

The Protection Ranger



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

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President's Report

by Tim Woosley

FLRA Hearings Still on Track

The hearings to determine whether or not the U.S. Ranger Alliance is appropriate is slated to begin on March 4th. Thanks to all who have sent in donations to cover expenses incurred during the hearings. See below for a detailed look at the hearing process.

Required Occupancy Task Group

Many of you may have seen the notice in the Morning Report a few weeks ago about the work group that has been established to look at housing issues, more specifically required occupancy. The news of the task group came as a complete surprise to the Lodge. We were not informed that persons were needed for the group nor were we asked to send any comments regarding required occupancy.

NPS-9 Update

The NPS-9 committee will be meeting for the (hopefully) final time in early March. The final draft must then go to the National Leadership Council for approval. Afterwards it will be released to the field for final review.

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SIGS

After much delay, I received and forwarded to the field the latest Sig order. Sig is now requiring all persons to sign an affidavit before their order is processed. Please include your home address on your order so I can send you the form. Remember that all weapons are to be carried on duty and cannot be resold or traded. I am hoping that an interim memo will be coming out soon authorizing us to start offering the P-230 and P-239 for plain clothes use.

On March 4-6 hearings will be conducted by the Federal Labor Relations Authority

Federal Officers Weekend

The third Federal Officers Weekend sponsored by the Grand Lodge-FOP will be held April 4-6 at the Quality Inn Hotel in Silver Spring, MD. Some of the topics to be discussed will include: Federal Officer's Retirement, Federal Collective Bargaining, Special Problems for 1811s, Special Agents and 083 Police Officers. If you are interested in attending please call our 800 number. Registration is \$95.00 plus hotel costs.

Federal Labor Relations Authority to Determine Status of USRA

Two years ago I promised you I would work diligently to move us closer to establishing a collective bargaining unit. I have kept my promise. On March 4-6 hearings will be conducted by the Federal Labor Relations Authority (FLRA). All the years of hard work put in by your Lodge officers will culminate with this hearing.

The process began with my education in the world of Federal Labor Law. Our distinguished law firm of Passman & Kaplan and others initially provided me with enough information to fill 3 file folders. Imagine how much more information I have collected since then! Mr. John Mahoney was assigned to work directly with me to ensure that everything we did was correct. We also began to educate the members as well. We revised and republished *A Place At The Table*--an excellent overview of collective bargaining.

Mr. Ed Passman and I met with then-NPS Chief of Employee and Labor Relations George Morris and Jodie Vargas to inform them we were formally beginning the process. We asked them to furnish us with a list of names of all commissioned persons in the Park Service and to indicate on the list those persons whom they felt were ineligible to join the union or vote in the show of interest. After several months we received the list which we used to calculate the show of interest numbers.

After some debate we decided to call our new organization the *United States Ranger Alliance*. This organization is not affiliated with the FOP in any way. We did this primarily because we wanted our union to be run exclusively by Rangers. At that time the Grand Lodge FOP did not yet have the expertise in Federal Labor/Federal Officers issues. (We have, however, recently seen an increased emphasis and understanding of the issues at the Federal level under the leadership of President Gallagos.)

The next step consisted of conducting a "show of interest" (SOI) vote. We developed a card that contained the

information required by the FLRA. This "straw poll" is used to determine if at least 30% of an identified group--in our case Law Enforcement Rangers, Criminal Investigators, Special Agents, and Jailers--were interested in our pursuing the formation of a union. You were asked to fill out and return the SOI card which was included in *The Protection Ranger* or mailed out. ANY non-supervisory Commissioned Ranger, CI, Special Agent, and Jailer, seasonal or permanent, were eligible to vote. It also did not matter if you were a member of the Lodge in order to vote. This is known as our "Community of Interest".

There are also a number of parks that currently have bargaining units in them. In an attempt to include them in our proposed unit we needed to "carve them out." They were also sent SOI cards within the "window period" before the expiration of their contract. We were able to include three parks whose window periods were open at the time the petition was submitted and another 7 were included in amended petitions submitted to the FLRA throughout the year. We received a strong overall response to the SOI. In fact, we extended the time period during which we would accept SOI cards twice.

As the collector of the SOI cards it was my job to enter specific information from each card into a database so that when the petition was submitted I could, as per FLRA regulation, include an alphabetized list of the names of everyone who sent in a card. The original cards were included as well. The actual RO Petition (petition for exclusive recognition) is pretty straight forward for a government form. We had to specify our community of interest, an estimate of the total number of people in the community of interest and indicate the name of a contact person, etc. The petition was submitted to the FLRA and copies were forwarded to the Park Service, Department of Labor, and the 3 unions in the carve-out parks. We were also required to submit a list of officers and a statement of the objectives of the union.

After the petition was submitted we awaited the response by the Agency (NPS). They chose to challenge our

petition on three points. They are:

1) The show of interest was deficient. NPS felt that the total number of persons that we indicated in our community of interest was too low and furnished us with a new list which was supposed to "accurately" reflect the number of commissioned persons.

2) NPS contends that a nationwide unit would not promote the efficiency of operations of and effective dealings with, the Agency (we'll get into this later), and

3) That we are barred from organizing or joining a union under an Executive Order which states, in essence, that a unit will not be deemed appropriate if it contains "any employee engaged in intelligence counterintelligence, investigative, or security work which directly affects national security." Their justification is that since we perform drug interdiction we fall under this ban.

After the petition was submitted we had to focus on two main tasks: 1) Writing the provisionary Constitution and bylaws for the USRA and 2) Tracking the window periods for the carve-out parks. I had several sources for constitutions and bylaws to help in developing ours. Among them were the National Treasury Employees Union, the U.S. Park Police, and the FOP's National Labor Council. After three or four trips between myself and John Mahoney we finalized the Constitution and bylaws in January of this year. It was then submitted to the Department of Labor. If the USRA is granted exclusive recognition one of the first orders of business will be for the membership to amend and ratify the Constitution and bylaws.

As I mentioned before, we were successful in obtaining the same minimum of 30% show of interest in 7 other parks with existing unions. The process was the same as the overall show of interest vote. I sent out cards to a contact person at each park when the window period opened. This is 60 to 105 days before the expiration of the contract. Again, I sent in the cards and an alphabetized list of names to John Mahoney who sent in an amended petition

to the FLRA, Dept. of Labor, Park Service, and the affected union.

This brings us to the point we are at now: the hearings before the FLRA. We will be providing testimony in support of our claim that rangers, et al should be represented by our organization *The United States Ranger Alliance*. We must prove three things:

1) The proposed unit contains a clear and identifiable community of interest. You will remember that our community of interest consists of all non-supervisory law enforcement ranger, Criminal Investigators, Special Agents and Jailers. Community of Interest can be defined as those things which the employees in the proposed unit have in common, such as position description, duties, lines of authority, etc.

2) The proposed unit will promote effective dealings with the Agency and,

3) The proposed unit will promote efficiency of operations of the Agency.

The meaning of the first two is pretty self explanatory. We must provide examples of how the USRA will accomplish these things. We have an advantage over many organizations in this situation in that we can point to specific examples of how the Ranger Lodge has done these things. We have an established track record and have every intention of continuing our productive relationship with the NPS as the USRA.

Rangers from parks where we are attempting the carve-outs will also testify. They will be giving examples of how the existing unions were unable, or refused, to help them with a problem. It is important to note that we can succeed in the overall issue of the USRA but lose our case in some or all of the carve-out parks. Obviously our goal is to have as many people as possible eligible to join the USRA.

The Park Service will also be bringing in witnesses to testify as to why we don't meet the tests listed above, along with their original challenge to the number of

persons in the community of interest. A representative from each of the carve-out unions will also testify.

Many people in and out of the Park Service will be watching these hearings very closely. The future of how we will relate to the NPS and how they will relate to us is at stake here. Regardless of the outcome, we will continue with our tradition of fair and constructive dealings with the NPS and in trying to improve the living and working conditions of rangers.

Will the Upcoming Changes in the Welfare Systems Impact Park Resources?

by Bob Martin, President, National Park Rangers Resource Protection Fund

This is a question I posed to Dr. Gary Machlis, head of the newly formed NPS Social Science Branch. Dr. Machlis felt confident that our NPS lands will be impacted by a certain portion of those who will have their welfare benefits cut or eliminated.

With changes in the federal welfare program and subsequent changes at the state level, it is anticipated that millions will be eliminated from the welfare rolls. Many of these will seek and find gainful employment while some will look to other ways of making income. Unfortunately, some will look to exploiting resources, some of the best of which are found in our National Parks. This will range from illegal homesteading on NPS lands to poaching, looting, burglary and other forms of plundering.

As the NPRRPF has been expounding on for years now, nearly all our NPS resources have a value on the black market. For example: trophy antlers, wildlife meat and parts are commercialized; plants are being taken for landscaping; archeological resources are rapidly finding their ways to international

collectors; mushrooms are being picked for commercial markets and hallucinogenic mushrooms are picked for the illegal drug markets.

Our resources lay wide open for all comers and most parks do not have adequate protection staffs to effectively deter it. The NPRRPF recommends that field rangers, supervisors and managers begin to develop strategies to deal with what will, in the next five years, assuredly be a period of unprecedented pressures on park resources as a result of this change in our social programs.

Most parks do not have adequate protection staffs

The NPS must continue to better prepare their Ranger Force to meet these challenges by including resource enforcement/protection elements into their strategic planning, work plans and give this matter adequate consideration during budget planning as well. Parks should consider dedicating rangers to resource protection, or in areas where this is not possible, managers should make it clear to their protection staff that resource protection is the overarching priority for them, second only to the need to provide emergency care for the visitor. While visitor services and protection are important, the agency needs to provide clear direction that the resource comes first. Without adequate resource protection the very existence of our National Parks will be in jeopardy.

Rangers will also have to assume an active role in preparing for this upcoming dilemma: begin to forge firm relationships with local law enforcement, wildlife protection and public land management agencies, as well as drug and gang task forces; and create a network of intelligence sharing with these and other federal agencies. Many areas of the country are creating "Environmental Task Forces." Find out information about this and make your supervisor or Chief Ranger aware of it.

Seek cross-training opportunities with

other agencies who are leading the way or are heavily involved in dealing with recent increases in resource impacts. Here at REDW, with funding support from the Chief Rangers Advisory Board, we recently coordinated a 40 hour Cooperating Agency Resource Protection Course. Thirty-five LEO's and Agents from 7 different organizations attended the course. This has created a network of personnel and created a forum which heightened our awareness of each other's missions, capabilities and issues. Asian Gangs are becoming more involved in illegal mushroom harvesting in the Northern California parks. Because of our established relationships within the Southern Oregon and Northern California area, state troopers, game wardens, NPS, BLM, USFS LEO's as well as state park rangers and local timber security personnel are sharing information and are better prepared to protect their resources.

Resource protection training and equipment are also vital to prepare our rangers. One does not have to wait to attend formal training to learn tricks of the resource protection trade. Get your hands on copies of Ragner Benson's books: *Hardcore Poaching* and *Survival Poaching*. Get copies of videos such as National Audubon's *Guns, Greed and Wildlife* or National Geographic's *Wildlife Wars*. Seek a policy within your park that should any ranger attend any resource protection or specialized training courses, that ranger be required to put on at least a one day session to share what they learned at the course. Explore pooling training dollars with other parks in your cluster or subcluster to put on a formal resource protection training session. Ask local resource agencies if they will be offering any formal LE training and if rangers from your park could attend. Seek ride along opportunities with your local game wardens. We must never stop learning as poaching and resource plundering is an ever evolving art.

In all probability we will soon experience impacts to our resources in unprecedented levels. It is up to everyone of us--from the field seasonal to managers at all levels of the agency--to recognize this and begin to prepare for it. The winter and spring are

times usually set aside for planning, budget allocating, staffing level determinations, special program development, etc. Get involved!

Send questions, concerns, comments or submissions for future *The Resource Protection Ranger* articles to Bob Martin, NPRRPF, P.O Box 1733, Crescent City, CA 95531.

Correction: Missed Byline

The *Good Faith* article which appeared in the last issue of *The Protection Ranger* was written by Lodge Secretary Randall Kendrick.

FERS 6(c) Update

by Dan Kirschner

We realize that it seems like there is no activity in getting the FERS 6(c) past coverage claims processed. We called WASO to inquire as to the delay, and it appears that the person who is responsible for approving the claims was out of work for an extended period of time. This person is back and the process is back on track. We sympathize with your frustrations and hate to sound like a broken record, but the claims are being processed.

It will take time--probably even another year or two (and we wouldn't be surprised if it took three or four years)--to get all the FERS past coverage claims processed. Could the Bureau and Department speed up the review, approval and back-pay process? They could if they allocated more people to the process, but for now the Bureau and the Department are going at the speed they deem appropriate. We have asked for a speeded-up claims review, approval, and back-pay process. Thus far, though, we see no indication that there will be any changes in the near future.

The Department is considering establishing a 6(c) processing center in Boise that would be managed by the BLM.

Even if this central 6(c) processing center were created, the FERS NPS 6(c) claims would probably never go to this central processing center. Most of the FERS NPS 6(c) past coverage claims have already been processed by the NPS. These claims are being reviewed at Interior and, after approval, the claim goes back to the NPS where the appropriate personnel actions are changed. After the personnel actions are "cut" then the payroll office calculates the back-pay.

The back-pay claims have been averaging about \$8,000 per ranger with a range of around \$2,000 to \$20,000. The PAYPERS system will make a Thrift Saving (back-pay) Deduction, but it won't include any missed interest. The delay in processing the back-pay claims has cost you a lot of money--probably in excess of \$4,375--towards your retirement.

Recall the date of the start of the Stock Market Bull Run? 1995 and 1996 were banner years for the stock market and especially the S & P 500. Do you have your thrift savings going into the "C" fund? If you had your 10% going into the "C" Fund and the government 5% match also going into the "C" fund, you saw your retirement savings grow over 50% in those two years alone!

Back-pay claims have been averaging about \$8,000 per ranger.

Here are the numbers for a GS-7 ranger. The government owes you two steps of back-pay for 1992 and two more steps worth of pay for 1993. For the average ranger this means you missed out on about \$300 of thrift deductions in 1992 and about \$600 in 1993, and about \$300 for the first half of 1994 (remember Ranger Careers kicked in mid 1994). Now, for GS-7 and 9 rangers, the Law Enforcement Pay Reform Act minimum pay rates probably mean that you may not have been placed at the proper step when you were promoted to GS-9. Thus you may even be earning back-pay for periods beyond July of 1994!

For discussion purposes, let's limit ourselves to the missed thrift money for 1992-1994. Also, we will do simple yearly interest calculations that will result in under-calculating the amount of interest you would have earned.

The total missed thrift deposits for 1992 through mid-1994 equals \$1,200. In 1993 the "C" fund grew at a rate of 10%--thus your 1992 \$300 would have grown to \$330 in 1993. In 1994, the "C" fund grew at a rate of 1.3%--thus your \$330 from 1992 and the \$600 from 1993 would have grown to \$942. In 1995, the "C" fund grew at a rate of 37.4%--thus your \$942 from 1992/93 and the \$300 from 1994 would have grown to \$1,706. In 1996, the "C" fund grew at a rate of around 22%--your \$1,706 from 1992/93/94 would have grown to \$2,081.

You will get a thrift back-pay deposit for the amount of \$1,200. But you will have missed-out on about \$800 in interest earnings. Remember, the \$800 is a conservative calculation because we didn't consider the pay period deposits and the compounding interest, nor did we consider that you might be under-stepped as the result of the Law Enforcement Pay Reform Act!

Now let's consider what would happen to \$800 over the next 15 years (average number of years till retirement) and with the "C" fund growing at an average of 12% a year--the total stock market goes up about 10% a year and the "C" fund is usually doing better than the total stock market. Thus, \$800 would grow to about \$4,375 in 15 years. What about \$1,000? Some of you missed out on that amount and more, especially if you are stationed in one of the special law enforcement pay rate areas! \$1,000 would grow to about \$5,475. As you can see, the failure to quickly calculate and make back-pay corrections hurts you both now and in the future.

Thus, added to our frustration of how long this entire process has been taking, we are also being injured financially in the present and future. All this pain and frustration takes us back to that one nagging question: "Isn't there some way to

speed up the claims process?" If we had a collective bargaining agreement, we might be able to speed up the claims process. But, without one, the Bureau and Department will do what they deem is proper.

FLSA Update

by Dan Kirschner

GS-9s: The good news is that WASO-Personnel has reviewed the GS-9 Resource Protection Ranger Position Description and has advised WASO-Administration that these positions should be classified as FLSA non-exempt positions. This means GS-9s should be covered by the FLSA and receive full time and one half overtime pay for all overtime work.

The bad news is that, so far, WASO-Administration has yet to take action on this finding. We are sending the Director a letter and hope that this issue will be resolved more quickly than the 6(c) past coverage issue. Once again, we know this issue has been with us since July 1994, but we promise that we will do whatever is needed to resolve this issue.

GS-11s: WASO-Personnel was not directed to look at the FLSA classification of GS-11 Protection Rangers. We think the reason for not reviewing these positions was because there is no standard GS-11 position description. While federal law, regulations, and court rulings clearly state that supervisory personnel, who perform at least 20% production work (FLSA covered non-exempt work), should be classified as non-exempt employees, the NPS appears to be unable to consider GS-11s in a process similar to the 9s.

While we had hoped to be able to resolve this matter in a manner similar to the GS-9s, we are now looking at other alternatives. While we are reviewing these alternatives, we will take the following action:

In the same letter (referred to in the FLSA

GS-9 entry, above) to the Director we have asked that the Director direct the NPS payroll personnel to properly code (compensate at the full time and one half rate) FLSA GS-11 Exempt employees for the performance of non-exempt overtime (production) work. The agency already does this for fire suppression, but has somehow neglected to include law enforcement, search/rescue, and emergency medical service work. The law is very clear in stating that when an employee performs non-exempt overtime work, the employee is to be compensated at the full time and one half rate.

We realize this is a significant back-pay issue for many employees and we will continue working for the fair resolution of this issue.

Your LE Retirement Endangered by Disability

Lodge Board

As we move further into the reality of being 6(c) covered LE officers, a number of benefits as well as problems become apparent. One emerging problem has to do with the necessity for LEOs to meet medical standards. Currently the Lodge is looking into the following three cases in an attempt to understand the options available to Rangers who must deal with either injuries or medical conditions which prevent them from performing the full range of LE duties.

True Stories

Item#1: A ranger was called out in the dead of night to take action on a report of a suicidal woman in a large eastern park. No backup and no park dispatch services were provided. The woman, who turned out to be drunk, ran the ranger down and drove off. After an operation on his knee, doctors have pronounced him disabled for life and unable to resume his LE career. After delaying light duty for weeks after the attending physician said he could perform these duties, the park provided on and off again light duty. As of today, the ranger is a GS-5 dispatcher with

Workman's Comp making up the difference to a GS-9. To the best of our knowledge, the dispatcher job is temporary and will not be offered full time. The ranger may be forced to receive a disability payment of 40% and have no job.

One possible solution would be to give this ranger a 6(c) covered support job dealing with LE and FF training, equipment maintenance and/or procurement. This would preserve his 6(c) status and allow him to complete his 20 years. After all, he routinely risked his life doing park work, was doing so at the time he was run down, and should--in all fairness--be allowed to complete his 6(c) time.

Item#2: A ranger in a large western park has become ill with a heart condition. The doctors so far are telling him he cannot perform LE work and should not be engaging in strenuous fitness exercise. He is just a few years short of completing his 20 years of 6(c) qualifying time. Heart conditions are recognized in many states as a by-product of stressful LE work. The ranger is willing and able to do non-LE 6(c) qualifying work as mentioned above but he is not being offered

Item #3: An officer of a sister DOI agency was injured in a carry-out of an injured visitor. So far, the agency has told him to resign or accept his 40%, clear out of the agency house, and be gone. He is appealing, with Lodge assistance. There has been no job offer.

The Lodge is concerned about these cases and would like to solicit information on any similar situations. If you know of any, please contact us via the 800 number or by mail. We would like to examine as many cases as possible to determine the options available and look for ways to work with NPS to insure fair and equitable treatment for our rangers.

Do you think more than 40% is needed in the case of disability? Many municipal departments give up to 75% for disability.

As you know Ed Clark, one of our Vice-Presidents, is coordinating the development of medical standards for the NPS. He is in the process of determining

all of the available options and working with RAD in developing a comprehensive program in this area. Hopefully, with your input we will be able to provide information to aid in this process.

Leave Donation Request

Two issues ago we ran an appeal for leave donations for Brother Terry Morris of Blue Ridge whose wife, Karen, suffers from a chronic disease. He's in need again and could use any annual leave you can spare. To donate, contact your local personnel officer; you will be given a form to indicate how much leave you wish to donate and the name of the person to whom you wish to make the donation. Your thoughtful gift of leave will be greatly appreciated by Brother Morris and his family. Thank you!

International Police Association Invites You to Join

If you are an active duty or retired peace officer, the International Police Association offers the best travel deals in the world. As a member of IPA, you have nearly 270,000 potential hosts in 59 nations who will make you feel at home while treating you like a VIP--not to mention the nearly 9,600 members right here in the United States.

IPA members offer each other fantastic deals on food, lodging, transportation, tours and contacts with local police agencies.

Police officers the world over share a special bond. As one IPA member said: "Wherever you travel, there's always somebody who speaks your language-even if you don't speak the same language!"

For \$20 membership dues a year (plus a one-time \$5 enrollment fee), you will be offered exclusive travel opportunities as well as the privilege to host fellow police officers visiting your community or country.

Contact Nick Mileur, (Lt (ret) Placer County S/O, Auburn, CA)
IPA Region 29, Northern California
PO Box 651, Auburn, CA 95604
PH 916 885-4711, FAX 916-885-8228
E-mail: npmileur@psyber.com
Thanks!

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or: bassman@inlink.com
Region's 8s excellent IPA page.

Adverse Medical and Fitness Standards by Randall Kendrick Lodge Secretary

The big rumors flying through the ranger ranks--aided by very public statements from a prominent chief ranger or two--are that rangers will soon face mandatory fitness and medical requirements that may be career ending if not met. In blunter language: either you run fast enough or lift enough weights to meet the standard or lose your commission. This is even more scary if you consider the possibility of meeting height to weight ratios and vision uncorrected standards. Add to the above the fact that park rangers, if hurt on the job and cannot complete a full 20 years under 6(c), will lose ALL of their 6(c) time and fall under the regular civil service laws (*see Disability article pg. 5*).

The US Park Police have a system whereby if an officer is hurt on the job and cannot complete the full 20 years, he or she is given the option of retiring with two thirds pay. A ranger in the same situation is given 40% if there are no dependent children. Other state and local agencies usually give the officer a light duty job to fill out the remaining years of his career.

Based on what is happening to a member of this Lodge and a former member of the Lodge, the NPS does not do this. The best you can expect is a fairly low level position with Workman's Comp. making up the difference in pay. Any annual pay raises, however, are based on the lower grade, not whatever step of a GS-9 or GS-11 you were.

Six years ago, rangers were faced with a mandatory fitness program. We saw the unfairness of this and went to former national president of the Grand Lodge, Dewey Stokes. He was sympathetic and went straight to then Interior Secretary Lujan who, in essence, told the NPS that if their proposed fitness standards prompted a lawsuit--which the FOP was fully prepared to initiate--he would not approve it. The NPS backtracked and eventually issued NPS-57, a program which not only can be lived with but, in my opinion, is an excellent guideline for life long fitness and health. There is no doubt that if the NPS gives you three hours per week to develop and maintain fitness, then the agency deserves your three hours per week of sincere and dedicated effort.

My question to the NPS is this: why not give this program a chance to work? And, why are you letting some parks withhold the paid three hours per week of physical training time? Consider this: there is a member of this Lodge who has been made to accept a non-LE job because he was hurt during a late night emergency callout. He has lost his many years of 6(c) coverage, and is back under the civil service retirement system. You could end up in the same boat if you hurt yourself doing physical training. There is a two-fold problem here and in order for the Lodge to take action to rectify it, we need to hear if you are interested or not.

Opinions Needed

Do you want the Executive Committee to give a high priority to (1) stopping health and fitness guidelines from becoming mandatory with the risk of losing your Commission, and/or (2) do you want the Lodge to work to have a program to provide 67% of pay if you become disabled instead of 40%? Drop the Lodge a letter or postcard so we can gauge the depth and

extent of concern and take appropriate action. You can e-mail the Lodge at: randallfop@tcia.net or you can write: FOP, PO BOX 151, Fancy Gap, VA, 24328. Don't phone on this one because we want to preserve the various comments. Your names will not be made available to anyone but exec. com. members. Also remember this: if rangers had a national contract, any new program, like the one rumored here, are fully negotiable BEFORE they can be implemented.

Women's Issues

by Deborah Girard

The newly formed Women's Issues Committee will hopefully generate interest and voices from many Federal Law Enforcement women across the country. This committee will address a variety of issues affecting women including: legal concerns for use of force, training curriculums, standards, policy, physical fitness criteria, pregnancy, health issues, firearms use, and protective gear.

Use of Force Training

As reported in past issues of *The Protection Ranger*, the Lodge has previously advised NPS that a use of force policy should be adopted and included in the review NPS-9. This Policy should recognize and address gender differences (such as physical size, male and female learning styles, socialization etc.).

Many women have concerns in the areas of police defensive tactics and use of firearms. Some of these are related to officer size, while others may be due to gender-based, biological/social developmental differences. Women's issues in the use of firearms are currently being addressed by trainers in larger agencies such as the FBI, U.S. Marshal's Service, LAPD and NYPD, as well as arms manufacturer academies such as SigArms (this will be covered in a future article).

There are many women in law enforcement who want to improve their police survival skills but may have been excluded in the past by traditional methods

of training. Instructors need to be aware that women learn differently. This is due, in part, to cultural aspects in their personal development, formal education, and family rearing. Females are rarely encouraged to be aggressive or to engage in confrontations or contact sports as children.

This can result in language barriers in the training environment with the use of analogies such as "football" or "combat" training in defining physical confrontations for women. Many women never played football or received combat training, and often cannot relate to such examples. In addition, for many women, simply being touched or grabbed by males in a training environment is uncomfortable.

Many women have participated and excelled in contact sports such as basketball, rugby, field hockey, and soccer but have done so in an all female environment. Research has shown that female officers would benefit from initial training in an all female class. Later, after gaining confidence and an adequate skill level they would be eager to move on to co-ed classes. More effective training might result from careful and thoughtful instruction (Kennedy, 1996).

Females are rarely encouraged to be aggressive or to engage in confrontations or contact sports as children.

Another area to be considered is the question of what level of force women need to use in a confrontation that escalates beyond officer presence or verbal control. I remember a FLETC instructor pulling all four women in my class aside and informing us, rather quietly, that we would not utilize the soft-hand controls being taught, but rather we would have to go to the highest level of force because of our size. Clearly, these kinds of comments are at odds with the training that we are supposed to be receiving with respect to the Use of Force Continuum. Smaller

males and females need to develop sufficient police survival skills so that they can successfully utilize the entire Use of Force Continuum with complete confidence in their abilities.

There are NPS police defensive tactics instructors who consistently advocate that the NPS adopt the Pressure Point Control Tactics (PPCT) system of police defensive tactics training because it is a system utilizing simple, effective and humane techniques. PPCT is well researched, defensible in court and well suited for people of a wide range of sizes. It makes sense to have a single system to use throughout the NPS, and this seems to be a good system for policing agencies.

The NPS would certainly benefit from adopting this standardized system, however, because of physiological differences: the same technique doesn't work on all subjects equally (Kennedy, 1996). We need to retain the flexibility of adopting additional techniques as needed, particularly for women and small officers. Women may generally lack upper body strength, but studies show that in situations where use of force is necessary, women perform well and effectively using alternative tactical defense systems (Pabst, 1992). In addition, we need to be certain that the trainers are diverse and are aware of women's training needs.

References:

- Kennedy, Elizabeth. 1996. *Defensive Tactics & The Female Officer*. WomenPolice. Spring: 35-36.
Pabst, Georgia. 1992. *Are Women Better Cops*. Time Magazine. Feb: 70-72.

Awards Nominations

The Interagency Committee on Women in Federal Law Enforcement (ICWIFLE) is inviting nominations for its two annual awards: the Julie Y. Cross Award, which honors an outstanding woman in the field of federal law enforcement; and The Doris McCrosson Manager Award, which recognizes the contributions of a federal manager toward the enhancement and promotion of career opportunities for women in law enforcement. Each agency may submit two nominations for each award. Nominations have to be received by

ICWIFLE by April 11, 1997. Interested offices should submit their nominations to Bob Marriot in Ranger Activities, WASO, as soon as possible.

For nomination forms and more information about ICWIFLE, contact:

Deborah Girard
RR1-Box 387 Raymondskill Road,
Milford, PA 18337.
(717) 296-7408

Conference

Police Leadership For The 21st Century: Women Implementing Change. (Second Annual Conference): March 8-11, 1997 in Anaheim, CA. Sponsored by: National Center for Women and Policing. For more information, call:

(212) 651-2532 voice (212) 653-2689 fax

Been There?

by ROOKAT212A@aol.com
(who wishes, otherwise, to remain
anonymous...--ed.)

While on patrol one sunny morning, I observed an unrestrained dog on National Park Service property running alongside its owner. A clear violation of 36 CFR. I advised the owner in a conversational tone of the violation. The owner paused briefly, then laughed and said: "Screw you! You can't do anything to me! You're just a Park Ranger!!" The owner then continued on her way, muttering under her breath.

Surprised by what just happened, I paused and collected my thoughts. As my instincts and ego started to kick in, I began to think, "Well, what would happen if I...?:"

A) Discontinued any further attempts to contact this violator, since it's only a "dog off leash" violation?...

B) Discontinued further contact, since any enforcement action may be construed as harassment, and might generate a COMPLAINT!!!

C) Chased after the violator and casually

reminded her that she is in a National Park and rules apply to everyone, so would she please produce identification, so I could write a piece of payin' paper, or

D) Chased after the owner, performed a perfect flying tackle, handcuffed the "perp" write her a ticket with a mandatory appearance in US District Magistrate Court and impounded the dog after it attacked me for confronting its owner.

***"Screw you! You can't do
anything to me! You're just a
Park Ranger!"***

Sound familiar? This is where "Officer Discretion" takes over. Any of these responses could generate a complaint. Any of these actions or inactions could get me suspended for either dereliction of duty or unnecessary harassment of innocent citizens.

Where does your park/agency stand? What kind of visitor information/education programs are in place to prevent such an incident, or something like it? Do you take public indifference personally? What is the prosecution record on this type or similar minor offenses? And, most importantly, how can you continue to enforce a regulation equally if you allow visitors to corrupt standards by ignoring you?

Society is changing. Occasionally, the public radically interprets (i.e. ignores) the law saying, "Hey, the law doesn't apply to me because I'm not affecting anyone else" or "There are real criminals out there. Leave me alone to enjoy my afternoon in peace!"

Please respond by writing me with relevant anecdotes. I want to know if you've "been there and done that" and what the results were.

I can be reached at:
ROOKAT212A@aol.com
Thanks.!

SURVIVAL AWARENESS

by Randy Seese, DEWA

Stress. What is it? How does it affect your ability to react and survive a confrontation with subjects you encounter in the line of duty? Stress is defined in the dictionary as urgency or pressure causing mental or physical tension or strain. I think we all know what stress feels like.

When the human body feels stress, certain involuntary responses occur: we have an increase in blood pressure, heart rate, breathing, blood flow to muscles and metabolism, preparing us for conflict or escape. These physiological changes are in part due to the sympathetic nervous system secreting the hormone epinephrine and related substances. The blood flow is redirected to the major muscle groups and away from the extremities.

Stress can be a friend or foe. It can enhance or decrease our ability to perform certain motor skills. As a friend, we need a certain level of stress to optimally perform such skills as accurate shooting or to accurately throwing an object such as a football. To perform at this level of stress the heart's rate must be about 115-145 beats per minute. As a foe, when the heart rate rises above 145 BPM, such as when we are in a high stress situation of having to physically control a subject, or encountering an armed subject, our ability to perform these motor skills for accuracy events are limited.

Why does this happen? Lets explore some available research. The *Yerkes-Dobson Law* states that "optimal arousal for behavioral efficiency decreases with increased task difficulty or complexity." (Arousal is the scientific term used to describe various levels of stress.) This research was later expounded upon by Cratty who analyzed and suggested that motor skills can be classified on a progressive continuum from fine to gross. More specifically; *gross motor skills* are skills that generally involve the action of large muscles or major muscle groups,

such as walking, jumping, pushing or pulling. *Fine motor skills* are performed by small muscle groups, such as hands, fingers and frequently involve hand-eye coordination. *Complex motor skills* are those that involve a series of muscle groups in action that requires coordination and timing in a space of time. These combine a series of individual muscle group actions to form a single event, such as a shooting stance that has muscle groups working in different or non-symmetrical movements.

E.C. Poulton suggested that skills could be classified into categories based upon environmental events or conditions. Barbara Knapp identified the perceptual influences on open and closed motor skills. *Open motor skills* are conducted in a dynamic environment, involving an actual encounter with a resisting subject. *Closed motor skills* are conducted in a non-stressful environment, such as firearms qualification.

The study of the effects of stress on performance led to the development of the *inverted-U hypothesis*. This proposes that increases in arousal are accompanied in the quality of performance up to a certain point, after which additional increases in arousal result in deterioration in the quality of performance. Research by Weinberg and Hunt (1973) found that high or even moderate levels of stress appear to interfere with fine muscular control and decision making. Their study found that cognitive complex skills degrade with even slight increases in stress. In contrast, motor skills dominated by large muscle groups, which have minimal fine motor control and very little decision making or cognitive complexity, were not affected by high levels of stress.

The studies of the effects of the inverted-U-hypothesis led researchers to examine not only the muscle groups involved in a skill, but also the cognitive processes associated with the skill. Sage (1984) states that "motor tasks requiring concentration, judgement, discrimination, and fine muscle control, such as tracking, aiming, and steadiness are performed best under low to moderated states of arousal. Conversely, motor tasks demanding

strength, endurance, speed, or in which ballistic movements dominate, necessitate rather high arousals."

Two studies have been done in relation to stress and its applications to survival training. One, the Westmoreland study found the preferred shooting stance under high levels of combat stress was the Isosceles stance. The other one, Garcia, found that side handle baton techniques that require the use of complex motor skills under times of high stress were rarely used.

So what does this mean for us? And, you might ask, how do we control stress to increase our survival? There are a couple of ways. The first is to design a survival training system that keeps the number of response options to a specific threat at a minimum. Research done by Hick, from which comes *Hick's Law*, states that when the number of response options to a specific stimulus increases from one to two, reaction time increases by 58%.

Along with this we need to reduce reaction time (react faster) through preparation and training. You can see from what I've stated so far that our brain and body have limitations under stress. The training should be geared to increase our awareness of potential assaults and identify cues and subject actions that indicate an assault. It should also provide a preprogrammed response to these specific assault cues. And, teach maintaining a reactionary gap of at least six feet when confronting someone.

Another consideration is dealing with anxiety and fear. Their effects can also be limited through the design of the training system—one that quickly develops physical skill competence. Skill competence creates skill confidence, which in turn reduces the working heart rate and places the officer in the proper physiological and mental state during a survival encounter.

The second way is to consciously control elevated heart rates. There are three considerations. The first is to engage in combat fitness training in the form of high intensity anaerobic training. You need a certain amount of strength, power and

speed to control a subject quickly. Aerobic capacity gives you a tactical advantage when stamina and endurance are needed. Practice survival breathing techniques before a potentially stressful encounter. Breathe in deeply through the nose for 3 to 5 seconds, hold the breath in your lungs for the same count, then exhale through the mouth slowly. Do this 3 to 4 times and you'll find your heart rate decrease.

The third consideration is your faith system. We are warriors on the job and deal with possible threats of violence and death any time we encounter violators. The fear of death can cause your stress level to elevate to the point where you can't react properly. Make fear, pain and death your friend, accept them, embrace them, symbolize them. Be sure that deep within you is a fundamental vision of self, god or universe that provides you the winning edge. Become comfortable with your faith system, and be prepared for the possibility of death, so this peace of mind lowers your heart rate.

Think about it.

Letters To The Editor

Editor:

I would like to address an issue stated in articles by Ed Clark and Helen Phillips in *The Protection Ranger*, Vol.VII No.6 1996. They mention the problems women in law enforcement face regarding effective training for smaller body types. As a highly trained survival tactics instructor, who has trained with many leading defensive tactics instructors in the nation, I can tell you they are right. Not all defensive/survival tactics systems are developed to train the smaller, average officer to control resistive behavior. In addition, not all systems stress that their instructors are sensitive to the needs of these smaller officers.

Exploring this issue closer, let me state I have tried for several years to persuade the Park Service to address the need for a professional, standardized subject control training system. We have seen some

limited success in the Northeast Field Area. But, as I understand it, there still are a multitude of systems being taught throughout the system. Individual parks rely on different systems or non NPS instructors close to their areas to instruct. Yes, historically these instructors are males, with martial arts backgrounds. Many techniques and tactics are not designed for the smaller average officer. So I can see where the frustration that led to the writing of these articles comes from.

Think about it though: what is a small officer? Joe Ferrera is a Detroit PD officer and a PPCT Instructor/Trainer who is 5'2" and 130 lbs. His teaching philosophy is that a small officer is any officer facing a larger opponent. Yes, all but the largest of rangers have encountered subjects larger than they. So, what do the rest of us need to effectively control larger opponents? Good, effective, easy to learn, easy to retain tactics proven to work for average officers in the field during actual resistance. In addition, we need trainers, trained in a system whose main goals are to increase the survival of their students and not to impress us with their skills. Also, we need the agency to face the fact of the need for professional, standardized training.

Another interesting facet of these articles is the fact that this training issue was brought up by a fellow ranger from my park, who had access to training through me and direct knowledge of the tactics I could teach. Over the past couple of years I attempted to offer monthly survival tactics training sessions. If attended, these sessions would increase confidence in the techniques of the smallest of officers. Not only did this ranger not attend, neither did very many others.

This is frustrating to me because here I am, a dedicated instructor whose main concern is to teach the best techniques, to the best of my ability. My ultimate goal is to insure each ranger is as well trained as I can make them to survive encounters with resistive subjects. These techniques could have been promoted to other smaller female officers throughout the Service.

Now it appears through the help of the

main Lodge this ranger is trying to say that the Park Service is not offering effective training and defensive tactics for female rangers.

So what is the Lodge doing through these committees and articles, promoting this ranger or trying to effectively deal with the needs of all female rangers? I would hope that as a professional organization our goals are to increase the working conditions for all protection rangers. Why wouldn't the FOP Lodge urge the Agency to standardize and utilize a professional survival tactics training system, one that is based on teaching the most effective tactics for all officers of all body types and genders?

(the writer requested that this be printed without his name--ed.)

The Lodge Board Replies:

The Board did submit over 50 pages of comments to the NPS concerning NPS-9. We specifically advised that the NPS should adopt a single standardized suspect control (use of force) system. We also advised and proposed several other things such as the inclusion of a shooting review policy (we provided a sample). We agree with the anonymous writer that we are saying that the NPS is not offering effective training and defensive tactics for female rangers. In fact, we don't think the NPS is providing effective training in defensive tactics for **any** (male or female) rangers. Even as the author noted in their letter, very few rangers attended the classes that were offered by the author. The Board is greatly concerned for the safety of the membership. We want to see FTO implemented and we want to see a standardized suspect control (police survival, defensive tactics, etc.) system adopted service-wide.

Editor:

This article is to address the issues of Cultural Diversity and Women's Issues, brought up in articles printed in the most recent issue, Vol.VII No.6, 1996 of *The Protection Ranger*. Many interesting problems and issues were addressed directly and indirectly.

We can all agree that any type of discrimination should be addressed promptly through the available systems in place. And, that as a fraternal organization we should be sensitive to the needs of all our members. But, the way these issues were addressed is causing concern with some members of the DEWA FOP Chapter.

The article by Ed Clark says that through ongoing discussions with female rangers The Lodge was prompted to consider how to address these issues. It further states, we propose to form two new committees within the lodge. I read this to mean that these committees were to be proposed, then considered. We find it very interesting. A Lodge Chairperson of the Women's Issues Committee has been appointed. But, we are still seeking someone to Chair the Cultural Diversity Committee.

The big question is, Who decided we needed these committees and who appointed the Chairperson? We think most members of the Lodge would agree, we pay annual dues not only to support the organization, but to be fairly represented and have our voices heard. The right to consider and vote on any new committee and Chairperson should be up to all Lodge members, not just the Executive Board. In fact, in this instance, not even all the Executive Board members were aware of these committees until after the printing of the articles. If the Board felt this committee was that important, at least, those specific members that could benefit from its inception should have had a vote on who would represent them. These decisions and appointments give the appearance of dictatorship, not fair representation.

Chapter presidents have direct contact with local members. It seems reasonable that a chapter member experiencing a problem or having questions about issues would at least seek information and relief from fellow chapter members and/or president. This would at least help the feeling of fraternity and camaraderie our organization is trying to promote among local members. The president would then address these issues with the national

Board. The problems that must have been relayed to the national Board by the elected Chairperson were not mentioned to members of the local chapter. Members and President of the DEWA chapter were not aware of any of these supposed ongoing problems.

When chapter members brought their concerns of these articles to the DEWA chapter president's attention, he questioned the local national VP who had no knowledge of the proceedings. In addition, he sent a memo to the Lodge President and Internal Affairs VP, who was also the writer of the article, to address the concerns. As of yet he has not gotten any kind of response from the latter two.

Hopefully we are not the only chapter with these concerns. If any other chapters have similar concerns, please address them to the newsletter.

DEWA, FOP Chapter

The Lodge Board Replies:

We often find it very difficult to find people who are willing to assume a leadership role in specific issues, i.e.: to do volunteer work on behalf of the membership. In the past, the President appointed committee chairpersons at his/her own discretion. The concerns expressed in the DEWA Chapter letter over how chairpersons are appointed will be discussed at the next Board meeting. We **strongly encourage** all members and chapters to send in their comments on this issue. And while you're sending in your comments, don't just voice your concerns, volunteer to take on a leadership role for the issue(s) that concern you the most.

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Secretary's Report

by Randall Kendrick

Payroll Deduction of Lodge Dues

Please make sure that when and if you choose to pay your dues by payroll deduction--Form 1199--you mail the entire completed form to the Lodge. We enter the relevant data and take the form to our bank where it is processed and forwarded to the DOI payroll office. This makes tracking your payment easy and accountable.

Membership Renewal

You do not need to send an application blank when you renew your membership. Just be sure your name is readily apparent with your money.

Legal Defense Insurance

We mention Legal defense Insurance in each issue of *The Protection Ranger* because we feel it is a necessity for law enforcement officers in this litigious age. The Lodge makes no money from the FOP plan (it probably costs us a little in clerical time, etc). There are other plans out there but the FOP plan is the only one designed by and for law enforcement officers. It costs \$150/year until there are 50 Lodge members who sign up for it; the cost then drops to \$132/year. Can you and your family stand a \$10,000 hit in lawyer fees? Can your career stand a hearing or case against you without the protection of a lawyer? The rules have changed in the past five years and you may lack protection you should have. In the next issue of *The Protection Ranger* we'll have an article from a ranger who had direct experience with litigation and makes a strong case for Legal Defense Insurance.

1997 Membership Cards

We have mailed all the 1997 membership cards to those whose dues don't expire until February, 1997 or later. Those with anniversary dates coming up have gotten their cards but will soon be receiving reminders. It saves the Lodge money if you can renew without a dues reminder and we can do more for you with the resources at hand. If you have paid your dues and have not gotten your membership card, please contact the Lodge so we can correct the mistake.

Cuyahoga Valley NRA FOP Chapter News

(All Chapters & Parks are encouraged to send in news of local Lodge events--ed.)

Lodge elections in July 1996 resulted in the election of new officers: Paul Chalfant, President; Cindy Swaggard, Vice President; and Dave Vasarhelyi, Secretary/Treasurer. An agenda of work related issues has been prioritized and will be the focus of the new administration. Our Lodge has also adopted a stretch of Highway (OH 303) for roadside cleanup. The road runs through the park and is signed identifying the NPS Rangers--FOP Lodge.

Three former Lodge members from CUVA have moved on to different parks or careers:

Greg Roth Transferred to Shenandoah NP as a ranger (LE)

Greg Cravatas Accepted a position as a police officer in Strongsville, OH

Judy Knuth-Folts Accepted a position as the Chief Naturalist for MetroParks serving Summit County, Ohio.

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427 N. Shamrock Street
East Alton, Illinois 62024

Contact: Mary A. Stanley
Phone: (618) 258-3752
Fax: (618) 258-3393

Commitment to Law Enforcement

Lodge Dues and E-Z Pay Plan

Lodge dues are \$52/year (just \$2/pay period using Direct Deposit). 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.

Block D: Check the **Checking** box.

Block E: 090220704401

Block F: Check **Other** FOP Dues

Block G: Type: New Amount: \$2.00

Section 2:

Agency Name USDI-National Park Service

Agency Address Your Park's HQ Address

Section 3:

Name and Address of Financial Institution:

Patrick Henry National Bank
POB 1776
Bassett, VA 24055

Routing Number
0514-0395-7

Sign with your name and Date (Section 1) then send to the Lodge at POB 151, Fancy Gap, VA 24328. We'll have our bank sign it and then we will send it to NPS payroll. We realize this is, initially, a little more complicated. Ultimately though, it makes your dues paying a little more painless and our cash flow a lot steadier. We hope you'll choose this option.

Your dues cover a legal assistance fund available to all members. Members of the Lodge will automatically be entitled to initial and free legal advice from Passman and Kaplan for Service related problems. The Lodge may cover additional legal services for a member. Your dues are used extensively to cover legal expenses involved in questions or challenges to LE retirement cases of national importance, LE Backpay claims, FLSA coverage and overtime disputes, as well as individual assistance to members in need. Thank you for maintaining your membership in the US Park Rangers Lodge.

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

Lodge Members: Please check the Renewal Date on your address sticker and renew if necessary. Get Form 1199, Direct Deposit, from your Fiscal Office and pay your dues in easy installments of only \$2/pay period. Thank You!

Lodge Phone: 800-407-8295
10 AM to 10 PM Eastern Time

Application for Membership

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

Name: _____

Signature: _____

Address: _____

City: _____

State: _____ ZIP: _____

DOB (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) Membership (newsletter only): \$35/year.

☐ Renewal

Enclose a copy of your Commission (new members only).

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