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APRIL 2022

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H.R. 82

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196

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THE FOP JOURNAL is published monthly by the Grand Lodge, Fraternal Order of Police, 701 Marriott Drive, Nashville, TN 37214 - 1-800-451-2711. Presort Non-Profit Standard, U.S. Postage Paid in Bolingbrook, IL, Permit No 1309. FOP membership includes a subscription to THE FOP JOURNAL. Subscriptions accepted from recognized law enforcement agencies, government officials and libraries. Non-member subscriptions \$32 a year; single copies \$8.

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// **WRITE TO US!** If you have further questions, contact Patrick Yoes at (504) 234-4300, or pyoes@fop.net.

Fairness" — a concept that our society treasures; something that we, as law enforcement officers, value.

As I travel around our country meeting and speaking with our members, there is one common question: When will the FOP succeed in repealing the Windfall Elimination Provision (WEP) and Government Pension Offset (GPO)? Even at the height of the police riots of 2020 and the greatest attack on our profession in American history, I received repeated calls and emails asking when I was going to get off my ass and fix the inequities in the Social Security system toward public employees. Yes, to many adversely impacted, it is that important.

The WEP and GPO, in current Social Security law, cut or eliminate the earned benefits of more than two million retirees. When the WEP was enacted in 1983, its stated purpose was to remove a "windfall" for people who spent some time in jobs not covered by Social Security and who also worked other jobs where they paid Social Security taxes long enough to qualify for retirement benefits.

This provision has created a very real inequity for many public employees, particularly law enforcement officers who retire earlier than other government employees and often begin second careers, cutting as much as 60% from the Social Security benefit for those who had

second careers. Similarly, the GPO offsets the Social Security benefit to which a surviving spouse is entitled by two-thirds of the monthly amount of any government pension that they might receive.

Keeping what you earned and deserving nothing if it isn't earned — that's "fair." One of the FOP's top priorities is H.R. 82, the Social Security Fairness Act, which would repeal both the WEP and GPO. We regard this as an issue of fairness, as these public employees are unfairly penalized under current law.

The repeal of the WEP and GPO has been a top legislative priority of

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THE SOCIAL SECURITY FAIRNESS ACT

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PRESIDENT'S MESSAGE

Continued from page 12 >

the FOP since 1997. We've had years in which we've had good support and the potential for committee action and years when we did not. I am happy to report to you that we have a **historic** high in terms of support for the House bill, H.R. 82. At this writing, we have 267 co-sponsors, more than a House majority and just a little short of the 290 co-sponsors, which, under House rules, would force the bill to a floor vote.

Since last spring, the FOP has focused our efforts on a targeted lobbying campaign by going after members of the House one at a time, building support, educating staff and ultimately, getting us to this point. In October 2020, I worked with the bill's sponsor, Representative Rodney L. Davis (R-Ill.) and my Representative Garret N. Graves (R-La.) to launch the Public Safety Working Group on Social Security Fairness. Uniting with other public safety groups, we were closely coordinating a vigorous lobbying effort — combining the efforts of our Washington, D.C., staff with our grassroots activists and, with the help of Representatives Davis and Graves, member-to-member contact.

Then COVID-19 brought the world to a screeching halt. Our efforts

were sidelined as Congress shifted their attention to the pandemic challenges — though we repeatedly urged Congress and the administration to repeal these provisions for their immediate economic benefits. Now that COVID restrictions are lifting, our coordinated efforts are back on track. We have reached the highest number of co-sponsors ever in the House of Representatives, and we

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earned and deserving
nothing if it isn't
earned — that's "fair."**

are only 23 co-sponsors away from getting a vote on repealing this travesty perpetrated on the backs of hardworking public servants who are cheated out of earned benefits enjoyed by every other American.

This is where we need your help. We are focused on the largest states where local and state employees are affected: California, Colorado, Illinois, Louisiana, Ohio and Texas. On page 16, you'll find the House members

who have not signed onto this bill.

If your representative is listed, get in touch with the office — the one in your district and the Washington, D.C., office — and ask them to support H.R. 82. Regardless of where you live, please reach out to your members of Congress and ask for their support of this bill.

Looking ahead to the Senate, we have 38 co-sponsors of the Senate version of the repeal! Passage in the House means nothing if we fall short of a passage in the Senate. We need to increase this number to make sure the issue is familiar to the Senate should the House bill pass. One of the ways to do this is to increase the number of co-sponsors. If your senator is not a co-sponsor, call, write and email their office and ask them to support public safety officers and Social Security Fairness. The time to act is now.

It is critical to have strong allies in Congress, especially those who are working to address the most pressing issues facing America's law enforcement community.

Visit the FOP Voter Voice website to contact your members of Congress and **urge them to co-sponsor and pass the Social Security Fairness Act:** tinyurl.com/3znz3btw.

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SOCIAL SECURITY FAIRNESS REPEAL OF THE WEP/GPO



Check out the latest episodes of the Blue View where I sat down with Congresswoman Abigail Spanberger and Congressman Rodney Davis to discuss the repeal of WEP/GPO and other issues most important to the men and women of law enforcement.

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For more information on Social Security WEP/GPO, check out the latest episode of the **#BlueView** podcast, where I sat down with Congresswoman Abigail Spanberger (tinyurl.com/yz3hktza) and Congressman Rodney Davis to discuss the repeal of WEP/GPO and other issues most important to the men and women of law enforcement.

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PRESIDENT'S MESSAGE

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This month, the FOP has focused on the following representatives:

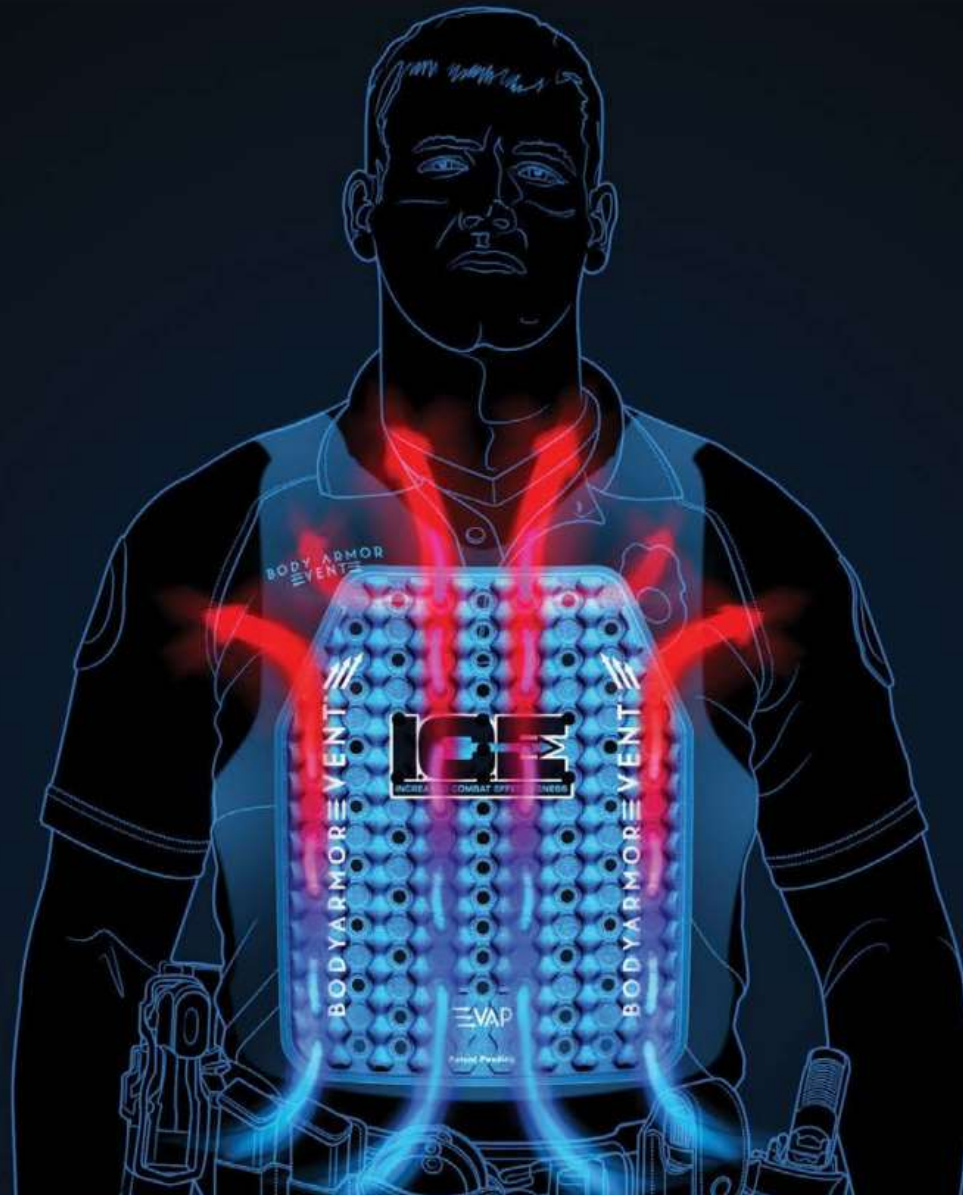
- Cliff Bentz (Ore.-02)
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- Mike Carey (Ohio-15)
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- Mary Miller (Ill.-15)
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// **WRITE TO US!** If you have further questions, contact Jimmy Holderfield at (904) 813-0067, or jholderfield@fop.net.

Brothers and sisters, I hope this April edition of the *Journal* finds you and your family well. Spring is finally here, and thank goodness most states have lifted the dreaded COVID restriction mandates. Unfortunately, the U.S. Transportation Safety Administration (TSA) has extended the mask mandate for all air, train and bus travel until April 18. Let's hope that they too will follow the "science" and end this bothersome requirement. I'm all for someone who wants to wear a mask to be able to do so. I even wear one at times when I edge my walkway or cut the grass, but it should be an individual's choice.

It is troubling to me during the past year that many of our members have been threatened, and, in some cases, it has happened with termination for refusing to get vaccinated. This was a senseless example of political manipulation against our brothers and sisters. Where were these same politicians during the past two years when we were on the front lines taking care of our cities and communities dealing with civil unrest and COVID? In the end, much frustration and countless dollars were spent defending our rights only to now have these same politicians say, "never mind." Unbelievable!

This leads me to my next point — upcoming elections. As I have said on many occasions, we must change the culture of the political machines starting at the local level and continuing up to Congress. We have the talent and leadership within our lodges to do just this. We have members who are qualified to hold positions as city council members, county commissions, state legislatures and in U.S. Congress. By gaining political positions in these various legislative bodies, we obtain leverage in securing better wages, benefits, terms and conditions of employment, pensions and job protections. This is especially true in states that prohibit collective bargaining by law enforcement officers. Who

better to understand and convey the needs of professional law enforcement officers than fellow law enforcement officers?

Most communities have local political party associations; Democrat, Republican and in some cases, Independent. Many of these also have what is called an executive committee. Generally, any citizen registered with a certain party affiliation can join the association, and they are encouraged to do so. Areas with an executive committee restrict their membership to one or two citizen voters from each voting precinct. These associations and committees have regular meetings and have guest speakers from the local, state and federal levels that give presentations on what they are doing and pending issues. These groups also give potential candidates the opportunity to speak to the group and detail their platform. A great starting point for our members aspiring to enter politics is to join these groups and network with other law enforcement supporters.

As FOP members, we must rally behind our brothers and sisters who have presented themselves as candidates. They need our lodge endorsement, money and "boots-on-the-ground" support. We must tell our family and friends about our candidates and encourage them to support her or him. We must vote and help get others to do the same (drive them to the polls or help them get an early voter ballot). Currently, I know of four members who have announced their candidacy for office: Oklahoma National Trustee John George for Oklahoma State House District 36, Kentucky National Trustee Shawn Helbig for Warren County Fiscal Court, Chicago Lodge #7 President John Catanzara for Chicago mayor and Owensboro, Kentucky, Lodge #16 Brother Chris Castlen for Owensboro County Fiscal Court. I wish all these brothers well and commend them for stepping up to do what needs to be done for us all.

Speaking of politics, recently, there was an incident involving a traffic stop of a

candidate for Florida's 16th Congressional District (businessman Martin Hyde) by seven-year veteran Sarasota Florida Police Officer Julia Beskin, who is a former eight-year NYPD police officer (see the traffic stop on YouTube). The officer was on routine patrol when she received a laser reading of a vehicle traveling 57 mph in a 40 mph zone and observed the driver texting. She stopped the violator and activated her body camera. The officer was extremely professional in requesting vehicle registration, driver's license and proof of insurance. The driver became belligerent and hostile toward the officer and asked, "You know who I am, right?" The officer responded, "yes, sir, I do." The driver became increasingly agitated during the stop and questioned the officer's ethnicity, and threatened her job. The officer issued three citations for the violations of speeding, texting while driving and failure to produce vehicle registration. The issue rose to the national spotlight, and the driver issued an apology for his behavior toward the officer. His justification was that he was having a bad day and that he is the type of person who fights when backed into a corner. He further stated that he is a supporter of the police for better wages and benefits. Several media outlets report that he is no longer a candidate. I hope this is true since the officer did not deserve to be treated the way she was, especially by a so-called law-and-order citizen and candidate for public office.

In closing, we are gearing up for the upcoming National FOP Board of Trustees meeting and State Presidents' meeting in Philadelphia. A special thanks go out to Pennsylvania State President Les Neri and Philadelphia Lodge #5 President John McNesby and their teams for hosting the state presidents and National Board. Much business and fellowship will be had. I will report the major highlights next month. Be safe out there, and let me know if my staff or I can assist you. **FOP**

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

Ideas are often born under a cloud of adversity. Being in the trenches assisting law enforcement agencies across the country through our partnership with CRI-TAC allows me the privilege of seeing issues challenging our profession that are on the horizon. Issues such as recruitment and retention, and now, the void in leadership, as young officers are being promoted quickly without the proper job experiences and mentoring. It's obvious that as we bleed out experienced officers who are close to retirement, a void is created. Never have we seen the exodus of seasoned officers so pronounced as we do today. Some call it "brain drain."

With all the turmoil that our profession has been experiencing, many have advocated for the exodus from our profession if at all possible. The odds were simply not favorable for a sustained career in law enforcement. Between de-policing initiatives, aggressive anti-police prosecutors, unfriendly legislative bodies and a faulting citizenry, it made little sense to risk one's livelihood in a profession that was under siege.

As many have left the profession, many others have remained. Perhaps their attitudes are more in sync with today's demands, or they are simply trapped for now — too young to retire, too old to start another career. Or perhaps their dedication to helping their fellow man outweighs all the pitfalls that 21st-century policing presents. Whatever the reasons, we have a large segment of our law enforcement workforce who have remained employed and are holding the line with little backup. As our ranks dwindled, overtime shot up to the point where officers were working without days off nor adequate relief to enjoy family time. And they are facing the dangers of law enforcement without proper backup because the bodies are simply not there.

With the vilification of the law enforcement profession, another dilemma was born. Young people entering the workforce are not signing up for careers in law enforcement. For a profession that has been constantly challenged to attract a diverse workforce, we are now faced with the dilemma of failing to attract anyone!

Looking at our other partners within CRI-TAC, primarily the chiefs and sheriffs, I did not see a concerted national initiative to address the recruitment issues facing today's law enforcement agencies. There are great localized initiatives, such as lax lateral hiring, bonuses and such. However, they are actually adding to the problems, as we are not attracting new people to the profession, just moving them around. We see our numbers in the FOP growing, but we are simply attracting current law enforcement professionals into our ranks as they see the benefits of membership. Overall, as a profession, we are in crisis.

During a brainstorming session with several of our Executive Board members, I came up with an initiative to attract young, and maybe not so young, officers into the profession. The **Join Us** campaign — where we, the FOP, highlight the benefits of the law enforcement profession to potential applicants who may feel disenfranchised, left out, ignored, or simply turned off by the recent social issues — was born.

We know that in some segments of society, the FOP is not a welcoming acronym. We also know we need to change that. I have been working with our Diversity Committee on these issues as well. As we go the extra mile to make people feel welcome in the profession, our numbers, membership-wise, will naturally increase. It will let society see us as part of the solution rather than the problem.

There is a vast array of initiatives we can enact to recruit the next generation into law enforcement, and we are still in the infancy of this initiative. Why are we doing it? Right now, no other major law enforcement organization is doing it. Also, we all have an investment in our profession, and we need to pay it forward. And finally, because those who stayed on the job are exhausted and need our help.

As I laid out the **Join Us** campaign at Leadership Matters this year, I illustrated the dilemma of "brain drain" that many of our agencies are experiencing. That hit a chord with many senior attendees at the conference, many of who were there as mentors to upcoming leaders in their states. From conversations in Nashville, a mentorship concept was born. At this point, I don't know what form or fashion it will take, but I will try to flesh it out over the coming months. What occurs in the FOP also occurs on a grander scale in our profession, and leadership is leadership, no matter where it's practiced. We owe it to our members to make sure that they are afforded professional leadership throughout their careers.

As I end this month's article, let's all pray for peace in Ukraine. From COVID to social unrest — to now, a brewing war in Europe. How much more can we take? As I write this, it appears that our country is finally united over a global issue. Perhaps practically the entire world is united against this conflict. Time will tell. That's a positive, however, we know this conflict will challenge our country's will. As gas prices rise along with other products, we as a country will need a resolve — some say unprecedented since World War II. Again, law enforcement will be tasked with maintaining order and reasonableness within our society.

God bless you all, and God bless the FOP. **FOP**

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// **WRITE TO US!** If you have further questions, contact Rob Pride at lodge52pride@gmail.com.

For just over four years now, I have been blessed and humbled to serve as your chairman of trustees for the National FOP. This position has taken me to many great places in our country for meetings and other work of the Order. In those Board meetings and state conferences, I am always amazed to hear about all of the amazing work being done by my brothers and sisters, for my brothers and sisters.

One of the reports that always makes me so proud to be FOP is hearing from our NFOP Disaster Assistance Response Team (DART). I've lost count of how many times members of that team have reported on their response to an area devastated by disaster where they provided hot meals for our brothers and sisters working those disasters, often in horrible conditions. And story after story about how one of our members needed help with remediation because they could not be home to do it on their own, so members of DART and FOP volunteers from all over the country answered their call for help. It has always made me proud and helped me remember the "fraternal" part of what we do as the Fraternal Order of Police.

But I can now share with you firsthand that it is different when it's your state, your members, calling for help. It is different when you experience and witness for yourself how much a hot meal means to officers working long hours during these events.

On New Year's Eve, my home state of Colorado suffered the most destructive fire in state history: the Marshall Fire. We are used to wildfires here, especially over the past few years. But these fires normally strike our mountainous regions that are less populated. This fire was different. When it first started, none of us thought there would be much to it. But at the same time, that area experienced an extreme wind event, which fueled the fire and quickly spread it with 120 mph sustained winds. By the time

the sun had set that day, the fire had covered many miles and swept through the cities of Superior and Louisville and unincorporated Boulder County, taking over 1,000 homes with it. Our partners on the fire side continue to share their amazement that there were only two fatalities from this event.

In the middle of the fire, our FOP members in the Boulder County Lodge reached out and let us know they were overwhelmed and were going to need help with meals. With one phone call to National President Pat Yoes, a crew of our brothers from Oklahoma, Utah and Texas were on the road heading our way. In just over 24 hours, they arrived and were ready to go.

**Colorado will forever
be grateful for the
response and help
of DART during a
devastating time for us.**

From breakfast on day one, they served no less than 700 meals, every meal, three times a day, for four days straight. It was inspiring to watch the precision with which they worked, planning meals, supplies and other logistics to ensure all first responders were fed. Getting to watch them work in person, it was clear this is not only a highly experienced and knowledgeable team but one who is very passionate about helping their brothers and sisters on the front line of these disasters.

When I tell you it's different, brothers and sisters, it is. It is different when men and women you know from your state, some of which you have worked with side by side

during your career, stand in front of you telling you the meal you served is the first hot meal they've had for days ... it's different. Telling you how much it means to them that so many of their FOP brothers and sisters would come from so far to help them. It's different and much more powerful.

Our DART did such an amazing job that they were quickly utilized by numerous entities during the event. I know it was a bit overwhelming for them at times as they are not used to cooking for everyone at a scene, but these brothers handled it in a way that made our organization proud. No one who came to the food trailer was turned away. Toward the end of their deployment, our DART was giving meals to the local power workers who heard about the great food being served up over at the "cop trailer."

Colorado will forever be grateful for the response and help of DART during a devastating time for us. I hope and pray that you or the members in your state will not ever need the NFOP DART to respond to your members. But if you do, just know help is on the way! With one phone call, they are coming. From all corners of the country, they are coming to help their brothers and sisters however they can.

Our NFOP DART is one of many great programs funded by our NFOP Foundation. Our trailers and much of the equipment used have been made possible by many different corporate sponsors. But the program itself will continue to need funding through the foundation, so remember this during the year when you are looking for a worthy cause to support financially.

I hope our experience in Colorado helps all of you remember the "fraternal" part of the FOP! We do so much work on the labor front and with legislative efforts that sometimes our fraternalism can get lost in the mix. Let's not forget that we **are** our brother's keeper. It's what we do, it's who we are, because we are the FOP! **FOP**

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MEMBER SPOTLIGHT

Chris Southwood

JIMMY HOLDERFIELD / NATIONAL SECRETARY
CHRIS SOUTHWOOD / ILLINOIS STATE LODGE
PRESIDENT

This April Member Spotlight comes from the “Land of Lincoln,” the state of Illinois. The state motto is “State Sovereignty, National Union.” Many great State and National FOP leaders have hailed from this state; namely, Past National President John Dineen, departed Brother former National Vice President Richard Lis, departed Brother former National Treasurer Bill Nolan, National Trustee Rocky Nowaczyk and our current National Sergeant At Arms Keith Turney.

I sat down with State President Chris Southwood recently and discussed the accomplishments and setbacks of the second-largest State Lodge in the Fraternal Order of Police. We also discussed his background, what he is doing now and what his leadership vision is for the future. Here is his story, told in his own words.

Since becoming president of the ILFOP in 2014, it's been a team effort here in Illinois. We are blessed with a hardworking, dedicated (yet embarrassingly under-compensated) Board of Trustees who have worked together to put the ILFOP on the right track. The Illinois FOP is here to serve and protect its members. These difficult times dictate and require strong, effective leadership based on selflessness, honor and integrity, and this is precisely the type of leadership displayed by our Board of Trustees.

I come from a strong union family. My father was a chief steward for the UAW and, in his younger days, was considered by many to be a hardcore, radical, union man. I have many memories of my father's union activities, including being on strike while I was growing up. Through him, I grew to understand the importance of

unions and what they do for the working class.

I graduated from high school in 1982 and entered the United States Army in 1983, serving in the 536th M.P. Company in Hohenfels, West Germany, doing garrison patrol and field duties. In 1986, I was honored to be named the 7th Army Training Command Soldier of the Year.

I worked at various jobs while in high school, after leaving the service in the U.S. Army and while attending college. I've been on strike. I've walked a picket line. I've manned burn barrels. I believe in solidarity, and I understand unions. These things, coupled with my work experience, have given me a unique perspective on the issues and problems confronting our organization today. Most importantly, I recognize and understand the role our organization plays in protecting and enhancing the rights of our members and defending our profession.

I started my career with the Illinois State Police in 1988. I've been a strong supporter and active member of the Fraternal Order of Police since that time, now serving the FOP for more than 33 years. My commitment to the rights of the individual member has always been at the forefront of my beliefs. I started my career in District 15 (Tollway), working the area surrounding the O'Hare interchange and I-294. It was during this time I first met a legend within the Illinois FOP — Brother John Dineen. Dineen was there for me when he didn't have to be. Through John, I learned as members of the FOP, we are all part of a family. We share a special bond, taking care of each other regardless of when or where we serve or served.



Illinois possesses some of the finest, best-trained law enforcement officers, correctional officers and public safety professionals in the nation, and the Illinois FOP is proud of the dedicated professionalism displayed by our public safety professionals every single day. But sadly, we are losing them at a historic rate. They are leaving the profession, and it's not just those who are taking early retirement — it's officers with 10–12 years on the job, the future leaders of their departments, gone. Our current system under the “anything but” SAFE-T Act is failing us. Violent crime is surging in our communities across the state. Couple this with historically low recruitment numbers, and at a time when it's needed most, the public safety profession in Illinois is stretched dangerously thin.

Many want us to believe the narrative is changing for the better. Yet, it is hard to be optimistic when over the last year, so many of our finest have made the ultimate sacrifice — officers who weren't just killed in the line of duty, they were executed. For what? Routine traffic stops, motorist assists and barking dog



complaints. We've had nine officers shot in Illinois since January 1.

Public safety professionals across Illinois are under attack. Enough ... the war on public safety must end. It's time to hold prosecutors responsible for refusing to prosecute criminals. It's time to hold judges responsible for repeated slaps on the wrist to violent repeat offenders. And it's time to hold the Democrat **supermajority** in Illinois responsible, including those who supported the "anything but" SAFE-T Act, which is proving to be a public safety disaster just as we suspected it would.

What we have always known has become painfully clear. Our public safety professionals are not the problem. In fact, they are the solution. A solution that is vitally critical and necessary for maintaining a well-functioning, safe society.

This year is going to be pivotal for the Illinois FOP. The 2022 general election here in Illinois will be a defining moment for the future of our profession. We must work together to make the positive changes necessary not only for our profession but also for the safety of our citizens and communities across Illinois. We must continue to be united against the threats facing our proud organization and the profession so many have



Continued on page 26 >



MEMBER SPOTLIGHT

Continued from page 25

sacrificed so much for. We must also continue to grow stronger. In Illinois, we believe in our rights as members of this great organization, and together, we are prepared to do whatever is necessary to defend those rights.

I would like to thank each member of the Illinois FOP State Lodge Board of Trustees for their dedication and willingness to sacrifice and serve in the

capacity in which they do. They are on the front line of the fight for the public safety profession here in Illinois. It is their dedication that makes the difference, not only in the continued success of the Illinois FOP but in improving the lives of our members, as well as the safety of the citizens in the respective communities they serve.

Yes, there are difficult times ahead here in Illinois, but we believe that as we stand together, stronger and more united than ever, we will prevail. For

now, we will continue the fight. Stay safe, brothers and sisters.

I asked President Southwood one last question, "What are some of your favorite things about the role as state president?" His response: "Being able to meet the members, new and old alike, and build relationships through fraternalism. Now more than ever, we need to come together and fight for the profession that so many have sacrificed so much for." **FOP**





BLUE VIEW

TUNE IN TO THE NEW FOP PODCAST

Listen in every week to hear from law enforcement experts, elected officials and other notable leaders to gain insight into the issues and current events surrounding the law enforcement community.

Available now on **FOP.net**, FOP's YouTube channel, Apple, Google, Spotify and Amazon Music.

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LAW ENFORCEMENT STRESS

IT'S NOT JUST THE TRAUMA: PART 1

SHERRI MARTIN / DIRECTOR OF WELLNESS

When we talk about mental health for law enforcement officers, conversations typically focus on traumatic events as the cause of mental health struggles. We point to a critical incident — an officer-involved shooting, a line-of-duty death, a horrific crime scene where death or serious injury has occurred. We frequently talk about the cumulative effects of being exposed to numerous traumatic scenes over years of doing the job. It has been estimated that a police officer is exposed to an average of 188 critical incidents in the course of their career, far greater a number than the average citizen. So, these incidents and their effects must certainly be taken seriously and considered.

But there is more to the story.

Looking back over my law enforcement career, there were certainly a number of critical incidents and horrific scenes to which I bore witness. Like most everyone reading this, I can recall details of some of those incidents. Maybe the ones that were extremely violent, or that came at a certain point in my career, or that touched me in some unique way. I can look back on those incidents and recall the effect that they had on me. Some made me fearful when I stopped to think about the real danger that had been so close. Some made me sad. Some engendered feelings of helplessness when I could not have changed the circumstances. Some I cannot even recall.

Even though witnessing trauma certainly affected me and likely altered my personality and the way that I view the world, the traumatic incidents I witnessed in my 23-year law enforcement career are not what I recall as being the biggest stressors for me. Each individual and their experiences are different, of course, but for me, I recall the most stressful times in my career as revolving around matters that occurred inside the four walls of the police department. When I was going through promotional processes or being investigated for a complaint. When I was competing against peers vying for a special assignment or undergoing disciplinary action. When administration made wholesale changes to the department with little to no input from the troops. When I was not allowed adequate time off to spend time with my family or to rest because the department demanded more of my time. Those incidents, operational and organizational in nature, created far more and enduring stress for me than any critical incident.

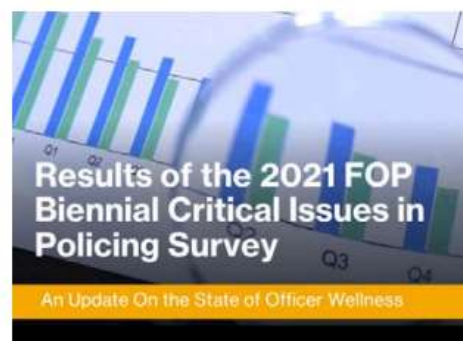
It seems that my experiences are not unique. In examining the results of the **2021 FOP Biennial Critical Issues in Policing Survey**, we looked at items in which respondents rated the top job-related stressors for them. In the survey, we asked about experiences with a number of traumatic critical incidents, organizational stressors and operational stressors. For each category, we chose the most common scenarios within each. For example, our list of 20 critical incidents included scenarios like having a co-worker killed in the line of duty and being threatened with a knife or gun. Our list of 26 organizational stressors included things like internal

investigations and inadequate equipment. Finally, our list of 20 operational stressors included items like shiftwork and paperwork. We asked respondents to rate the level of stress that each item causes for them, ranging from “No stress at all” to “A great deal of stress.” We then compared the level of stress created by each of the 66 stressors. Here is what we found:

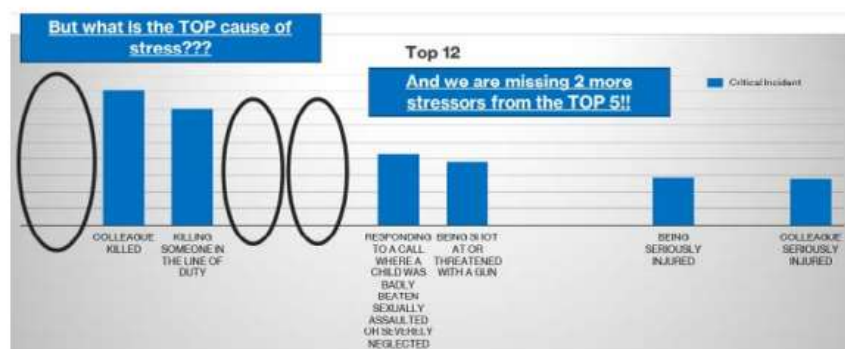
In keeping with common thinking, we did find that critical incidents represented two of the top five sources of stress experienced by the officers who participated in the survey.

was rated as the fourth-greatest source of stress. Fatigue, classified as an operational stressor, was rated as the fifth-greatest source of law enforcement stress.

Consider this information for just a moment. For many of our members, these results may come as no surprise. As a profession, we have long assumed that critical incident trauma is the greatest source of stress for our officers, but we must consider that we may not have been exactly correct. While each individual copes differently and each unique personality is affected by things differently,



Sources of Police Stress – Combined



A colleague being killed was rated as the second-most stressful experience, and killing another person in the line of duty was rated the third-most stressful experience. Both would most certainly be considered critical incidents. However, the item rated as creating the highest level of stress for officers was **not a critical incident!** It was, in fact, an organizational stressor.

Staff shortages, an organizational stressor, were rated as the highest cause of stress among respondents. Bureaucratic red tape, another organizational stressor,

your individual experience may differ from that of the survey results. However, the fact that so many survey respondents have rated operational and organizational stressors at this level necessarily means that if we are intent on reducing officer stress, we must dig deeper and examine our organizational and operational practices.

As my colleague Dr. Jacqueline Drew points out, we cannot stop critical incidents from occurring. Unfortunately, in our society, violent crime will still occur, and life-threatening accidents and natural disasters will still happen. However,

we **can** examine our operational and organizational practices to reduce stress on officers in other areas. We **can** likely improve officer mental health and well-being by shifting our policies and practices to reduce stress on law enforcement employees. We **can** look at our scheduling practices for ways that we might reduce officer fatigue. We **can** look at ways that we can increase manpower or decrease staff shortages so that we reduce burnout levels among our officers. We **can** look for ways to simplify internal processes to reduce stress caused by “bureaucratic red tape.” We **must** provide resources for officers most exposed to the highest-rated stressors. As we continue to analyze the data, we will look further into the effects of the stress reported by respondents. Remember that higher levels of stress do not necessarily translate into poorer mental health outcomes. Some of our members will be resilient in spite of increased stress. We should also be constantly looking for ways to increase officer resilience.

In the coming months, as we continue to examine results of the 2021 FOP Biennial Critical Issues in Policing Survey, we will continue to expand the discussion of officer wellness and endeavor to offer practical considerations for policy development and actions that we can take to improve officer wellness. The FOP Division of Wellness Services will utilize the information gathered from the survey to develop recommendations for best practices and to encourage further discussion of these topics across the country. Looking to the voices of the men and women doing the job, the knowledge gained from those voices is powerful, and we aim to put that power to work! **FOP**

Sources of Police Stress – Combined



REFERENCE

Drew, J.M & Martin, S. Preliminary findings of the 2021 FOP Biennial Issues in Policing Survey. Presentation to FOP Leadership Matters. 5 February, 2022.

TURNING 65 IN 2022? WHAT TO DO IF YOU'RE NEW TO MEDICARE

The Fraternal Order of Police (FOP) understands that access to affordable, quality health insurance in retirement is important to you. It is valuable to have information on your plan options. This way, you can make an informed decision when you turn 65 or become eligible for Medicare.

Your First Step — Enroll in Medicare

You must sign up for Medicare during a seven-month window: the three months before your 65th birthday, the month you turn 65 and the three months after your 65th birthday. We recommend signing up early to avoid any gap in health care coverage.

To sign up for Medicare, you can apply online at [SSA.gov](https://ssa.gov). You can call (800) MEDICARE, TTY: (877) 486-2048, 24 hours a day, seven days a week if you have questions. Your local Social Security office may be open for services as well, but you need an appointment, and capacity is limited.

FOP Offers Four Plan Options

The FOP is offering retired FOP police officers and spouses the option to enroll in a choice of four Aetna Medicare Advantage plans with prescription drug coverage. The FOP plans, which are Medicare Advantage or Part C plans, combine everything covered under Part A (hospital care), Part B (doctor services) and Part D (prescription drugs) into one plan.

To be eligible for a Medicare Advantage plan, you have to enroll in Part A and Part B and pay your Part B monthly premiums. Go to FOP.AetnaMedicare.com/turning-65 for more information. We have helpful videos about enrolling in Medicare and the plan options available to you.

Who Can Join the FOP Aetna Medicare Advantage Plans?

These FOP Aetna plans are for people who purchase their own health care coverage and don't have a bargained benefit through their former employer or union. These plans also include extra benefits not offered by original Medicare, such as vision and hearing aid reimbursements, the SilverSneakers®



fitness benefit, a behavioral health coaching program and other care and wellness programs to help keep you healthy.

How to Sign Up

Throughout 2022 as you become eligible for Medicare, you can sign up for an FOP Aetna Medicare Advantage plan. Just be sure you've already enrolled in Medicare Part A and Part B. Then, to enroll in an FOP plan, go to FOP.AetnaMedicare.com or call Aetna at (866) 246-8039 (TTY: 711), Monday through Friday, 8 a.m. to 6 p.m. ET. **FOP**

Editor's Note: The FOP is dedicated to helping all of its members and their families thrive and improve their standard of living. That's why the FOP has teamed up with Aetna to offer four Aetna Medicare Advantage PPO plan options that provide members with comprehensive medical, prescription, hearing and vision benefits. As part of this partnership, Aetna will be sharing helpful information about its plans, wellness-related news and more in each issue of the FOP Journal.



FOP VETTED AND APPROVED WELLNESS PROVIDERS AND PROGRAMS

Wellness Facilities

Chateau Recovery

Midway, UT

chateaufrecovery.com/programs/first-responders

FHE Health: Shatterproof Program

Deerfield Beach, FL

fhrehab.com/services/first-responders

First Responder Wellness by Simple Recovery

Costa Mesa, CA

firstresponder-wellness.com

Harbor of Grace First Responder Program

Havre de Grace, MD

harborofgracerecovery.com/first-responders

Transformations Treatment Center: Help for Our Heroes Program

Delray Beach, FL

helpforourheroes.com

Warrior's Heart

Bandera, TX

warriorsheart.com

Wellness Products

CordicoShield

cordico.com/shield

TIAG mResilience

tiag.net/innovations/mresilience

Lighthouse Health & Wellness

lighthousehw.org

Wellness Training Programs

HEART 9/11 SMART Program

heart911.org/programs/smart-program

Warrior PATHH

bouldercrest.org/warrior-pathh



Upper Iowa University

Since its inception in 1857, Upper Iowa University's (UIU) unwavering commitment to accessible higher education and lifelong learning ensures that current and future UIU students are provided with the skills they need to be successful in the classroom, career and life. A private, nonprofit university, UIU provides undergraduate and graduate degree programs to about 4,500 students at over 20 U.S. education locations, including its main Fayette, Iowa, campus.

Proud to be part of the consortium with the Fraternal Order of Police, UIU works with numerous law enforcement entities to promote the educational advancement of its officers through its face-to-face, online and self-paced programs. UIU accepts police academy and transfer credits, as well as recognizes a student's experience in the military or through experiential learning.

Students have more than 40 majors to choose from, and all utilize a unique, flexible course schedule. A few of the undergraduate programs include accounting, business administration, criminal justice, emergency and disaster management, human resources management, human services, information systems, information technology, management, marketing, psychology, public administration with an emphasis in general, emergency and disaster management, fire science or law enforcement, or policy and politics. Among the newest offerings is a business administration degree with an emphasis in supply chain management.

At UIU, you can earn your master's degree in business administration, counseling, education, health care administration, public administration or sports administration. The Master of Public Administration (MPA) degree provides students with the practical



knowledge and skills necessary to excel at leading and managing government and nonprofit organizations. UIU MPA students can choose from the following areas of emphasis: criminal justice, emergency management and homeland security, general study, government administration, health care management, nonprofit organizational management and public management.

Each UIU academic year consists of five eight-week sessions and one accelerated six-week summer session, so UIU students typically take less classes

at a time. Other students get a jump on completion by transferring up to 90 undergraduate credits or 12 graduate credits from other schools. Credits may also be earned via an experiential learning portfolio or various college examinations.

UIU has competitive tuition rates matched with a variety of endowed and institutional scholarships, grants and financial assistance programs. Most students are eligible for endowed or institutional scholarships to further lower the cost of their UIU education.

Students who are completing a two-year degree at another college are encouraged to inquire about UIU's transfer tuition scholarship program. In addition, UIU's Corporate Advantage Partnership provides tuition grants and other benefits to employees of participating companies. FOP members may also qualify for savings of up to \$200 per course through the university's Peacock Pride Grant or Silver Grant programs.

UIU has continually created learning opportunities close to home. In 1973, UIU established an external degree program (paper based) for individuals with jobs, families or military service who were unable to afford or attend college full time. In 1981, UIU began opening education centers within the U.S. and abroad. In 1999, UIU initiated its online offerings, and in 2011, UIU became one of Zoom's initial partners to once again expand UIU's ability to provide quality educational opportunities.

A participating institution in the Principles of Excellence and Yellow Ribbon programs, UIU has been named a top military-friendly school or university by VIQTOR, Military Advanced Education and G.I. Jobs on multiple occasions. Online undergraduate and master's programs at UIU have also been ranked among the best online programs for veterans and service members by U.S. News & World Report.

To further assist the entire military family in achieving their academic and career goals, UIU announced in September 2020 the creation of the Military Family Grant. The grant, which is available for all eligible spouses and dependents of active duty, reserve and National Guard service members, has proven to be a successful means of financial support to service members and their families as they seek to further advance their education and careers. UIU also offers annual military spouse scholarships and a patriot grant for all veterans and active DOD cardholders. The university also accepts tuition assistance, veteran's educational benefits, scholarships and military spouse career advancement accounts.

For additional information about Upper Iowa University, visit uiu.edu, email info@uiu.edu or call (800) 553-4150. **FOP**

WWW.FOP.NET

The National Fraternal Order of Police University (NFOPU) has successfully paved the way for hundreds of FOP members to pursue higher or continued education. For more information on the NFOPU Consortium, go to fopconnect.com/education-connect/about-the-consortium.



Los Angeles, CA



La Jolla, CA



Cincinnati, OH



Charles Town, WV



Olivet, MI



Arlington, VA



Ashland, OH



Rosemont, PA



Adelphi, MD



Santa Ana, CA



Thomasville, GA



San Diego, CA



Albany, NY



Tiffin, OH



Williamsburg, KY



Washington, DC



Nashville, TN



Fayette, IA



Saint Charles, MO



Cypress, CA



Minneapolis, MN



Cincinnati, OH



Forest City, IA

Recent Capitol Hill Activity, Important Updates and More



Congressional Activity

The primary development on Capitol Hill this month was the consideration and passage of H.R. 2471, the Consolidated Appropriations Act, 2022. The bill provides funding for all federal government operations for this fiscal year. The legislation increases funding for the U.S. Department of Justice by \$1.4 billion, which includes an increase of more than \$500 million in assistance to state and local law enforcement agencies. This includes:

- \$674.5 million for Byrne JAG, an increase of almost \$200 million
- \$512 million for programs administered by the Office of Community Oriented Policing Services (COPS) programs, an increase of more than \$125 million
- \$201 million to address sexual assault kit and other DNA evidence backlogs
- \$115 million for Second Chance Act programs
- \$572.5 million for grant programs to address substance use disorders
- \$95 million for grants to improve the NICS firearms background check system
- \$50 million for new Community Violence Intervention and Prevention initiatives
- Nearly \$300 million in community projects to fight crime and improve public safety in communities across the country

The omnibus spending bill also included the text of the FOP-supported H.R. 1769/S. 675, the NICS Denial Notification Act. Every year, thousands of firearms sales are blocked because the attempted purchaser failed a background check run by the National Instant Criminal Background Check System

Just the Facts:

» The big news on Capitol Hill recently was the passage of H.R. 2471, the Consolidated Appropriations Act, 2022. The bill provides funding for all federal government operations for this fiscal year. Also, Congress passed, and President Biden signed into law H.R. 2051/S. 854, the Methamphetamine Response Act. This legislation, which the FOP supported, designates methamphetamine as an emerging drug threat. It also directs the Office of National Drug Control Policy (ONDCP) to implement a methamphetamine response plan within 90 days to address this public safety threat.

(NICS). When a prohibited person attempts to buy a firearm, they commit a crime. This legislation would require the

Law enforcement and other public safety officers face a 25.6-times higher risk of developing acute stress disorder, post-traumatic stress disorder (PTSD) and other mental health conditions than those in other professions.

U.S. Department of Justice to notify state law enforcement and, when practicable, local law enforcement agencies when these attempts to buy a firearm are denied. State

and local agencies could then choose to investigate these illegal purchase attempts.

The appropriations measure also includes an extension of the emergency authority of the Drug Enforcement Administration (DEA) to temporarily classify fentanyl-related substances as Schedule I under the Controlled Substances Act. This order has been previously extended and is now effective through December 31. The Fraternal Order of Police has been pushing Congress to enact a permanent extension to ensure that illicit fentanyl and any analogs remain on Schedule I.

Finally, Congress passed, and President Biden signed into law H.R. 2051/S. 854, the Methamphetamine Response Act. This legislation, which the FOP supported, designates methamphetamine as an emerging drug threat. It also directs the Office of National Drug Control Policy (ONDCP) to implement a methamphetamine response plan within 90 days to address this public safety threat.

Update: Expanding PSOB Benefits for Service-Connected Suicides

The FOP closely engaged with members of the Senate to develop the Public Safety Officer Support Act — an

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WASHINGTON REPORT

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expansion of a bill previously introduced in the House as H.R. 3071. These efforts resulted in Senators L. Tammy Duckworth (D-Ill.) and John Cornyn III (R-Texas), along with six original co-sponsors, introducing S. 3635. The original sponsors of the House bill, H.R. 3071, have re-introduced their bill as H.R. 6943, making it identical to the Senate measure.

Law enforcement and other public safety officers face a 25.6-times higher risk of developing acute stress disorder, post-traumatic stress disorder (PTSD) and other mental health conditions than those in other professions. Some statistics suggest that a law enforcement officer will experience more traumatic events in six months than the average person will experience in a lifetime. In recent years, our profession has improved by expanding the kinds of services and support available to officers who are struggling with mental wellness. Perhaps more importantly, we have begun to erase the stigma associated with those who do seek or receive help

with their mental health. Even with this progress, we estimate that 147 officers still took their own lives in 2021.

The Public Safety Officer Support Act acknowledges the connection between suicide and service-connected mental health issues.

The FOP is a leader on this issue and helped to pass several bills into law that address the mental health and wellness among law enforcement officers, which recognize that the men and women in law enforcement are subjected to incredible stressors that can lead to acute

stress disorder, PTSD and suicide. These mental health issues are, in virtually every case, connected to their service as law enforcement officers. The U.S. Armed Forces recognize the vast majority of suicides as line-of-duty deaths because they understand the invisible injuries to the mind and spirit that are inflicted as a result of their service. The FOP believes it is time for the Public Safety Officers' Benefits (PSOB) program to extend similar recognition to law enforcement and other public safety officers who incur these invisible injuries.

The Public Safety Officer Support Act acknowledges the connection between suicide and service-connected mental health issues and amends the PSOB program by providing death and disability benefits to officers who attempt to take or do take their own life. The bill provides that an officer who is diagnosed with acute stress disorder, PTSD or another similar mental health condition who commits or attempts to commit suicide is presumed to "constitute personal injury" as defined in the PSOB statute. This would allow the

Continued on page 38 >

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Top Priorities in Brief

H.R. 82/S. 1302, the Social Security Fairness Act

House: 267 co-sponsors (196 D, 71 R)

Senate: 38 co-sponsors (32 D, 4 R, 2 I)

Urge Congress to pass it:
tinyurl.com/yc84zf3m

H.R. 962/S. 1888, the Law Enforcement Officers' Equity Act

House: 86 co-sponsors (64 D, 22 R)

Senate: 3 co-sponsors (2 D, 1 R)

Urge Congress to pass it:
tinyurl.com/37afz34h

H.R. 3225, the Public Safety Employer-Employee Cooperation Act

House: 31 co-sponsors (21 D, 10 R)

Urge Congress to pass it:
tinyurl.com/5h6mtmvt

H.R. 1210/S. 1610, the LEOSA Reform Act

House: 58 co-sponsors (1 D, 57 R)

Senate: 2 co-sponsors (2 R)

Urge Congress to pass it:
tinyurl.com/5e4m94rj

H.R. 3079/S. 774, the Protect and Serve Act

House: 72 co-sponsors (6 D, 66 R)

Senate: 23 co-sponsors (23 R)

Urge Congress to pass it:
tinyurl.com/mvursja

To see a full list of legislation supported by the FOP, please visit tinyurl.com/ycy5k5rv. Members should continue to monitor the FOP's social media platforms and our website for the latest legislative news! To send a message to your members of Congress asking them to support FOP priority legislation, visit the FOP Action Center at votervoice.net/FOP/home.

WASHINGTON REPORT

Continued from page 36 >

officer, or his surviving family, to claim the death or disability benefit administered by the PSOB program.

It also establishes a similar presumption that any officer "who has contacted or attempted to contact the employee assistance program of the agency or entity that the officer serves, a licensed medical or mental health professional, suicide prevention services or another mental health assistance service in order to receive help, treatment or diagnosis" is also eligible to make a PSOB death or disability claim.

Finally, the bill would recognize the cumulative and corrosive effects of the mental stress suffered by law enforcement and other public safety officers. Just as an officer who dies from a gunshot wound years after being shot, some officers reach a point where they are emotionally or mentally overcome and consider suicide. To address this, the bill creates the same presumption for any public safety officer who responds or responded to a mass casualty, mass death or mass shooting event. Responses to an incident like Sandy Hook, the Pulse nightclub or the Las Vegas shooting may not have an immediate impact on many officers whose training and mental resiliency allow them to respond to the crisis and, in many cases, cope with their trauma and continue to serve. But some officers — too many — are unable to cope. They may struggle in silence and not seek the help they need or develop unhealthy coping mechanisms like substance abuse, which accelerate their downward emotional spiral until they reach that dark place and see suicide as a solution to their pain. We need to do everything we can to help these officers — indeed, we have a responsibility to do so. However, on those occasions in which we fail them, we absolutely cannot fail the families they leave behind or fail to help the officer who survives the attempt. They should be eligible to file a claim with the PSOB program and H.R. 6943/S. 3635 would do this.

FOP Weighs In on FCC Nominee

The FOP has been vigorous in our opposition to the nomination of Gigi B. Sohn to join the Federal Communications Commission as a commissioner. Our gravest concern is the active and

enthusiastic leadership role of Sohn as a board member for the Electronic Frontier Foundation (EFF) in its forceful advocacy of end-to-end encryption and "user-only access" — often referred to in the law enforcement world as "going dark." These new encryption methods for communications are causing federal, state and local law enforcement agencies to rapidly lose the capability to obtain information necessary to protect the public from crime and violence. This is because the service providers have embraced encryption technology that makes the encrypted data completely inaccessible — even from the providers themselves, hence the term "user-only access." Their continued advocacy of this technology and support for

**Finally, the bill
would recognize
the cumulative and
corrosive effects of the
mental stress suffered
by law enforcement
and other public
safety officers.**

additional barriers and restrictions to prevent law enforcement from obtaining historically accessible information makes it extraordinarily more difficult for law enforcement to apprehend dangerous criminals and protect the public.

The embrace of such technology is opposed by federal law enforcement agencies, particularly the Federal Bureau of Investigation (FBI), which has championed "lawful access," which means that service providers must be able to comply with lawful court orders. Sohn's position on "user-only access" is also at variance with U.S. policy. In July 2019, the governments of the United States, United Kingdom, Australia, New Zealand and Canada issued a communique that states:



“[T]ech companies should include mechanisms in the design of their encrypted products and services whereby governments, acting with appropriate legal authority, can gain access to data in a readable and usable format. Those companies should also embed the safety of their users in their system designs, enabling them to take action against illegal content.”

The Senate Committee on Commerce, Science and Transportation considered Sohn’s nomination, which advanced on a 14–14 party-line vote. Her nomination will next be taken up on the Senate floor, and the FOP will continue our efforts to defeat the nomination.

Update: Social Security Fairness Act

Our staff in the Government and Media Affairs (GMAC) has been highly focused on building up our number of co-sponsors. As of March 18, we have 267 co-sponsors, which includes 196 Democrats and 71 Republicans. If the bill gets to 290 co-sponsors, it triggers a House rule and would go to the floor for consideration.

The bill’s sponsors, Representatives Rodney A. Davis (R-Ill.) and Abigail A. Spanberger (D-Va.), sent a formal letter to Representative Nancy P. Pelosi (D-Calif.), who is the speaker of the House, and other House leaders calling on the bill to be brought to the floor of the House.

targeting members of the House who co-sponsored the bill in the last Congress or are in a district where its previous member co-sponsored. In the coming weeks, we will expand this list of targeted members of Congress to those whose constituents

They may struggle in silence and not seek the help they need or develop unhealthy coping mechanisms like substance abuse, which accelerate their downward emotional spiral until they reach that dark place and see suicide as a solution to their pain.

The FOP followed up with our own letter urging Congress to consider and pass H.R. 82. We have not yet received a reply.

Our Washington, D.C., staff has been doing a letter-writing campaign

are most affected by the WEP and GPO, as well as members in states where a significant number of their

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Texas is home to several representatives who have yet to co-sponsor the Social Security Fairness Act. Reach out to your members of Congress today and help repeal the WEP and GPO!

WASHINGTON REPORT

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Congressional delegation have signed onto the bill.

We also continue our work with Representatives Davis, Spanberger, Garret N. Graves (R-La.), and the Public Safety Working Group on Social Security Fairness in an effort to reach our goal.

In the Senate, the bill was introduced as S. 1302 by Senators Sherrod D. Brown (D-Ohio) and Susan M. Collins (R-Maine). The bill has 38 co-sponsors — which is the same number we ended the 116th Congress with — and we still have nine months to go. We are engaging with the Senate Committee on Finance in an effort to get a hearing on the WEP/GPO issue.

Urge Congress to pass the Social Security Fairness Act by sending a message via tinyurl.com/5bt38xpa.

FOP is the #1 Voice for Law Enforcement

The FOP is the premier voice for law enforcement in Congress, in the

press and on social media. We have been very successful in spreading our message, especially on social media, and have been able to have direct, personal conversations with our members, potential members, supporters and opponents across our social media platforms. No other law enforcement organization can match the FOP's social media presence and reach.

FOP members should regularly check in and visit our social media pages and see for themselves the daily posts we are making to better inform and educate the public on the current issues facing law enforcement. We encourage every lodge, every member and every citizen who supports law enforcement officers to follow the National FOP:

- Facebook (@GLFOP)
- Twitter (@GLFOP)
- Instagram (@FOPnational)

Making our voice heard is critical! It allows us to better shape the narrative around our brother and sister officers. 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 and use the following hashtags: **#FOP #FOPstrong #BackTheBlue #DefendThePolice**

Do your part! We need your help to spread the truth and defend the police and our officers. We ask that everyone **share, comment and like** the content that we are posting.

Lastly, the National FOP's weekly update is a key resource to keep you informed on the legislation pertinent to law enforcement and a great way to stay updated on what the National FOP is doing for you in Washington. If you have not yet done so, please be sure to sign up for the National FOP's *Washington Watch: Legislative Update*. This one-of-a-kind weekly update is sent out every Friday via email, posted in the NFOP mobile app and shared on our social media platforms. To sign up to receive the update via email, please tinyurl.com/24aecm93.

Please Support the PAC!

Our National Legislative Program

is the most reliable, effective and impactful law enforcement advocacy operation in Washington, D.C. When Congress or an administration, regardless of party, is looking to engage meaningfully on criminal justice or law enforcement issues, they seek out the FOP as a partner. We are known and trusted to fight for the interests of our members, which makes the FOP a vital ally on policing and criminal justice issues.

While the National Fraternal Order of Police Political Action Committee (NFOP PAC) is just one of the tools used by our National Legislative Program and Grassroots Action Network, it is also the one most in need of your support. The NFOP PAC is — or can be — a very effective way to represent our members on Capitol Hill by supporting candidates who support our members and our profession. As we move into this election year, the PAC will become all the more critical to supporting candidates who support law enforcement. At this writing, our PAC is very much depleted from the previous election cycle, and we need our members to step up and contribute to help us ensure that the next Congress will have members who will fight for them.

We are asking all FOP members to find a way to contribute to the National FOP PAC. Our profession depends on having well-informed lawmakers who listen and understand the challenges facing law enforcement today.

We can accept one-time donations, but we encourage members to sign up for recurring, monthly contributions using their credit card. This is the most effective and reliable way to contribute.

These contributions need not be for hundreds or thousands of dollars (though these are also very much appreciated) — but every dollar helps! If every FOP member gave just \$1, we could raise \$364,000! If 10% of our members gave just \$5 this year, we would raise \$182,000 for the next election cycle. We can and need to do better raising funds for our PAC!

To donate online, please visit nfop-pac.firstresponderprocessing.com. If you would like to donate via check, please make it out to the National

Fraternal Order of Police Political Action Committee and mail it to 328 Massachusetts Avenue, NE

**Some statistics suggest
that a law enforcement
officer will experience
more traumatic events
in six months than
the average person
will experience
in a lifetime.**

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Affairs Center at (202) 547-8189 or David Taboh at dtaboh@fop.net.

Thank you to all of you who have supported and continue to support our PAC with regular contributions!

Tune in to the Blue View Podcast!

Recently, the FOP launched our own weekly podcast, entitled the *Blue View*, and hosted by National President Patrick Yoes.

Every week, *Blue View* listeners will hear from law enforcement experts, elected officials or other notable leaders to gain insight into the issues and current events surrounding the law enforcement community.

The *Blue View* podcast is another opportunity for the FOP and our members to connect with the general public and allow them to better understand what our law enforcement officers experience every day. It will also feature interviews with lawmakers and other policy experts on legislation, as well as other issues.

The *Blue View* podcast can be found on **Apple Podcasts, Spotify, Amazon Music, YouTube** and the **FOP website. FOP**

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Nashville TN 37214**



**100% of the proceeds go to the
NFOP Foundation Disaster Relief Fund.**



Sixth Circuit Denies Qualified Immunity to Officers in First Amendment Case



On February 8, the Sixth Circuit Court of Appeals denied qualified immunity to police officers from the Clark County, Ohio, Sheriff's Office. Michael Wood sued the officers for false arrest — among other claims — alleging that the officers violated his First Amendment right to free speech when they arrested him for disorderly conduct at the Clark County Fair in 2016. Wood alleged that he was arrested in connection with his wearing a shirt bearing the words, "F*** the Police" to the county fair. The trial court found that the officers had probable cause to arrest Wood for disorderly conduct and granted the officers qualified immunity. The Sixth Circuit Court of Appeals, however, reversed the decision and found that Wood's speech was protected by the First Amendment.

Plaintiff Michael Wood entered the Clark County, Ohio, Fairgrounds wearing a shirt that said: "F*** the Police." The local sheriff's office received a call that Wood was walking around with the shirt on and making people feel uncomfortable. Fairgoers also complained to other deputies on scene that a male was walking around filming with his cellphone and using profanity. At 5:45 p.m., deputies were called to a building where the executive director of the fairgrounds was talking to Wood. The executive director had asked Wood to leave. After some conversation and exchange of profanities, the executive director returned Wood's entrance fee to the fair, and Wood began to leave.

Wood advised police that he was leaving through the back entrance of the fair. Although it is not visible on any of the body cams, Wood alleges that he was pushed at some point

by one of the deputies. While he was walking out, Wood continued to scream profanities at the police, including: "F*** all you. You dirty rat b*stards." He called the officers "F***ing thugs with badges," among other profanities. The executive director of the fairgrounds asked the

disorderly conduct charges against Wood were both eventually dismissed. Wood then filed a civil suit against the arresting officers alleging — in part — a claim for false arrest. On summary judgment, the trial court determined that in a face-to-face encounter with a police officer, the use of certain language can constitute disorderly conduct. Based upon the totality of the circumstance and relevant case law, the trial court found that probable cause existed to arrest Wood for disorderly conduct. Indeed, the trial court observed that "The plaintiff's language consisted of personally abusive epithets sufficient under Ohio law to constitute fighting words. Plaintiff yelled at, cursed at and taunted defendants in a public place" (*Wood v. Eubanks, et al.*, 459 F.Supp.3d 965 [S.D. Ohio May 11, 2020]). Thus, the trial court granted qualified immunity to the officers on Wood's false arrest claim.

The Sixth Circuit disagreed and reversed. The three-judge panel for the Court of Appeals found that there was no probable cause to arrest Wood for his conduct, and Wood's right to be free from arrest was clearly established at the time. The Sixth Circuit found that "[t]he Ohio Supreme Court has clearly established that a person may not be punished for disorderly conduct

Just the Facts:

» The Sixth Circuit Court of Appeals denied qualified immunity to police officers in Ohio after they arrested a man at a county fair who was wearing a shirt with an obscenity directed at police and screaming profanities at the officers. The trial court originally found that the officers had probable cause to arrest the man for disorderly conduct and granted the officers qualified immunity. However, the Sixth Circuit Court of Appeals reversed the decision and found that the man's speech was protected by the First Amendment.

We are experiencing a proliferation of cases involving law enforcement's response to lewd, offensive and taunting behavior from the public.

officers to arrest Wood during the walkout. In response, the officers discussed a disorderly conduct charge. Eventually, Officer Eubanks decided to arrest Wood for disorderly conduct.

The arrest was made without incident. The obstruction and

“unless the words spoken are likely, by their very utterance, to inflict injury or provoke the average person to an immediate retaliatory breach of the peace” (*Wood v. Eubanks, et al.*, No.20-3599 [6th Cir. 2022]). Here, Wood was not doing anything other than using profanities toward the officers. As the Sixth Circuit stated, “[w]hile Wood’s speech was profane, the circumstances did not create a situation where violence was likely to result.” The officers have filed a petition for a rehearing en banc where the entire Sixth Circuit panel may have an opportunity to hear the case.

We are experiencing a proliferation of cases involving law enforcement’s response to lewd, offensive and taunting behavior from the public. Courts have found that police officers are expected to exercise a higher degree of restraint than the average citizen and should be less likely to be provoked into misbehavior by such speech. (See *Payne v. Pauley*, 337 F.3d 767, 776 [7th Cir. 2003].) Qualified immunity protects “all but the plainly incompetent or those who



knowingly violate the law” (*Malley v. Briggs*, 475 U.S. 335, 341 [1986]). The appropriate question is whether a reasonable officer under the facts and circumstances would know that their conduct violated the constitutional rights of another. As these cases continue to appear, it is good practice to be up to date on your jurisdiction’s First Amendment jurisprudence as it relates to officers responding to similar situations. **FOP**

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To mark the 20th anniversary of the 9/11 attacks, the National Law Enforcement Museum will feature a new exhibit titled “Post 9/11: The Evolution of American Law Enforcement.”

To learn more about the National Law Enforcement Museum, please visit tinyurl.com/hazwfmldr.



A True Southern Gentleman Leaves Us

Longstanding National Trustee Billy Peacock Passes Away

Wednesday, January 19, was a sad day for FOP in the state of Georgia, and FOP across the country. Our brother and good friend, William E. (Billy) Peacock, passed away. He was born on February 22, 1943, in Atlanta, Georgia, and left behind an incredible FOP history.

Billy was hired by the DeKalb County Police Department in 1968, where he worked his entire career. He eventually retired in 2000 after 32 years of dedicated service at the rank of captain. Billy worked patrol, narcotics, vice, intelligence and in the training division.

Brother Peacock joined the FOP and DeKalb County Lodge #10 in 1971 and was a 51-year member. He served as lodge president and trustee. Bill was a strong supporter of the rights of police officers and pursued any legislation that would be in the best interest of law enforcement. Likewise, he adamantly opposed any that didn't favor cops. In honor of their favorite son, Lodge #10 members renamed their lodge the William E. Peacock FOP Lodge in 1991, while Steve Bollinger was president. In addition to his local lodge and many committee assignments, he served in several leadership positions throughout his FOP career.

State level:

- Inner Guard from 1974 to 1978
- State president from 1978 to 1983

National level:

- National trustee from 1983 to 2016, serving for 33 years
- Chairman of Trustees from 1997 to 2001

Awards and accolades, to name a few:

- Local lodge life member
- State FOP Officer of the Year twice, in 1988 and 2016



Billy helped charter Conyers Lodge #69 on May 25, 2021. Pictured: Georgia State President Jamy Steinberg, Lodge #69 President Kim Lucas, Conyers city manager Tony Lucas, current Georgia National Trustee Carlton Stallings and Billy Peacock.

- Recipient of the prestigious President's Award in 2016. Brother Peacock is the only recipient to receive this honor while still living.

For several years, Brother Peacock played Santa at the lodge's annual Shop With a Cop event, an assignment he loved. Billy was a member of Brother Gil Gallegos' Unity Team ticket in 1995, and as Brother Gil's campaign manager, it was a pleasure for me to travel across the country campaigning with Billy and his campaign manager, Steve Bollinger. Steve and I remain friends to this day.

Georgia National Trustee Carlton Stallings stated, "It would be impossible to measure the positive impact Billy had on members of the FOP over the years. Not only in Georgia, but nationwide. I'm proud to say he was not only my friend, but a mentor."

New Mexico and Georgia were housed together in the same hotel at

the National Conference in Cincinnati in 2013. I am thankful for this because it afforded me and other New Mexico delegates the honor of spending time with Billy, Steve and other Georgia FOP brothers and sisters.

Things you may not have known about Billy:

- Billy liked miniature donkeys and had two named Bert and Ernie.
- Billy was one of three creators of the Blue Line Identifier, which eventually became known as the Thin Blue Line, in 1993 at a local lodge meeting. Steve Bollinger and Woody Hall were the other two.
- Billy and Howard Billingsly, by accident, got to see Jerry "The Iceman" Butler perform at the Jazz Alley Club in Georgetown, D.C.

"One thing that we always say about Billy at hospitality rooms was that he knew all the words



Billy receiving an award at the Georgia State Conference in Savannah. Pictured: Chet Delong, Jay MacDonald, Roger Mayberry, Chuck Canterbury, Les Neri, Billy Peacock and Carlton Stallings.



Billy Peacock in uniform early in his career



National Conference in Cincinnati, 2013. Pictured: Billy Peacock, Christopher Bollinger, James Flores and Steve Bollinger.



Billy relaxing, and deservedly so

**of every song ever written,”
Bollinger said.**

Above all, Billy Peacock was a dedicated family man who knew what was truly important in his life. Regardless of all his accomplishments or his love for the job, or his loyalty to the FOP, he loved his family more than anything. Billy is survived by his wife of 53 years, Shirley, daughters Kelly and Katie (Matthew), and sons Andrew (Amy) and William. He also leaves behind grandchildren Kickelos, Maxee, Jo, Addison, Carley, Brooke and Lileigh.

WWW.FOP.NET



In 1991, Lodge #10 members voted to change the name of their lodge to William E. Peacock Jr. DeKalb County Lodge #10.

As a member of the Fraternal Order of Police, he made us “Proud as a” ... well, you know.

Rest in peace, brother, and may God bless.

I would like to thank Steve Bollinger, Carlton Stallings and Alan Blaisdell for their assistance during the writing of this article.

James Flores (New Mexico) is the chairman of the National FOP History Committee.

Committee members are Dewey Stokes (Ohio), Adolph South (Alabama), Dave Stevens (Florida), Bruce Evaritt (Maryland), Ben Roberts (Texas) and Tom Lemmer (Illinois). FOP



Summary of Material Modifications for FOP Legal Plan, Inc.



During the 2020–21 plan year, the following changes were adopted:

- **Extended reporting period amended.** Effective May 14, 2020, the trustees amended the time period in which a participant has to report a claim commencing on the date a participant's applicable coverage terminates and now extending **indefinitely**, removing any previous time limitations.
- **Increase in benefits for the use of non-plan attorneys.** Effective September 2, 2020, the benefits received for legal services for any type of coverage when using a non-plan attorney increased from \$9,500 limits to \$10,000 limits per claim (the \$250 deductible and \$1,000 maximum limit for reimbursable costs per claim remain unchanged).

- **Retired Law Enforcement Concealed Carry Legal Defense Coverage plan replaces former HR-218 LEOSA Coverage plan.** Effective January 1, 2021, the trustees replaced the prior HR-218 LEOSA Plan with the **FOP Retired Law Enforcement Concealed Carry Legal Defense Coverage plan**, now providing eligible retired law enforcement officers with **unlimited** legal defense for civil and criminal claims for those retirees who are either qualified under LEOSA or qualified under their own state laws to carry a concealed weapon. Previously, "reasonable and necessary legal defense costs" had been covered only up to an annual aggregate limit of \$25,000 for all claims arising out of all occurrences

commencing in any one-year period. Participants continue to have the right to employ an attorney of their choice; however, **all** reasonable and necessary legal defense costs are now covered **in full** when using a plan attorney. If a participant wishes to use a non-plan attorney, then legal services are covered only up to \$10,000 (pre-trial) and up to \$10,000 (at trial), while reimbursable costs are covered up to a maximum limit per claim of \$1,000 and subject to a \$250 deductible. The annual fee increased from \$50 to \$75. Active law enforcement officers covered by the FOP Legal Defense Plan (either full coverage or civil and criminal coverage) already receive concealed carry coverage at no extra cost. **FOP**



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Criminal	Criminal	Criminal	Criminal
Civil	Civil	Civil	Civil

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Summary Annual Report for FOP Legal Plan, Inc.

This is a summary of the annual report for the FOP Legal Plan, Inc., (Employer Identification No. 31-1439914, Plan No. 501) for the period May 1, 2020, to April 30, 2021. The annual report has been filed with the Employee Benefits Security Administration, as required under the Employee Retirement Income Security Act of 1974 (ERISA).

Basic Financial Statement

The value of plan assets, after subtracting liabilities of the plan, was \$3,633,517 as of April 30, 2021, compared to \$3,285,654 as of May 1, 2020.

During the plan year, the plan experienced an increase in its net assets of \$347,864. This increase includes unrealized appreciation of the value of plan assets; that is, the difference between the value of the plan's assets at the end of the year and the value of the assets at the beginning of the year, or the cost of assets acquired during the year. During the plan year, the plan had a total income of \$19,721,067. This income included participant contributions of \$14,863,693 and a total investment return of \$4,857,374 (consisting of interest and dividends: \$550,325; realized gains on sales of investments: \$237,077; net appreciation of investments: \$4,192,327; less investment management fees of \$122,355).

Plan expenses were \$19,373,203. These expenses included \$2,424,455 in administrative expenses, \$9,413,748 in benefits paid on behalf of participants and a \$7,535,000 increase in the benefit obligations.

Your Rights to Additional Information

You have the right to receive a copy of the full annual report, or any part thereof, on request. The items listed below are included in that report:

- An independent auditor's report
- Assets held for investment
- Transactions in excess of 5% of the plan assets
- Insurance information, including sales commissions paid by insurance carriers

To obtain a copy of the full annual report, or any part thereof, write or call the office of:

Fraternal Order of Police Legal Plan,
Inc. or the Plan Administrator
Steve James, president, Board of
Trustees
701 Marriott Drive
Nashville, TN 37214
31-1439914 (Employer Identification
Number)
(615) 399-0900

You also have the right to receive from the plan administrator, on request and at no charge, a statement of the assets and

liabilities of the plan and accompanying notes, or a statement of income and expenses of the plan and accompanying notes, or both. If you request a copy of the full annual report from the plan administrator, this statement and accompanying notes will be included as part of that report. These portions of the report are furnished without charge.

You also have the legally protected right to examine the annual report at the main office of the plan: FOP Legal Plan, Inc., 701 Marriott Drive, Nashville, TN 37214, and at the U.S. Department of Labor in Washington, D.C., or to obtain a copy from the U.S. Department of Labor upon payment of copying costs. Requests to the Department should be addressed to: U.S. Department of Labor, Employee Benefits Security Administration, Public Disclosure Room, 200 Constitution Avenue NW, Suite N-1513, Washington, D.C. 20210. **FOP**

Visit FOPCovid19.org



**Get the latest updates
on the FOP's activities
in response to the
coronavirus pandemic
and helpful safety
information for law
enforcement!**

See You at the Collective Bargaining Seminar in November!



As we reflect back on the Labor Summit and Legal Seminar held this past February, we in the Labor Services Division hope those of you who attended were able to gain a wealth of knowledge in the informative seminars focusing on member representation, policing during the time of COVID-19 and other rich topics pertaining to collective bargaining and public employment.

There were also presentations on the highly politicized police reform movement, qualified immunity and perspectives from a minority law

Don't miss out on this opportunity as we take on true negotiation issues in practice, not to mention the fun and excitement of Las Vegas!

enforcement officer. Delving into topics like these not only invites further learning, but they are immeasurably vital to the men and women of law enforcement in their day-to-day policing. We in Labor Services routinely get asked about topics such as these and what FOP leadership can do to help. The answer: attend NFOP trainings!

If you were unable to attend the Labor Summit or Legal Seminar or want more education and practice in regards to collective bargaining and negotiations

Just the Facts:

» The Labor Services Division hopes those who attended the Labor Summit and Legal Seminar in February were able to gain plenty of knowledge centered on member representation, policing during the time of COVID-19 and other rich topics pertaining to collective bargaining and public employment. For those who were unable to attend these informative seminars or just want more education, we invite you to attend our Collective Bargaining Seminar this coming November in Las Vegas, Nevada. For registration and more information, contact (615) 399-0900 or labor@fop.net.

at the table, we invite you to attend our Collective Bargaining Seminar this coming November in Las Vegas, Nevada.

Not only will the seminar provide collective bargaining education that is beneficial for experienced negotiators, non-experienced negotiators and any members of law enforcement who wish to sit on a bargaining team, but the seminar will provide real-life training in the form of mock negotiations, role-plays, tactics and strategies that can all be used during real-life negotiations

at your own bargaining table. If you are hoping to develop or enhance your public employment negotiation skills while also gaining insight into what it is really like to sit down at the bargaining table, then the 2022 Collective Bargaining Seminar must not be missed!

Don't miss out on this opportunity as we take on true negotiation issues in practice, not to mention the fun and excitement of Las Vegas! For registration and more information, contact (615) 399-0900 or labor@fop.net. **FOP**



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