm glad to eat doesn't necessarily mean I should feel grateful for receiving something that I should have been getting all along.

REGULAR PAY: Non-supervisory GS-09 may seem like a great "place" for many of us, especially when you consider that we had GS-05 supervisors for a great many years. But take a look around and you will notice that GS-09 is a training grade for professional employees. Think about it, GS-09 is just a first step. Our fellow federal law enforcement officers in other agencies such as Customs, FBI, Marshals, Secret Service, DEA, ATF, can all advance to non-supervisory grades of GS-11, 12, and in some cases 13. So, are you content with GS-09 pay for your entire career?

PROFESSIONALISM: Some folks in WASO tell us that protection rangers are now professionals and that GS-09 is the proper journey-ranger grade. NOTE: We have even heard that some managers and superintendents think that GS-09 is too high a grade for protection rangers. These managers and superintendents have opined that they think the protection ranger profession is experiencing a phenomenon they have called "grade creep." The reality is that GS-09 is a trainee grade for true professional positions in the U.S. Government Civil Service. Do you think your current position is properly graded when compared to other federal employees performing similar work with similar duties and responsibilities?

Continuing with professionalism, have you ever heard of law enforcement rangers being told to remove their defensive gear before attending a meeting or entering an administrative building? We have, and we have a copy of the memo if you want to see it in writing. Have you ever been told not to take law enforcement action because the administration wants to settle a problem so as not to embarrass someone or some entity such as a concessionaire, employee, citizens advisory commission member, local politician, etc. Have you ever heard about the parks that keep their shotguns and rifles locked-up in buildings thus making them inaccessible to field rangers? We have. This is just a small listing of obstructions to true professionalism. So, what do you think are the answers to these types of problems?

BENEFITS (HEALTH/LIFE): Why aren't the seasonal and temporary employees receiving health and life insurance benefits? Has the NPS really tried to get Congress to rectify this problem? Talk about unfair treatment, this has to be one of the most aggravating issues around.

UNPAID ON-CALL & STANDBY DUTY: We still hear about parks putting people on-call or in standby duty status without compensation. Why are we still dealing with this issue?

HOUSING: The housing problems of the NPS are legendary. There have been legislative efforts and agency initiatives to correct the inequities, but we still have problems. As many of us know, some parks ignore the NPS's guidelines for housing of required occupants and continue to operate extremely subjective housing programs that result in protection rangers inhabiting the lowest quality housing. Some have employees live in trailers, tents and shipping
containers. To top it off, we charge employees market value for housing that we require them to occupy. No chance to build equity if you are required to rent and pay market value. Maybe it is time for something beyond national required occupancy guidelines and directives that don't work. Maybe it is time for binding arbitration on this issue?

FEDERAL EMPLOYMENT STATUS: Will we ever have a system for enabling seasonals to apply for permanent positions without first becoming a clerk or going to another agency for status? Will seasonal employees be given a chance to enter any newly instituted intake program, or will they be forgotten in favor of recent college graduates? Will there be a provision for periodic competency testing? Wouldn't it be nice to have some say in how any new system is developed and administered?

FTO: Does your park have a Field Training Officer program? Will we ever have a Service-wide FTO? Surely to be considered professional we need some type of screening and field training program that prepares rangers for journey-grade work.

OVERTIME PAY: No matter what your FLSA designation, when you perform production work (production work is the work of the agency, in our case protecting people and resources) you should earn full time + one half pay, with no pay caps. Even the NPS admits this is true when it comes to firefighting and has hinted they think it is true for law enforcement. We have even heard of some approved back-pay claims for full time and one half pay for law enforcement work. We have asked the NPS to properly pay protection rangers for overtime production work, but so far there is no service-wide policy. We hope we can resolve this issue soon, but it sure would be easier if we had exclusive bargaining rights.

FLSA: WASO states that protection rangers are now "professionals" and they have directed the field areas to classify protection ranger positions as FLSA "exempt" (that is, not eligible to be covered by the FLSA). This is also a major mistake - as many other federal agencies are now learning and having to make substantial back-pay payments to production employees.

In the federal service, personnel performing production work are to be covered by the FLSA. This is an issue we are currently discussing with WASO, but we are meeting with a lot of resistance. If you didn't know it, FLSA overtime is paid at a higher rate than non-FLSA overtime. The reason, when calculating FLSA overtime, premium pay is added to your basic pay to calculate a higher average hourly pay, then this number is multiplied by 1.5! This can add up to hundreds of dollars over the course of a year.

6(c): As you will read elsewhere in this issue of the newsletter, WASO and USDI are refusing to handle the FERS packets as an agency initiative, so all the FERS folks will have to submit individual 6(c) past coverage claims - just like the CSRS rangers. WASO and USDI have indicated that they will not accept any 6(c) past coverage claims from CSRS folks who missed the 1989 due date. With Ferrier and the current recognition that we have been doing 6(c) qualifying work, why are WASO and Interior continuing to resist authorizing qualifying personnel to receive the 6(c) coverage they earned from previous federal law enforcement service?

PEACE/POLICE OFFICER STATUS: Liability is a concern for all of us and parks which don't have cooperative agreements with surrounding jurisdictions needlessly expose their protection rangers to legal actions. WASO claims this is a regional issue and has not directed the regions (now called field areas) to secure peace or police officer status for protection rangers in all 50 states and the territories. This is another issue that should be resolved by national leadership.

EQUIPMENT: Protection rangers at various parks are forced to work with and operate unsafe vehicles and equipment, or they simply don't have proper vehicles or equipment to safely perform their jobs. Take a look at your equipment; do you have safe vehicles, safe body armor, practice ammunition, a working radio system, etc. While budget realities are responsible for many shortcomings, some equipment items constitute basic personal protective equipment or safety items and these articles should be acquired at the expense of other non-safety related items. Not replacing body armor, not replacing patrol vehicles, not having a working radio system, not purchasing practice ammunition are examples of poor management practices that can lead to serious injury and death of both employees and innocent visitors.

SIG TRANSITION: We have received complaints that many parks have failed to transition their law enforcement employees. How many seasonal rangers have gone through the Transition?

PHYSICAL FITNESS PROGRAM: We will have some type of mandatory program to coincide with 6(c) coverage. Are you confident we will end up with a fair and effective program, when we don't have a chance for input as to how the program should be designed?

INFECTIOUS DISEASE CONTROL: Have you received your HEP shots? What about other diseases that we are exposed to by visitors from all over the world. Do you feel confident the NPS has your best interests at heart when it comes time to spending money on this issue?

Our health and safety folks do a great job with the limited funds at their disposal. The sad reality is that managers don't always provide adequate funding to support the health and safety function. It
appears they sometimes need the official reminder, from “on high” that agencies HAVE to take care of their employees.

STATUE OF LIBERTY: What do you think about what happened at the Statue? There are many folks out there who don’t think rangers should be working in urban areas, but I ask you, where will it stop? Who will determine which parks should be staffed by rangers and which should be staffed by park police?

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President’s Report

Tim Woosley, President

National FOP Convention:

Since the last issue of the ProRan, Brother Ed Clark and I attended the 51st National Biennial FOP Conference at Virginia Beach. It was a rewarding and enlightening experience for me. On several different occasions I had a chance to speak with now President Gil Gallegos, Virginia National Trustee Jim Gaudet, Director of Membership Services and Past President Dick Boyd, and Legislative Committee Chairman Don Cahill. In every instance they passed along their congratulations and encouragement on the outstanding organization and professionalism of our lodge.

Federal Offices Coalition:

The Federal Officers Coalition met each day after the conference was adjourned. I want to recognize Brother Ron Myslenski, Sister Diana Page, and Brother Greg Eatmon for their continuing efforts in getting the coalition up and running. Enclosed in this issue is an introduction letter about the Coalition. Please feel free to reproduce this letter and pass it on to any local lodges or other Federal Officers in your area. Please stress that this is an information gathering exercise and is in no way a call for Federal Officers to leave the lodge they may currently be in.

National Labor Council:

Upon my return from the conference I was notified that I have been selected to sit on the National Labor Council Committee. I consider this a great honor. I have been asked by the committee chairman to: “Coordinate the inclusion of the National Park Rangers bargaining unit into the National FOP Labor Council, coordinate administrative and training needs from the committee to federal officers in areas of executive, administrative, and professional concern.” I consider this as a MAJOR accomplishment and show of good faith by the National Lodge.

Bear in mind that right now this is just an option. I still do not know just what being on the Labor Council would entail, financially or otherwise or what gains there would be, if any, if we were included. I WILL NOT make any commitments unless I have the full support of the board and membership. We are still committed to moving forward with certifying the United States Ranger Alliance as our exclusive bargaining unit REGARDLESS.

Show of Interest Cards:

I have been seeing a slowdown in the rate in which the Show of Interest post cards have been coming in. I realize that this is the busy time of the year in many parks, mine included, but it only takes a couple of minutes to sit down, fill out the card, and return it.

I would like to reiterate that ANY non-supervisory Ranger, C.I., Special Agent or Jailer, seasonal or permanent, lodge member or not, may vote. Since the last ProRan came out later than I expected we are extending the deadline period for show of interest cards submittal to the END OF NOVEMBER.

Legal Defense Fund:

We now have a check in hand from OPM for reimbursement of attorney fees for FERRIER. We have decided that the best use of the money should continue to be legal defense. For this reason we have asked Ed Passman to reapply the entire amount towards his retainers. This money will be used for resolving the remaining 6(c) problems such as seeking the ability for all remaining CSRS employees to file 6(c) past coverage claims. Any remaining money will be used to correct the FLSA coverage problem involving the incorrect application of exempt status to front line rangers and first line supervisors.

Lodge Logo:

The lodge logo has been finished. Hopefully in the near future you will be able to show your support and pride for your lodge by purchasing merchandise with the logo on it.

I have also made an appointment with a T-shirt company that deals exclusively with developing shirts for police and fire departments across the country. Brother Clark has suggested that we come up with a series of 4 shirts. Each would be a collage that represents similar areas. A water park collage with a patrol boat in the foreground, a mountain park collage with a horse mounted ranger, a southwestern desert park collage with a 4×4 patrol vehicle in the foreground, and a monument/historic site park collage with a patrol sedan in the foreground.

You will be able to collect the entire series or one shirt that represents the park you may currently be in. It will be very helpful if we can give the artists photographs of a Ranger on horseback and the various patrol vehicles that we use, i.e., 4×4, ATV, boats, sedans, etc. We will return all photos. I have seen examples of other shirts that they have done and they are very high quality with outstanding color graphics.

Please call the 800 number if you have any other suggestions or comments.
Executive Board Meeting:

I would like some feedback on whether or not the full executive board should/can meet somewhere this winter. We believe that Las Vegas is a good central location. We would have the meeting sometime in January and it would last around four days. Unfortunately, we cannot pay for everyone to attend. If you are an interested Chapter President, bring this topic up at your next meeting to discuss and begin thinking of ways to raise the funds.

We have asked the Federal Coalition if they would want to hold their board meeting at the same time. This may get us better rates. Call or E-mail Brother Clark if you are interested, have a better idea as to location and date, or would like to help with organizing.

Summary:

The entire executive committee has been very busy this year with trying to address and resolve those issues which you have told us were important to you. It is not easy to juggle family, work, and lodge business, especially during the busy summer. I would like to personally thank Ed, Dan, Randall, Janet, George D. and Ken D. for their unwavering dedication and hard work.

In addition, everyone at WASORAD deserves a special thanks for their continuing work in improving the lives of Rangers and the Ranger profession. Thank you from all of us.

Be safe-Send in your show of interest card-Support the Resource Protection Fund!

6(c) UPDATE

Dan Kirschner, VP

This update will cover three items concerning 6(c) including: Obtaining 6(c) past coverage for CSRS law enforcement employees who failed to file 6(c) past coverage claims in 1988/89; Filing 6(c) past coverage for FERS law enforcement employees; and, Seasonal law enforcement service as it relates to 6(c) past coverage.

CSRS 6(c) PAST COVERAGE CLAIMS: In a phone call, the USDI verbally advised the FOP that they will not be accepting 6(c) past coverage claims from CSRS law enforcement officers who missed the OPM promulgated 1988/89 due date for submitting individual employee past coverage claims. The FOP Board disagrees with this position and has voted in favor of continuing the effort to obtain 6(c) past coverage for all CSRS law enforcement officers who performed qualifying 6(c) work.

The main reason for the Board's decision to continue our efforts is fairness. The Board firmly believes that all law enforcement officers who performed 6(c) qualifying work should be 6(c) covered - just as the U.S. Congress intended. The fact that OPM promulgated regulations which appear to prohibit law enforcement officers from obtaining 6(c) past coverage doesn't make it right (fair) for these law enforcement officers to be excluded from 6(c) coverage. Also, the fact that USDI (and thus to a certain extent the NPS), who now controls administration of the 6(c) program, is refusing to allow these law enforcement officers to file 6(c) past coverage claims doesn't make it right (fair) for these law enforcement officers to be excluded from 6(c) coverage. The primary fact of this issue is that these law enforcement officers performed 6(c) qualifying work and should be 6(c) covered.

The Board firmly believes that the NPS bears some of the responsibility for allowing this situation to be created because the NPS failed to take proper action on behalf of their law enforcement and fire control officers when these regulations were improperly and unfairly promulgated.

In fact, even before the OPM regulations, the NPS long ago (just after the passage of the General Authorities Act in 1976/77) failed to fairly treat CSRS law enforcement rangers when the NPS officially notified the OPM that the NPS had no (zero) employees performing 6(c) qualifying law enforcement or fire control work.

Keep in mind that former Regional Director Howard Chapman provided sworn testimony, in a 6(c) past coverage case, that he was told by WASO not to advise field employees of their possible eligibility for 6(c) coverage. Chapman explained that the reason for not disclosing the 6(c) program was because the NPS feared the added costs of the program and the loss of qualified law enforcement employees to the early retirement provision provided by 6(c). The NPS continued to resist 6(c) when OPM promulgated regulations designed to limit obtaining 6(c) past coverage by individual employees.

The record is full of evidence to support NPS/USDI/OPM obstruction to a fair resolution of the CSRS 6(c) issue. The NPS issued memos stating that it thought very few of its employees would end up obtaining 6(c) past coverage. When read, these memos made it sound like a fruitless venture to even submit an individual 6(c) past coverage claim. The NPS did not provide any forms for submitting a claim, nor were suggestions for how to file a claim sent to individual employees. We have no way of knowing if every employee was notified of the OPM regulatory due dates for filing past coverage claims.

When it came time to review individual 6(c) claims, the NPS/USDI processed the claims at a snail's pace! The review system changed a couple of times and in the end there were 10 regional panels - with each panel operating under different review criteria.

The original USDI initial decision letters did not recognize front line law enforcement as qualifying 6(c)
work. Then came some Administrative Law Judge (ALJ) decisions supporting front line law enforcement work as qualifying duty and finally the Full Board MSPB FERRIER Decision.

Back in the late 80’s, the NPS/USDI resolutely announced that each employee is RESPONSIBLE FOR SUBMITTING THEIR INDIVIDUAL CLAIM! If you think this isn’t true, read the USDI July 19, 1995 memo from George Morris where he once again states, “Employees are responsible for filing claims…”

OPM fought us every inch of the way. Whenever OPM lost a 6(c) case at the ALJ level, they would refuse to appeal the decision to the MSPB Full Board. We think OPM did not appeal these cases for fear of having a precedent setting decision affirming front line law enforcement work qualifies for 6(c) coverage. Our suspicion was recently confirmed as evidenced by OPM dropping all existing ALJ level cases in favor of rehandling the remaining individual 6(c) coverage claims to the USDI for processing by the USDI.

The Board would like every front line ranger to consider the following: If rangers had been working under an established, exclusive collective bargaining agreement, the NPS would probably have been obligated to consult with the bargaining unit on the 6(c) issue before advising OPM that rangers were not performing 6(c) qualifying law enforcement work. If we had been organized under a collective bargaining agreement, we probably would have been able to negotiate with the NPS to set up a fair system for having all potentially qualifying rangers considered for 6(c) past coverage. At a minimum, we would have had the NPS advise, in writing, every potentially qualifying ranger that they should file a letter of intent to obtain 6(c) past coverage. The idea here is that there wasn’t a good notification system and the NPS/USDI/OPM were all united in not wanting the rangers to obtain 6(c) coverage.

Obviously we could go on and on listing all the unfair circumstances and obstacles to fair treatment, but we need to move on to a fair resolution of this issue. The time is now for the 6(c) issue to be fairly decided.

In the effort to obtain fair treatment for CSRS law enforcement rangers on the 6(c) issue, the FOP plans to:

One, determine as accurately as possible, the number of CSRS law enforcement employees that are being negatively impacted;

Two, contact the NPS and USDI one last time to seek fair treatment and specifically request that all CSRS law enforcement officers be allowed to file individual 6(c) past coverage claims;

Three, if the NPS/USDI refuses to accept the remaining individual CSRS 6(c) past coverage claims, we will contact the Congress and request legislative action;

Four, if Congress fails to act, have our attorneys investigate the various options for pursuing 6(c) past coverage for the effected CSRS employees; and take legal action to secure 6(c) past coverage for these employees.

As usual, all this will take money, so thanks go to all the rangers who contributed to the 6(c) fund.

We realize many rangers did not file, or were not able to file, 6(c) past coverage claims for various reasons. Before we can approach the USDI and NPS on your behalf, we need to know your individual reasons for not filing, or not being able to file, a 6(c) past coverage claim. We need this information so we can pursue the fair resolution of this issue.

SEND A MESSAGE — VOTE FOR COLLECTIVE BARGAINING!

***NOTICE TO ALL CSRS LAW ENFORCEMENT RANGERS WHO FAILED TO FILE 6(c) PAST COVERAGE CLAIMS:

Part of securing past coverage involves determining the exact number of CSRS law enforcement rangers that have yet to file a 6(c) past coverage claim. We also need to know why you did not file a claim. Please send us a letter BEFORE NOVEMBER 30, 1995, with the following information: YOUR NAME, ADDRESS, PHONE NUMBER, CURRENT DUTY STATION, REASON OR CIRCUMSTANCES FOR NOT FILING OR BEING UNABLE TO FILE A CLAIM. Send your letter to: Dan Kirschner, POB 101, Bushkill, PA 18324***

FERS 6(c) PAST COVERAGE CLAIMS: While the USDI has announced a November 1, 1995, due date for filing FERS individual 6(c) past coverage claims, USDI has advised us to inform involved rangers that you should file your claim as soon as possible. We think this is good advice because the sooner you get in your claim, the sooner it will be processed. As noted in July 19, 1995, memo from WASO, this will be a one time window of opportunity — Don’t miss this window!

While the memo points out that you will be responsible for making a deposit for all periods of covered service, the memo fails to note that the 1991 Federal Law Enforcement Pay Reform Act (FLEPA) designates minimum pay rates (certain steps within certain grades) since January 1, 1992. (Refer to earlier Protection Ranger Newsletters to read about the minimum steps for the various grades.) Thus, in the end, with these minimum steps, the government will probably owe you more back pay than you will owe back retirement contributions!
Contact your servicing personnel office for a copy of the July 19, 1995, memo if you have yet to receive a copy.

SEASONAL LAW ENFORCEMENT SERVICE AS IT RELATES TO 6(C) PAST COVERAGE: This is one of those good news - bad news entries. USDI has advised us that CSRS seasonal law enforcement service does qualify for 6(c) coverage, but FERS seasonal law enforcement service doesn’t qualify. We are currently looking into the reason for this contradiction. Watch for our next 6(c) report.

CSRS folks pay attention: You can get seasonal law enforcement service to count for 6(c) time and thereby roll back your service computation date! To qualify, you must “buy-back” your seasonal law enforcement time. While this is an individual decision, in most cases it is a good idea to buy back this time. The reasons we say this are because of disability concerns and the 6(c) enhanced retirement formula.

Disability: If you became disabled later in your career with 19 years of service (excluding seasonal time) or 20 years of service (including seasonal time) the results would differ.

In the first instance you would not get 6(c) retirement, but in the second instance you would. It would be tragic to miss out on a 6(c) retirement because you failed to buy back your 6(c) seasonal law enforcement time.

Enhanced retirement formula: each additional year of service past 20 years raises your annuity 2%. Buying back time may seem costly, but sit down with your personnel folks and you’ll find that an additional 2% per year is usually a whole lot more money in the long run! Remember, it is never too late to plan for retirement.

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**Editorial**

Ed Clark, VP

"That's what Park Police and Shotguns in the trunk are for."

The above quote is from a letter to the editor in Ranger, The Journal of the ANPR, Vol. XI, No. 4, Fall, 95, Pp 36. by KellyAnn Gorman. I bring this to your attention because it represents the persistence of an old, worn-out belief that has always been untrue. It strikes at the heart of our problems in being Professional Law Enforcement Officers. NPS history speaks for itself, Park Rangers started out as Law Enforcement Officers, and remain so today. We have always been the best source of Resource and Visitor Protection in our nations parks.

There are really two issues raised by Gormans' letter. One is the belief that Park Rangers shouldn't openly carry weapons, and the other is that the Park Police are needed to replace Rangers in cases of serious law enforcement. Some have even said that Park Police or even local agencies should replace Park Rangers in all law enforcement roles.

To say that if a park has the "immediate" possibility of firearm use, we should bring in the Park Police, shows a decided lack of understanding of what law enforcement is in todays world. Despite our different roles, and areas of responsibility, the one constant is that we are both Law Enforcement Organizations. As such we face the same dangers and utilize the same basic tools in performing our day to day function.

In fact, today we know through statistical studies done by the Department of Justice, that most officers killed or injured by assault were performing "routine" stops. As such we are trained to never treat a contact as "routine". Parks are the target of all manner of resource violators including: poachers, pot hunters, vandals, and marijuana growers. Our parks draw record numbers of visitors every year, this concentration of people on vacation attracts those who would prey on them. In addition the visitors themselves bring all the usual problems and habits they had at home. If we don't need quality law enforcement in the parks, then why is it needed “back home” where the visitors come from?

The sad reality is that we can't pick and choose the day or the time we will need our defensive equipment. Increasingly, people are less willing to accept personal responsibility for their acts, and in many cases have little respect for authority. This makes the potential for violence higher than ever, which is borne out by the statistics. That's why all law enforcement officers wear body armor, carry firearms, batons, and other types of weapons. Above all we have and need, the best training possible so that we can continue to be Professional Law Enforcement Officers.

Lastly, we come to the issue of who can best serve the law enforcement needs of our parks. There are many in the NPS who are uncomfortable with the idea of law enforcement, yet Resource and Visitor Protection is our primary role as noted in the mission. Park Rangers were created to fulfill this role. From the very beginning we have worn many hats, becoming what is known in today's parlance as a "Public Service Officer". We do law enforcement, EMS, search and rescue, and firefighting. In most areas, we are the only such service available.

The U.S. Park Police have a long and honorable tradition of urban law enforcement, starting out in the Washington D.C. area even before the NPS was born. Eventually they were moved into the NPS, along with the areas they served, as part of an effort to consolidate parks, monuments etc. into one agency. Their mission has always remained the same, despite
The Resource Protection Ranger

Bob Martin, President, National Park Rangers
Resource Protection Fund

FUND UPDATE

The Fund is totally depleted and I am now paying bills out of my pocket to keep it alive. I have received numerous stirring requests from parks across the country asking for financial help to protect their resources. Regrettably, I have had to turn nearly all of them down due to lack of funds. So, this will be my final request asking you to JOIN YOUR RANGER RESOURCE PROTECTION FUND. If we do not get memberships from our NPS Rangers I will be forced to close down operations. The Fund has made many differences over the past years which I am very proud of.

In years past we were able to give free Fund and North American Wildlife Officers Association memberships to FOP Ranger Lodge members. This is no longer possible as the fund-raiser we had working for us failed to meet their contract. Without rangers in the organization, we will be unable to continue to exist as our bylaws clearly state it is a Ranger-run organization.

Please take a minute and send in your membership of $20.00. You’ll receive a membership card and decal which you can proudly display, showing your dedication to better protecting our National Park Resources. Send your check or money order to NPRPFP, Route 1, Box 314, Shenandoah, VA 22849.

SHARING TECHNOLOGY AND TECHNIQUES

As I sit here tonight pondering this article, I think back to the recent “take down” operation I was involved in at Shenandoah National Park. The case involved an undercover state game warden who worked in and near the Park for nearly three years. The fruits of his labor were the arrests and summons of 15 poachers on a myriad of state and federal charges ranging from failure to wear blaze orange (a Virginia hunting law) to commercialization of bear and deer. Nearly 150 charges in all were filed against the group.

During the operation’s briefing, I was able to get a word with the undercover agent. After thanking him for all his efforts in helping us better protect the Park, I asked him about his undercover operation. He shared with me that our park was under heavy poaching pressure. The fifteen poachers soon to be arrested and charged were but a small sample of the poaching pressure we are facing here. He stated that while he was only able to work on three groups during his investigation “150 to 200 [people] more are out there hunting in your park almost year round.”

Admittedly, I was staggered by his words. It reminded me of a recent conversation I had with a retired Fish and Wildlife Agent. He said “Hey the bad guys know the trophies aren’t available anywhere else but in the National Parks.” “You can bet you’ll be getting lots more pressure.”

So it is with these bits and bytes that I kick off a series of “How to” articles. Hopefully they will help those of you who are just beginning to set up a resource protection program, as well as those looking for ways to improve or upgrade your current efforts. It’s time we worked smarter and harder to protect the “best chunks of real estate America has left.”

I hope I do not give the impression that I am THE source of resource protection investigative information - I am not. Others out there surely have ideas for articles on anti-poaching techniques which are working for them. I invite them to share their information in this column in the coming months. I’d like to make this an “Anti-poaching Techniques Open
Market" where fellow rangers can pick and choose from a vast array of essays on tactical, technical and "tools of the trade" articles we hope to put in future PROTECTION RANGERS.

Get in touch with me if you'd like to share information. There are many ways - the Fund's answering machine is 504-652-1974. My work number (with voice mail) is 540-999-3241. I'm on cc:MAIL by name "Bob Martin at SHEN-NP" and on CompuServe as "Bob Martin, NPRRPF, 74640,1346." Articles should be written on WordPerfect and I can use either 3.5 or 5.25 inch disks. If you see an article on a technique you'd like to share, send it to me. I will assure credit is given for all submissions.

So, without further ado, here's an article from Mike Fernald. Mike is a New Jersey Ranger at Delaware Water Gap NRA.

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**The DEWA Field Forensics Kit (a must for every Resource Protection Ranger)**

Mike Fernald,
Delaware Water Gap, N.R.A.

I'd like to share some information with the brothers and sisters out there about a kit we have developed here at DEWA which has really come in handy numerous times. Our kit is about the size of a small tool box making it easily transportable in a vehicle, back pack, or wherever I may happen to need it. Some of the items which I am about to suggest may need to be modified for your specific considerations (like you may need a bigger thermometer for a moose than we need for a whitetail). I'd encourage you to personalize your kit as you go along. You may also want to set up a larger kit at an area which you may routinely "do" full necropsies.

Here's a list of equipment we keep in our kit. The items with an * next to them are what I have found to be essential items. The others are those little extras that make our lives as wildlife crime investigators a lot easier for the development of probable cause.

<table>
<thead>
<tr>
<th>Item</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Plastic metric/English calipers</td>
<td>1*</td>
</tr>
<tr>
<td>100' tape measure</td>
<td>1</td>
</tr>
<tr>
<td>6' metric/English seamstress tape measure</td>
<td>1*</td>
</tr>
<tr>
<td>305 mm total Immersion Thermometer</td>
<td>1*</td>
</tr>
<tr>
<td>#3 &amp; #4 Stainless Steel Scalpel handles</td>
<td>1 ea.*</td>
</tr>
<tr>
<td>#10 Surgical Blades</td>
<td>10*</td>
</tr>
<tr>
<td>#20 Surgical Blades</td>
<td>10*</td>
</tr>
<tr>
<td>Dissection Kit w/: scalpel, 6' ruler, forceps, teasing needles, hemostats, blunt probe, slides &amp; cover slips</td>
<td>1ea.*</td>
</tr>
<tr>
<td>Lab Notebook</td>
<td>1</td>
</tr>
<tr>
<td>Lab Apron</td>
<td>1</td>
</tr>
<tr>
<td>Lead Test Kit (see paragraph below)</td>
<td>1*</td>
</tr>
<tr>
<td>Field poly paper pocket pad (water proof)</td>
<td>1*</td>
</tr>
<tr>
<td>Cylinder Magnet</td>
<td>1*</td>
</tr>
<tr>
<td>Disposable Surgical gloves</td>
<td>5*</td>
</tr>
<tr>
<td>Safety Spectacles</td>
<td>1*</td>
</tr>
<tr>
<td>Camera &amp; film</td>
<td>1*</td>
</tr>
<tr>
<td>Asst. Evidence Tags, bags, Pencils, pens, markers, Cotton swabs, envelopes, etc. &quot;Rough-Neck&quot; type tool box Assorted Flagging Pen light or small flash light Thigh and head post mortem temp. charts Weight, heart girth, and rigor charts</td>
<td>1*</td>
</tr>
</tbody>
</table>

A good, sharp hunting knife  *

Other items you may want to include are: health, bone marrow and ageing charts, filter paper, outdoor thermometer, Giemsa powder stain, "Wildlife Forensic Field Manual," blotter paper, hand lens, magnetic compass, magnifying glass, blood collection kit, 300 lb carcass scale, and a 50 lb. scale. The cost of the kit as described above will be around $100, less the scales. You can get the carcass scales for less than $100. We found the kits to be well worth the money at DEWA.

I also recently added a new item to my field necropsy kit which was suggested to me by a wildlife pathologist. I now carry an over-the-counter household lead test kit. This kit works by breaking two ampules in a container unit (about the size of an ordinary cigarette), allowing the reagents to mix. You merely apply it to the material or area to be tested with a self-contained swab. Should lead be present an almost instantaneous color change would occur. This is by no means a test to replace laboratory analysis or pathological reports, but it is another qualitative tool to help an investigator build probable cause in a field setting. This can be used on the carcass of a suspected illegal take or in a wound channel where impact of the projectile may have struck bone. The cost effectiveness of these lead testing kits can't be beat. They range from $4-$7 per kit which contain two lead check swabs each, and are available at most hardware stores.

Lastly, you may be able to work out a deal with your park's wildlife biologist, a local veterinary school, a veterinarian in your local community or a wildlife rehabilitation center for a place to get necropsies done. Check to see if surrounding local vets do post mortems on wildlife carcasses in the field. Do they have portable X-ray and ultrasound capability? Do they already work with your local State Wildlife Law Enforcement Agencies? Is your
local Wildlife Officer or Conservation Officer willing to work up a couple of carcasses with you so you can gain hands on experience? Network your resources to get the biggest “Bang for the Buck”.

If you or your park are interested in putting together a wildlife field necropsy kit and would like my assistance, please contact me. I have a list of possible sources for equipment.

Mike Fernald
Delaware Water Gap NRA:
(201) 948-6500 N.J. Dist. Off.
CC: Mail DEWA N.J. District

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**Editor’s Note:**

Mike estimates the price for a basic kit to be around $100.00. Depending on what type of scales you buy, the price could go up to between $150.00 and $200.00

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**How Many Commissioned Rangers?**

**Ed Clark, VP**

The lodge would like to know how many Commissioned Rangers there are in the Park Service. We need to know this in order to determine how many “yes” votes are needed in the “Show of Interest” vote. We asked the NPS and they couldn’t tell us. They have since begun to determine the number, and we hope to hear from them soon.

In the meantime, we need all Chapter Presidents, and someone from parks that don’t have a chapter to make a tally of commissions, seasonal and permanent at their parks. We would also like to have the number of seasonal commissioned Rangers for each of “94”, “95”, and “96”. If there are any “inactive” commissions at your park, count them too.

Send these breakdowns to me ASAP. We would like to be able to compare the numbers from the field with those provided by the NPS.

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**NPS-57**

**Ed Clark, VP**

As many of you have heard, NPS-57, the Health and Fitness Program of the Park Service has been under revision. Of course the rumor mill has been hard at work, so we have attempted to find out the latest information for you. The final draft has not been completed, or signed yet, so all comments following are preliminary. Since the FOP has not seen a draft yet, the following comments are taken from discussions with RAD and FLETC staff.

With the implementation of Ranger Careers and 6(c) Retirement, the Park Service has begun to review all areas of training and policy affecting Law Enforcement Rangers. The idea is to bring all these areas to a professional level, commensurate with that of our new position descriptions. OPM will most certainly audit our entire Law Enforcement program at some point in the future, so we have to put actions behind the words.

In the area of physical fitness, Congress intended that 6(c) retirement programs result in a “young and vigorous” work force, suited to the task of emergency services. This, coupled with the standards of liability already mentioned in NPS-57 dictate that Rangers be demonstrably fit.

As you will recall, NPS-57 in its most recent incarnation made “Participation” mandatory for Rangers in: LE, Fire, EMS etc. There was no requirement to “Pass” the test. Extreme cases of poor physical condition and/or lack of effort to reach minimum standards were subject to personnel action.

As of 1/1/96, the following are highlights of the changes we can probably expect to see, give or take some details:

1. The “Sharp” program test will be replaced by the 5-element PEB, conducted identical to that at FLETC.

2. Existing employees will be given a liberal “phase in” period in which to assess their level of fitness, work on problem areas, make progress towards the minimum level, and eventually get to a maintenance level that is their personal best. All will be expected to reach the minimum level of 70%.

3. If you fail one or more elements, you will be given 12 weeks to work on a remedial program, and then be re-tested.

4. New employees (after 1/1/96) will have to pass the PEB as a condition of employment, along with a medical screening, background investigation and psychological screening.

5. New employees will also have to pass the PEB at FLETC, failure to do so will result in dismissal from FLETC. ed. note: Draw your own conclusions about their continued service in the NPS.

6. New employees, and eventually all of us, will be expected to pass the PEB each year during re-testing. If you fail one or more elements, you can re-test after the 12 week remedial program. If you fail again, you will likely be removed from field duty until such time as you can pass.

It should also be noted that FLETC has already gotten on track with this effort by requiring the October class to pass the PEB. In fact they were told to test out at their originating park prior to arrival.

These proposed changes will bring us to the same level as our
sister agencies in the DOI, U.S. Park Police, Fish and Wildlife Service, BLM, and BIA. These agencies all use the PEB, and require their officers to pass it.

The FOP Lodge has consistently taken the position that any good faith effort to further the PROFESSIONALIZATION of the Ranger Profession is good for Rangers. We think that the Service needs to have a legitimate Fitness Program. We recognize that a minimum level of fitness is necessary to the safe performance of our duties. We believe the elements consistent with a good program include: mandatory participation, fair standards, a well delineated procedure for remediation, due process for those who face loss of their commissions, some type of “phase in” or “grand fathering” of those already on the job, a reasonable maternity policy (developed with input from female Rangers), access to appropriate fitness equipment, and work time for exercise.

As additional information becomes available, we will pass it on to the field. We hope that the end product will consider the criteria set forth above. We think these reflect the desires of most of our members, PROFESSIONALISM and FAIRNESS.

As a side note, those Health and Fitness Coordinators trained in the SHARP system can expect to see a re-certification/re-training course at FLETC in the near future. Indications are that it will be one week long.

NOTE: If your park does not have a Fitness Program in operation, or adequate Fitness Equipment (see NPS-57), let us know. We will make a list and try to insure that you have what you need to meet the new standards.

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**In the Line of Duty**

**Ed Clark, VP**

This column will report those officers, State and Federal that I become aware of who are assaulted using lethal force in the time period covered by this newsletter. It should serve as a reminder that we work in a dangerous environment, that we need to be alert, and professional at all times.

8/13/95 - Offc. Unknown, Baton Rouge, La. Wounded in line of duty. Offc. made a DUI traffic stop in a well lit parking lot. The suspect immediately fired on the officer after stopping. The officer took multiple hits to the chest, and was saved by body armor. He is in guarded condition.

8/15/95 - Offc. Bob Martin, Az. Dept of Public Safety. Killed in the line of duty. Shot in the chest at least once while making a traffic stop, his body found in a car length in front of his patrol car. His Sig P226 was missing, and he had not called in the stop. The assailant was later arrested in Indio, Ca., he was being sought there in the murder of a convenience store clerk in Blythe Ca., which took place shortly after Martin’s murder.

8/16/95 - Lt. Herbert B. Stovall, Peralta Comm. College Dist., Oakland Ca. Killed in the line of duty. Shot with his own gun during a violent struggle with a burglar suspect. The suspect an ex-convict, and registered drug offender, was arrested. Oakland Police say the suspect confessed saying “he grabbed the officers gun and shot him because he wanted to get away, he was scared and didn’t want to go back to jail.”

8/17/95 - Agent Lawrence B. Pierce Jr., U.S. Border Patrol. Killed while off-duty, chasing down a stabbing suspect. While eating lunch with his son, the pair witnessed a fatal stabbing. The Agent, his son, and a bystander chased the suspect outside, Pierce caught and wrestled with him receiving a fatal wound to the chest, the bystander was wounded in the leg. Additional bystanders beat the suspect with a board, and held him for Police. Agent Pierce was unarmed, off-duty weapons are optional for Border Patrol Agents.

8/20/95 - Officer Jimmy Wilson Jr., Omaha, Ne. P.D. Killed during a traffic stop. Wilson stopped a van with improper plates, 0800 hrs. An unknown number of assailants exited the van and shot Wilson seven times. He had not yet gotten out of his patrol car, and still had his seatbelt on. The weapons used included a 9mm pistol and AK-47 type rifle. Seven suspects were arrested later, all members of the South Family Bloods street gang. Five had outstanding Felony Warrants.

8/21/95 - Investigator Charles Barton, Loudon P.D. Killed in plane crash near Atlanta, Ga. while extraditing a criminal to his jurisdiction.

8/24/95 - San Diego Police Officer. Shot in leg during foot pursuit of a parolee. The suspect went over a fence, the officer followed, but forgot to holster his weapon, which went off wounding him in the leg.

We ask that the pain and sacrifice of these officers be remembered in all your thoughts and prayers.

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**New Logo**

**Ed Clark, VP**

In case you didn’t notice, we have our new LOGO completed. Its right up there in the masthead. The design is based in part on the old Park Scout badge from Yellowstone. It incorporates a stylized badge with Folsom Points in the outer ring.

We hope you like it, in fact very soon we will be offering a variety of items for sale that incorporate the LOGO. These will include mugs, drink can insulators, and
T-Shirts. We intend to use the proceeds from these sales to make the promotional items program self sufficient, and once that is accomplished, contribute to the Legal Defense Fund.

The LOGO is also available for use by Chapters in their newsletters, and letterhead. Contact me for a computer disk of the LOGO.

**Executive Board Meeting**

Ed Clark, VP

We are planning on having an Executive Board Meeting with Chapter Presidents, possibly in January, 1996.

We have gotten too large to operate without the direct input of the Chapters through their Officers. Tentatively we would like to meet in a Western location, possibly Las Vegas. This would allow us to take advantage of seasonal travel specials, and be in a location that would make the trip worthwhile for those using annual leave etc.

When Collective Bargaining is approved, it will be necessary for us to reorganize, and establish a network of shop stewards. The purpose of the meeting will be to map out where we are going and how we plan to get there. In addition, we need to hear directly from the Chapters concerning the various issues faced by Rangers across the country. This will not be a large scale convention, it will be a working seminar.

We recognize that the cost of sending a representative may be prohibitive for some Chapters, however, we encourage all of you to attend. Have a fund-raiser, we need you there.

Many parks don't have a Chapter yet, organize one now, we need your input.

After the meeting is over, we will attempt to have some regional meetings so that the results can be shared with all. We will very likely videotape the Executive Board Meeting, especially the speakers and show this at the regional meetings. WE WANT AND NEED YOUR INPUT.

Chapter Presidents and Prospective Chapters, please call or write me ASAP and let me know if you are interested in attending. We will work out the details at that time.

**Chapter/Parks Corner:**

**Ed Clark**

Collective Bargaining- By now FOP members have received their collective bargaining “show of interest” cards. We ask that you poll the Rangers in your park and determine if anyone needs a card, that goes for all Rangers, including seasonals and Non-FOP members. Let anyone on the board know (call the 800 #) if you need any or you can use a blank one and Xerox it.

Please encourage all to vote, even if you’re in a park that has representation/contract already. Most Rangers in parks with contracts report being unhappy with their representation since they’re lumped in with maintenance, administration and others.

With enough votes from these parks we may be able to break you out of those unions and include you in the Rangers Alliance. We strongly believe that Rangers are best served by their own union, and with a National Contract, not a bunch of individual ones.

If anyone still questions the need for collective bargaining, take a look at the following issues: Takeover at the Statue; our new “exempt” status on FLSA i.e. capped OT, no travel pay or OT for court, etc.; parks that have not initiated LE pay, or 6(c) for their Rangers; attempts to undermine the existence of the CI series, an important part of our career ladder and ability to stand alone as a complete LE agency; the uneven designation of LE supervisors as 6(c) covered; the hiring of Non-LE Chief Rangers/Asst. Chiefs; the turning over of LE functions at some parks to surrounding communities and so on. Call 1-800- 407-8295 for answers!

We are forming this collective bargaining unit to be part of the solution to the problems besetting law enforcement in our parks. We want a place at the table, to be a partner in professionalizing law enforcement in our service. We don’t want to be an adversary.

FOP Convention- President Tim Woosley and I recently attended the National FOP Convention in Virginia Beach. The National Leadership has taken notice of our 1000 member lodge and the professional way we have approached organizing and serving our membership.

Park Rangers were mentioned in the opening remarks, and again in the annual report of outgoing President Dewey Stokes, "...We have increased our activities for our Federal brothers and sisters as well. We have worked with the D.O.E. officers in successfully obtaining improved pensions and are currently working with the Park Rangers, and helping the Uniformed Secret Service Officers obtain collective bargaining...".

The newly elected President, Gil Gallegos met with us and promised the full weight of National FOP will be behind us in our efforts. As a follow-up to that promise, Tim was appointed a member of the National Labor Council of the FOP. National FOP wants to show its support of Federal Officers, and wants our efforts at collective bargaining to be their number one priority on that level this year.

Grassroots- More than anything our strength lies in our diversity, in
Maternity Leave

Ed Clark, VP

Alison Callahan, a member of the Valley Forge Park Rangers Chapter, is researching the issue of Maternity Leave for Commissioned Rangers. She recently had a baby boy, and at the start of her pregnancy found that there was no policy on how to handle her upcoming maternity leave. Fortunately her park management was helpful and together they put together a plan that was fair.

Alison is now gathering information on maternity leave policy from other State and Federal agencies in an attempt to formulate a proposal to amend NPS-9 creating a formal maternity policy as it relates to Commissioned Rangers. If any Ranger out there would like to help, has information, or past experience that would be helpful in this effort, please contact her.

Alison Callahan, Valley Forge NHP, P.O. Box 953, Valley Forge, Pa. 19482. (610) 783-1050.

We Owe This Much to Bob

Joe Hayes

Five years ago I wrote an article for The Protection Ranger about the shooting death of Ranger Bob McGhee at Gulf Islands National Seashore. He was tragically shot and killed by escaped convicts during a traffic stop at 9 A.M. on May 26, 1990. It was a sad day for all law enforcement officers and especially for U.S. Park Rangers.

I concluded the article by saying: "Well now the tragedy has happened and it's time for action, before another ranger goes down. Issues that need to be addressed immediately include: better equipment (body armor, auto-loaders, multichannel radios, fully-equipped patrol cars), improved training, increased pay, 20 year retirement, and improved communications with local LE agencies. We can't bring Bob back but we can certainly learn some lessons from his experience that will benefit us all, increase professionalism, and make our jobs safer. We owe this much to Bob."

Much has happened in the last five years that Park Rangers can be happy about. We now have body armor and SigSauers issued to us as standard equipment. The journey-
man Ranger is now a GS-9 on the special law enforcement pay scale and will enjoy the benefits of enhanced retirement. Hepatitis-B immunization shots are now provided to Rangers. Critical incident stress debriefings and peer counseling, as well as professional counseling, are available to all who need these services. We are now recognized by our agency as professional law enforcement officers.

None of these improvements in our professional lives came easily or by chance. They resulted from the hard work and persistence of a small group of FOP people dedicated to improving our status and working conditions; people like J.R. Tomasovic, Greg Jackson, George Durkee, Tim Woosley, Dan Kirschner, Chris Cruz, and Randall Kendrick, to name a few. While others sat around and bitched, these people rolled up their sleeves and worked to bring about these positive changes. I, for one, would like to say “Thank you”. Thanks also to Jim Brady and others in WASO for all that they have done for Park Rangers!

Having said this, I would now like to focus on the issue of collective bargaining.

As law enforcement professionals we are trained to use proper tactics for officer safety such as maintaining proper distance from a suspect, weapon retention, positioning, use of cover, and use of defensive equipment. These and other tactical skills are the tools that we depend on for our protection and for the protection of park visitors.

We take seriously the need to protect ourselves and park visitors, and so we conduct refresher training and practice these skills so that they will be there when we need them. Our goal is to have “the edge” if we find ourselves in a dangerous or violent encounter with a determined opponent, and thereby survive by using these mental and physical tools to protect ourselves.

None of us, I hope, would be willing to attempt to do professional law enforcement without the proper tools to protect ourselves! Professionally and personally we are geared towards protecting ourselves.

I believe that collective bargaining is another very important tool that we need to protect ourselves from determined political and bureaucratic opponents who would harm us and take away our hard-earned gains. This is serious business, much like officer safety. We should not assume that the next five years will be as kind to Park Rangers as the last five have been. The winds of political change could quickly sweep away all that we have worked so hard to achieve.

Congress is now talking about closing parks and giving away or selling off other public lands. Who can say what impact the quest to further reduce government spending will have on the NPS and Park Rangers. The future does not look promising (unless you look at it from an ostrich’s point of view).

Collective bargaining is needed now more than ever. It is a tool that will provide us with powerful and legal leverage in dealing with the issues that Park Rangers will be facing in the twenty-first century (only 5 years away!)! It will give us the ability to protect ourselves and to have more control over our destiny. It will give us insulation from the political winds of change, and will protect us from the arbitrary whims of bureaucrats, politicians, and administrators. Most importantly, in protecting us it will also protect the National Park Service and its important mission of protecting the parks.

PROTECTION is what COLLECTIVE BARGAINING is all about. I urge all U.S. Park Rangers to vote for a national collective bargaining contract so that we can preserve and consolidate our gains, and face the new century with the best political tools and tactics that are available. You wouldn’t want to go to a gun fight with just a knife, would you? Let’s keep “the edge” and protect ourselves politically just as we do personally and professionally. Please vote for collective bargaining under the United States Ranger Alliance.

We owe this much to Bob.

Secretary’s Report
Randall Kendrick, Secretary

The merging of the two Lodges is now 90% complete. We have only to check the roster from the Grand Lodge when we are called upon to pay the October per capita payment. We want to thank you — particularly the members of the former Western Lodge — for being patient. The delays from the California and Grand Lodges are now in the past and we can move forward as a united Lodge.

Please check your expiration dates and your address labels to see if errors have been made. If so, please let the Lodge know so we can correct them.

The Lodge has provided help to several members with professional problems since the last issue of the Protection Ranger was published. Although these cannot be publicized, it is important to realize that your Lodge can often help if you find yourself in trouble. We have a committee in place whose sole purpose is to hear about your problem and provide appropriate relief.

Please don’t wait too long before trying to get help. The early stages of a problem provide the best opportunity to achieve a result in your favor. Many processes have time limits which absolutely must be met. Contact the Lodge.

The Lodge supported, capped overtime appeal, has been filed but there has not been a preliminary ruling to report. The appeal is at WASO. This appeal involves
the capping of OT at the GS 10/1 level which has the equivalent of GS-9/6. We feel anyone performing primary law enforcement work, regardless of grade and supervisory status, should receive full 1 1/2 for OT work. If successful, this action will benefit the entire membership.

Morristown National Historical Park Cuts Mounted Patrol Program
Jacquie Tinker

The Park service today has many traditions that have evolved out of its seventy-nine year history. Unfortunately, one of those traditional patrol functions has been lost at Morristown National Historical Park. The twenty-six year old Mounted Patrol Program has been discontinued.

Shasta, a 20-year old buckskin quarter horse served Morristown NHP for fifteen years. Ben, a 19-year old chestnut Morgan, came to Morristown when Cape Cod National Sea Shore phased out its mounted program five years ago.

The two reasons for cutting the mounted program are money and staff. It cost approximately three thousand dollars a year to keep Ben and Shasta at Morristown; which, in reality, was not that much considering the value of the horses in trail patrol and public relations. Anyone who has worked mounted patrol knows how valuable horses are in accessing park trails and building positive public relations.

The problem that affected the program most was staffing of the ranger division. The staffing at Morristown is always in question, not only the total number of staff, but the qualifications of the staff to manage a safe, professional program.

The former program coordinator had for the past three years worked to build a safe program for the horses, rangers, volunteers and visitors. She tried to educate management about the need for a professional mounted program.

We wanted to participate in local parades and work with the mounted programs of other NPS areas at special events; but for the last three years, the program budget had been reduced and sufficient money was not allocated for replacement equipment, training for rangers, or adequate time needed to work the mounted program. We were told our expectations for a mounted program were too high.

Without the kind of commitment and support needed, it was in the best interest of the horses to be retired to nonprofit organizations, and the mounted program phased out. Shasta and Ben will be missed greatly by those who regularly visited them, the five volunteers who worked with the mounted program, and by the two rangers who have worked with them for the past three years.

Shasta and Ben have been turned over to Mylestone Equine Rescue, a private, nonprofit New Jersey Corporation dedicated to providing sanctuary for horses. M.E.R. provides shelter, care, rehabilitation, adoption and retirement homes for horses. A small riding school has adopted Shasta from M.E.R., and Ben is at the same farm being sponsored privately by his park friends, awaiting adoption.

Anyone wishing to learn more about M.E.R. memberships, Ben's sponsorship, or sponsoring other rescued/retired horses with tax deductible contributions, contact Mylestone Equine Rescue, 248 Mountain Avenue, North Caldwell, NJ 07006, phone (201) 228-7837.

Hepatitis B Update:
Randall Kendrick, Secretary

It is very important that each member have a blood test to determine if your Hepatitis B immunization worked. Ten to twenty percent of all those who get the series of three shots fail to develop enough immune response to prevent catching Hepatitis B upon exposure. Try and get your park to pay for this follow-up test; but, if they refuse, the $30 it costs to check your immune level is well worth the money.

If any park is not paying for this follow-up test, please call the lodge at 800-407-8295, 10 a.m. to 10 p.m. Eastern time and leave a message. This is a major health issue and we need to alert the membership.

Randall Kendrick Retires
Ed Clark, VP

Ranger Randall Kendrick, our Secretary, and founding President of the Eastern Rangers Lodge of the FOP, has retired from the NPS. We owe a great deal to Randall, he gave us his time and a vision for the future of Rangers and our profession. We would like to honor Randall, even though he is staying on in the U.S. Park Rangers FOP Lodge.

Chapter Presidents, please contact me ASAP, so we can discuss ideas for an appropriate method.

A View From the Other Side
Duke Barr

I write this in the realization of how drunk driving really affects its victims.
Park Rangers who perform law enforcement are LAW ENFORCEMENT OFFICERS. We carry guns, patrol, investigate, make arrests and put our lives on the line every day just like any other LAW ENFORCEMENT OFFICER. We see things about people, good and bad, that no one else must deal with like we do. Sometimes as LAW ENFORCEMENT OFFICERS, we suffer; hopefully, not in vain.

I am a Park Ranger assigned to the Blue Ridge Parkway. My primary duties include law enforcement and it's this duty that has brought me to the front lines of seeing what drunk driving does to the people and families involved in drunk driving related accidents.

I have arrested numerous individuals suspected of drunk driving, with most of them being convicted to DUI. I have, over the past 13 years, investigated many traffic accidents, with an estimate of over 80 percent involving alcohol.

I have held a lifeless teenager in my arms trying to breathe air back into his breathless body, only to have him die later in a hospital of brain damage. He was driving drunk and wrecked.

I have been to the doorstep of a parent's house at 2 a.m. and told them that their daughter was never coming home from the prom, because she was killed while riding with her boyfriend who was driving drunk and wrecked.

I have seen the pain in the faces of families who have had loved ones injured or killed due to a person's drunk driving.

Recently, though, I have seen a view from another side.

Park Rangers, when off duty are subject to 24-hour a day call-outs. In February of this year, I received one of those call-outs.

It was about 4 a.m. and my phone rang awakening me from a sound sleep. The caller, the Parkway's after hours answering service, told me they had received a report of a 40-year old woman attempting suicide on the Parkway, near a Park Visitor Inn area. I arose, put on my Park Ranger uniform, strapped on my duty gun and proceeded to the Parkway Inn. At this time of morning, the Parkway has no dispatcher, nor any other Rangers on duty. I was alone.

I arrived at the Parkway Inn and found a car parked in the closed Inn's driveway. The car had heavy damage to the windshield and front end, it appeared to have been in an accident. I noticed a woman walking around in the darkness of the night. I called for her attention and she walked towards me. As she came closer, my years of law enforcement training and experience told me of the signs. The smell of alcohol about her breath and person, the unbalanced walking, blood shot eyes and the slurred speech, all told me something I had seen many times in dealing with drunk drivers. This person was intoxicated.

My most urgent concern at that time was for her safety. She had apparently been in an accident involving her car and (because of the nature of the call-out), may have somehow attempted suicide. I then told this lady of my concern and that I would call an ambulance to the scene for a medical evaluation of her condition.

Upon hearing this, she became very agitated, got into her car, locked the doors, and would not come out. I asked her several times to come out of her car, when she suddenly started the car, shifted it into reverse and with me standing at the driver's side door, began backing up the car. While doing this, the front bumper caught me by the left knee, knocking me to the ground, crushing my knee. She continued turning the car until she was on the roadway and proceeded to drive down the Parkway, leaving me lying on the ground.

I knew I was hurt, but somehow got up into my patrol car and attempted to stop her. As I chased her, I called the local sheriff's department on my radio for assistance. They sent numerous deputies and they set up a road block. She drove through the block without stopping. We continued to chase her and after 20 miles, got her stopped. I arrested her and took her to a local hospital for evaluation. She was charged with numerous charges, including DUI.

After leaving the hospital, the adrenaline diminished from my system, and the pain returned to my crushed knee. I knew I needed to go to the hospital and ended up having to have major knee surgery. I haven't been able to return to work and my knee is in a brace.

The doctors said I may never be able to run again and may need a full knee replacement in the future. I may not be able to return to the Park Ranger job I love so much. My family is emotionally torn over this incident.

I had no idea what was in store for me that night when I performed my sworn duty and answered the phone for a call-out.

The woman I arrested and charged arranged a plea bargain in U.S. Court. She pled guilty to DUI, all the other charges were dismissed. She paid a small monetary fee and served no time in jail. She is probably back to a normal routine. However, my life has changed forever.

I now truly understand what it is like to stand on the other side.

National Park Service 75th Anniversary Commemorative Knife

If you did not get one when they first came out, this may be your last opportunity!
The NPS-1 made by Schrade Cutlery is a limited edition 3 3/4" lock-back design which features rich resin impregnated handles accentuated with a minted nickel-silver commemorative shield. The stainless steel blade is distinctively etched with the "National Park Service 75th Anniversary." It is attractively displayed in an oak presentation case with a ceramic tile inlay top depicting a lone American bison, symbol of the majesty and conservation ethic of America's National Parks.

Limited supply offered at below distributor cost. $46.00 plus $2.50 for shipping.

To order call Glen Knight at 540-740-9238 or Richard Saunders at 703-427-4259. Or send check (including shipping) to Glen Knight, 1446 Shipwreck Drive, New Market, VA 22844 or Richard Saunders, 3824 Deer Hollow Drive, Roanoke, VA 24014.

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**Federal Coalition**

The Federal Coalition was formed in February of 1995 at a federal officers seminar sponsored by the Grand Lodge. The purpose of that seminar was to provide a clearinghouse for federal officers to air our issues and address our similar problems. We realized that not only are there forty-plus agencies in the federal arena, but that each agency may actually have different guidelines for similar/same positions. We also realized that local lodges are not in a position to adequately represent those federal offices without some type of national entity to provide information and guidance.

Ergo the creation of a federal coalition... to bring order and unity to all federal officers.

It is the belief of the coalition that if there is a nationally based entity it will be able to provide information, leadership, and associated services to all the federal officers within the F.O.P. This coalition will provide all federal officers the services not available at the local lodge level.

Our February meeting and the follow-up meeting in May helped us to identify some of our goals. We have established a draft of bylaws (which was modeled with thanks to the Western State Coalition) and we have developed an organizational structure that will provide representation by agencies as well as by areas. We now need to expand our membership list. We are looking for federal officers, agents, investigators, inspectors, etc., at all levels, active and retired, so that we as a coalition can provide the services that our members need.

Federal Officers... Help the Federal Coalition Help You!
Ron Myslinski, P.O. Box 2241
6, Ft. Lauderdale, FL 33335-2416
Phone (305) 763-2010

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**Are You a Supervisor and Not Getting 6(c) Pay?**

**Doing Primary LE, But Designated (C) Combined?**

Ed Clark, VP,

We have been hearing from Rangers in parks that have not properly implemented Ranger Careers. If you are one of them, please contact me. Send me your name, position description, park, GS level, address and phone number. We will put together a data base to be used in our attempts to rectify the situation.

Supervisors should be in COVERED POSITIONS! You should be getting LE pay and 6(c) Retirement.

Rangers doing Primary Law Enforcement should be (P) status, getting LE pay and 6(c) Retirement. Parks were supposed to put you in this status during the implementation of Ranger Careers, even if they planned eventually to phase out such Rangers. This was designed to give you the opportunity to transfer to (P) type parks, while protecting your 6(c) covered status.

We know of cases where Rangers find out they are receiving back-coverage under CSRS for 6(c), and because of adverse/mis-classifications now have a one year break in service in covered positions. FERS people, this may have happened to you too. If your in this status, call me.

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**Lodge Dues Increase and E-Z Pay Plan**

Last summer, the membership voted overwhelmingly to approve a dues increase to support our escalating need for funds for individual and national legal assistance and other financial help for members. The majority of members recommended dues be set between $65 and $78 per year. The Lodge Board has voted to set dues at $52/year (just $2/pay period using Direct Deposit). The increase became effective January 1, 1995. If you've already renewed for the year, we'll send you a reminder and a Direct Deposit form at the six-month anniversary of your renewal for the additional amount.

To make it easier for you to pay and the Lodge to collect, we hope you'll fill out a Form 1199; the Direct Deposit Sign-Up Form, available from your park's fiscal office.

You are only allowed 2 such allotments from your paycheck, so if you have that many already, you'll have to send us a check for the full amount. Otherwise fill out the Form 1199 as follows:

**SECTION 1:**

Block C: Write in your Social Security number.  

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More CSRS 6(c) Filing Information

Here is some "late breaking" information for CSRS 6(c) folks who have yet to file a 6(c) past coverage claim. We recommend that you file a claim by November 1, 1995 just like the FERS people are doing, for two reasons. Reason one is that ANPR filed a timely claim on behalf of all ANPR members back in 1988/1989. ANPR is currently in the process of digging up a copy of that filing, so all you need to do is explain your ANPR membership to USDI and state that you are now supplementing the claim that was filed on your behalf by ANPR. Hopefully, USDI will not try to reject your claim by stating that you missed the yearly updates, especially when you consider how long it took the NPS/USDI to process the previous claims. Reason two is that there is a clause in the regulations which allows employees to file a claim, even if they missed a due date, if they can prove there is new and substantial information or evidence (proving qualifying service) that was not available back when the due date was missed. For all of you there is new and substantial evidence including the FERRIER Standard which states that front line law enforcement counts for 6(c) coverage. Also, there is a very good chance that your supervisor, coworkers, or subordinates obtained 6(c) past coverage at your old duty station. If your supervisor earned 6(c) supervisory coverage, who was she/he supervising in a 6(c) position to justify the 6(c) coverage? Obtain an affidavit from these former supervisors and coworkers explaining your primary duties. Also, was your old position converted to a 6(c) position on July 10, 1994 with the same primary duties (front line law enforcement) you had when you encumbered the position? Obviously, there is a lot of new evidence supporting filing your individual claim. Do not delay putting an individual claim together. We hope, and expect, that the final resolution of this issue will be that USDI will allow all qualifying personnel to submit a claim. The bottom line is, FILE A CLAIM NOW!!
The only thing that can go down on a Whaler is the price. And it has.

Boston Whaler's 22' Guardian is priced 25% lower for 1995 on GSA.

If your department has been settling for less because it couldn't afford a Whaler, your ship has just come in. Now you can buy the classic 22' Guardian for a fraction of what you used to pay through GSA. No cutting corners — the same, unsinkable, ten-year warranted Boston Whaler you grew up with — for 25% less. Exclusively through GSA because we want to demonstrate our commitment to our Federal customers.

The 22' Guardian features unsurpassed stability, one person handling and a wide open cockpit with room to move. Select from a variety of options and accessories. We'll build the boat to your specifications.

Boston Whaler. Because the last thing you want to do is radio for help.
APPLICATION FOR MEMBERSHIP

I, the undersigned, a full-time regularly employed law enforcement officer, do hereby make application for active membership in the National 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 (required): _______________________

☐ Permanent Rangers: $52/year (or $2/pay period using Form 1199 Payroll Deduction.
☐ Seasonals: $35/year.
   Both seasonal and permanent members are entitled to coverage from our Legal Assistance Fund for Service related problems.
☐ Associate (non-Commissioned) & Retired Membership
   (Newsletter only): $35/years.
Enclose a copy of your commission (new members only).
NPS Area: ____________________________
Mail to: FOP Lodge, P.O. Box 151, Fancy Gap, VA 24328