

FOP



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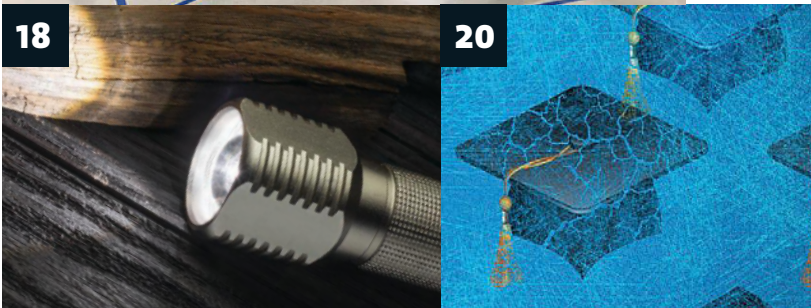
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Post-Janus

// **WRITE TO US!** If you have further questions, contact Chuck Canterbury at fopchuck@outlook.com.

By now, you are aware that the U.S. Supreme Court has ruled in the *Janus v. AFSCME* case, and, as expected, the court ruled 5-4 that employees cannot be compelled to pay fair-share fees. The Supreme Court had heard a California case in the previous session and had ruled 4-4, resulting in no change to fair-share rules.

Once President Trump appointed Judge Neil Gorsuch to the high court, we knew that a win was likely not going to occur, based on Gorsuch's conservative rulings as an appeals court judge.

Why We Feel Janus Won't Impact the FOP Nearly as Hard as It Would Traditional Unions

The FOP has long provided many benefits to its members that will not be included in the duty to represent. Lodges have and continue to maintain retired members in their membership, and those members understand the purpose and mission of the FOP. These members pay dues knowing that in most cases they will not need lodge services usually associated with union representation. They do so because they receive lodge benefits such as life insurance, discounts on other insurance programs, FOP vehicle tags and programs such as our free college program. I believe that long-term members will maintain their membership because of these type of programs, and our challenge will be making new officers aware of the benefits of joining their local lodges.

It is vital that members realize the benefits of your local lodge, State Lodge and the National FOP. The National FOP has ramped up our communications utilizing Facebook, Twitter and emails as well as regularly updating our website. We are working on a phone app that will put all of this information at your fingertips. Knowledge is power and keeping members informed of benefits and the virtues of maintaining their membership is how we keep our members.

All of these reasons alone are significant but the most important resource we have in our fight to retain dues-paying members is lodge legal defense programs. In these tumultuous times in law enforcement and the advance of instant news cycles, legal defense is a membership benefit that in most cases will not extend to non-dues-paying officers. Freeloaders will not be able to have legal defense services without paying dues; this fact alone will keep our members as members. If your lodge does not require you to provide legal defense in critical incidents, you must make this fact known to your members.

Vice President Jay McDonald and I are forming a Post-*Janus* Task Force that will be charged with monitoring litigation that we expect to come out post-*Janus*. We will be cataloguing state laws and regulations on the duty to represent, and the task force will be making recommendations on contractual protections that should be bargained for as well as recommending model legislation to our lodges to protect them in duty to represent litigation.

Each state will have unique aspects to their respective duty to represent and we urge leadership to fully understand their laws and regulations so that we avoid litigation. The FOP has a presence in every state that has either mandatory bargaining or permissive bargaining, and we have had lodges bargaining in right-to-work states for many years. Their experience has shown that FOP membership is usually maintained and that our members understand the need to remain in the union.

Fort Pitt Lodge #1 in Pittsburgh, birthplace of the FOP, has a motto that resonates throughout our great organization. The motto "from cradle to grave" demonstrates that we are much more than just the "union." We are their family, their partners and their protectors.

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**Grand Lodge Fraternal Order of Police
National Headquarters**
701 Marriott Drive Nashville, TN 37214
1-800-451-2711
Phone (615) 399-0900
Fax (615) 399-0400
Email: glfop@fop.net
www.fop.net

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FOP on the Move!

// **WRITE TO US!** If you have further questions, contact Jay McDonald at jmcdonald@fopohio.org.

Great things are happening in the Fraternal Order of Police all across the country. New lodges are being formed and existing lodges are growing. Two reasons appear to be fueling this growth: the FOP Legal Defense Plan and the desire of members to be part of a national organization to help fight the attacks from the media and politicians on our members. The National FOP even has a new way for people to get recruitment information. Text FOP to 797979 and you will receive a text message with a link to start you on the process of joining the FOP.

The California Fraternal Order of Police had about 2,500 members in 2000. In 2018, that number has jumped to over 17,000 members. That is a 580% increase — and it's still growing. It recently added the Los Angeles County Probation Department and Fontana Police Department to their ranks and are talking to other groups about joining. California State President Roger Mayberry said, "We have made growing the FOP a priority and set regular recruitment goals for the organization. We know we have the best organization out there, and we are making sure everyone else knows it as well."

In Texas, the FOP has grown from about 4,400 to over 10,000, making it the 10th-largest FOP state in terms of membership. It chartered lodges in Plano and in Tyler during its last conference and has seven new lodges in the pipeline as this article is being prepared. Its relationship with the Texas Municipal Police Association (TMPA) is contributing to this growth. The Texas FOP and the TMPA continue to merge their operations so that TMPA can have a national voice for its 25,000-plus members in Texas. In fact, the Texas FOP and the TMPA held a joint conference this year, further strengthening their relationship.

Frank Plowick, the National Trustee

for the Texas FOP, stated: "The Texas State Lodge continues to work toward our goal of bringing all 80,000 peace officers in the Lone Star State under the FOP umbrella and to speak with one unified voice. We are really excited to see the results come together after all of our planning and work. We know the FOP is the voice of law enforcement and we are getting stronger in Texas every day!"

A 2007 Missouri Supreme Court ruling that grants collective bargaining rights to all public employees has spurred growth in the Show Me State, according to State President Rick Inglema. The Missouri State Lodge has grown by 35% since then and hasn't stopped. President Inglema attributes that success to officers better understanding the need for protection after incidents like those in Ferguson and Baltimore, and the FOP's high-profile defense of officers who are politically prosecuted.

Another factor is the dramatic increase of our political presence at the local levels of government. This has contributed significantly to our success with collective bargaining, pay, officer rights, as well as officers seeing the benefit of joining the FOP because of our voice.

"The Missouri FOP has nearly 7,400 members now because of this commitment to growth," Inglema said.

In Georgia, National Trustee Carlton Stallings reports that the Georgia FOP has experienced a lot of growth recently, primarily in the rural areas that have had little or no FOP exposure. Since our last conference, we have chartered three new lodges and have two more on the horizon. "This growth is the result of potential members seeing that the FOP is there for all of our members and also recognizing the programs and benefits of membership offered by the State and National FOP," Stallings said.

Sometimes, growth comes from an

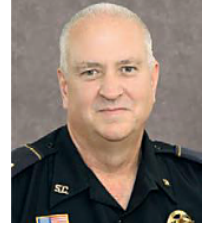
unexpected deed. "On Christmas Eve 2013, Wauwatosa Police Officer Jennifer Sebens was shot and killed while on night shift patrol," Wisconsin State President Don Kapla said. "As it would turn out, her husband [had] ambushed and killed her, and there was some dissension between the board members of the NLEOMF as to whether or not her death should qualify as a LODD and if she should be added to the National Memorial. At our behest, President Canterbury directed the FOP representatives that sit on this board to vote in favor of it and garner as much support as possible.

"In the end, we were successful and she was added to the National Memorial. At that time there was no FOP lodge in the Wauwatosa area, a suburb of Milwaukee; however, when they saw that the FOP was willing to go to such an effort for an officer that wasn't even a member of the FOP organization, just because it was the right thing to do for a fellow officer — well, that resonated with a lot of cops in the area," Kapla said.

In May 2014, Wisconsin FOP chartered Lodge #11, in the Wauwatosa area. Within two years, it chartered three more lodges throughout the state. At this time, they had 11 active lodges with about 725 total members. Beginning in mid-2017 through May 2018, it added several new members, almost entirely because of the Legal Defense Plan benefits. The Wisconsin FOP chartered four additional lodges, including all Janesville P.D. supervisors, all Milwaukee P.D. supervisors, all of the Wisconsin State Patrol and all of the Wisconsin Department of Natural Resources wardens. These new lodges added 980 new members, for a current total WI FOP membership of 1,809 members. That is 150% growth over that period of time.

Continued on page 12 >

Fine-Tuning Our Consistently Exceptional Services



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

There is much concern about the recent Supreme Court decision in *Janus v. AFSCME*. These concerns are certainly reasonable given the circumstances. Once again, public-sector employees are under attack. We have been singled out and treated differently than other professionals. Public employees should have the same rights as every other American. These rights should include our right to work collectively to address our common interest. The ability to have meaningful dialog on employment matters that are vital to our well-being and stability is absolutely crucial to the workplace. The *Janus* decision is clearly an attempt to further dilute our collective voice and break down the rights we have worked so hard to achieve.

Many have posed the question: How does the *Janus* decision affect law enforcement and, to a lesser extent, the viability of the Fraternal Order of Police? My gut tells me the impact to our Order will be minimal at best. If anything, it will help us fine-tune the exceptional services we have consistently offered and encourage us to find new and innovative ways to better serve those who serve our communities. Our continual pursuit of member service and support is exactly why we are the oldest and largest law enforcement representative organization in the nation.

The men and women who bravely stand the line of defense holding the very fabric of our nation together have a specific set of skills and duties unlike any in other public-sector jobs. Those skills and duties demand far more than a simple service offered by other public-sector unions. The services offered by the Fraternal Order of Police are an absolute necessity to all law enforcement professionals in today's unstable social climate. Because of this, our members know and understand how important our organization is to their survival.

Consider, if you will, the importance of our ballistic vest and how crucial it is to our survival on the streets. Knowing this, we would never consider starting our shift without it. Much like the ballistic vest is crucial to our lives, legal defense is crucial to our career survival in today's policing environment. Unfortunately, it's not likely you will finish your career without requiring its protection. This is just one of the many services the FOP offers to its members that sets us apart from other professional unions.

Most of our 2,200 local FOP lodges and our 340,000 members have managed to survive in so-called "right-to-work" states. The similarities between the *Janus* decision and right-to-work laws are striking. The reality is that, for decades, right-to-work states have successfully served their

members with important and necessary services that help make their FOP lodges indispensable. It is the personal service offered by committed FOP leaders that have allowed us to flourish for over a decade and will overshadow the *Janus* decision for decades to come. We are an institution! The FOP has a time-tested reputation and sound strategy that, at the end of the day, will be the foundation that brings our members decades of the quality and professional services they deserve. **FOP**

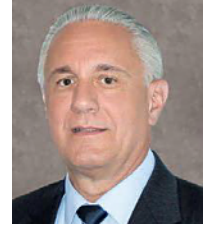


WE ARE NOT SIMPLY THE COLLECTIVE VOICE OF LAW ENFORCEMENT. WE ARE LEADERS IN OUR COMMUNITY, TOO.

It is where we live, play and raise our families. We are invested in the success of our communities. Case in point, take time to read "Cops Connecting With Communities" on page 14 in this issue. It's the first of what I hope will be additional articles that illustrate just who we are. See what Indianapolis and Kansas City are doing to serve their members and their community alike. Does your lodge have a similar program? I would love to hear about it. Share your success in building community partnerships.

Email me at pyoes@fop.net.

The Importance of Legal Defense Coverage



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

We continue to see officers being publicly criticized, disciplined and even arrested for doing their jobs. Many times this happens in response to public unrest, before an investigation is even completed. That is why it is so important for each of you to have legal defense coverage. An innocent involvement in an incident can not only ruin your career, it also can bankrupt you and your family. That is why we created the National FOP Legal Defense Plan. I was a member of the committee that started the National Plan many years ago. We knew it was important then and it is even more important now.

The FOP plan is owned and operated by the FOP and was designed exclusively for the legal defense protection of law enforcement professionals. The FOP provides a benefit that protects you from these types of incidents: The Legal Defense Plan, designed to meet the exposures you face every workday. The plan provides defense coverage for administrative, civil and criminal-type actions, proceedings and investigations.

Can you imagine defending yourself against allegations stemming from incidents that occurred while you were doing your job? Can you imagine the emotional roller coaster one faces when allegations or, even worse, charges are brought against you for what you might have considered to be actions while in the scope of employment? We understand it; we have experienced it; and we have defended them for the last 23 years. The plan has serviced over 30,000 claims and paid out over \$70 million in legal fees over the life of the plan. Ask yourself this: **Can you afford not to have coverage or protection considering the increasing frequency, severity and cost of allegations and incidents?**

Here are the benefits of FOP-sponsored legal defense coverage:

- Sponsored by the Fraternal Order of Police Grand Lodge
- Operated by the FOP Legal Plan Inc.
- Protecting thousands of FOP members since 1995; currently over 70,000 participants strong

- Designed specifically for law enforcement officers
- Affordable, comprehensive and responsive duty-related legal defense coverage
- Unlimited coverage for administrative, civil and criminal when using a plan attorney
- Choice of own attorney — use whom you want to use
- Unlimited defense costs when using a plan attorney
- Off-duty out-of-scope administrative coverage included
- Coverage appeals and plan management are controlled by an FOP Board of Trustees, not an insurance company or outside organization
- Financial and professional security during a time of intense public scrutiny of police officers
- Relieves the stress and financial burden of a lengthy legal defense battle

Continued on page 12 >



Protecting Your Future, TODAY

Legal defense protection is a necessity for law enforcement professionals. As the frequency and cost of allegations rise, the FOP Legal Defense Plan offers you and your lodge members a very affordable and comprehensive plan.

Benefits include:

- ★ Right to choose your own defense attorney(s)
- ★ Coverage for administrative, civil and criminal claims
- ★ Career, personal and asset protection
- ★ FOP sponsored and operated since 1995



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Grand Lodge Legal Aid

// **WRITE TO US!** If you have further questions, contact Les Neri at Ineri@pafop.com.

Although the Grand Lodge has developed programs, such as Labor Services and the Legal Defense Plan, to assist our membership, there are still situations in which our Brothers and Sisters find themselves in need of legal assistance. These members may apply to the Grand Lodge for legal aid through the National Secretary's office. Requests for legal assistance or financial aid are made pursuant to our constitution and bylaws as outlined below.

A written request for aid or assistance setting forth the specific aid or assistance requested, and the reasons therefore, shall first be made to the appropriate subordinate lodge. In the event that the subordinate lodge is unable to provide all or a part of the requested aid or assistance, the subordinate lodge may request such aid or assistance from the appropriate State Lodge. The request of the subordinate lodge shall include the original request and a statement of the action taken thereon by the subordinate lodge.

In the event that the subordinate lodge and the State Lodge, together or separately, are unable to provide all or part of the requested aid or assistance, the subordinate lodge may request such aid or assistance from the Grand Lodge. The request of the subordinate lodge shall include the original request and a statement of the action taken thereon by the subordinate lodge and the State Lodge. A subordinate lodge in a state having no state lodge may request such aid or assistance directly from the Grand Lodge. The appeal and all of the facts must be in written form.

Requests for legal assistance or financial aid shall be made to the Grand Lodge in writing, shall include all appropriate and relevant documentation and materials, and forwarded to the National Secretary, who shall forward copies of same to the chairman of the Legal Assistance and Financial Aid Committee and the National President.

The Legal Assistance and Financial Aid Committee is responsible for hearing all legal

aid requests and making a recommendation on the request to the National Board of Trustees. This committee also provides assistance to lodges with the wording of their legal defense coverage and the FOP Legal Plan Inc. to ensure that all members are given the opportunity to be protected with legal counsel.

All requests for legal assistance or financial aid shall be heard at the next meeting of the National Board of Trustees. In the case of an extreme emergency where time is of the essence and the delay caused by waiting for the next meeting of the National Board of Trustees could cause irreparable injury, a direct request may be made to the National President. This request shall be in the same form as otherwise provided herein for requests made to the National Board of Trustees. The National President and the National Executive Board shall consider the matter and, upon majority

vote thereof, may grant the legal aid requested.

It should be noted that no member, subordinate lodge or State Lodge shall allege, represent or promise that the Grand Lodge will assume any payment or provide any assistance or aid, nor shall the Grand Lodge, or any officer, employee, agent or representative provide or promise to provide any legal assistance or financial aid except as outlined above. Any provision of such legal assistance or financial aid shall be specifically authorized by the Grand Lodge, memorialized by a writing signed by the National President and National Secretary under the National Lodge seal.

In closing, I would stress that although assistance may be available from the Grand Lodge, members can best protect themselves by participating in the national Labor Services Plan, national Legal Defense Plan or your own State or local lodge plans. **FOP**

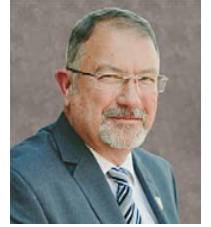


A FAMILY TRADITION CARRIES ON

Gordon W. Smith, right, swears in his grandson, Tanner Gordon Smith, to Chester County Lodge #11 PA. Gordon Smith is the oldest member of the lodge and Tanner is the youngest member of the lodge.



Let Us Never Forget Our Retired and Disabled Members



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

As I have said over and over, the FOP is many things to many people. Today I ask you to reflect upon our disabled and retired members because they are a valuable resource to our organization. All too often we overlook the valuable contributions they have made and are still capable of making!

Many of our retired and disabled members feel disenfranchised from their Brothers and Sisters in the FOP when they leave active service. That should never occur. I know it can be difficult to maintain contact because you don't see them or communicate with them on a regular basis. Some of our disabled are challenged when it comes to attending meetings, and many of our retirees travel often and may be difficult to keep up with. With that being said, as I travel about the country, I see many a retiree and disabled officer making great contributions to our lodges. In many areas, it's the nonactive service members who do the most because they have the luxury of time to contribute. Plus, they have the knowledge and experience to get things done. Additionally, because they are no longer beholden to an employer, they can be an extremely outspoken voice on behalf of active duty members, and many have the political clout to make a difference.

I understand that many of our lodges have a culture of serving active members only. If you are one of these lodges, I ask that you reconsider such a position. If you are in leadership of such a lodge, consider how you would feel, being put out to pasture, so to say, with so much yet left to offer. We are an organization of inclusion, as some would say, from cradle to grave. We are about family, which equates to not just immediate but extended FOP family as well.

I also understand that it is a two-way street. Some retirees and disabled cut their

ties with their FOP when they gleefully cut their ties with their employer. Some equate their lodge membership with being employed because of the culture that's in place. However, how many times have you heard this response from a nonactive service member when they are asked how they are doing in retirement or disability? "I don't miss the job, but I miss the people." In missing the people, they are missing their lodge Brothers and Sisters.

If I may, I would like to suggest some ways to keep your nonactive service members active in your FOP lodge:

- 1) Keep your membership intact by actively changing your culture to one of inclusion for retired and disabled members.
- 2) Designate an Executive Board member as a liaison to your retirees and disabled members to facilitate communication and a sense of belonging.
- 3) Better yet, create a Board position specifically for a retired or disabled member.
- 4) Network with your pension board or system because they have up-to-date contact information for your retirees and disabled: precious email addresses!
- 5) Include retirees and disabled members in emails. Remember that even for those dinosaurs who don't have email, they still talk to colleagues and get valuable information.
- 6) Sponsor a monthly coffee or light breakfast at your agency, lodge or local establishment friendly to the FOP. An event at your agency can be very enticing to retirees and disabled because they can revisit past memories and catch up with support staff they normally don't see. Make available representatives from the local pension system, labor union and administration who can keep them informed. Remember, they have years of influence in your communities.
- 7) Be cognizant that retirees and the disabled often have their own luncheons and get-togethers. Have a FOP Board member available to keep the flow of information relevant.
- 8) Designate a support group of active or retired members who can network with disabled members. Keep tabs on their health and welfare. Coordinate transportation.
- 9) Constantly remind nonactive service members that the FOP fights not only for active members, but retirees and the disabled as well. Instill a sense of obligation to maintain FOP membership!
- 10) Last, but not least, listen. Not so much to the war stories (however, that is a kind thing to do) but to the wisdom. Many of our retirees and disabled have been through hell and back and are responsible for the wages and benefits that we all enjoy today. Their wisdom can save you time and trouble for they have already blazed a trail that we can all follow.

I know in many ways I may be preaching to the choir, because I have seen many lodges practice these suggestions and more! But for those lodges looking to expand membership and influence, remember your valuable retired and disabled resources. They can make as big a difference today as they most certainly did in the past. **FOP**



We've Got This!

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

As you all have heard by now, the Supreme Court ruled 5-4 in favor of Janus in *Janus v. AFSCME*. This was no surprise to us. Nevertheless, it is causing a little uncertainty among public-sector unions, and rightly so because it does away with fair share. But as we've stated all along, this decision will only impact us as much as we let it.

Labor representation is only one of the great and many benefits the Fraternal Order of Police offers law enforcement professionals around the country. No other organization offers the quality legal defense, fraternalism, benevolence or other benefits we do for our members.

I see this time and time again as I travel the country as your Chairman

of Trustees. I just had the privilege of attending the Texas FOP Conference at the end of July. For the first time in their respective histories, the Texas FOP and the Texas Municipal Police Association (TMPA) held a conference together. This was the culmination of many years of blood, sweat, tears and hard work from leaders in both organizations in efforts to merge. At the end of their conference, the outgoing TMPA President James Babb declared their merger into the FOP as officially completed. What does this mean for the FOP? It means over the coming months and years, the Texas FOP may be chartering over 27,000 members into our Order! I have no doubt once these mergers begin, other large police organizations

in Texas, too, will want to bring their members into the FOP.

Texas FOP and TMPA members have recognized the importance of having one powerful representative voice for law enforcement in their state. Others will no doubt follow, especially in light of the *Janus* decision. I am of the belief that after the initial punch in the gut we took from *Janus*, it could very well benefit us in the long term.

Let us continue to stay the course, Brothers and Sisters. Like we always do, the FOP will adapt, adjust and overcome. We will continue to be the largest and finest police organization because of all we have to offer law enforcement officers. Because we **are** the FOP! **FOP**

PRESIDENT'S MESSAGE

Continued from page 6 >

Every lodge must remain vigilant and constantly look for ways to provide member benefits, maintain communications with your members and continue to serve their needs in a timely, efficient manner. We must also be prepared to counter management that feels it must inform its employees they are entitled to union representation without having to pay dues. They will attempt to paint a picture that the union is taking their money to support political candidates and issues that are not related to them, but we all know that this argument is weak. Politicians control our futures and make the policy we must adhere to, so our involvement is important in our ability to represent our members.

Management will also tell our members that they should not pay dues for what they can get for free. We all know that this argument is easily defeated but you can't win if you are not in the game. Keeping members informed will be important in this fight. FOP STRONG will prevail and the

National FOP will continue to improve, continue to provide quality member benefits, and we are prepared to litigate to protect our membership. **FOP**

VICE PRESIDENT'S MESSAGE

Continued from page 7 >

The Fraternal Order of Police offers many reasons to join: the best law enforcement legislative in Washington, the strongest Legal Defense Plan in the country, the fact that it is the FOP that hosts the National Peace Officers' Memorial Service in Washington D.C., every May 15th, a free college plan (www.fopfreecollege.org) for our members and their families, and a number of other benefits our members receive simply because they belong to the FOP. However, being part of an organization that stands up and speaks out on behalf of those willing to risk their lives to protect and serve people they do not even know is reason enough for me. I Am Proud to Be FOP! **FOP**

TREASURER'S MESSAGE

Continued from page 9 >

- Supported by a powerful organization that sends a message of a strong defense

New Annual Pricing

Based on the most recent actuarial analysis, claim activity and with the best interests of the plan in mind, the Board has implemented the following prices effective January 1, 2019. These prices, will go into effect for current plan participants on their annual renewal date after January 1.

- Group Full Coverage (ABC) \$300/annual
- Individual Full Coverage (ABC) \$310/annual
- Group Civil/Criminal Coverage (BC) \$64/annual
- Individual Civil/Criminal Coverage (BC) \$68/annual

For more information about the plan, visit www.foplegal.com or contact Hylant (Enrollment Administrator) at (800) 341-6038. **FOP**

PUT ON THE BADGE

New Law Enforcement Museum Will Offer Visitors Interactive Experiences

The National Law Enforcement Museum is set to open its doors to the public October 13 after nearly a decade of planning and construction. With its eight exhibits and “walk in the shoes” experiences, the Washington, D.C., museum aims to give the public a better understanding of what it’s like to be in law enforcement.

Visitors can take on the role of an emergency dispatcher, bomb technician or undercover officer, among others. Elsewhere in the museum, they can hear 50 firsthand accounts from law enforcement members about life on the job. The museum’s stated objectives include educating visitors about the history of law enforcement, bringing people together to discuss today’s relevant issues and, ultimately, to better understand one another.

The three-story, 57,000-square-foot museum — large enough to house 2,750 squad cars — will showcase more than 21,000 artifacts from throughout the years. They include an 1857 musket, a department-issued purse female officers in the 1960s had to carry with them to hold their police gear (no duty belts for them) while they wore skirts and high heels on the



Where: 444 E Street, NW
Washington, D.C. 20001

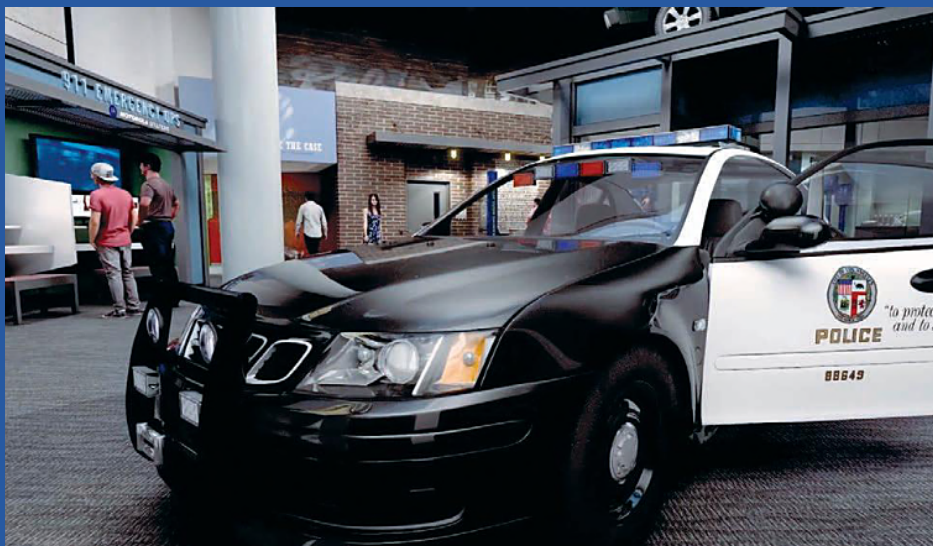
Admission: \$14.95 to \$21.95

More info: www.lawenforcementmuseum.org

job, and the desk of former FBI Director J. Edgar Hoover.

A Hall of Remembrance honors fallen officers, with displays of officers’ photographs and mementos left at the adjacent National Law Enforcement Officers Memorial.

The museum, the only one in the country that examines all aspects of American law enforcement, was built without taxpayer or government funds. Admission fees and donations will go toward exhibits and programming. **FOP**





When it comes to serving the public and engendering goodwill, two FOP lodges have gone above and beyond. Indianapolis Lodge #86 and Kansas City Lodge #99, recognizing that one-on-one interactions build familiarity and trust, are reaching out with resources and individual connections – all to foster dialogue, educate and bridge divisions between police and the community.

Police think bigger, make it personal and build good relations with those they serve.

COPS *connecting* with COMMUNITIES



Connecting Kansas City provided free meals twice a month at Wendell Phillips Elementary School during the school year.

#THINKBIGGER INITIATIVE

In Indianapolis, the push is to #ThinkBigger, an initiative that focuses on education, prevention and community collaboration. #ThinkBigger came out of a high-profile, highly controversial incident in Indiana, says Rick Snyder, president of Indiana Lodge #86 in Indianapolis. Two officers — one white and the other biracial — were reinstated after the fatal shooting of Aaron Bailey, a black motorist who fled after being pulled over for a traffic stop.

A life was lost, regardless of who was right or wrong, Snyder notes. Typically, after a decision by a review panel or, in this case, a Police Merit Board, everyone goes their separate ways, he says. “We as a community needed to take a different approach from other communities around the country. Rather than keep rotating around the same tired discussion, we wanted something positive to come out of it. We have to think bigger. Instead of blaming each other, what are some of the root causes that led to the tragedy?” he asks.

“THE GAME-CHANGER”

Education is a key component of the initiative, which got “immediate buy-in from our membership” and National FOP President Chuck Canterbury, who was “extremely supportive from the get-go,” Snyder says. The Indianapolis FOP and Indiana State FOP each contributed \$25,000 to launch #ThinkBigger.

“The game-changer is that FOP is leading the way forward” and not waiting for others, such as the mayor or City Council, to do so, Snyder says.

As part of a strong public education campaign, FOP is considering creating instructional videos that explain “why officers do what they do.” For example, he says, people are surprised to learn that police cars pull up behind motorists, rather than in front of them during a traffic stop, because the situation “could be dangerous.” Approaching from behind gives officers “better reactionary time.”

Other videos could be about the do’s and don’ts of police interaction or how to behave during a traffic stop or an arrest. During a stop, Snyder says, motorists often don’t know that they should keep their hands on the steering wheel, where they are visible, and that police, on occasion, can order occupants of the car to get out. The public has to comply

educate the public to prevent unnecessary tragedies, Snyder says. He has held discussions with the Urban League, the NAACP race relations committee and at Indiana Black Expo about the #ThinkBigger initiative. And he is working on an FOP-hosted luncheon for 150 to 200 faith-based leaders scheduled for August 28, the 55th anniversary of Martin Luther King Jr.’s “I Have a Dream” speech. In that speech, Snyder points out, King didn’t talk about black and white people; instead he’d advocated for “God’s children together.”

Snyder has also reached out to the Reverend Markel Hutchins, the Atlanta civil rights advocate who founded the One Congregation One Precinct (OneCOP) initiative, which Snyder says was endorsed by National FOP in its Board meeting this spring.

“The goal is to utilize all houses of worship and multiple denominations to connect beat

the remaining 10%. Let’s “build trust and respect on the 90% we agree upon,” he urges.

“We’re going to do this. Something is going to happen,” Snyder resolves, but it’s going to take everybody’s effort. “We can’t fix what’s happened in the past but we can fix what’s occurring today. And we’re saying, ‘Who wants to help with that?’”

CONNECTING KANSAS CITY

To launch its community outreach program last year, Missouri Lodge #99 in Kansas City started young and went to an elementary school in one of the city’s most violent neighborhoods. “Frequent, positive interactions with the police while children are still young is key to long-term systemic changes regarding the attitude between police and the public they serve,” says Lodge President Brad Lemon.



Indianapolis FOP President Rick Snyder meets with Indianapolis NAACP leaders to promote #ThinkBigger. The initiative aims to educate the public about do’s and don’ts of interacting with police, says Snyder, who’s also enlisting the help of faith leaders.

with lawful commands, he says, comparing it to “being in a courtroom and the bailiff orders everyone to rise when the judge enters.”

“The thing about the Aaron Bailey case is there were two people in the car, which provided a side-by-side comparison of the events that occurred,” Snyder notes. Bailey fled after being pulled over for a traffic stop. Then he crashed the car. “His passenger puts her hands up and left unharmed. Bailey didn’t and his actions led to fatal results,” Snyder says.

Ideally, he’d like the video to include perspectives from, say, the president of the NAACP about what people of color might fear, from the Mexican consulate speaking about the language barrier and from an officer, who’s as nervous as anyone else who’s been pulled over.

REACHING OUT TO FAITH LEADERS

A second component of #ThinkBigger is leveraging the power of the pulpit to help

cops with congregational members and to develop strong relationships.”

“SMELL EACH OTHER’S COFFEE BREATHS”

#ThinkBigger also calls upon teachers, schools and the Bureau of Motor Vehicles to help educate drivers about safe practices during police encounters. But it’s the personal connection that Snyder emphasizes.

“I am big on talking to people who don’t like police very much,” he says. “I want to hear your truth about police/community interaction. I want to know where your heart is and where you’re coming from. And I want you to hear mine.

“I want people to say that they had a dialogue and sat close enough to smell each other’s coffee breaths,” he adds.

“What I keep finding is that [the public and police] agree on 90% of everything,” Snyder says. It’s perspective that affects

In partnership with Kansas City Public Schools, the Police Athletic League and Parents of Murdered Children, Lodge #99 began Connecting Kansas City at Wendell Phillips Elementary School to improve relationships with parents and establish positive relationships with students. “If parents have negative feelings about the police, chances are their children will as well,” Lemon says.

HAVING DINNER TOGETHER

The program invited Wendell Phillips students and their families to a free, catered meal on the second and fourth Tuesday of every month during the school year. The dinner allowed FOP members, officers and civilians who work for the Kansas City Police Department to listen to residents’ concerns about police and their suggestions as to how to improve community relations.

After dinner, officers from the Police Athletic League took the children to the gym

to play games. This helped familiarize children with the PAL program and law enforcement, while giving parents an opportunity to speak freely about their police or safety concerns.

More than a dozen volunteers from the FOP, Parents of Murdered Children and PAL participated in each dinner. “We entered into a formal agreement with Kansas City Public Schools to have the program at Wendell Phillips [last year],” Lemon notes. Connecting Kansas City will continue for the 2018–2019 term, although a school hadn’t been selected as of press time.

Crime and safety concerns weren’t the only issues addressed. The program connected

computer lab to help parents sign up for the Affordable Care Act before the deadline. As their children ate and played next door, mothers and fathers received help from a health-care expert in signing up for health insurance. Sixteen families signed up in just one night and many more made appointments with the representative, who offered to open up her office during off-hours to help enroll everyone.

- Inviting the dean of student services and the head of financial aid from Metropolitan Community College to talk to parents about continuing

THE HUMAN LINK

Funding for the outreach program came from a policing grant from Open Society Foundations, a philanthropic organization that works to build democracies whose governments are accountable to their citizens. “We thank Open Society for providing us the funding to make this program a reality,” Lemon says.

The Kansas City Police Officers Memorial Foundation administers the program. After media-driven events like Ferguson and other officer-involved shootings, the KC FOP Board saw a need to build trust, provide support



The dinners at Wendell Phillips drew more than 2,000 people last year. After dinner, family members were able to freely share concerns with police.

parents “to resources available to them, including economic hardship funding, educational opportunities, food and clothing banks and more.”

PUBLIC RESPONSE

“We had more than 2,000 attendees at this year’s dinners and averaged about 150 people each event,” Lemon says. These numbers are particularly remarkable because transportation is a challenge for many families and parents work long and odd hours. Students in all grades and their family members attended.

Community interest also is strong. “We have had church leaders, city leaders, representatives from the Kansas City Chiefs and many more attend our dinners because they wanted to learn more about what we are doing,” Lemon says.

ACHIEVEMENTS

With the help of more than a dozen community organizations, nonprofits and a local community college, the program was able to provide numerous resources and tools to families. They included, Lemon says:

- Partnering with the Black Healthcare Coalition and using the school’s

their education. The representatives explained the financial aid available.

- Holding a question-and-answer session with a grief and trauma counselor who talked to parents about healthy ways to deal with grief, recognize warning signs and help their children talk to them about what they are feeling in times of stress. The counselor was expected to talk about 30 minutes but ended up fielding questions from parents for nearly two hours.
- Having the Director of the Office of Community Complaints talk with parents about how they investigate complaints against officers and what to do if they feel an officer has crossed a line professionally, ethically or legally.
- Several agencies attended our dinners throughout the school year that provide services — from food and clothing banks to rent and utility assistance — to families in need.
- A local City Council representative answered questions about homeownership programs and other issues that parents wanted information about.

and improve the relationship with those living in the urban core, Lemon says. Of the increasing tension between African Americans and police officers, he says, “There needs to be a conversation in this country about what’s going on. Without open, honest dialogue, things will only continue to deteriorate.”

Connecting Kansas City is a step forward. “If we don’t work to build a better relationship with the public we serve ... we have failed as police officers,” Lemon says. “If the public doesn’t trust us to protect it, we can’t do the jobs we swore an oath to do. We have to do better as officers and as human beings to talk to one another and respect one another.” **FOP**

What is your lodge doing to foster community connections and help others? Email Patrick Yoes at pyoes@fop.net and your story could be featured in a future issue!





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Cast a Bright Light

▶▶ **FLASHLIGHTS** are one of the first pieces of gear many law enforcement professionals grab in any situation. Technological improvements in batteries, bulbs and materials — and, yes, even the inclusion of the Internet of Things — have made them more powerful, utilitarian and easier to use than ever before. Here, we've turned the spotlight on lights, thermal imaging and vision-enhancement products with cool features.



TRUGLO TRU-POINT Laser/Light Combo

▶ Two in One

Flashlights brighten up an environment. Lasers pinpoint a subject's location. When you put them together, as TruGlo did with its Tru-Point Laser/Light Combo, you get double the output without extra effort. The laser is housed in the flashlight, but a quick-detach lever allows for fast, easy and tool-free removal. The flashlight, which projects a 200-lumens shaft of light, mounts to most standard Picatinny or Weaver-style rails. Lasers are available in either 520nm green or 650nm red. MSRP \$217.

FLIR BREACH PTQ136

▶ High Visibility

Thermal imaging allows law enforcement professionals to more definitively identify their environment and distinguish between objects and humans. FLIR's Breach PTQ136 thermal imaging monocular, with the new FLIR Boson core, produces crisp and bright images regardless of ambient lighting. It relies on the FLIR Proprietary Digital Detail Enhancement to process heat-detecting images. At only 7.4 ounces, the monocular can attach to a helmet via a mini-rail feature. And it's small enough — less than 6 inches long — to pop into a pocket. An onboard recording system captures activity for review. MSRP \$2,495.



PELICAN PRODUCTS INC. 7070R Tactical Flashlight

▶ Technical Torch

There's an app for that. Users of the 7070R Tactical Flashlight by Pelican Products Inc. can program five switch sequences with different light levels and/or flashing capabilities through its intuitive app. Options extend to the power switches, too. There's the traditional forward-mounted position, and a rear-mounted push button for quick tactical activation. A full-time battery-level indicator keeps you posted on power so that you're not unexpectedly left in the dark. The lithium-ion battery is set up for wireless charging. MSRP \$164.95.

AMERICAN TECHNOLOGIES NETWORK CORP.

PS28 ▶ Day to Night

Transition from day to night with a quick click. The PS28 night vision clip-on from American Technologies Network Corp. adds night-vision capabilities to daytime scopes in seconds. The image intensifier tube technology removes the need to rezero or change eye relief. Choose from several tube intensifier levels, from the company's trademarked WPT generation up to 4 Gen. There's also an automatic brightness control, a 40 mm eyepiece/output window and a quick-release mount. The clip-on is waterproof and can withstand extreme temperatures. MSRP \$1,699–\$5,999.





ULTIMATE NIGHT VISION PULSAR Trail XP50 Thermal Rifle Scope

► Scope It Out

This heat-imaging scope offers a variety of features for professional or personal sporting activities. It detects items as far as 2,000 meters away, and through a continuous zoom, transitions smoothly from 2x to 8x. The built-in accelerometer/gyroscope identifies cant and angles greater than 5 degrees, ensuring greater accuracy. Also, the picture-in-picture mode improves aim by projecting a magnified image of the reticle area at the top of the display. Choose between a white- or black-hot viewing option. Capture it all in real time on video or in pictures sent to its Stream Vision mobile app. The scope is water-, fog- and dustproof. MSRP \$4,999.97.



QUIQLITE QUIQLITEX2 Tactical ► Hands Off

Quiqlite's QuiqliteX2 Tactical is an adjustable, concealed LED flashlight ideal for when hands-free bright light is needed. This updated model is preset for four brightness modes of 20, 75, 150 and 200 lumens and has an extra-wide adjustable floodlight arm. There's also a safety strobe feature. A magnetic QuiqClip that rotates 360 degrees helps secure the durable aircraft aluminum body. The USB rechargeable light comes with a manufacturer lifetime warranty. MSRP \$74.95.

FEDERAL SIGNAL Allegiant ► Raising the Bar

Allegiant, the latest vehicle light bar from Federal Signal, combines the best of existing technology with next-gen highlights. It retains the low, linear profile of previous models and features, in addition to the company's exclusive SprectraLux, Solaris LED reflector technology. This technology enables each module's color to change with selected flash patterns. New to Allegiant is the ability to change its standard red/blue warning pattern to a white takedown or floodlight configuration while in use. There's even an auto dim option. For top domes, choose from amber, blue, clear, gray and red. MSRP \$1,200-\$1,400.

STREAMLIGHT ProTac HL 5-X USB

► Spot On

Put targets in the spotlight with this high-powered flashlight from Streamlight. The ProTac HL 5-X USB generates a powerful beam of 3,500 lumens. The anti-reflective coated glass lens keeps everything in focus while the TEN-TAP program provides three settings: Start with the factory default of high/strobe/low or switch to high only or low/med/high. This model can be powered by the Streamlight 18650 USB rechargeable Li Ion batteries or four CR123A disposable batteries. Complimentary accessories include a charge cord, two button-top batteries with integrated micro-USB charge ports and a lanyard. MSRP \$175.



For more lighting products, visit





IT'S NEVER TOO LATE TO GO BACK TO SCHOOL

As the weather cools, the leaves turn and backpack-laden kids head off to class, it's a natural time for adults to contemplate going back to school, too. Finishing your college education or pursuing an advanced degree can be a great way to boost your professional qualifications, but it does come with its own set of challenges. If you've never experienced a higher-ed environment or haven't set foot in a classroom in years, you may have concerns about what the experience will be like and how you'll handle the transition. But don't let those fears hold you back from taking the next step in your career — you can achieve academic success at any age or stage of your life.

WHAT IF I DON'T FIT IN?

If your images of today's college campuses are mostly shaped by TV and movies, you might envision yourself sticking out like a sore thumb in a class full of students fresh out of high school. The reality, however, is much more diverse. According to the National Center for Education Statistics (NCES), between 2000 and 2016, the percentage of students 25 to 29 years old who received an associate's or higher degree increased from 38% to 46%, and the percentage with a bachelor's or higher degree increased from 29% to 36%. In fact, at Upper Iowa University, 64% of students are older than 25 and the average age of students at American Military University is 33.

In addition, numerous schools now offer the opportunity to pursue your degree online, where age differences can be less apparent. University of Cincinnati says the average age of its distance learners is 35 years old, while non-distance learners skew younger, at 24 years.

Whatever option you choose, you won't be alone. At many colleges, student organizations offer adult learners the chance to meet, socialize and support one another. And even if you do find yourself in the minority, your maturity can be an advantage. Professors tend to recognize that older students enrich the classroom environment with their practical knowledge and real-world experience. Younger students can benefit from your insights, and in turn, you might find that you appreciate their enthusiasm and different perspectives.

WHAT IF I CAN'T KEEP UP?

After years away from the world of studying and test taking, it's common to worry that your skills are rusty. A wealth of internet resources can help you brush up on nearly any topic imaginable, including massive open online courses (MOOCs), which allow you to sample classes from universities around the world and see if you like the web-learning format. You can also refresh your memories of the physical classroom setting by signing up for a continuing education class or auditing a course at a local college. And once you enroll in a degree program, you won't be left high and dry.

Many colleges and universities, including Union Institute & University, have support services or centers staffed with professional or peer tutors who provide free one-on-one or group assistance with writing, math, research and sometimes more specialized subject areas.

Education has evolved tremendously in recent years, and being out of step with classroom technology is a concern for adult learners. Some schools, such as Walden University, offer online orientations to familiarize yourself with their online program as well as 24/7 technical support. Libraries are another source of

guidance; most campus libraries have a research help desk to help you navigate all the electronic resources now available, and local public libraries often offer basic help with computers as well as reference assistance.

HOW WILL I FIND THE TIME?

Your life is probably very different from the last time you were in school. Adult learners are likely to be financially independent, work full time and have children or other family members depending on them. The idea of trying to juggle these responsibilities with your studies can be daunting, but college and university programs are more flexible than ever. From night and weekend classes to online degrees and self-paced coursework, there's a wide array of options available to help you fit higher education into your busy schedule. For example, Trident University's eight-week courses allow online students the flexibility to graduate sooner. And with many online programs offering rolling academic calendars with condensed course timelines and frequent start dates throughout the year, there truly is no better time than the present to start pursuing your degree.

The National Fraternal Order of Police University (NFOPU) helps FOP members advance their careers through higher education. Check out the list of partner schools below, and visit www.fopconnect.com/education-connect for more information. **FOP**



American Military University

www.amu.apus.edu

Dedicated to educating those who serve, AMU offers more than 200 undergraduate and graduate degrees and certificates 100% online, including Law Enforcement, Intelligence and Homeland Security, and Emergency and Disaster Management.

George Washington University

security.online.gwu.edu/fop

GW offers two online master's programs — one in Cybersecurity Strategy and Information Management and another in Homeland Security — and an online bachelor's in Police and Security Studies.

Tiffin University

www.tiffin.edu

Some of Tiffin's relevant online undergrad programs are Homeland Security and Terrorism, Justice Administration and Law Enforcement; grad degrees include Crime Analysis, Criminal Behavior and Homeland Security Administration.

Trident University International

www.trident.edu

A fully online school that prides itself on being military-friendly, Trident has both undergraduate and graduate programs in Homeland Security, Leadership and much more.

Union Institute & University

www.myunion.edu

UIU's range of options includes a professional certificate in Leadership in Public Service, bachelor's degrees in Criminal Justice Management and Emergency Services Management, and a master's in Organizational Leadership.

University of Cincinnati

www.uc.edu

Bachelor's and master's degrees in Criminal Justice can be earned online or on campus. Other online bachelor's degrees include Social Work and Substance Abuse.

University of San Diego

criminaljustice.sandiego.edu

USD's online M.S. in Law Enforcement and Public Safety Leadership covers management, organizational theory, budget and finance, public safety law, and conflict

resolution in addition to criminal justice topics, and can be completed in 20 months.

Upper Iowa University

www.uiu.edu/fop

Distance-learning choices at UIU encompass not only online courses, but also a self-paced version that can be web-based or completed via mail or email. Programs include Criminal Justice, Public Administration – Emergency Management and Public Administration – Law Enforcement.

Walden University

www.waldenu.edu

Walden offers online Criminal Justice degrees at every level, from certificate to Ph.D., plus grad programs in Criminal Justice Leadership and Emergency Management. With the Accelerate Into Master's (AIM) option, students can earn credit toward a master's degree while completing their undergraduate studies.

Waldorf University

www.waldorf.edu

Online programs at Waldorf include Criminal Justice, Emergency Management and Homeland Security at multiple undergraduate levels, plus an M.A. in Organizational Leadership focusing on criminal justice.



FOP Legislation Continues to Advance

At this writing, Congress has one more week of work before the U.S. House of Representatives departs for its August recess. The Senate will be in recess for a week but has cancelled the traditional August recess and will return to session for the month.

UPDATE: H.R. 5698/S. 2794, the Protect and Serve Act

The House passed H.R. 5698, as reported in the previous issue of the *Journal*, by an overwhelming 382–35 vote. The bill was referred to the Senate Judiciary Committee, which is focused on the nomination of Judge Brett M. Kavanaugh to be the next U.S. Supreme Court justice. Our staff has been meeting with members of the Judiciary Committee in an effort to broaden support for the legislation, but we need your help!

We urge **all** of our members to contact their senators — especially those on the Judiciary Committee — and ask them to support and cosponsor H.R. 5698/S. 2794. The legislation would create a new federal offense that penalizes anyone who deliberately targets a law enforcement officer with violence. This bill is a priority for the FOP, and your senators should know that going into the midterm elections.

H.R. 6105, the LEOSA Reform Act

Representative Donald J. Bacon (R-Nebraska) introduced H.R. 6105, the Law Enforcement Officers Safety Act (LEOSA) Reform Act to address several issues with the Law Enforcement Officers' Safety Act (LEOSA). The legislation would extend the LEOSA exemption to apply to the Gun-Free School Zones Act, national parks and certain federal buildings such as post offices or Social Security Administration buildings. The bill would also extend the exemption to magazines so that officers are not exposed to legal jeopardy in states that limit the number of rounds or capacity of a magazine.

Just the Facts:

➤➤ All FOP members are urged to ask their senator to support and cosponsor an FOP priority bill that would make it a federal crime to deliberately target a law enforcement officer with violence. Progress is being made on a reform act that, among other things, would protect officers from legal jeopardy in states that limit the number of rounds or capacity of a magazine. Other FOP successes include obtaining continued funding for key components of the national fight against drugs and preventing legislation that would make law enforcement more difficult.

The FOP has been working on these issues for several years with various provisions in multiple House and Senate bills. We had some reservations about some of the provisions in H.R. 6105 as introduced, and we brought our concern to staff in Mr. Bacon's office. His office has embraced our suggestions and we are proud to report that we are working cooperatively to enact some comprehensive reforms to the statute.

FOP's Legislative Program Continues Its Success!

In the last several months, Congress has been focused on appropriations bills. The FOP succeeded in including several law enforcement-related provisions in H.R. 6147, the Department of the Interior, Environment and Related Agencies Appropriations Bill. These include:

- H.R. 2219, the End Banking for Human Traffickers Act, which would fight human trafficking and money laundering by adding the Secretary of the Treasury to the President's Interagency Task Force to Monitor and Combat Trafficking and require this task force to coordinate with the Office of Terrorism and Financial Intelligence;
- Makes appropriations for the Office of National Drug Control Policy (ONDCP) and High Intensity Drug Trafficking Area (HIDTA) program.

Given that the administration's proposed budget would have zeroed out funding for ONDCP and HIDTA, we are particularly pleased that these key components of our national drug-fighting strategy will receive the money they need to do their important work.

The FOP also played an important role in the final passage of H.R. 3249, the Project Safe Neighborhoods Grant Program Authorization Act. The legislation passed the

Top Priorities in Brief

H.R. 1205/S. 915, the Social Security Fairness Act

House: 185 co-sponsors
Senate: 25 co-sponsors

H.R. 964/S. 424, the Law Enforcement Officers Equity Act

House: 42 co-sponsors
Senate: 6 co-sponsors

H.R. 4846/S. 2845, the Public Safety Employer-Employee Cooperation Act

House: 51 co-sponsors
Senate: 5 co-sponsors

House earlier in the session and we worked with our allies in the Senate to make needed changes to the bill. The Senate passed it and the House voted 394–13 to send it to the President, who signed it into law.

For several years, the FOP has been working on legislation that would broaden the definition of stalking to include threats against pets of a domestic violence victim and allow interstate protective orders to apply to these animals. Providing these protections removes an obstacle to victims of domestic violence who may be reluctant to report crimes against them or leave their abusive situation because they fear for the safety of their pet. The FOP-backed bills H.R. 909/S. 322, the Pets and Women Safety (PAWS) Act, was incorporated into H.R. 2, the Agriculture Improvement Act of 2018. The bill is currently being considered by a conference committee to reconcile the House and Senate bills. Congress will consider the conference report later this summer.

In addition to supporting bills that help our members, the FOP is also engaged in efforts to prevent legislation from passing that would make our profession more difficult. The FOP spent much of this year working with staff with the House Committee on Financial Services to develop H.R. 6068, the Counter Terrorism and Illicit Finance Act. As drafted, the legislation provided for the collection of beneficial ownership information — a critical component in combating money laundering, fraud, tax evasion and other crimes. At the very last moment, committee leadership removed the provision from the bill and added new provisions that created additional obstacles for law enforcement investigating the criminal misuse of our financial institutions. The FOP immediately came out against the bill and forced the committee to pull it from consideration. We continue to work on this issue in the Senate.

The FOP also played a key role in opposing the Email Privacy Act. This legislation, H.R. 387, passed the House under a suspension of the rules early last year but has been blocked by FOP allies in the Senate. The FOP recognizes the need to update the Electronic Communi-

cations Privacy Act (ECPA), but such reform must ensure that law enforcement maintain its ability to access and recover digital evidence. Members of the House have attached the language of H.R. 387 to two bills so far—the previously mentioned H.R. 6147 and the National Defense Authorization Act (NDAA). We defeated the effort to include the language in the NDAA and are working with our friends in the Senate to make sure it is removed from H.R. 6147.

**THE FOP RECOGNIZES
THE NEED TO UPDATE
THE ELECTRONIC
COMMUNICATIONS
PRIVACY ACT, BUT LAW
ENFORCEMENT STILL NEEDS
TO ACCESS AND RECOVER
DIGITAL EVIDENCE.**

The FOP has also been engaged with the White House and Congress on the issue of prison reform. A bill supported by the administration, H.R. 5682, the Formerly Incarcerated Reenter Society Transformed Safely Transitioning Every Person (FIRST STEP) Act, was recently passed by the House Committee on the Judiciary. The FOP opposed the bill as introduced but has

continued our dialogue in an effort to reach common ground.

Support the PAC!

The National Fraternal Order of Police Political Action Committee (NFOP PAC) is an integral part of our National Legislative Program that allows the FOP to more effectively represent our members and our agenda. The FOP is the oldest and largest law enforcement labor organization in the country — we are the No. 1 voice for law enforcement, so it is crucial we keep our PAC strong.

To do this, we are urging every FOP member in your lodge to make a donation and to consider becoming a monthly contributor. These contributions will help grow our PAC and amplify our voice in the legislative process. We also encourage lodges to consider participating in a payroll deduction program. Participating in this way can significantly grow our PAC.

To donate or learn more about our participating in the NFOP PAC, contact Scott Marks at scott.marks@fop.net or call the National Legislative Office in Washington, D.C.

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// **FOR MORE INFORMATION**, please contact the National Legislative Office at (202) 547-8189.

COMING SOON

TO THE WINTER ISSUE OF
FOP JOURNAL

Securing Civilian and Police Workplaces

Higher Education: Human Services in Criminal Justice

Firearms and Accessories

Riot/SWAT Gear and Body Armor

Tactical Apparel



Janus v. AFSCME

On June 27, the long-awaited Supreme Court decision in *Janus v. AFSCME* was made and it is what we expected. The Supreme Court ruled that “fair-share fees” are unconstitutional under the First Amendment of the Constitution and though that may seem troubling to labor, it is important to understand the details fully.

First and foremost, the decision affects only the issue of fair share and the collection of dues under the fair-share doctrine. Therefore, if you have a fair-share clause in your Collective Bargaining Agreement (CBA), this decision invalidates that clause. However, because most CBAs have

a severability clause ensuring the continuation of the CBA in the event some part of it is ruled invalid or unenforceable, the invalidation of a fair-share clause should have no effect on your CBA. In the event that your CBA does not have a severability clause, you may have to go back to the bargaining table to discuss.

In terms of logistical effects concerning the decision, your employers are required to stop taking fair-share fees from nonmembers as of June 27. Any fees collected after that date and sent to the lodge must be returned to the nonmember. Furthermore, if your particular payroll form has language that references fair-share fees,

those forms should be replaced with new forms indicating that the payroll deduction for union dues is voluntary. Please note, the *Janus* decision does not stop a public employer from participating in payroll deductions for union dues from members.

Though the decision as a whole may come across as alarming, there is some interesting language concerning the duty of fair representation. During this discussion, the court opened the door to the prospective idea of charging nonmembers a fee for services or denying service altogether,

Continued on page 26 >



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John Dineen — Lucky 13. Cop, FOP Leader, Visionary.

John Dineen became the 13th president of the Grand Lodge of the Fraternal Order of Police in 1979. But he had a long history of productive service before that as cop, FOP member, contract negotiator. He has been in the business a long time.

Brother Dineen became a Chicago cop in March of 1959, two years before I was born. He worked Patrol and Detectives throughout his career. He became a charter member in the now infamous Chicago Lodge #7 in 1963. He held the positions of Lodge #7 Treasurer (1963–1972); Illinois National Trustee (1965–1967); and Lodge #7 President (1972–1993). Brother Dineen is also a charter member of the Illinois State Lodge.

In 1975, John was elected National Treasurer at the national conference in Nashville, Tennessee, and was re-elected two years later in Providence, Rhode Island. In 1979, he was elected as Grand Lodge President at the national conference held in the city of my home lodge, Albuquerque, New Mexico.

In November of 1980, John was deeply involved in securing an FOP victory against the AFL-CIO and Teamsters union, making Chicago Lodge #7 the bargaining agent for Chicago P.D. The following month, Lodge #7 began contract negotiations with the city, a first-time endeavor.

Throughout his FOP career, he continued to rack up accomplishment after accomplishment:

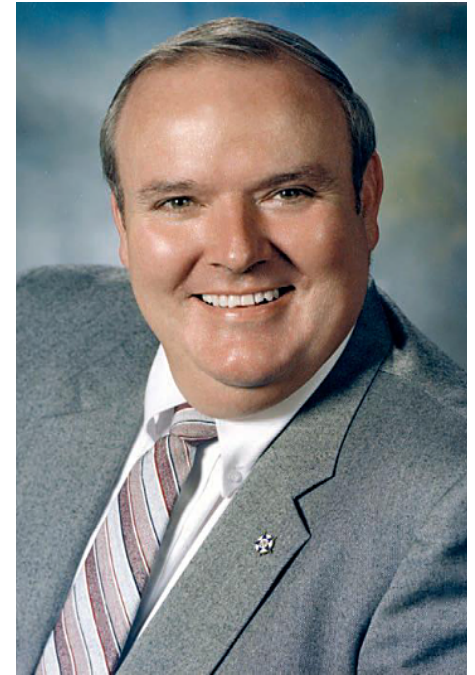
- Along with National Vice President Dick Witt (Miami FOP), he established the first Grand Lodge Labor Committee.

Thomas Garvey was Chair, and committee members were Dick Boyd, Marion Harding, Jerry Atnip, Earl Mohatt, Gerald Gorski, William Bannister, Charles Salerno and Tom Ennis.

- He was appointed by President Ronald Reagan to the Administration of Justice and Law Enforcement Task Force.
- He also formed the first Grand Lodge Easter Seals Committee, with Bill Nolan as Chair.
- Brother Dineen attended and participated in seminars sponsored by the American Arbitration Association.
- In 1980 and 1981, he addressed Congress, promoting the national \$50,000 death benefit for officers killed in the line of duty.
- Arkansas, Colorado and Nevada formed state FOP lodges during his term as Grand Lodge President.
- He was involved in getting action on the national Victim Witness Program in Congress.
- He attended a labor seminar sponsored by the Republican National Committee.
- He implemented the FOP Tax Guide to assist all state lodges.
- He initiated a national directory of local and state presidents, along with state secretaries.

John decided not to run for re-election as Grand Lodge President so as to focus on the business of Chicago Lodge #7.

Brother Dineen represented, and still represents, all that is good about this Order,



such as labor, legislation and brotherhood. Thank you, Brother John, for a job well done. Each and every member of the Fraternal Order of Police owes you a great debt of gratitude.

I would like to thank my good friends Illinois National Trustee Rocky Nowaczyk and National Sergeant at Arms Keith Turney for their assistance to the committee as we prepared this article for publication.

James Flores (New Mexico) is chairman of the National FOP History Committee. The members of the committee are Dewey Stokes (Ohio), Adolph South (Alabama) and Michael Young (Maryland). **FOP**

LABOR NEWS

Continued from page 24 >

as long as it is reasonable. However, it qualified that statement by saying union decisions cannot be arbitrary or in bad faith. In the coming months, we will be examining ways to handle the question of

duty of fair representation, and we believe there may become a threshold of representation concerning nonmembers. That is, nonmembers may be represented during the initial processing of a grievance, but once the grievance requires the use of attorneys and experts, then the idea of payment or nonperformance comes into play.

Although the *Janus* decision is as important as any labor decision in the last 40 years, what is more important is that we sharpen our focus on the value of union membership. We cannot change the ruling but we can focus on what we do best: representing the men and women of law enforcement better than any other organization. **FOP**



Strength in the Fight: New Initiatives for Officer Wellness

Now more than ever, the mental health and wellness of law enforcement officers is in the spotlight. As awareness grows about the challenges, both physically and emotionally, that a career in law enforcement presents, the Fraternal Order of Police is on the forefront of the effort to keep our members in the fight. The National Officer Wellness Committee has been engaged in initiatives to bring the best services possible to our Brothers and Sisters on the Thin Blue Line.

As you know, President Trump signed into law in January the Law Enforcement Mental Health and Wellness Act of 2017. This important step will set aside funding

and resources to ensure that our nation's law enforcement officers are closer than ever to receive the support they need to cope with the trauma experienced on the job. The FOP was instrumental in the passage of this law, with members of the Officer Wellness Committee working at several levels to secure its success. Now, as the race to put those resources into action ensues, the Officer Wellness Committee is striving to ensure that the FOP has a voice in how those resources can best be used.

Over the majority of the past year, members of the Officer Wellness Committee have been vetting treatment facilities worthy of the FOP "stamp of approval." Our goal is to identify and partner with facilities that

host programs that specialize in treating first responders as well as offer a range of treatment options. Committee members have visited, toured and observed firsthand the programs at a number of facilities. At this time, we are in the process of partnering with Warriors Heart in Texas, Journey Healing Centers in Utah and The Florida House Experience in Florida to develop programs specific to our members. More are on the horizon as we work to increase the options available, all personally vetted by our own to ensure that they present the quality we demand for our members.

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7

STARTS PER YEAR



4

CREDIT COURSES



7

WEEK SESSIONS



Managing Digital Assets

Back in the day, we typed documents using a typewriter and stored them in filing cabinets. We took photos using our 35 mm camera, dropped off the film at the drugstore and returned three days later to pick up our photos. We then went home and put each one of the photos into our carefully selected photo album. We drove to the bank to make a deposit or withdrawal. All our mail took a few days to get to us and was delivered by a person. Nowadays, we take a photo on our smartphones and within seconds post it on Snapchat. We send countless emails and texts throughout the day and can get a reply within seconds. With the advent of mobile deposits, we do not need to drive to the bank to deposit a check. My, how things have changed.

We are leaving our digital footprint in almost everything we do, knowingly or unknowingly. At 9:15 a.m., we created a document and stored it in our Dropbox account. Two hours later, we uploaded photos of our family vacation to Shutterfly and created a photo book. Sometime after lunch, we downloaded Blake Shelton's latest hit from iTunes onto our iPhone. Before going to bed, we checked our Facebook account and posted about the anonymous note left by the person who parked next to us, criticizing our parking skills. All these and more comprise our digital assets.

All our digital assets have a monetary or sentimental value, or both. They are property that can be passed on to our family at death. Our email messages are no different from a shoebox of letters that can be passed on to our heirs. But how do we access a person's email account after death? The Computer Fraud and Abuse Act makes it a criminal act to access any computer, online service or online account without authorization. Most terms of service agreements prohibit anyone other than the

Just the Facts:

➤ Digital assets have a monetary or sentimental value, or both. They are property that can be passed on to our family at death. The Computer Fraud and Abuse Act makes it a crime to access any computer, online service or online account without authorization. So be mindful during estate planning not only of the transfer of traditional forms of assets but of digital assets as well.

user to log into the account, even with the user's permission. So, a surviving spouse who goes online to check the balance of his or her deceased spouse's bank account has violated the Terms of Service Agreement. In addition, the surviving spouse has also committed a crime under the Computer Fraud and Abuse Act. It makes no difference if the spouse is executor of the estate.

OUR EMAIL MESSAGES ARE NO DIFFERENT FROM A SHOEBOX OF LETTERS THAT CAN BE PASSED ON TO OUR HEIRS. BUT HOW DO WE ACCESS A PERSON'S ACCOUNT AFTER DEATH?

In 2014, the Uniform Fiduciary Access to Digital Assets Act was introduced to give executors and other fiduciaries the lawful authority to administer the digital assets of a decedent or protected person like that of other nondigital assets. Online providers initially opposed the proposed act. But they didn't oppose a 2015 revision that granted fiduciaries authority only if the deceased or incapacitated user expressly consented to the disclosure of the content of their digital assets. Cur-

rently, 42 states including the District of Columbia have laws or pending laws in place to address the access of decedents' digital assets. Some states still have no such laws: Georgia, Kentucky, Maine, Massachusetts, Missouri, New Hampshire, Pennsylvania and West Virginia.

As we address our estate planning, we should be mindful not only of the transfer of our traditional forms of assets but of our digital assets as well. If we want our fiduciaries to have access and to transfer our digital assets to our family members, we should clearly express that we consent to the disclosure of the content of our digital assets to our fiduciaries and that our fiduciaries be treated as an "authorized user" for purposes of federal and state laws. This can be done in our last will and testament, trust or both.

It would also be helpful to provide a road map of our digital assets to our fiduciaries. Oftentimes, our photos, text messages and emails are of great value to the family left behind. If we want these transferred to our family, we need to give our fiduciaries every help they need as they face potential resistance from online providers.

We live in a different world today and with every new technological change and discovery, we need to adapt accordingly. If we value our digital assets in the same way as our traditional assets, we need to plan for them: either they die with us or they pass on to the loved ones we leave behind. **FOP**



Cellphone Data and Privacy Issues

At a recent seminar, an IT expert shared some fascinating data. As of January, nearly 7.6 billion people live on this planet. Of them, nearly 4 billion use social media (or 53%); 3.2 billion are active social media users (or 42%); and, most astonishing, over 5.1 billion, or 67%, have mobile devices — two-thirds of the world's population own some sort of cellphone!

Whether an iPhone or an Android, from octogenarians to kindergartners, the data and applications found on such devices are growing daily. Twitter, Facebook, texting, WhatsApp, Snapchat and Instagram are only a few examples of how people stay connected. Mobile devices also contain a great deal of personal information: names, numbers, addresses, contact lists, Social Security numbers, calendars, music play lists, PINs, photographs and GPS tracking information. People rely on phones constantly to plot their daily activities. But with the good, of course, comes the bad.

The adage “once it’s out there, it’s out there forever” at one time applied only to spoken words. Not anymore. Most people like to share what is contained on a cellphone. Once a post is made on the internet or a text is sent from a phone, it is out there for good. Cellphone users constantly and quickly post comments, pictures, videos and other data. Others voluntarily share the infor-

mation through an email or text. Passers-by routinely whip out a cellphone to take a picture of an accident, event or an encounter. Often, the person documenting the event might think the information captured by the device is private and will not be shared with others. However, at times, such information can be retrieved by others, voluntarily or otherwise. Especially in the law enforcement arena.

Whether through an FOIA request or litigation, police officers’ cellphones are being queried to find “relevant” data — oftentimes, to be used against the owners.

A number of third-party digital forensics firms engage in the collection (or imaging) of data from various personal digital assistants (such as smartphones and iPads), mostly for litigation purposes. Once imaged, such data is treated like any other form of discoverable information that may be turned over in litigation. Everything on that device is typically collected for imaging.

Mobile devices contain “electronically stored information,” which includes text messages, chats or other forms of communication. If information recovered is found to be relevant, it may be turned over as part of a discovery order. Although such orders usually contain confidentiality agreements and protective orders, it does not guarantee that the data may not be disclosed.

Once imaged, whether the data can be retrieved depends on a variety of factors. For example, the make, model, operating system version and phone settings all determine what can be accessed and extracted in a readable format. Some devices may automatically delete various messages after a certain time. However, deleted information may be recovered, timelines may be generated, and user activity can be reconstructed.

In this ever-emerging field of cyber data, the law and rules change rapidly. For example, litigation holds and preservation orders often include electronically stored data. Despite common misconceptions, data cannot easily be “scrubbed” or accidentally deleted to avoid disclosure. Judges are now ordering adverse inference sanctions for failure to preserve texts and other data.

Mobile devices help distribute knowledge and bring individuals from around the world closer together with the stroke of a button or a swipe of the screen. Yet, the data contained on these devices, if released, can lead to a serious invasion of privacy.

To avoid any potential problem, law enforcement officers should refrain from using personal cellphones while at work — even if it is strictly for personal use. Any need to communicate for work-related business should be performed exclusively using a department-issued device. Play it safe. **FOP**

WELLNESS

Continued from page 27 >

While we explore the best ways to assist our Brothers and Sisters, we are also engaged in research. The FOP has partnered with NBC New York to conduct an anonymous nationwide survey of our members to learn more about the resources available to officers in crisis. By learning which services are available to members, and which are actually used and found to be effective in times of

need, we can learn where the FOP can fill in the gaps or provide additional services where they have been unavailable or inadequate for our members. We can't let any more officers fall through the cracks. The FOP is making it a priority to ensure that our members have all the tools necessary to remain healthy and on the job.

To further our mission of keeping officers healthy, the Officer Wellness Committee is proud to announce an expanded repertoire of training available to lodges in the areas

of Critical Incident Stress Management, Advanced Peer Support, as well as a variety of personal and career survival courses. Descriptions of each training course and instructor biographies can be found under the “Education” tab on the Grand Lodge website. We encourage you to invite your lodges to sponsor these important training opportunities for members in your area. The more members we have engaged in working toward the wellness of the Thin Blue Line, the stronger we all will be. Staying in the fight, FOP Strong! **FOP**



R.E.A.C.H.ing Out to Assist

Every day, law enforcement officers are injured in the line of duty. Frequently, the injury requires hospitalization for a number of days. As the family struggles with the hopefully temporary upheaval in their lives, the Auxiliary prepares to step in to assist.

R.E.A.C.H. — Reach, Encouragement, Assisting, Caring, Healing — is the newest program of the National Auxiliary. It was developed to reach out to the families of officers injured in the line of duty as they **rebuild** their lives. R.E.A.C.H. **encourages** the family in their time of need and **assists** them in a **caring** manner while their officer is **healing**.

For immediate assistance at the hospital, Auxiliaries prepare backpacks that contain items a family may need as they wait for their officer to recuperate. Items could include toothbrush and toothpaste,

mouthwash, face wipes, a folder for keeping documents from the hospital, notebook and pen, puzzle books, phone charger, cash or quarters, gift cards for gas or restaurants, etc. Some Auxiliaries have obtained donations and prepare several bags in case multiple officers are injured in a single incident. We are ready to assist the law enforcement family should the need arise.

The Board of Trustees of the Grand Lodge Auxiliary will meet October in Independence, Ohio, at the same time and place as the Fraternal Order of Police. We will be working to expand our current programs and develop new programs to assist law enforcement families.

The Auxiliary is ready to work for you. We are the wives, husbands, sons, daughters, parents, siblings and extended family members of your lodge. We are the frontline

supporters of your law enforcement community. What impacts and involves you impacts and involves us. We have a direct, vested interest in you, your job, your welfare and your lives. As we continue to support law enforcement and their families, we work closely with our parent lodges on fundraisers and events to assure that the FOP and their families know that we will Never Let Them Walk Alone. We would be pleased to provide you with more information about how you can join the Auxiliary or how to organize an auxiliary for your lodge. The Auxiliary can be reached at the Grand Lodge Fraternal Order of Police website, under "About the FOP," drop down "FOP Auxiliary." **FOP**

// WRITE TO US! Contact the National Auxiliary at lhennie@aol.com to learn more about opportunities to support law enforcement families.

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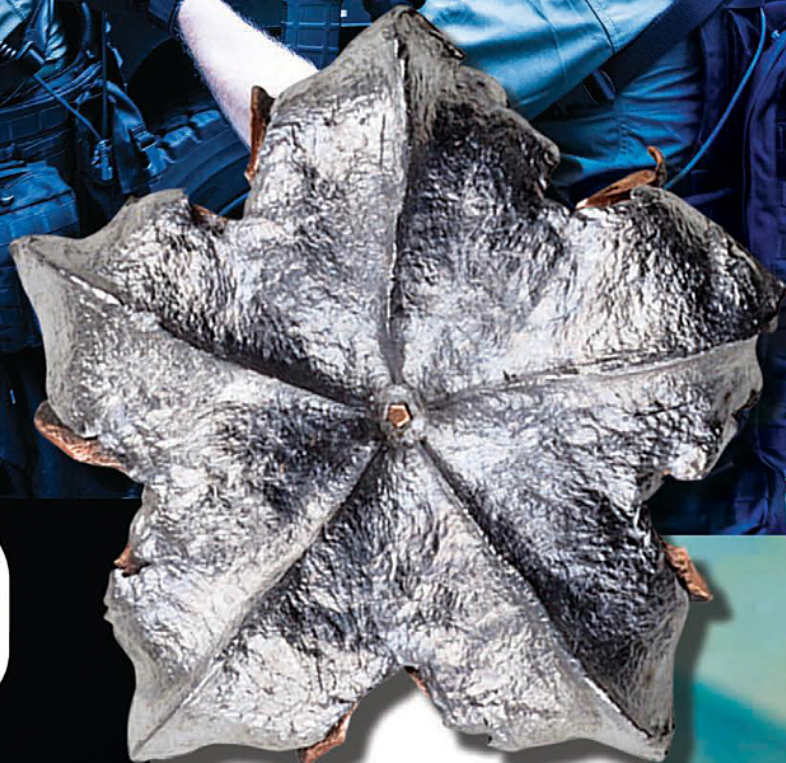
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