

FOP

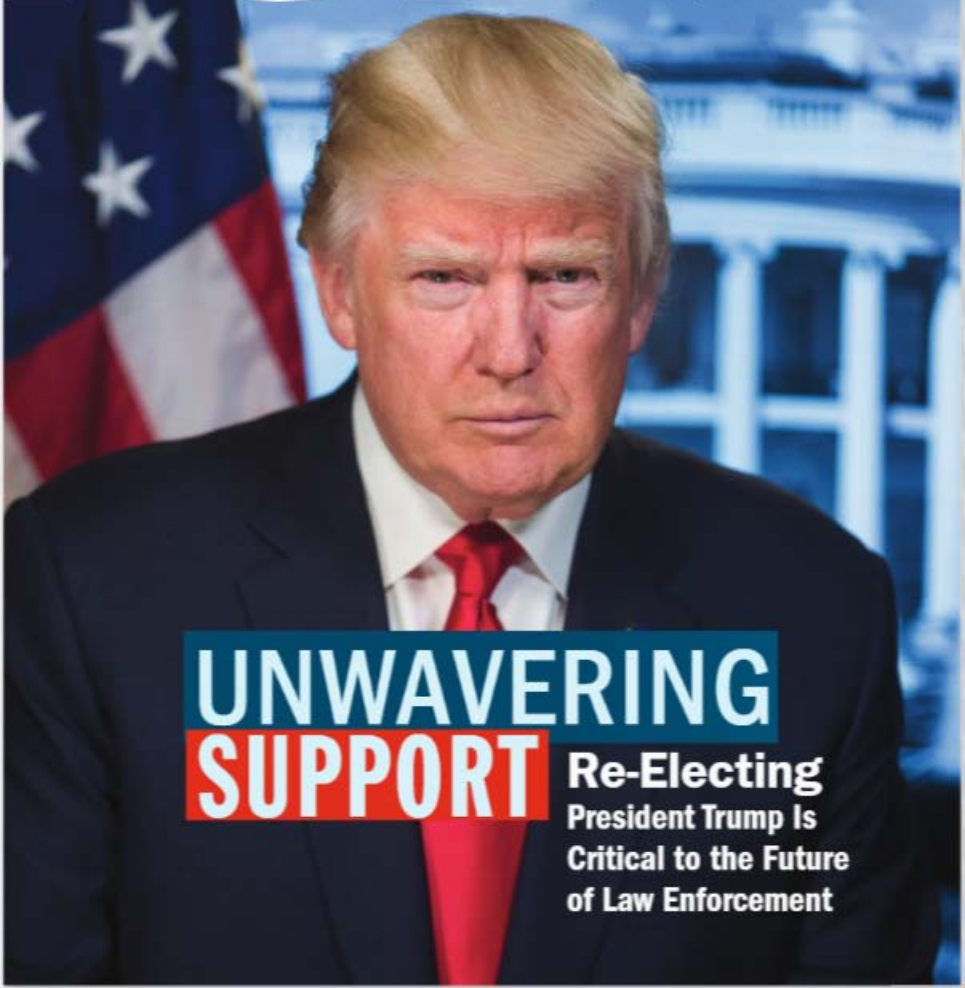


JOURNAL

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SEPTEMBER 2020

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UNWAVERING SUPPORT

Re-Electing
President Trump Is
Critical to the Future
of Law Enforcement

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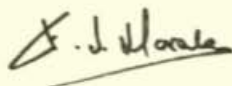
PURPOSE-BUILT APPAREL & GEAR

FROM THE DESK OF THE CEO

I haven't always been a CEO. My 5.11 story began as one of the company's original product engineers. Back then, our mission was to innovate, and years later, it still is. We are committed to building answers for the future, solving a problem before customers even know one exists. Our biggest successes have never been seen by the general public because we design products that address agency challenges that need unique solutions.

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The Case for Donald J. Trump



// WRITE TO US! If you have further questions, contact Patrick Yoes at (504) 235-6300, or pyoes@fop.net.

Four years ago, the members of the National Board voted overwhelmingly to endorse Donald J. Trump for president. Against all expectations, he won a decisive victory in the Electoral College — with our help.

Mr. Trump earned our support then because he made promises to us and laid out an agenda that aligned with the interests and concerns of our members.

I believe the FOP's endorsement this year is even more important. We intend to fight for him, round up every vote and lift every voice that supports his re-election to make sure he is victorious. Hyperbole is commonplace in an election year, brothers and sisters, but I believe the re-election of President Trump is critical to the profession of law enforcement and the future of our country. Let me tell you why he earned our endorsement:

- President Trump has kept his promises to law enforcement. From the campaign trail to his first moments in office, law enforcement and the safety of law enforcement officers have been paramount for him and his administration.
- President Trump has been unwavering in his support of law enforcement. Even at the lowest moments for police in the United States, President Trump has been there for us. He's had our back when no one else did.
- President Trump listens to law enforcement officers on the issues. When we have reached out to President Trump for help on issues like expanding eligibility for the Public Safety Officers' Benefits program, police reform or issues related to the mental wellness of police officers, he takes action — swift and decisive action.
- President Trump seeks to build consensus and support on issues that really matter — like the First Step

Act, history-making criminal justice reform, or the executive order entitled "Safe Policing for Safe Communities." His administration reaches out to the Fraternal Order of Police. These are the actions of a true partner.

Bottom line: President Trump has been there for us every day for the last four years, and we need to be there for him on November 3.

Appointments, Executive Orders and the First 100 Days

The FOP was very active in working with the Trump transition team from Election Day to Inauguration Day. My predecessor and Executive Director Jim Pasco were in regular communication as President Trump was putting together his cabinet.

The FOP was one of the first organizations to announce support for William P. Barr's successful nomination to U.S. attorney general, and we most recently endorsed the nomination of Chad Wolf to be the next secretary of the U.S. Department of Homeland Security.

The FOP also endorsed a host of other presidential appointments in the administration's opening months and continued to do so throughout the president's first term — including R. Alexander Acosta to be the administration's first secretary for the U.S. Department of Labor. We were also a key supporter of his successor, Eugene Scalia.

This administration seeks our input and listens carefully to our feedback when making appointments — especially key law enforcement appointments — throughout the administration. If he is re-elected, I believe President Trump will continue this process of including and consulting the FOP when making important appointments.

After just weeks in office, President Trump issued a pair of executive orders fulfilling his campaign promises to the FOP

and law enforcement. The first, entitled "Preventing Violence Against Federal, State, Tribal, and Local Law Enforcement Officers," directed the U.S. Department of Justice to develop strategies and pursue legislation to "enhance the protection and safety of federal, state, tribal and local law enforcement officers."

A second executive order created a Task Force on Crime Reduction and Public Safety to develop new and improved strategies to reduce crime in our nation's communities. A third executive order directed the U.S. departments of Justice, State and Homeland Security, as well as the director of National Intelligence, to develop strategies to combat transnational criminal organizations trafficking in human beings, weapons and drugs.

For the Trump administration, public safety, crime reduction and protecting the men and women in law enforcement is a top priority.

In March 2017, President Trump, Vice President Pence and the attorney general received the Executive Board and other prominent leaders of the Fraternal Order of Police at the White House to discuss the very serious and pressing issues facing our citizens when it comes to public safety, homeland security and law enforcement.

The previous administration placed restrictions on the 1033 program and similar surplus equipment programs available to state and local law enforcement agencies, which limited the effectiveness of the program and made it more difficult and expensive for law enforcement agencies to obtain needed equipment. In 2017, after only a few months in office, President Trump announced the repeal of those restrictions in a statement at the FOP's National Biennial Conference, restoring law enforcement access to critical, life-saving gear.

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Protect Yourself, Protect Your Family



// WRITE TO US! If you have further questions, contact Joe Gamaldi at ggamaldi@fopu.org.

Our job has always been a dangerous one, but the recent unrest across the country and the ensuing hateful, inflammatory rhetoric toward police officers have placed us squarely in the crosshairs. The number of officers shot nationwide is rapidly increasing. In 2020, we have seen a 32% increase in officers shot from the same point in 2018 and a 10% increase from 2019, which was a historic year for officers shot. The attacks against us are only going to become bolder and more violent. The anti-police activists and domestic terrorists have now resorted to researching police officers online and showing up at their private homes. You can imagine what they do when they get there: They protest and damage property, and recently they even opened fire on an officer's home. The aim of this is to intimidate police officers, intimidate leaders within our profession to be silent and intimidate our families by striking at the place we are most vulnerable — our homes. We must take the necessary steps to protect not only ourselves, but also our families.

The Fraternal Order of Police prides ourselves on providing innovative solutions to any problems that our brothers and sisters face, and this extremely dangerous issue is no different. The National FOP is excited to announce our partnership with MAGEN: the ultimate privacy protection for law enforcement. MAGEN's service will provide you with protection from anti-police activists and domestic terrorists attempting to "dox" you (expose your address and other personal information) by removing your information from the internet, at a very reasonable price. For less than \$4 a month (\$45 yearly), you will be able to have your personal information "scrubbed" from the internet, so that no one can find your home address online. You can also sign up to have your spouse or other family members "scrubbed" at a discounted rate. MAGEN will remove your personal information from people search websites like

Spokeo and Whitepages that are exposing your home address online. Not only that, but its search technology will scan the entire internet for websites and files exposing your personal information that are not easily found by simple online searches. MAGEN's goal is to make sure nobody finds out your home address from the internet.

The attacks on us are not going to stop. There are reports coming out every week of people exposing the personal addresses of our members. This has happened across the country, in Texas, Washington, Oregon, Minnesota, New York, Colorado, Missouri, Arizona, Kentucky, Oklahoma, and the list goes on and on. This is a dangerous tactic that is becoming increasingly popular, and we must

protect those who are the most important to us: our families. This service provided by MAGEN allows us to do that. You will be able to give yourself and your family peace of mind that your personal information and your home are secure. I cannot emphasize enough how important it is to protect yourself in our current climate, and we encourage all of our brothers and sisters to sign up for this important service and tell other FOP members about this opportunity. You can find more information on this service at magen.online/fop.html.

Be safe out there, and if you need anything, I am only a phone call, text, email, or Facebook or Twitter direct message (@JoeGamaldi) away. **FOP**

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An active or retired officer or their family can call 24/7 and be assured there is a trained active listener on the other end of the line.

COPLINE is strictly confidential.

If you or someone you know is struggling, please have them reach out to COPLINE and/or seek professional help.

CALL: (800) COP-LINE (267-5463)

ATTENTION RETIRED OFFICERS

COPLINE is always in need of retired officers to volunteer to answer the "Call." The training is free. The application and other info can be found at <http://www.copline.org/volunteer>.

For information on volunteering for COPLINE, please feel free to contact Stephanie Samuels at Director@copline.org or (732) 577-8300 x8

Turbulence, Change and Growth



// **WRITE TO US!** If you have further questions, contact Jimmy Holderfield at (904) 813-0067, or holderfield@fop.net.

Brothers and Sisters, what a turbulent year we have had, and we are all ready to get back to some form of normalcy, whatever that may be. First, it was COVID-19 that virtually shut the country down, and then it was civil unrest as we have never experienced in this great country. Our noble profession is under attack, and at times, it seems as if no one cares or is willing to step up for us. Now more than ever, we must be FOP strong and stand together and united.

Many lodges, throughout the nation, have become increasingly aware of the importance of becoming major players in the political process by actively engaging in local elections. This is key to restoring support for law enforcement at the local, state and national levels. As an example, Chicago Lodge #7 not only endorsed the Republican nominee for Cook County state attorney, former judge Pat O'Brien, against the incumbent, Kim Foxx, but they also followed it up with a contribution to O'Brien's campaign in the amount of \$57,800. Lodge #7 President John Catanzara gets it. He recently addressed the presidents of the various FOP State Lodges and said, "The days of sitting back and not actively supporting pro-law-enforcement candidates are over. Here in Chicago, we are putting our money and our sweat equity to work." John went on to urge other state and local lodge leaderships to do the same in their respective areas.

Our Grand Lodge Board of Trustees followed suit by endorsing President Donald J. Trump for re-election as president of the United States. Each State Lodge conducted polling of their respective local lodges and announced their pick at the fall Board meeting held in my hometown of Jacksonville, Florida, on September 4. The process for the selection is directed by resolution, and

many hours of research and preparation were performed by our National Legislative Office, General Counsel and screening committee. The process went well, and the outcome was expected. How could we as an organization ever consider any candidate who advocates defunding the police or stripping our brothers and sisters of qualified immunity?

One major positive change that has occurred in the last year is our growth in membership. We are near the 356,000 mark, which is an increase of 6,000 members since last August. Why the substantial increase? The world is getting out about the FOP and our outstanding labor, legislative and legal plans. You are driving this expansion, whether it is through your social media posts, your community events or just talking to a friend in another agency. Keep it up, and continue to spread the good word.

I am excited to inform you that we have several major projects in the works that will bring about efficiency, effectiveness, expediency, functionality and economy. First, we are on the fast track to developing a new website. This is long overdue, and we have awarded 911MEDIA the contract for development and management. We expect the "go live" date before the end of the year.

The second major project is a new membership database and lodge management system. We are reviewing various companies that specialize in membership database systems. We want the new system to meet the specific needs of the members, local and state lodges, and the National Secretary's Office in capturing information that can be used to not only track per capita and membership cards, but also tie into our app, new website and email system. We also want our members to be able to make simple changes to their profile, such as updating

mailing or email addresses. This project is anticipated to take up to 18 months for implementation.

The third major project will be a digital FOP Journal magazine. Currently, we publish a quarterly Journal that consists of 32 pages with 16 pages of advertising. The cost is nearly \$700,000 per year and will only increase due to printing and postage. We are negotiating a new Journal product and delivery method. We anticipate going to a bimonthly (every two months) schedule with the option of publishing every month, and an expansion of 52 pages. The cost reduces drastically to less than \$60K a year for the six issues. I am excited about the expanded issues, because every quarter I receive great information from our brothers and sisters for publication, but I simply do not have the room. Also, there is currently a six-week lag from the time articles are submitted to the time you receive the Journal. (This edition is a classic example, since I delayed it by two weeks so you could know who the National Board endorsed for president of the United States, but it is likely that many of you will have already voted early by the time you read this.) We are exploring ways to provide a print version for those members desiring to receive the Journal in that format. We anticipate a "go live" date with the Spring 2021 (March/April) edition.

In closing, I am proud that my dear friend and Jacksonville Lodge #5-30 President Steve Zona was honored with the prestigious Jack Dudek Award for 2020. Brother Zona is one of the hardest-working FOP members I have ever known. The major accomplishments he has gained for his brothers and sisters in labor, legislative, legal and insurance matters are stellar. Congratulations, President Steve Zona!

Be safe, and I will see or talk to you soon. **FOP**

What You Need to Know About Lodge Finances



// **WRITE TO US!** If you have further questions, contact Tom Penzo at tomfop@aol.com.

As your National treasurer, I continue to hear stories every year about lodges discovering theft or mismanagement of lodge funds. Last year was not an exception. In almost every case, the lodge has not been following its constitution and by-laws, there has been little or no reporting by the treasurer of lodge finances, and the lodge has not had procedures or not followed existing procedures for handling lodge funds. The basic answers to how to run your lodge and how to handle your finances can usually be found in your constitution and by-laws. These are the rules that govern your lodge. As lodge leaders, we must be familiar with them. It would be beneficial to review your local lodge and State

Lodge constitution and by-laws, as well as the Grand Lodge Constitution and By-Laws.

I am frequently asked by lodge presidents and treasurers about additional procedures for handling lodge finances. Some time ago, I was asked to put together a short list of bullet points on the most important topics for lodge officers to be aware of. I published this list several years ago, but have recently been asked about it again. The following is certainly not a complete list of all of a treasurer's responsibilities, but it is a list of important points that all lodge officers should be aware of. Having procedures in place and then following the procedures is the best way to avoid financial problems. How the funds are

handled by the lodge and how the funds are spent is the responsibility of all lodge officers, not just the treasurer.

The following list contains topics you should be aware of and procedures that should be used by all FOP lodges. If you need additional information, you can contact me at tomfop@aol.com.

Lodge constitution and by-laws: Review your lodge's constitution and by-laws. It will probably contain procedures for the treasurer and other elected officers to follow when handling the lodge's funds. Most will require regular financial reports to the lodge

Continued on page 13

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Get Out the Vote — and Be Careful on Social Media



// WRITE TO US! If you have further questions, contact Les Nei at lnnei@fop.com.

As if the COVID-19 pandemic weren't enough to deal with, we are now faced with attacks on our profession, the likes of which we could never have imagined. The false narrative that has been circulating over the past few years has finally ignited into a full-fledged firestorm.

This firestorm, which has vilified police officers and empowered criminals, was not caused by a single incident shared on social media, as many believe. There was plenty of fuel lying around. The constant desecration of law enforcement by the fake news media, prosecutors who refused to do their jobs, bail reform that released violent offenders back into the community after arrest, inmates incarcerated for violent crimes released from prison due to the pandemic, just to name a few, made for easy combustion.

Let's not forget to add that COVID-19 has left many people with none of life's normal activities, no work, no school, no sports, no socializing, and the stress of an uncertain health and economic future. The final ingredient is a presidential election in which one side needs to create as much chaos as possible, no matter what the cost. Is it any wonder we are where we are today?

Election Day is fast approaching, and this year, more than any other, is the time to stand up and fight back against those waging war on our honorable profession. I call on all FOP members nationwide to show that Blue Lives Matter by getting out to vote. This means you must vote and urge your family, friends and all other voting-age citizens who support law enforcement to vote as well.

Free Speech and Social Media

All Americans have the right to free speech. The First Amendment says so. However, we all know that does not mean we can say what we want, when we want, without repercussions. Unfortunately, many of our brothers and sisters forget this when using social media.

The Supreme Court has addressed the issue of free speech by public employees many times. The rule is there must be balance between the free speech of an employee as a citizen and the needs of government as an employer to perform its mission. The court has held that "If the speech touches on matters of public concern, then the court balances the employee's right to free speech against the employer's interests in an efficient, disruption-free workplace."

In applying that holding, the court has concluded that when public employees make statements pursuant to their official job duties, they have no free speech protection. Although police departments can't restrict any employee's free speech, what they can do is discipline an officer if their statements are the type of speech that affects the employee's ability to do their job or the agency's ability to carry out its functions.

In today's climate, we all are tempted to respond to the false narrative about police. In some cases, that temptation is fulfilled by posting on social media. But comments about others that can be viewed as derogatory based upon race, gender or other group affiliation can lead to the discharge of the officer.

The question is whether or not the officer is expressing their opinion on a matter of public concern and if the expression

REMEMBER, YOUR COMMENTS ON SOCIAL MEDIA CAN BE, AND PROBABLY WILL BE, TRACED BACK TO YOU AND THEN BROUGHT TO THE ATTENTION OF YOUR AGENCY, SOMETIMES WITH A DEMAND THAT YOU BE FIRED.

affects the agency's ability to perform its law enforcement function. It seems that today, that question is always answered to the detriment of the officer. I cannot count the number of times an officer has been fired because of postings on Facebook, Twitter or other social media. I appreciate the need most officers have to defend our fellow officers, but doing so by attacking others is more than likely going to jeopardize your job.

Remember, your comments on social media can be, and probably will be, traced back to you and then brought to the attention of your agency, sometimes with a demand that you be fired. If you must use social media, keep this fact in mind. Reread your post. The adage about not sending an email when you are upset with the person to whom you are sending the email also applies to social media. Consider waiting a day or ask someone you trust what they think of what you were about to post. Just remember that your job may be on the line. The benefit of the doubt you used to enjoy as a law enforcement officer seems to be gone, at least for now.

In closing, it is truly an honor and privilege to work with this National FOP Board on your behalf in fulfilling the dream of two Pittsburgh police officers more than 100 years ago. May God bless this great country and the FOP. **FOP**



Job Three: Be True to Yourself



// WRITE TO US! If you have further questions, contact Keith Turney at ktturney@fop.org.

In past articles, I have covered issues related to the sergeant at arms' duties to maintain order and ensure that only members and invited guests are allowed in meetings. In this article, I will briefly illustrate the sergeant at arms' role as it relates to the rest of an executive board.

Often the role of sergeant at arms can be misinterpreted as a sort of "bouncer," who, at the direction of other executive board members, is responsible for ejecting members. Some see the sergeant at arms as a subordinate role to the rest of the executive board, usually because the position is listed last in the order of board positions. This is far from reality. The position of sergeant at arms is equally as important as that of anyone on the executive board. It is an elected position,

like all board positions.

So, what does the sergeant at arms do when directed by another board member to have a subordinate member removed from a meeting? When posed with such a request, be true to yourself. What I mean by that is remain an independent thinker. Remind yourself and others that removing a member from a meeting is the most forceful action that can be taken in a meeting, as you are removing a member's right to participate and interact. Removal of a member should only be done under the most extreme of circumstances. Your actions could have reverberations well into the future.

Because this act is so critical, make sure you weigh all the facts and have a good sense of the mood of the rest of

the members present. Ask yourself what the motivations are behind removing a member and what other solutions may be better suited. Do not fall into the trap, or the excuse, of "I was just following orders." You were elected to the sergeant at arms position based upon what you stand for, and ultimately that is how you will be judged. Bottom line: Be true to yourself, and by doing so you are being true to the Order.

I hope I have been helpful in providing some of our newer members with a better insight into the role of sergeant at arms. If you are a seasoned sergeant at arms, let me know what you do to make your meetings run more smoothly. Until we meet again, stay safe and God bless. **FOP**

TREASURER'S MESSAGE

Continued from page 9 >

membership. Additional procedures, not covered in the constitution and by-laws, should be established by the board.

Bank statements: The monthly bank statement with the canceled checks should be sent to whomever is going to balance the account. It is recommended that you also have a copy of the statement sent to your accountant or someone on the board of directors to review.

Expense vouchers: A voucher is simply a form authorizing the treasurer to pay an expense. Your lodge should have expense vouchers printed and require that a voucher be filled out for all expenses before payment is made. I have a voucher in MS Word format that you can modify and use for your lodge. Email me at tomfop@aol.com for a copy.

Voucher authorization: Normally, the president has to authorize all expenses. The

treasurer should not release funds without proper authorization.

Receipts: You should require that receipts be submitted with all vouchers.

Maintaining your records: It is extremely important that you maintain good record-keeping procedures. Your lodge members, accountant, attorney or the IRS may need to review some of these records.

Ledgers: The ledger should show dates, transaction numbers and a description of each transaction, an income column, an expense column and a balance. Ledgers can be handwritten or computerized.

Budget: At the beginning of each fiscal year, you should draw up a proposed budget for your executive board or board of trustees. A budget is a guide to follow in regard to projected income and projected expenses for the next fiscal year. Your constitution and by-laws may require a budget and may require a board vote to change it.

Financial reports: Financial reports will

help keep your board of trustees and the membership aware of the financial status of the lodge. You should distribute a financial report at each meeting of your lodge.

Computerized record-keeping: The Grand Lodge highly recommends the computerization of financial records. The Grand Lodge uses QuickBooks.

Lodge Employer Identification Number: This number is issued by the IRS after you submit an IRS form SS-4. At no time should you use the State Lodge, Grand Lodge or any other lodge's Employer ID Number.

Taxes: Make sure that proper tax forms are filed every year. Not filing can result in your lodge losing its nonprofit tax status. All lodges must file a tax form each year with the IRS.

The National Lodge puts on a seminar each February in Nashville where we can provide you, your treasurer and your lodge leadership with all the information you need to run your lodge. **FOP**

In Tough Times, We Only Get Stronger

None of us could have possibly predicted the vile hatred and discontent being spewed recently toward our noble profession. A nine-minute incident in Minneapolis on May 25 has set our profession, our country, even our world afloat. Many law enforcement families across the nation have had tough conversations at the dinner table about themselves or their loved ones staying on in law enforcement. Yet we continue to answer the call in our communities when they need us, with honor, pride and professionalism.

Fueled by politicians and community leaders, the anti-police rhetoric and calls for defunding have led the headlines for several weeks. But slowly, our supporters, the silent majority, are refusing to remain silent any longer. Support has begun to pour into agencies all over the country, and "back the blue" rallies have turned out record numbers. While those who

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are trying to weaken us are at their worst, we have only grown as stronger. Our membership has rocketed to over 355,000 members in the past few months. In tough times, we only get stronger, which is why I love our fine and mighty Order and always will!

Your FOP has led the discussion in the media and with anyone else who will stop yelling and protesting long enough to listen. Since May 25, the National FOP

has been mentioned in media sources through interviews, articles and other platforms more than 21,000 times! The second-most-mentioned police group is just over 3,000. Combined, the other nine major law enforcement groups collectively have only about 15,000 mentions. This is solid proof that your FOP continues to be out front on matters of importance and national issues impacting our membership.

During these polarizing and political times, it is important to remind ourselves how and why the FOP was formed by our founding fathers in Pittsburgh. The FOP is for all officers, whether they are black or white, male or female, Republican or Democrat, various sexual orientations or preferences, liberal or conservative. We proudly welcome and represent all those who answer the call to wear the badge and serve their community. Remember this when having these tough conversations and conducting the business of your lodge. Our experiences in life might lead us down different paths of political beliefs, religions or convictions. But we all must unify and stand tall together against those who seek to disparage us.

Brothers and sisters, your National Executive Board is proud to stand with you and for you during these turbulent times. As other major unions and organizations step to the rear and turn their backs on police officers, we will continue to fight for you and have positive dialogue about your incredible work and sacrifice with whomever will listen. If you or any officers you know have been abandoned by other unions or associations, please know you will always have a home here in the FOP! As in many times before and still to come, we will weather this storm and come out better for it, because we are **FOP strong!** **ROB**



✉ **WRITE TO US!** If you have further questions, contact Rob Pride at fodge52pride@gmail.com.

PRESIDENT'S MESSAGE

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Support of Law Enforcement During the Pandemic

The FOP was in daily contact with key officials in the White House, as well as the U.S. departments of Justice, Homeland Security and Labor and the Federal Emergency Management Agency (FEMA), to ensure that the needs of our members during the pandemic and the national lockdown were met.

In early April, the FOP urged key officials in the Office of State and Local Law Enforcement (OSLLE) in the U.S. Department of Homeland Security to develop a best practices guide for law enforcement officers to minimize their risk of exposure to COVID-19. As a direct result of this request and the leadership of President Trump, the OSLLE published *COVID-19 Exposure and Risk Mitigation: Best Practices and Resource Guide for Law Enforcement*. This guide was issued in early April and was disseminated widely by the FOP, which encouraged its adoption by state and local agencies.

The FOP stayed in regular communication and provided critical feedback to U.S. Attorney General Barr on the public safety implications of the release of certain federal offenders from custody to prevent them from contracting the virus. AG Barr issued orders on this issue in early April, underscoring his continued support for the men and women on the front lines of the pandemic.

During the pandemic crisis, the FOP was in regular communication with the White House and officials with the Occupational Safety and Health Administration (OSHA) in the U.S. Department of Labor with respect to workers' compensation issues. Under the pre-pandemic regulations, an injury or illness is considered to be work-related if an event or exposure in the work environment either caused or contributed to the resulting condition or significantly aggravated a pre-existing condition. In talks with officials from the White House and the Labor Department, we asked that they establish a presumption for law enforcement officers who contract COVID-19 as an occupational illness so they are covered under workers' compensation.

Under the leadership of President Trump, the Office of Workers' Compensation Programs (OWCP) changed its procedures to specific COVID-19 claims: "If a COVID-19 claim is filed by a person in high-risk employment (including law enforcement officers), the Office of Workers' Compensation

Programs (OWCP) will accept that the exposure to COVID-19 was proximately caused by the nature of the employment, if the employer supports the claim and that the exposure occurred, and the claim is filed within 30 days, the employee is eligible to receive Continuation of Pay for up to 45 days."

In April, the FOP called on President Trump and U.S. Attorney General Barr to direct the Bureau of Justice Assistance (BJA) and the Public Safety Officers' Benefits (PSOB) program to establish a presumption that a law enforcement or other public safety officer who dies from COVID-19 or an illness or condition aggravated by exposure to the coronavirus did so in the line of duty. The BJA did give guidance on this issue, but the FOP believed that we needed a statutory change to ensure that the presumption would be fairly and justly applied.

The FOP worked with our allies in Congress to draft two bills: H.R. 6509, the Public Safety Officer Pandemic Response Act, and S. 3607, the Safeguarding America's First Responders Act. Both pieces of legislation would establish a presumption that law enforcement or other public safety officers who die or become disabled from COVID-19 or complications related to COVID-19 did so because they sustained a personal injury in the line of duty, provided that the officer engaged in line-of-duty actions between January 1, 2020, and December 31, 2021. The House legislation contains an additional provision for those who were injured or disabled in the line of duty in relation to the attacks of September 11, 2001.

In July, the House passed S. 3607 by unanimous consent and the president signed the bill into law.

Leadership in the Current Crisis and Police Reform

In December 2014, in response to the events that unfolded in Ferguson, Missouri, President Obama issued an executive order establishing the Presidential Task Force on 21st Century Policing. Of the 11 members of the task force, only three were career law enforcement officers and none of these three represented the rank-and-file officers.

To be clear, many of the recommendations of this task force were laudable and supported by the FOP. But the conclusions of the task force were diminished by the exclusion of the perspective of the rank and file, and the unfortunate fact that the task force was created in reaction to a specific crisis — the aftermath of the events in Ferguson earlier that year.

President Trump's announcement in October 2019 that he would establish a Commission on Law Enforcement and the Administration of Justice was not in reaction to any specific circumstance, but the fulfillment of a commitment he made to the FOP to help improve our nation's policing strategies. This 19-member commission included the perspective of rank-and-file law enforcement, and I believe the findings and recommendations of this commission will be positively received.

In the wake of the terrible tragedy in Minneapolis this May, our country came together and shared a moment of national grief and outrage. It seemed that an honest conversation about how to improve policing, restore confidence in police officers and better serve our communities had begun.

President Trump rose to meet the challenge. He engaged with the House and Senate, law enforcement groups like the FOP, and the civil rights and liberties community to seek solutions. He announced his support for efforts in the Senate to craft a bipartisan response that could pass Congress and reach his desk. When the legislative process broke down, President Trump met the moment and led the way with his executive order entitled "Safe Policing for Safe Communities."

Executive Director Pasco and I were with the president when he signed this executive order. President Trump understands that we cannot effectively police our communities without the confidence and trust of our citizens. In order to begin healing these divisions, we joined President Trump and the attorney general to meet with families of those who lost their lives in tragic police encounters.

Just as we watched productive conversations in Congress devolve into partisan gridlock, we saw peaceful demonstrations calling for police reform devolve into lawlessness, ugly riots and civil unrest. Tens of thousands of police officers and members of the public have been injured and hundreds of millions of dollars in damages has been done to our communities.

In too many communities, indecision and a lack of leadership resulted in widespread unrest. All across the country for weeks at a time, our summer nights were lit by the flames of burning cars, businesses and public buildings. In some areas, law enforcement officers were deprived of the authority and tools to effectively address the violence sweeping their communities. Law and order

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PRESIDENT'S MESSAGE

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gave way to chaos and mob rule.

In contrast, President Trump took forceful action and urged state and local leaders to take the violence seriously. He offered them federal resources, sympathized with the impossible position so many of our nation's law enforcement officers were in, and condemned the violence and lawlessness in stark terms.

He took direct action where he could — deploying federal resources to protect federal property, thereby freeing up local and



Florida National Trustee David L. Stevens, Chairman of the FOP National Board

state resources to protect their communities. President Trump launched Operation Legend, named after 4-year-old LaGend Talferro, who was shot and killed while he slept in Kansas City. This operation sent a "surge" of federal law enforcement officers to help local and state agencies fight the sharp increase in violence.

Last year, shortly after I was elected as National president, President Trump invited me, the new Executive Board and the presidents of our largest local lodges to the White House to grapple with the latest problem in policing — a very disturbing nationwide trend of local prosecutors failing to fulfill their public responsibilities. Law enforcement agencies were no longer confident that their counterparts in the courtroom would use the full force of the law to take and keep bad guys off the streets. In fact, many individuals charged with serious crimes during the recent periods of mob violence saw the cases against them dismissed. Under the leadership of President Trump, many of these offenders are facing federal prosecution for their actions.

Brothers and sisters, the Trump-Pence administration has never wavered in its support for law enforcement and public safety during these troubled times. They recognize that our top priority is to make citizens safe,

and wanton violence and ensure that law enforcement has the resources to do so.

Legislative Success in the Trump Administration

The president has always been an enormous supporter of the FOP and of law enforcement, despite the increased rancor on Capitol Hill and the disruption to our nation from the pandemic. With his help, leadership and support, the FOP enjoyed a great deal of legislative success during this administration.

Among these accomplishments in the first two years of the Trump administration were the Children of Fallen Heroes Scholarship Act, the Law Enforcement Officers Mental Health and Wellness Act, the Public Safety Officers' Benefits (PSOB) Improvements Act and the First Step Act. So far in this Congress, we have passed into law the Middle Class Health Benefits Tax Repeal Act, the Never Forget the Heroes: Permanent Authorization of the September 11th Victim

Compensation Fund Act, the Supporting and Treating Officers in Crisis (STOIC) Act, the Bulletproof Vest Partnership Grant Reauthorization Act, the Law Enforcement Suicide Data Collection Act and the Safeguarding America's First Responders Act.

Here is the full list of FOP-backed bills signed into law in the 115th Congress:

- **H.R. 510/S. 139/PL 115-50**, the Rapid DNA Act, implements the use of Rapid DNA instruments to inform decisions about pretrial release or detention and their conditions, solve and prevent violent crimes and other crimes, exonerate the innocent and prevent DNA analysis backlogs.
- **H.R. 613/S. 1084/PL 115-391**, the Lieutenant Osvaldo Albarani Correctional Officer Self-Protection Act, directs the Bureau of Prisons to make secure firearms storage areas accessible to employees at all of its facilities.
- **H.R. 695/S. 705/PL 115-141**, the Child Protection Improvements Act, allows organizations that serve children and the elderly to use the FBI database to conduct background checks on potential employees.
- **H.R. 909/S. 322/PL 115-334**, the Pet and Women Safety (PAWS) Act, expands

existing federal protections to the pets of domestic abuse victims and establishes a grant program to assist victims and their pets when they leave their abusers.

- **H.R. 949/S. 597/PL 115-141**, the Children of Fallen Heroes Scholarship Act, eliminates the Expected Family Contribution provision in the Pell Grant program for the children of public safety officers killed in the line of duty.
- **H.R. 1057/S. 372/PL 115-271**, the Synthetic Trafficking and Overdose Prevention (STOOP) Act, closes the loophole to allow U.S. Customs and Border Protection to effectively enforce customs laws that will stop the flow of deadly synthetic drugs into our communities from China.
- **H.R. 1428/S. 583/PL 115-37**, the American Law Enforcement Heroes Act, prioritizes the hiring of veterans and reservists through the hiring program administered by the Office of Community Oriented Policing Services (COPS).
- **H.R. 1616/S. 904/PL 115-76**, the Strengthening State and Local Cyber Crime Fighting Act, authorizes National Computer Forensics Institute to provide assistance and training to local and state law enforcement agencies investigating and prosecuting cybercrimes.
- **H.R. 1846/S. 782/PL 115-82**, the Providing Resources, Officers, and Technology to Eradicate Cyber Threats to (PROTECT) Our Children Act, reauthorizes the Internet Crimes Against Children (ICAC) Task Force.
- **H.R. 1865/S. 1693/PL 115-164**, the Allow States and Victims to Fight Online Sex Trafficking Act, updates and clarifies Section 230 of the Communications Decency Act to ensure that charges can be brought against interactive computer service providers who engage in criminal behavior or with reckless disregard to criminal activity.
- **H.R. 1892/S. 1108/PL 115-123**, the Honoring Hometown Heroes Act, amends existing U.S. Flag Code to allow governors to fly the American flag at half-staff in the event a law enforcement or other public safety officer falls in the line of duty.
- **H.R. 2142/S. 708/PL 115-112**, the International Narcotics Trafficking Emergency Response by Detecting Incoming Contraband with Technology (INTERDICT) Act, ensures that U.S.

Customs and Border Protection (CBP) will have additional portable chemical screening devices at ports of entry, mail and express commitment facilities, and more resources at the CBP labs.

- **H.R. 2228/S. 867/PL 115-113**, the Law Enforcement Officers Mental Health and Wellness Act, directs the U.S. attorney general to work with the U.S. departments of Defense and Veterans Affairs to identify and collect information on existing mental services provided to our nation's veterans and federal employees, and seek to create model policies and best practices for local and state agencies to design their own mental health and wellness programs.
- **H.R. 3249/S. 2703/PL 115-185**, the Project Safe Neighborhoods Grant Program Authorization Act, reauthorizes and funds the Project Safe Neighborhoods program.
- **H.R. 4477/S. 2135/PL 115-141**, the Fix NICS Act, requires all federal agencies and states to produce NICS implementation plans focused on uploading accurate, required information to the background check system.
- **H.R. 4854/S. 2345/PL 115-257**, the Justice Served Act, increases the capacity of prosecutors to address the backlog of violent crime cases involving suspects identified through DNA evidence.
- **H.R. 5750/S. 3714/PL 115-401**, the Ashanti Alert Act, directs the U.S. Department of Justice and the AMBER Alert program to establish an Ashanti Alert system for missing adults in certain circumstances.
- **H.R. 5788/S. 3057/PL 115-271**, the Securing the International Mail Against Opioids Act, closes the loophole and allows U.S. Customs and Border Protection to effectively enforce customs laws that will stop the flow of deadly synthetic drugs into our communities from China.
- **H.R. 5933/S. 2789/PL 115-271**, the Substance Abuse Prevention Act, reauthorizes the Office of National Drug Control Policy and the programs it administers.
- **H.R. 5955/S. 2961/PL 115-424**, the Victims of Childhood Abuse Act, reauthorizes the Act, reauthorizes and expands programs funded through the Victims of Childhood Abuse Act.
- **H.R. 6047/S. 207/PL 115-271**, the Synthetic Abuse and Labeling of Toxic

Substances (SALTS) Act, amends the Controlled Substances Act to set forth factors that may be considered as evidence to determine whether a controlled substance analogue is intended for human consumption.

- **S. 419/PL 115-36**, the Public Safety Officers' Benefits (PSOB) Improvements Act, makes key changes to the Public Safety Officers' Benefit program to improve transparency and accountability as well as reduce the existing backlog of claims.
 - **S. 756 as amended/PL 115-391**, the First Step Act, makes comprehensive criminal justice reforms, including the establishment of a comprehensive risk and needs assessment tool to provide an individual profile of all federal inmates and implement certain sentencing reforms.
 - **S. 2495/PL 115-141**, the Students, Teachers, and Officers Preventing (STOP) School Violence Act, reauthorizes and expands the existing Secure Our Schools program administered by the Office of Community Oriented Policing Services (COPS).
- To date, the following FOP-backed bills have been signed into law in the 116th Congress:
- **H.R. 724/S.479/PL 116-72**, the Preventing Animal Cruelty and Torture Act, provides criminal penalty for those who engage in "animal crushing" as well as for those who create or distribute such films.
 - **H.R. 748/S. 684/PL 116-94**, the Middle Class Health Benefits Tax Repeal Act, repeals a provision of the Patient Protection and Affordable Care Act that imposes a 40% "Cadillac tax" on health-care plans most likely to be used by law enforcement and other public safety officers.
 - **H.R. 777/S. 820/PL 116-104**, the Debbie Smith Reauthorization Act, reauthorizes the Debbie Smith Act.
 - **H.R. 1327/S. 546/PL 116-34**, the Never Forget the Heroes: Permanent Authorization of the September 11th Victim Compensation Fund Act, reauthorizes the Victim Compensation Fund (VCF) through Fiscal Year 2030, the same reauthorization Congress provided for the World Trade Center Health Program (WTCHP).
 - **H.R. 1865/S. 1300/PL 116-94**, the

National Law Enforcement Museum Commemorative Coin Act, directs the U.S. Mint to produce commemorative coins and divert some of the proceeds from their sale to support the National Law Enforcement Officers Memorial Fund.

- **H.R. 2368/S. 998/PL 116-32**, the Supporting and Treating Officers in Crisis (STOIC) Act, revives and expands programs designed to help officers and their families with stress reduction, suicide prevention and the promotion of mental health and wellness.
- **H.R. 2379/S. 1231/PL 116-18**, the Bulletproof Vest Partnership Grant Reauthorization Act, permanently reauthorizes the Bulletproof Vest Partnership (BVP) program.
- **H.R. 3735/S.2746/PL 116-143**, the Law Enforcement Suicide Data Collection Act, establishes a program to collect data on law enforcement and former law enforcement suicides at the local, state and federal levels.
- **S. 3201/PL 116-114**, the Temporary Reauthorization and Study of the Emergency Scheduling of Fentanyl Analogues Act, temporarily extends the authority of the Drug Enforcement Administration (DEA) to schedule certain fentanyl analogues as Schedule I substances.
- **S. 3607/PL 116-157**, the Safeguarding America's First Responders Act, establishes a presumption that law enforcement or other public safety officers who die or become disabled from COVID-19 or complications related to COVID-19 did so because they sustained a personal injury in the line of duty, provided that the officer engaged in line-of-duty actions between January 1, 2020, and December 31, 2021. Brothers and sisters, these are not the only reasons the president earned our support — I could probably go on and on, but I don't think I have to. He has spoken at every National Peace Officers' Memorial Service, even the virtual service of 2020, and on each occasion described from the heart how much he respects and values the men and women in uniform and the sacrifices made by them and their families. He is the leader we need for our profession and for our country, and I am so proud that the National Fraternal Order of Police has once again endorsed Donald J. Trump for the office of president of the United States. **FOP**

MEMBER SPOTLIGHT

Ismael Vince Canales

Maryland Lodge President Ismael Vince Canales still recalls the moment he first understood the strength of the FOP: shortly after becoming a Prince George's County police officer 28 years ago. When then-Treasurer Rick Fulginiti brought Canales to the Lodge #89 office to deal with an issue, he was inspired by watching President Darryl Jones at work. "I saw this African American gentleman get on a call with the chief of police and professionally, authoritatively and impressively address several matters in short order," Canales remembers.

Later, Fulginiti told Canales that Jones was a corporal in the department, but "in his role as president he was the chief's peer and spoke on behalf of the entire membership of Lodge #89," Canales says. "I knew then that there were two paths any member could take: the management/promotion route or the union route. Witnessing firsthand that day the true power of the FOP and its ability to directly influence and help a fellow officer made my decision relatively easy. I wanted to be more involved."

Starting as a shop steward in his agency's Criminal Investigation Division, Canales went on to serve as Lodge #89's secretary, treasurer, first vice president and then president. Among his proudest accomplishments in local leadership was the creation of the lodge's Fallen Heroes Memorial, a lasting tribute to Prince George's County officers who made the ultimate sacrifice. In 2014, the year after he retired from the department as a corporal, Canales was elected State Lodge president.

Canales enjoys representing Maryland on the national level, networking with his fellow state presidents and the National trustees about issues that affect all of law enforcement. In addition, he notes, "As one of the few, if not only, state presidents of color, I enjoy being able to represent Maryland's diversity." Another important aspect of his role is being politically active, directing the State Lodge's agenda on legislation that impacts Maryland's more than 20,000 active and retired members.



His major career highlight in this arena was the passage of the state's Hometown Heroes bill in 2017, which defers state tax on a portion of retirement income for law enforcement officers. "This had been a true passion of our National Trustee Tony Walker, whom we lost in a line-of-duty motor vehicle accident in 2003," Canales explains. "Seeing this finally come to fruition was definitely an accomplishment for us all."

Canales credits his leadership success foremost to his ability to relate to people. "I have a duty and responsibility to help everyone, including those I may not care for personally," he says. "Setting aside petty differences in order to address the greater good helps me stay focused and on task." Furthermore, he knows his strengths and weaknesses and surrounds himself with top talent. "Identifying those with expertise or experience in those areas where I lack has helped the State Lodge move forward," he notes. Lastly, he avoids negativity: "Positivity breeds positive results. And my successes are a result of those who helped me make good things happen. Success in my book is a group effort!"

He believes that group effort is the true key to the FOP's power. As an organization by and for those who understand the job and its challenges, it can truly represent all of law enforcement.

"speaking knowingly, intelligently and with resolve to defend and protect those that need it — and, in certain situations where we falter, provide credibility to this profession by acknowledging our errors and being a part of the discussion to prevent tragedies or shortcomings from occurring again."

Given the current national conversation, that means the FOP's voice is needed more than ever. "While the

uniforms we wear represent our respective agencies and can change, the person beneath it does not. That richness of experience and culture and diversity are what makes the FOP even more relevant in today's discussion," Canales says. "Embracing that and having the tough conversation with others and, more importantly, among ourselves can lead to significant change in our profession and possibly in society. I believe that through meaningful dialogue and a focus on solutions, the FOP could play an important role."

Canales' own future role has yet to be determined. While he looks forward to continuing to serve the FOP in any capacity as called upon, he's decided not to seek re-election as Maryland's president. Instead, he advises the next generation of members to run for office. "The FOP is full of young, dynamic, formal and informal leaders," he says. "But, whether locally or on the national stage, we are often deterred or afraid to seek higher office out of fear of upsetting the status quo. If you have a desire to advance, driven primarily by wanting to help your brothers and sisters, and you have the requisite skill set to do the duties required, you should run. Let everyone know who you are and what you offer — it is time for some of you to let your light shine!" **FOP**

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Both Chambers Return; PSOB Presumption and Suicide Data Bills Pass



Just as our nation began to “reopen” after months of stay-at-home orders, we saw a terrible tragedy unfold in Minneapolis that resulted in the death of George Floyd. Peaceful protests urging police reform were hijacked by looters and rioters who took advantage of the unrest and have inflicted millions of dollars’ worth of damage in our communities. There has been a sharp increase in violent crime nationwide, with some cities seeing a staggering rise in gun violence. Thousands of officers have been injured while responding to the riots.

More than 12 were shot, one of whom was permanently paralyzed. One officer was stabbed and slashed in the neck, and another was killed. Countless others have been struck with bricks, Molotov cocktails and other projectiles, run over by cars or injured by other physical assaults.

In addition to increased violence nationwide, the spread of the coronavirus has greatly accelerated in certain states. As of September 9, a total of 226 officers had died as a result of COVID-19, serving as a reminder that law enforcement faces the additional danger of exposure to the virus.

At a time when our officers need support from the communities they protect, in too many places we are faced with violent actors who are intent on harming them, along with growing calls to defund the police. We are working hard on Capitol Hill and with a very supportive administration to accomplish what we can in a climate polluted by strong anti-police sentiment and extreme partisanship.

PSOB Amended to Include Coronavirus Presumption

In April, the FOP called on President Trump and U.S. Attorney General William Barr to direct the Bureau of Justice Assistance (BJA) and the Public Safety Officers’ Benefits (PSOB) program to establish a presumption that a law enforcement or other public safety

Just the Facts:

Amid a fraught national conversation on police reform, the FOP continues to advocate for law enforcement. Recent legislative accomplishments included the passage of a coronavirus presumption and two bills to support mental wellness. The FOP is also working to address issues including federal aid for state and local governments, LEOA requirements, repealing the WEP and GPO provisions, collection of beneficial ownership information, and changes to the 1033 program.

officer who dies from COVID-19 or an illness or condition aggravated by exposure to the coronavirus did so in the line of duty. The BJA did issue guidance on this issue, but the FOP believed that we needed a statutory change to ensure that the presumption would be fairly and justly applied.

The FOP worked with our allies in both the House and the Senate to draft two bills: H.R. 6509, the Public Safety Officer Pandemic Response Act, and S. 3607, the Safeguarding America’s First Responders Act. Both pieces of legislation would establish a presumption that law enforcement or other public safety officers who die or become disabled from COVID-19 or complications related to COVID-19 did so because they sustained a personal injury in the line of duty, provided that the officer engaged in line-of-duty actions between January 1, 2020, and December 31, 2021. The House legislation contains an additional provision for those who were injured or disabled in the line of duty in relation to the attacks of September 11, 2001.

Both chambers passed their respective bills, and, in July, the House passed S. 3607 by unanimous consent. The president signed the bill on August 14.

In addition, the FOP continues to work with members of the House Judiciary Committee on S. 1208, the Protecting America’s First Responders Act. This legislation would update the PSOB disability

determinations and the definitions of “painful work,” making it more consistent with existing federal law.

Bill on Suicide Prevention Becomes Law and Counseling Access Act Passed by Senate

During National Police Week, the Senate passed two bills strongly supported by the FOP: S. 2746, the Law Enforcement Suicide

Top Priorities in Brief

H.R. 141/S. 521, the Social Security Fairness Act

House: 249 co-sponsors
Senate: 38 co-sponsors

H.R. 1195/S. 473, the Law Enforcement Officers’ Equity Act

House: 59 co-sponsors
Senate: 6 co-sponsors

H.R. 1154/S. 1394, the Public Safety Employer-Employee Cooperation Act

House: 226 co-sponsors
Senate: 19 co-sponsors

Data Collection Act, and S. 3434, the Confidentiality Opportunities for Peer Support (COPS) Counseling Act. Both bills would enhance efforts to assist our law enforcement officers with mental health and wellness. The first, which has been signed into law by President Trump, establishes a program to collect data on law enforcement and former law enforcement suicides at the local, state and federal level.

The second bill would reduce the barrier for law enforcement officers who try to access mental health resources by increasing the level of confidentiality for individuals seeking peer support counseling. The bill has been held at the desk in the House and could be acted upon before the annual August recess.

President Acts With Executive Orders to Support Police

The FOP worked cooperatively with President Trump, who decisively issued an Executive Order (EO) on Safe Policing and Safe Communities to address the crisis in policing. The EO encourages state and local law enforcement agencies to implement best practices and enhanced training on de-escalation, as well as for calls involving individuals who are homeless, under the influence or mentally ill. We continue to work closely and speak often with officials in the White House, as well as the U.S. departments of Justice and Homeland Security.

The FOP strongly supported a more recent EO issued by the president, which expanded Operation Legend to provide much-needed assistance and manpower in jurisdictions where violent crime is raging out of control. The president directed federal law enforcement officers to be dispatched to cities experiencing an unprecedented wave of criminal violence. The operation will be based on the successful model used in Kansas City, which used a “surge” of federal officers to quell the skyrocketing violence and restore order.

FOP Testifies Before Senate Committee


In June, National President Patrick Yoes testified before the Senate Committee on the Judiciary at a hearing entitled “Police Use of Force and Community Relations.” He pledged that the FOP would work with anyone who, in a fact-based way, genuinely wants to work collectively to help improve policing in our country. He urged Congress to reduce targeted violence by including H.R. 1325, the Protect and Serve Act, as a part of any police reform legislation. He defended the role of the law enforcement labor movement, addressed calls to “defund the police” and strongly defended the doctrine of qualified immunity. The full text of his testimony can be found on the FOP’s website.

Policing Reform Bills Stall in Senate

Following the tragic incident in Minneapolis, both the House and Senate worked with the FOP to develop comprehensive legislation in an effort to reform policing at the local and state levels.

The House introduced and passed H.R. 7120, the George Floyd Justice in Policing Act, which was then transmitted to the Senate for further action. The Senate’s policing reform effort was led by Senator Timothy Scott (R-S.C.), who introduced S. 3985, the Just and Unifying Solutions To Invigorate Communities Everywhere (JUSTICE) Act.

After several days of floor speeches, the Senate rejected a motion to invoke cloture on the motion to proceed to the consideration on S. 3985, which blocked further debate and a vote on the legislation.



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WASHINGTON REPORT

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Among other things, H.R. 7120 would:

- End qualified immunity
- Expand the authority of the U.S. Attorney General to conduct "pattern and practice" investigations
- Direct the U.S. Attorney General to develop uniform national standards and require accreditation of law enforcement agencies
- Require states to report to the Justice Department any incident where force is used against a civilian or against a law enforcement officer
- Prohibit the use of "no-knock" warrants by federal law enforcement agencies in "drug cases," and prohibit state and local agencies from receiving COPS grant funds unless there is a local or state law prohibiting such warrants
- Prohibit state and local agencies from receiving Byrne-JAG or COPS grant funds unless there is a local or state law prohibiting "chokehold or carotid hold"
- Require all uniformed federal law enforcement officers to wear a body camera, and require state and local governments that receive Byrne-JAG funding to use at least 5% of their funds to purchase body cameras and develop related policies and programs
- Establish a publicly available "National Police Misconduct Registry" at the DOJ
- Prohibit racial profiling
- Limit the 1033 program unless related to "counterterrorism"

Among other things, S. 3985 would:

- Impose a penalty on Byrne-JAG funds if an agency fails to report "any use of force that results in death or serious injury" to the FBI's National Use-of-Force Data Collection
- Impose a penalty on Byrne-JAG funds if an agency fails to report any closed case that involved the use of a "no-knock" warrant
- Make agencies that "do not have an agency-wide policy in place that prohibits the use of chokeholds except when deadly force is authorized" ineligible for any Byrne-JAG or COPS funding
- Create a \$75 million competitive grant matching "Body-Worn Camera Partnership" program using the Bulletproof Vest Partnership model
- Require local and state agencies to

maintain and retain disciplinary records on police officers for 30 years

- Create a new federal offense for lynching
- Direct the COPS Office to train agencies and officers in alternatives to the use of force, de-escalation strategies and behavioral health crises
- Direct the U.S. Attorney General to develop a training curriculum on the duty of a law enforcement officer to intervene in circumstances when another officer is engaged in excessive use of force
- Establish a National Criminal Justice Commission to identify best practices
- Reauthorize the Byrne-JAG and COPS Office programs through 2025

COVID-19 "Phase 4" Legislation

The House passed its "Phase 4" bill, H.R. 6800, the Health and Economic Recovery Omnibus Emergency Solutions (HEROES) Act, in May, but the legislation has not yet been taken up by the Senate, which is expected to craft its own bill.

The House bill as passed included direct payments to individual taxpayers, financial support for state and local governments, a fund to award grants for employers to provide pandemic premium pay for essential workers and other funding to address the current pandemic.

The FOP strongly supports assistance to local and state governments, which are experiencing severe revenue shortages that will impact their ability to deliver vital public safety services. We are urging Congress to make federal aid to state and local governments a part of any "Phase 4" legislation.

In addition, the FOP is doing everything it can to address an issue raised by many retired law enforcement officers under the Law Enforcement Officers' Safety Act (LEOSA). The requirement that retired officers qualify annually with their firearm is statutory — it cannot, unfortunately, be waived by local sheriffs and chiefs, governors or the president of the United States. Due to the pandemic, social distancing requirements and strains on local resources, local and state agencies may not be qualifying active or retired officers as they normally would. Active-duty officers can still carry under the LEOSA provisions, but retired officers who have not qualified in the past 12 months cannot do so lawfully. This clearly limits the ability of retired officers to assist their local

agencies during the pandemic crisis should those local agencies need additional officers to maintain public safety, and, of course, protect themselves and their families.

We have draft language developed with Senators Lindsey Graham (R-S.C.) and Dianne Feinstein (D-Calif.), the chair and ranking member of the Committee on the Judiciary, respectively, as well as Senators John Cornyn III (R-Texas) and Patrick Leahy (D-Vt.), the latter of whom is the author of the original statute. We are working to include this language in any "Phase 4" legislation.

The FOP is also calling on Congress to take up and pass H.R. 141/S. 521, the Social Security Fairness Act, which would repeal the Windfall Elimination Provision (WEP) and the Government Pension Offset (GPO) provisions in current law. National President Yoes has requested that Senate and House leadership, as well as appropriators, consider including the Social Security Fairness Act in any "Phase 4" legislation.

The repeal of the WEP and GPO would simultaneously end a gross unfairness against retired public employees and help to stimulate the economy by eliminating a reduction in the Social Security benefits for these Americans. It would also have an immediate, positive impact on public employees by putting additional cash in their pockets as they and their families struggle in these trying times. These penalties are a drag on the economy struggling to recover from the impact of the pandemic, and they hurt those employees least able to afford it. Repealing the WEP and GPO is the right thing to do and will provide additional economic stimulus our nation desperately needs.

NDAA — Beneficial Ownership and the 1033 Program

For more than a decade, the FOP has been working to pass legislation to require the collection of beneficial ownership information to combat the misuse of our nation's financial systems. We recently took a major step forward with the inclusion of the Corporate Transparency Act and COUNTER Act as an amendment to H.R. 6395, the William M. (Mac) Thornberry National Defense Authorization Act (NDAA), on a 295-125 vote.

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Under current laws, shell corporations do not have to disclose their owners, thus allowing them to be used as front organizations by criminals conducting illegal activity, such as money laundering, fraud and tax evasion. All too often, investigations hit a dead end when law enforcement encounters a company with hidden ownership. This amendment will allow for the collection of simple, yet actionable, beneficial ownership information to be used in combating this misuse of U.S. companies. By requiring the Financial Crimes Enforcement Network (FinCEN) to collect this information from corporations and limited liability companies, law enforcement will finally be able to properly investigate shell companies that deal in illicit financing and human, sex, gun and drug trafficking. Once collected, the information will be available to law enforcement at every level.

The Senate's NDAA differs from the House version and does not include a provision on the collection of beneficial ownership information. As a result, the NDAA will go to a conference committee, where the two chambers will reconcile the differences in their bills. We are hopeful that the anti-money laundering and beneficial ownership provisions will be in the final version of the NDAA that is agreed to by both chambers.

In the Senate version of the NDAA, there was an effort to change the 1033 program. The FOP has long supported this program, which is a surplus equipment

program administered by the Defense Logistics Agency (DLA) and the Law Enforcement Support Office (LESO) at the U.S. Department of Defense (DoD). The media is constructing an inaccurate narrative that state and local law enforcement agencies are becoming too "militarized" simply because this program is administered by the DoD.

The Senate considered two amendments to the Senate version of the NDAA, S. 4049, the National Defense Authorization Act for Fiscal Year 2021. The first amendment, S. Amdt. 2411, passed on a 90-10 vote. The FOP took no position on this amendment, which will prohibit the acquisition of weaponized drones and vehicles through the 1033 program.

The FOP strongly opposed the second amendment, S. Amdt. 2252, which would reimpose severe restrictions on the ability of state and local law enforcement agencies to access vital, defensive equipment through the 1033 program administered by the DoD. The amendment failed on a 49-51 vote.

FOP Continues to Work With National Law Enforcement Commission

At this writing, the Presidential Commission on Law Enforcement and Administration of Justice, which was established by President Trump via executive order, is nearing the end of a months-long series of hearings and field research. Work on the final report, which is expected to be issued in the fall, has begun.

The FOP has been working in support of our three members who are serving as commissioners and regularly participate in virtual site visits, meetings, panel discussions and the other work of the commission. We are confident that the commission's work will continue to benefit the profession of law enforcement and the American criminal justice system.

Speak Up, Be Loud, Make Your Voice Heard!

It is important that we take an instrumental role in shaping the narrative around the men and women who wear the badge. We are using social media to take back our narrative, and we encourage every lodge and member to do the same. The bottom line: We need your help to spread the truth and defend the police.

We ask that everyone **share, like and comment** on the content that we are posting. In addition, we ask that you join us by sharing articles, stories and pictures that highlight the tremendous work our members are doing in their communities. When sharing, please make sure to tag the FOP and use the following hashtags: **#FOP #FOPstrong #BackTheBlue #IAM**

Fallen Officers Due to COVID-19

The FOP has been monitoring stories from around the country and collecting data from the start of the COVID-19 pandemic to ensure that every officer who makes the ultimate sacrifice is accounted for. To view a state-by-state breakdown of officers who have died in the line of duty due to COVID-19, please visit www.FOPCovid19.org.

FOP Weekly Updates

If you have not yet done so, please be sure to sign up for the FOP's *Washington Watch: Legislative Update*. This one-of-kind update is sent out every Friday on social media and distributed via email. To sign up to receive the update via email, please contact the National Legislative Office or email Mark McDonald at mmcdonald@fop.net.

Support the PAC!

The National Fraternal Order of Police Political Action Committee (NFOP PAC) is an essential part of our National Legislative Program. This is an election year, meaning we face the challenge of remaining competitive with other organizations and PACs who, like the FOP, will be supporting candidates who back their issues. It is up to us to support candidates who support police. Our new monthly and one-time contributions have dwindled over the last six months, with the last surge being the National Biennial Conference. We must have year-round growth that adds to our PAC to make it effective. To donate, please make a check out to the National Fraternal Order of Police Political Action Committee and mail it to 328 Massachusetts Avenue NE, Washington, D.C., 20002. For inquiries about our effortless payroll deduction program, or to sign up for our recurring monthly credit card donations, please contact Michelle Mason at mmason@fop.net or (202) 547-8189. We thank you for your support! **FOP**

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Why Arbitration Matters

Just the Facts:

» Law enforcement unions and collective bargaining are under attack, making it more important than ever to understand your rights. Key among these is arbitration, an expedient and cost-effective way to resolve disputes between employees and employers. The Labor Services Division is here to guide FOP members through arbitration and other dispute-resolution processes.

What a difference a few weeks can make! In case you missed it, the nation has been gripped by demonstrations, protests and, in some cases, riots over the perception that law enforcement is a profession whose conduct is driven by racism, hatred, indifference, intolerance and even criminal intent. Right on cue, lawmakers across the country are demonizing not just cops, but also the union and collective bargaining rights that protect "bad cops."

This is not new and not at all surprising given the outright attack on collective bargaining that has existed for over a decade. Whether it is the Supreme Court in the *Juno* decision, the Ohio and Wisconsin governors and legislatures repealing laws, or public sentiment, the focus is on law enforcement and hard-won rights to negotiate terms and conditions of employment and safeguards against arbitrary discipline.

Now more than ever, it is of paramount importance to be on guard against those who would weaken the profession by weakening your right to bargain and to challenge unjust discipline. Key among these rights is arbitration. Given the current legislative momentum concerning the future of law enforcement labor laws, it is more important than ever to understand what arbitration is and why it matters, and to educate others.

Arbitration is an expedient and cost-effective way to resolve disputes between employees and employers during negotiation impasse as well as unlawful discipline and

terminations. Arbitrators can hold a hearing and rule on a case in weeks or months, as opposed to the courts, which can take years and cost hundreds of thousands of dollars per case — dollars that are not then able to be used for education, health care, housing, etc. In addition, arbitration has worked effectively for over 100 years to resolve labor disputes that in and of themselves would cost the economy millions, if not billions, of dollars.

Just as you would not expect a sports team to referee their own game, you should not be expected to allow an employer to dictate the outcome of a labor dispute. An impartial dispute-resolution process also provides confidence and certainty in how all people are treated under the law. Public confidence in the government is founded upon due process. Without a process that is fair and impartial as required by the Constitution, the public can have no confidence that they will be served and protected as the Constitution requires. Yes, there are flaws, and public confidence is low right now. The way to restore that confidence is to strengthen rights, not dilute them.

Though there is immense power in dispute-resolution procedures like arbitration, the NFOP understands that navigating them can be daunting. That is why the Labor Services Division roots itself in guiding our brothers and sisters through all labor dispute processes. If you would like more information on how we can help you with dispute resolution and what it would look like for you, contact us at labor@fop.net.



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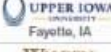
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Bill Nolan Demanded Officers Be Given a Fair Shake

Bill Nolan was sworn in as a Chicago police officer on December 16, 1959. After working Patrol, Traffic and the Undercover Task Force, he spent much of his distinguished career assigned to the Homicide and Intelligence units at CPD. Bill, like the rest of us, did not want to see death related to foul play. But, knowing it is sometimes inevitable, he cherished the opportunity to investigate homicides throughout much of his career. Brother Nolan retired in November 2009, having served the citizens of Chicago for almost 41 years. After retirement, he had a desire to continue serving. He did just that as chief for the Cook County Sheriff's Office Court Services.

Bill's service to his country and community began prior to his law enforcement career, as he served in the Army during the Korean War.

Brother Nolan maintained a high-energy level of enthusiasm for the Fraternal Order of Police throughout his law enforcement career and beyond. The two most important positions he was elected to were:

- President of Chicago Lodge #7 for nine years (1993-2002), the second president in lodge history
- Treasurer of the Grand Lodge for eight years (1987-1995), a member of the "Unity Team"

Until a few years ago, he served with me on the Grand Lodge History Committee.

In 1987, Bill was an original member of the "Unity Team" as a candidate for National treasurer. This was a slate of candidates that included Dewey Stokes (president), Gil Gallegos (vice president), Ralph Orm (secretary), Bernie Teodotski (conductor) and George Austin (sergeant at arms). At that year's National Conference in Mobile, Alabama, Bill and every member of the team were elected to office.

"Brother Bill Nolan was 100% FOP!"



William (Bill) Nolan, 1935-2020

Past National President Dewey Stokes remembers. "He served at the local and state level and as our National treasurer for eight years. He was a leader, honest, loyal and a hard worker. He was devoted to his wife, Carol, and his family."

"Bill was very involved in labor, a great member of our team," Past National President Gil Gallegos says. "He modernized the treasurer's office and maintained a good budget. He will be greatly missed."

Brother Nolan was instrumental in the passing of legislation that ultimately formed the Concerns of Police Survivors (COPS).

Bill was involved in many police,

community and faith-related organizations. As a member of the Knights of Columbus, he was awarded the Chicago Knights of Columbus' Lifetime Achievement Award. Received on March 23, 2019, this is monumental award from the KOC, and well deserved.

Alongside his wife, Carol, Bill was also active in Easter Seals. A member of Easter Seals Chicago, he was a valued member of the board of directors for 30 years. The Grand Lodge's involvement in Easter Seals can be attributed to Bill's efforts to make the worthy organization the FOP's charity of choice.

He was a member of the Italian American Police Association, the Polish American Police Society, St. Jude Police League and the Medal of Valor Review Board. In addition, Bill co-founded Dreams for Kids, was a member of the Emerald Society and sat on the advisory board of Saint Mary of Nazareth Hospital Center.

Brother Nolan was also a sought-after speaker, lecturing on union contracts and lending his expertise on the subject.

Just four days short of his 85th birthday, Brother Bill Nolan passed away on April 21, 2020. He is survived by his wife, Carol, and children, Bill Nolan Jr., Gina Nolan, Maria (Timothy) Truckenbrod, Julie Burris and Richard Schuessler. He is also survived by many grandchildren and great-grandchildren.

Rest in peace, Brother.

I would like to thank my good friend and colleague Rocky Nuwaczyk, Illinois National trustee, for his assistance in the preparation of this article.

James Flores (New Mexico) is the chairman of the National FOP History Committee. The members of the committee are Dewey Stokes (Ohio), Adolph South (Alabama), Dave Stevens (Florida), Bruce Evaris (Maryland) and Ben Roberts (Texas). FOP

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Law Enforcement Use of Drones

Drones, sometimes referred to as unmanned aerial vehicles (UAVs), are increasingly utilized by police departments and law enforcement agencies throughout the country. To date, at least 910 public safety agencies nationwide have acquired drones. These drones have been used to document crime and traffic collision scenes, search for lost persons, track fleeing criminals, maintain perimeters on warrant services and assess disaster scenes. Most recently, drones have been utilized by departments across the world to enforce stay-at-home orders during the COVID-19 pandemic. Drones add value to law enforcement for many

Just the Facts:

▣ Drones are growing in popularity as a useful, affordable and safe tool for law enforcement. However, the legal guidelines surrounding police drone use are still underdeveloped. Until the courts weigh in, existing Fourth Amendment doctrines suggest that drone surveillance does not constitute a search.

reasons, but two stand out: affordability and officer safety.

First, drones make aerial surveillance more affordable. Before the widespread availability of drones, police officers could only gain an aerial view using helicopters or airplanes, both of which

are cost-prohibitive. Police helicopters or planes can cost anywhere from \$500,000 to \$3 million to acquire and roughly \$200 to \$400 an hour to pilot, with additional costs for maintenance. In contrast, the most popular drones for public safety use start at \$2,000 or less.

Certainly, more expensive options are available: recently, the Chula Vista Police Department in California purchased two drones for \$11,000 each. However, those drones are also equipped with speakers to communicate and night vision cameras. Regardless, drones are a significantly cheaper option for aerial surveillance and require less manpower and maintenance.

RATHER THAN ASSESS A DISASTER OR ENTER A SCENE WITH ACTIVE DANGER, OFFICERS CAN SEND IN A DRONE TO PROVIDE NEEDED SITUATIONAL AWARENESS.

Second, use of drones promotes officer safety. Rather than assess a disaster or enter a scene with active danger, officers can send in a drone to provide needed situational awareness. During the COVID-19 pandemic, departments across the globe have deployed drones to enforce stay-at-home orders. For

example, in Israel, police utilized drones to find and confirm that individuals infected with coronavirus were in fact isolated. In Britain, drones equipped with speakers were used to disperse crowds of people in an effort to promote social distancing. In the United States, police departments in Florida, New Jersey, Connecticut and California employed drones to communicate messages among neighborhoods to stay indoors. Near San Diego, the use of drones was particularly important to get messages out to vulnerable populations, such as the homeless, who lack access to internet, television and radio news outlets. Ultimately, using drones during a pandemic significantly reduces officer interaction with the public while still maintaining community policing efforts. And limiting officer exposure to potentially infected individuals is critical to both officer and public safety by preventing community spread.

From a legal perspective, drone use by law enforcement is underdeveloped. As it is still a relatively new technology, the Supreme Court and most lower courts have not addressed drone interaction with the Fourth Amendment. Existing Fourth Amendment

doctrines suggest that drone surveillance does not constitute a search. For example, in *California v. Ciralo*, 476 U.S. 207 (1986), the Supreme Court held that a brief overhead search confirming the presence of marijuana plants in a backyard by **manned** aircraft did not require a warrant. Presumably, brief overhead surveillance by an **unmanned** aerial vehicle, or drone, would also not require a warrant.

In *Florida v. Riley*, 488 U.S. 445 (1989), the Supreme Court held that officers' use of a helicopter 400 feet above a property to see marijuana growing inside a greenhouse did not violate the reasonable expectation of privacy and, as such, was not a search requiring a warrant. However, the court cautioned that warrantless surveillance might constitute an unreasonable search if it creates a hazard or unreasonably interferes with a resident's use of property. Drones will likely be examined under the same reasoning.

The increased use of drone technology will eventually prompt the courts to weigh in. Until then, law enforcement and public safety agencies should consider drones as a cost-effective tool with the ability to provide officers with information in a safe and timely manner. **FOP**

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Continuing to Back the Blue

Our country is currently in an atmosphere of turmoil. The attacks on our officers from the public and politicians continue daily. When our heroes put on the uniform and took the oath to uphold the law and serve and protect the citizens of their communities, they suddenly become targets for every conflict that arises.

The Fraternal Order of Police Auxiliary is the ultimate in continuing to back the blue. We are the family members of law enforcement. Our members have a vested interest in the members of the FOP and their families. We work diligently to ensure that the families of law enforcement are supported with information and materials to assist them. The Auxiliary works continuously to provide safety tools and programs to law enforcement officers to encourage safety within their families. And

the Auxiliary is at the forefront in honoring those heroes who have lost their lives in the line of duty and ensuring that the family member survivors have an opportunity to memorialize their loved one.

There will be a meeting of the Board of the Grand Lodge Auxiliary in Atlantic Beach, Florida, September 4 and 5. This will be at the same time and location as the National FOP Board meeting. Officers and National trustees will meet to carry out the business of the Auxiliary. Auxiliary programs will be reviewed to ensure they continue to be current and of interest to law enforcement families. Special-interest programs will be assessed for timely utilization, and pertinent issues will be evaluated to ascertain if a new project is appropriate for the Auxiliary. A main topic of this meeting will be the continuing

support of our officers during these trying times and how to deal with the issue of public animosity and how it affects your family. All Auxiliary members are welcome to attend the National Board meeting.

Whether the uniform your loved one wears is blue, brown, gray or black, the Auxiliary's mission is to support and assist the FOP, its members and their families. If you wish to become involved in an organization that supports law enforcement and their families, an organization whose mission is to promote and create projects and events to positively promote of law enforcement, an organization that works to provide the families of law enforcement with education, friendship and support, contact us to talk about joining the Auxiliary. The Auxiliary is ready to assist you, to never let you or your family members walk alone. **FOP**



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