

The Protection Ranger

WWW.RANGERFOP.COM

The Newsletter of the National Park Rangers Lodge, Fraternal Order of Police • Special Renewal Issue



Thank You for your Membership!

George Durkee
Secretary

On behalf of the Board of the Ranger Lodge, I want to thank you for joining or renewing your membership. Since 1988, the Lodge has been the only advocate working solely on behalf of law enforcement rangers. We now have members from most all the land management agencies as well as LE dispatchers.

Our past successes can be seen all around us: better training, ballistic vests as standard issue for all rangers, auto-loading weapons, shotguns as standard in patrol cars and everything a ranger needs to meet today's professional standards in law enforcement.

This past year, we've joined with FLEOA to gain peace officer status for Pennsylvania rangers; aggressively advocated for a common sense approach to medical waivers and helped individual members with problems.

Lodge President John Waterman met with the DOI Secretary's Office and participated in several conference calls as an active participant in the possible 1800 series transition. Both FWS and BLM have gone to this series which provides LE with numerous benefits. Although NPS has rejected the idea for the moment, it may just be a matter of time before

they will be forced to move to the series. This is a joint effort with FLEOA NPS Chapter. Duane Buck and John also provided advice and insight into the new NPS Responder 911 program, which will provide counseling assistance to any employee involved in a critical incident.

With Lodge help, members have won some recent EEO and medical waiver cases. In the coming year, we expect to help more rangers with advice when they face an adverse personnel action – whether it's a supervisor or a medical issue, your Lodge brothers and sisters are here to help and it is our dues that make this possible.

To cover the insurance gap of some policies – where you actually have to have an adverse action brought against you before they start coverage – the Lodge will often authorize a member's consult with Passman and Kaplan, the law firm we've worked with for decades.

Below is detailed information on Officer Legal Defense insurance and how you can help us with keeping your membership information current.

Legal Defense and Liability Insurance

Randall Kendrick

The Lodge urges in the strongest possible terms that you purchase and maintain both legal defense insurance and liability insurance. The policy you buy has to have a clause that states the insurance company will pay

for a lawyer in a case of an administrative action against you that can easily cost you your career.

There are many companies that provide both of these coverages and we will list five to give you a flavor of what's out there nationally; you can probably find a statewide insurer if you look. In all probability, the national companies will have more experience with federal officers though.

There is a difference between Legal Defense Insurance (LDI) and Liability Insurance (LI). LDI will pay for your lawyer when you have to go before an administrative tribunal, civil court and/or criminal court. Look for a policy that is not capped at a certain amount: In other words, after the ceiling is reached, you're on your own. The best policies allow you to speak with a lawyer before you are charged with anything but you strongly feel that you will be charged. A good policy will pay for a lawyer to advise you when your supervisor calls you in for a counseling session that can lead to discipline against you.

LI pays damages that are assessed against you. For instance, if you are sued in civil court as the result of an on-the-job vehicle accident and have to pay for your actions, and your agency won't pay it, your LI will. Often the sums are quite high and you'll never financially recover.

Fortunately, these cases are rare but LI is usually inexpensive. You can be liable for damages for slander or libel too, and these policies cover

that. A good LI policy will provide a lawyer to try and stop you from getting assessed damages in the first place. To see how important LI is, just remember, the NPS is required to pay half the annual premium.

You need LDI and LI as much as you need your body armor and other defensive equipment. Look at it as another item in your daily tool kit that will allow you to come home safe and sound. The Lodge urges you to purchase these coverages.

When you look for a policy, make sure your job category is covered. Some companies won't cover a dispatcher for instance, and it may be hard to find out if that's the case or not. If you are a dispatcher, please doublecheck that you are covered.

Here are the names of a few companies and associations that offer these types of coverage. What follows is in their own words and you will need to probe beneath the advertising. However, this is a useful overview.

Wright and Company

This may be the oldest company in continuous operation insuring federal employees. A few years ago they upgraded their coverage to include LDI.

(From their literature):

Top 10 Reasons to Buy Federal Employee Liability Insurance (FEPLI) from Wright USA

1. Wright USA invented Federal Employee Liability Insurance. Our name is synonymous with FEPLI (Wright USA = FEPLI).
2. Wright USA has proven our commitment and stability through nearly a half century of exclusive service to current and former Federal Government Employees.
3. Our optional \$2,000,000 liability limit is double what our competition offers.

4. We provide round-the-clock protection at affordable premiums that can cost less than \$1 a day.
5. All federal agencies are required to reimburse qualified employees up to half (50%) of their annual premium for their coverage purchased from Wright USA.
6. Wright USA is very easy to work with, fast and efficient. You can even buy your FEPLI policy online from us.
7. Our customer service is superior. Wright USA has paid more FEPLI claims than all our competitors combined.
8. Wright USA has a National Panel of former Assistant U.S. Attorneys and Federal Government employees with the subject matter expertise and appropriate security clearances to help you.
9. Wright USA also has a unique Professional Liability program specifically designed for Former Federal Employees.
10. Wright USA has no potential conflicts of interest. We do not represent, associate with or otherwise accept funding or sponsorships from federal employee associations, unions, or agencies.

Our FEPLI policy provides you with coverage for liabilities arising out of acts, errors and omissions that you commit as a federal employee.

- Up to \$2 million to pay civil court judgments against you.
- Up to \$200,000 in defense costs for federal government initiated administrative proceedings and investigations.
- Up to \$100,000 in defense costs for criminal proceedings or investigations.
- Loss Prevention Helpline available (\$50 additional annual charge for \$1,000,000 Liability Limit plans; No charge for \$2,000,000 plan). Provides up to 2 hours of phone consultation with a legal professional to try to reduce your liability exposure before a claim is even filed.

- No deductibles.
- 36 month extended reporting period after you leave the federal government.

As you can see, Wright & Co offers a large range of services in their policy and are a provider of both LDI and LI. There is a cap however and this may be a concern for you.

FOP Plan through Hylant

The FOP plan was designed by the staff at the Grand Lodge and put out for bid and Hylant won the contract. We have had many members invoke their policy usually with good results. However, there is, in our view, a big hole in the Plan: you cannot speak with a lawyer until you are charged with something. We have done our best to close that hole by offering our members a free consultation with an attorney from the firm of Passman & Kaplan who only handle federal cases and have built up a wealth of knowledge in this area. *Also be aware: if your Lodge membership lapses, you will not qualify for their reduced fee plan.*

The following is from the Grand Lodge website. You can get complete information by going to the home page and calling the toll free number supplied.

The Fraternal Order of Police Legal Defense Plan, Inc. was created by the National FOP to administer the FOP Legal Defense Plan, Inc.. This program is designed specifically to cover the law enforcement exposures faced by members of the FOP Legal Defense Plan, Inc. pays legal defense costs on behalf of participating members for the following actions and proceedings:

- Coverage A - Administrative
- Coverage B - Civil
- Coverage C - Criminal
- Coverage D - Administrative Off-Duty

For the law enforcement professional, duty related legal defense protection is a necessity as the frequency and cost of allegations against peace officers continues to rise. The FOP Legal Defense Plan, Inc. offers you and your lodge members a very affordable and comprehensive coverage plan. Please refer to the options above for additional information on Plan coverages, enrollment and claims services.

FLEOA

The Federal Law Enforcement Officers Association provides legal defense directly through their own attorneys and your coverage comes with your membership. You are defended by a FLEOA lawyer, so if using a lawyer of your choice is important to you, then you may want to weigh the pros and cons here.

We have had several members receive outstanding defense from a FLEOA lawyer and you can pick up the phone and speak with a lawyer as soon after an incident occurs as you choose.

FLEOA provides 24hr Legal Services to members needing legal assistance. Join FLEOA immediately if you are not yet a member. You must be a FLEOA member in good standing at the time of the occurrence for which you are seeking legal advice and assistance. Make sure your renewal is up to date. Problems? Call the Legal Counsel.

FLEOA has a team of experienced attorneys, with Larry Berger as FLEOA's General Counsel. Assistant Counsels James J. Osgood, Esq., Jeff Jacobson, Esq., and Joy Bertrand Esq. are also part of our legal team. Don't Go it Alone! Visit FLEOA's web site for more details.

Federal Employee Defense Services
FEDS offers both LDI and LI so it's worth considering on that basis. Having a company where you can get

both makes a certain amount of sense and is probably cost effective. From their web site:

Membership in FEDS entitles a federal employee who is accused of misconduct or wrongdoing in the course of rendering a professional service or scope of employment to the following:

- Legal fees paid up to \$200,000 in an administrative investigation, disciplinary action or judicial sanction proceeding.
- \$100,000 for criminal legal defense and up to \$1,000,000 for liability damages in a civil suit.
- 36 months extended reporting period after leaving federal service.

Check their website. They are not law enforcement specific but will cover any federal employee.

PLEA

We asked the executive Director of PLEA to write a few words because we have gotten the impression that few of our members have heard of the organization. Her writing a lead to the web site material should not be taken for a Lodge endorsement. We are grateful that Ms McMahon took the time to write.

The Professional Law Enforcement Association has a comprehensive LDI/LI policy that is worth checking out. They have been in business for quite a while now and several of us have had positive experiences with them with no negative. From their web page:

- Legal Defense while "moonlighting."
- Available to all Law Enforcement Personnel, including Dispatchers, Correction Officers, etc.
- Grand Jury investigations also covered.
- Optional Non-Duty related administrative available.
- Over twenty years experience in Legal Defense.
- NO DEDUCTIBLES!

- No Deductible when using a non-plan Attorney.
- No Exclusion or limitation when you are defended by your city, county, etc.- we're there with you!
- No Exclusion for "activities not carried on in a professional capacity in the course and scope of employment."
- No penalty for cancellation.
- Monthly Fee Only: \$11.25 (Based on 50% or more eligible group participation).

The PLEA Plan

- The Legal Defense Fund shall pay on behalf of participants legal fees for the following matters which arise from a duty related incident, as defined.
- Defense of criminal charges, including all hearings or appearances before any court of Federal, State or local government, in which the participant is the defendant.
- Advice, consultation, and preparation for a grand jury investigation hearing conducted against a participant.
- Defense of civil lawsuits.
- Defense of administrative proceedings which arise from incidents involving the public.

Incident means an actual or alleged act or omission to which this plan applies, which is first reported to the Legal Defense Fund during the period the participant is covered by the plan. An incident can occur on or off duty.

Duty Related means actual or alleged acts or omissions of the participant while acting within the scope of his or her authority as a law enforcement officer.

Reimbursable Costs means filing fees, court costs, and transcripts.

Membership Notes

Paige Meier
Business Manager

Many thanks to all of our members who are actively participating in the Lodge by getting their dues in on time, letting us know when their address changes, and staying in touch. Thanks, too, to the many members who continue their membership once they retire. And a HUGE thanks to all of you that made a donation to the Lodge. Your generosity helps us help you.

A Greener Lodge

In 2010 the lodge started going green by sending 2nd and final renewal notices by email only. In 2011 we hope to start expanding that to email ALL renewal notices for all our members. So, **do we have your email address?** If not, please send it to us. To keep dues down (and dues have not risen in 10 years!), we will now only send 2nd and final renewal notices by email. If you're not sure, send it to us anyway:

foplodge@sonic.net.

Currently about 10% of our members have not given us an email address. So, unless you're sure we have it (we've contacted you in the past by email), please send us your email address. Thanks!

We are continuing to request that all members keep their addresses up to date. The Grand Lodge and the Virginia State Lodge have **required** that we do this to prevent returned mail on their end. Many of you have followed through with this, but there are still quite a few members who have not done so.

We recently sent out an email asking those members whose addresses are not up to date to do this as soon as possible. Please check the address that is printed next to your new membership card. If it is not your current address, please update your file as soon as possible. And, as always,

please let us know when you move as well.

Here's how to change your information at the Grand Lodge site:

1. Log onto the Grand Lodge site at: www.fop.net.
2. If you don't already have a login and password, go to the **New User Registration** page. Enter your last name, the membership number from your membership card; Virginia for the State Lodge; and 060 for the Lodge number.
3. Then enter a user name and password for the site.
4. New and already registered users can then enter the Members Only area of the Grand Lodge web site. To change member information choose **My Tools**, then **Update My Information**.
5. Remember to enter and save it only once.

It is up to individual members to make these changes on the Grand Lodge website

Once you've entered your current information, it will be reviewed and approved by the Lodge Secretary or the Business Manager. We will then update your Ranger Lodge file. The Grand Lodge then makes the change and sends the information to the Virginia Lodge. Doing this will ensure that you continue to receive all mailings from the Grand and VA Lodge as well as the Ranger Lodge.

The Grand Lodge specifically designed their system to allow individual members to keep their files current. The system is very easy to use, so check it out.

We have been receiving many checks for dues payment where the address on the check or the return address on the envelope is different from the address we have on file for a member. Based only on that, we don't change our files unless you specifically ask us to.

Lodge 800 Number

Member support is always available by email or phone: 800-407-8295. Please call *only* between 10AM and 7PM Eastern Time. The phone is handled by past Executive Director Randall Kendrick. Leave a message and he'll get back to you as soon as possible.

Lodge Web Site

Webmaster Duane Buck runs the Lodge's web site:

www.rangerfop.com. There, you can join the discussion forums, renew your membership online and pay by PayPal or check for announcements on NPS or Lodge issues. Contact us with any login problems.

Please Note Lodge Address

Finally, it is essential that you address mail to us in the following manner:

**National Park Rangers Lodge
PO Box 1481
Twain Harte, CA 95383**

Letters addressed otherwise, like "FOP Lodge" or "Ranger Lodge" have, unfortunately, confused our post office in the past.

Help The Ranger Lodge: Participate!

The Lodge is entirely membership driven. Other than the Business Manager, we have no paid staff or outside help other than rangers. We need your participation to keep us running and addressing issues that you or your colleagues think are critical to doing our jobs.

If you've got an issue you think needs attention, call or write us. Even better, suggest how it might be solved and become involved in that solution.

If you or your park have tried different techniques, programs or tactics that you think may benefit your fellow rangers, send us a note and we'll publish it in *The Protection Ranger*. If it's a critical warning or tactic, we'll send it to our email list.