

The Protection Ranger



The Newsletter of National Park Rangers Lodges, Fraternal Order of Police July/August 1992

FOP Leadership In Resource Protection

By Greg Jackson, Western Lodge President

Resource protection is the current buzzword in ranger workforce management. Many top managers believe that emphasizing the resource protection role of park rangers is the best way to help secure greater funding for essential ranger programs.

The FOP strongly supports this effort. Resource protection has been a key part of what it is to be a park ranger ever since there has been park rangers. This newsletter is called "The Protection Ranger." Why? Because park rangers are in the protection business. We protect lives, property and natural resources through the services we provide.

All of us have seen initiatives that have been panaceas in the past. ARPA money. Drug money. Now, resource protection. Fortunately, this time the effort seems to be more in line with the mission of the service, with a greater chance for success.

The Eastern Lodge has developed a Resource Protection initiative, outlined in this edition. Eastern Lodge Director Bob Martin, with the help of Western Lodge Vice President Chris Cruz and lodge member Bill Cook of FLETC, developed the Natural Resource Protection Program.

We have approached the Sierra Club, National Wildlife Federation, Nature Conservancy, National Audubon Society, Fund For Animals, Defenders of Wildlife, National Parks and Conservation Society, World Wildlife Fund, and the Wilderness Society, and others seeking their support. We have received expressed support from one of these organizations, with others in the wings.

We have also sent a copy of our initiative to Senator Johnston, Chairman of the Senate Committee on Energy and Natural Resources, who has promised to do all he can to get our efforts before Congress.

We have aligned ourselves with the North American Wildlife Enforcement Officers Association, an organization of over 7,000 representing 62 jurisdictions throughout the U.S. and Canada. The Eastern Lodge has secured membership for all its members. The Western Lodge will be taking up this issue at the next meeting.

Bob Martin deserves everyone's thanks for his outstanding work on this project. Chapters and members are encouraged to support the lodge on this issue.

Toward A National Contract

Eastern and Western lodges are moving forward on the push for a national contract for park rangers. A show of interest vote (not a formal election) has been taken in Death Valley, where voting rangers unanimously approved moving toward collective bargaining, with two abstentions. Votes in Yosemite show near 90 percent support, in early results. Delaware Water Gap shows 70 percent support. More results are coming in.

A pamphlet describing how collective bargaining works has been distributed. Show-of-interest ballots have been sent to all Western Lodge chapters, and all Eastern Lodge members.

Lodge Acts On Housing

The Lodge continues to take strong action in support of the Ranger Fair Housing Act.

The lodge was the first organization to start a letter writing campaign in support of the bill, and testified on the housing problems facing rangers. Letters from lodge members and other NPS and USFS rangers helped get the bill out of committee and onto the floor of the Senate.

The lodge secured a sponsor for the bill in the House, where it is now stuck in committee, waiting for a GAO study on the problem. The lodge was the first organization to start a letter writing campaign to help the bill move.

In addition to letters from chapters, the lodge received support from National FOP President Dewey Stokes who has written to Representative Bruce Vento, committee chairman, to ask for prompt action on the bill. A copy of President Stokes' letter is printed below.

The lodge has also contacted FOP National Legislative Chairman Don Cahill, who assured us that the FOP would be lobbying for prompt action to get the bill out of committee.

Rep. Bruce F. Vento, House of Representatives, 2304 Rayburn HOB, Washington DC 20515-2304

Dear Congressman Vento:

The National Park Rangers Lodges of the Fraternal Order of Police represent 800 National Park Service law enforcement rangers across the country.

One of the prime concerns of our members continues to be employee housing, a matter being considered by both the House and Senate. I am encouraged that the Senate has moved promptly on S.1704, the Ranger Fair Housing Act, with the bill receiving unanimous approval from the Senate Energy Committee.

I hope that the House Subcommittee on Parks and Public Lands moves with equal vigor on H.R.4708 and 4709, Congressman Lagomarsino's versions of the Ranger Fair Housing Act. It has been brought to my attention that you may be considering a GAO study into ranger housing before acting on this matter. The housing problems faced by NPS rangers have been well documented, by the park service, its employee associations, the media, and in Congressional hearings. The bills now being considered in the House and Senate provide a solid base for improvement of the housing situation, a consensus shared by the National Park Rangers Lodges of the Fraternal Order of Police, the Association of National Park Rangers, and many in NPS management.

A delay in action on this legislation will delay needed improvements, and worsen the problem. Prompt legislative action is needed now, followed by GAO study to seek additional means of improving the housing situation. I urge you to move forward on H.R.4708 and 4709 in this session. If a future GAO study indeed does occur, our members should be contacted as part of the process.

On behalf of our organization, I would like to thank you for your efforts in support of National Park Service rangers.

Sincerely, Dewey Stokes, National President

President's Report

By Greg Jackson, Western Lodge President

The year has seen the lodge undergo success, growing pains, and failures.

The growth of the FOP in land management agencies is phenomenal. A year ago, membership totalled over 450. It is now at 800. We are now the third largest lodge in California, closing on number 2 by about 150 members. U.S. Forest Service officers have formed their own lodge, based on our example. Some BLM rangers are beginning to talk of organizing.

A year ago, we began the process of forming lodge chapters to organize members in local task forces. Today we have chapters in Grand Canyon, Death Valley, Glen Canyon, Sequoia/Kings Canyon, Organ Pipe Cactus, Rocky Mountain, and Lake Mead, with others in the wings. The eastern lodge has chapters involving 10 parks, giving an active FOP presence in almost 20 NPS areas. The chapter concept has proven so successful that the Virginia state lodge is working to adopt it for their state game officers, and the ANPR has borrowed the idea.

Fiscally, we have coped with hard times. The state lodge is now charging per capita for the first time, meaning that we have to pay the California state lodge \$2.00 per member and the National lodge \$3.50 per member a year. Insurance costs continue to rise. Postage has increased, and because our lodge has become nationwide, our costs of communications have gone up. We still have an adequate cash reserve, but per member, it is about half of what it was a year ago.

We are faced with a dilemma, we need more members, yet we need more money. Raising dues is not an incentive to join. At our last meeting we discussed solutions to this problem. One idea was the one-time membership sale. Dues and membership is an issue we need to monitor over the coming months.

The purpose of the lodge's expansion into a nationwide organization was to gain the ability to effectively deal with national issues as an effective voice for all park rangers. This has paid off.

We have stopped the senseless feud between rangers and park police officers, and have proposed the possibility of the creation of a combined organization, the National Park Service Law Enforcement Officers Association, to work together to solve common problems.

We continue to have the full cooperation of, and access to, the National Lodge. President Stokes continues to write and meet on our behalf. The National Conference adopted our measure to put an FOP member on the OPM Task Force. And our member on that task force has given us a strong voice on that panel.

We have been approached by ANPR members to be present as an organization at their rendezvous.

We have met with several top NPS officials, who now realize that the FOP is not a voice that can be dismissed.

We have a growing voice in the media, to where our story is now widely known throughout the country, and in Congress.

In Congress, we have had successes and failures. The Ranger Fair Housing Act is now on the floor of the Senate. Of its six co-sponsors, three were the senators from the home state of the western lodge, the eastern lodge, and our Grand Canyon chapter. We found a sponsor in the House, and are working to try and move that bill.

A year ago, then-president JR Tomasovic gained conditional assurances that rangers would be placed on the Swift enhanced retirement bill. That bill, however, remains stalled.

A House bill to benefit temporary employees did not live. It is time to look at other alternatives, legislative and otherwise, for these measures.

We have met with the Washington office, and have asked for their cooperation in working with Congress. We have asked to be alerted to upcoming hearings, and to testify. Unfortunately, the powers that be do not wish to open this door to us, as they do

to other employee organizations. In the upcoming year we need to work for parity in this type of communication, either in a cooperative spirit, or through Freedom of Information Act requests.

The lodge has also laid much of the groundwork to move toward collective bargaining. Much of the basic research is in hand. We are gauging interest among rangers across the country. Based upon that interest, we will approach the National Lodge for assistance in moving toward a national contract.

With our growth comes growing pains.

Because of our chapter program and conference calls, more members than ever across the country are involved in lodge communications. Communications within the lodge is still a weak point. Our system of meetings, newsletters and conference calls needs to be examined to see if they meet our needs.

To cope with lodge growth, I have proposed the first national rangers lodges meeting for this November in Las Vegas. This two-day conference, recommended for chapter presidents, board members, and interested members from both lodges, will discuss lodge issues, collective bargaining, and changes to the lodge's bylaws that will help the lodges evolve into a better functioning national force.

National News

The National Lodge wants to make sure that we are protecting the FOP logo. We need to get National permission to use it on letterhead, newsletters, etc. It's easily obtained by writing to the National Secretary. If you are using it in chapter business, please contact the national lodge.

As announced in a national news conference, the national lodge is looking for retired officers to assist in project ALERT (America's Law Enforcement Retirement Team). This team will investigate and locate missing children. Retired rangers are welcome to participate. Contact the national lodge.

The National Lodge requests your support of H.R. 53, authored by Congresswoman Mary Rose Okar, eliminating current reductions in social security benefits required in cases of surviving spouses who are also receiving certain government pensions. Intended to stop "double dipping," the law is now hurting workers who have devoted their lives to public service. Contact your representative.

The new NFOP merchandise catalog is in. Contact the National Lodge for a copy.

The new FOP legal defense program is available to members, covering your choice of criminal, civil, and administrative legal costs. Look into it by calling 800/FOP-4321.

The lodge is responding to an NFOP survey of the Police Officer's Bill of Rights, officers' political activity, collective bargaining, due process, FLSA and legal issues.

McGhee Follow-up

Some non-members have taken exception to the lodge's claim that we helped secure Department of Justice death benefits for Mrs. McGhee following the murder of her husband, Ranger Bob McGhee. Let me explain our role.

Prior to the incident, we had contacted DOJ regarding the death of a USFS ranger. In conversations with DOJ, we established that land management officers qualified for the benefit, obtained the necessary paperwork, and forwarded it to appropriate personnel. To our knowledge, this was the first incident in which a land management officer received the DOJ benefit.

In the McGhee incident, we contacted the park on the day following the incident and gave them information on who in DOJ to contact to begin the process. I also contacted Mrs. McGhee's attorney on several occasions, and supplied him with information on the benefit. We received a letter of thanks from him for our work. It was his opinion that the benefit may have stopped a suit against the park service.

In a nutshell, we laid the groundwork and were there as a resource. The paperwork was done by the appropriate personnel, who deserve credit for it. Without the FOP, the same result may

have occurred. With our help, the process was expedited.

It should be noted that the DOJ death benefit was created with strong FOP action in Congress, as was the new DOJ disability benefit.

The lodge has been subsequently contacted by rangers involved in shooting incidents, and we have been able to give counsel and resource information.

If you or a co-worker, member or non-member, are involved in a critical incident and need help, contact the lodge.

Concealed Weapons

Carrying your defensive equipment off duty isn't always easy. Some states require rangers to obtain concealed weapon permits. Some states prohibit it. The Lodge has worked to obtain permission for Yosemite permanent rangers to carry concealed off duty in California without a permit, and has advocated Washington requesting state peace officer status for rangers to help in this situation.

A legislative remedy is at hand.

H.R. 4897 would allow all active-duty law enforcement officers and retired officers in good standing to carry concealed weapons anywhere in the U.S.

Congressman Duke Cunningham (R-Calif.) and Ralph Hall (D-Texas) have introduced the bill. Contact your Congressman.

Olympic National Park

A couple months ago, we featured a letter from a ranger at Olympic N.P. regarding problems at the park. The letter was about six months old when we ran it. I received a phone call from the author saying that in that six months, major steps had been taken to improve the ranger division at Olympic, and that letter was way off base by the time we ran it.

I met with Olympic Asst. Supt. Roger Rudolph during my trip to the Pacific Northwest. He told me of several positive accomplishments in the park, including a park safety program that has accomplished baseline hearing testing and lung capacity measurements of all rangers, all within a matter of months. Those responsible deserve praise.

Law Enforcement Commissions

If you do not have law enforcement duties in your position description, or do not routinely perform law enforcement activities or supervision, you may be requested to turn in your law enforcement commission in the near future. A Mid Atlantic Region test program is removing commissions from people who have no active law enforcement duties. The justifications are many. First, there is the NPS-9 requirement for who gets commissioned. Then there are federal requirements for who gets training (you are not supposed to get training that does not relate to your official duties). In this age of cost consciousness, it is not cheap to provide training and perform background checks for people who are not using their commission. This will also strengthen arguments for law enforcement pay and retirement for those with LE responsibilities. Unfortunately, this action may also adversely affect the careers of lodge members who have moved into non-LE positions in order to get to a liveable wage. Beware. Advice: Take your gun to work, get out and write tickets, ammend your PD, and beware of taking a non-LE job.

How To Form A Chapter

Contact the Eastern or Western Lodge. Basically, you need 6 members at a minimum, you need to elect officers, set up by-laws (which we can supply), and that's it.

Most chapters begin with a meeting to gauge interest. You put up posters, talk it over, and see who comes. If you have six interested members, and agree to form a chapter, your next step is to elect officers. Most chapters have a president, vice president, secretary and treasurer. The secretary/treasurer job can be combined.

The Eastern or Western lodges can help you in every step of chapter formation, from electing officers to setting up by-laws and finances.

Congress & The Seasonal System

Congressional action on temporary employees continues, and the lodge continues in an active role.

The bill to give benefits to federal temporary workers is dead for now. The bill was originally drafted to benefit DOD temporary employees, but was written very broadly. Other employees, such as park rangers and many, many others, would be covered, creating a "budget-busting" bill.

DOD took care of its employees by adding the benefit package to an appropriations bill.

The park service could do the same, but has not.

Rep. Kanjorski has held hearings on seasonal workers in land management agencies. Despite the fact that the lodge was the first organization to contact Kanjorski's office regarding NPS rangers, and that we were the first to brief ranger activities on the bill, we were not notified of the hearings. Another organization received information about the hearings from Washington.

The lodge has requested in the past that we be given equal access to all upcoming Congressional hearings. Further, we have been in contact with FOP National Legislative Chairman Don Cahill to ask for his assistance to see that FOP concerns are represented in Congressional hearings.

When Do You Get Hazard Pay?

The following is excerpted from Federal Times, a very worthwhile publication for all federal employees. Subscribe by writing Federal Times, Springfield VA, 22158-5899.

Hazardous duty pay is designed to pay eligible General Schedule employees up to 25 percent of their base pay for special work situations placing them in danger.

Agencies determine whether a job falls under one of the OPM categories of hazardous duty. The regulation on hazardous duty pay gives examples of hazardous duty.

Exposure to hazardous weather or terrain: Dangerous wind chill factors, exposure to lightning when boarding boats, snow removal where there is a danger of avalanche, winter travel over certain unimproved roads.

Exposure to physiological hazards: Driving tests in simulated pressure chambers, work inside pressurized domes, tests inside simulated altitude chambers or simulated environmental chamber with adverse weather or sea conditions.

Exposure to hazardous agents such as explosive or incendiary materials, toxic chemicals or dangerous biological materials.

Flight: Pilot training, delivery of new aircraft for testing, test flights.

Participation in certain missile propulsion tests.

Work in fuel storage tanks.

Firefighting: Forest and ranger fires, installation or building fires, and fires in water.

Tropical jungle duty, experimental parachute jumps, work in open trenches without proper shoring, underground work, underwater duty.

OPM does not adjudicate disputes between employing agencies and employees over who should get the pay.

The lodge would like to hear of cases where rangers receive hazard pay, and cases where they do not receive hazard pay, but should.

Some examples:

At Lake Mead, rangers receive hazard pay for night SAR operations on water.

At Yosemite, rangers receive hazard pay for cliff rescues if they go "over the edge" or are placed in a precarious spot. The incident commander generally determines who receives it.

Receiving proper pay, including pay for time on call and overtime worked, receiving hazard pay when justified, etc. can make a significant contribution toward a more fair takehome pay.

The Seasonal Workforce: Time For A Change

Editorial By Greg Jackson, Western Lodge President

The time has come to take a look at the wisdom of maintaining a large seasonal law enforcement workforce.

The seasonal system is not recruiting the caliber of candidates it used to. People do not want to put themselves through law enforcement training for a GS4/5 seasonal job with no benefits and no career ladder.

The liability of having a law enforcement workforce with a lesser level of training in a program that is less supervised and standardized than FLETC, and with no pre-hire screening, must weigh heavily in the minds of Washington.

The costs of maintaining a seasonal employee is increasing. Drug testing and higher level background checks add to the expense. The fact that seasonals may absorb millions of dollars of NPS training, then find jobs with another organization because there is no career ladder or benefits in the NPS must also be a factor.

Some proposed solutions to the situation include giving the seasonal worker a chance to become permanent, and some benefits, including step increases. That will further lessen the economic advantages of hiring seasonals. If 6c retirement goes into effect, hiring seasonals over age 37 may be prohibited by law.

And in fact many "seasonals" are working year 'round, either with one-year appointments in the same park, by going on intermittent status, or by working a winter season and summer season at one or more parks.

The question then becomes, why hire seasonals at all?

The U.S. Park Police does not hire seasonals for law enforcement, yet tourism on the mall in D.C. is extremely seasonal.

The Park Police know what the words "effective level of staffing" mean. You define what job functions you are going to perform. Then you hire enough people to handle them. This includes handling the work in your high season and factoring in personnel to cover the fact that people take annual leave, sick leave, maternity leave, need time for physical fitness, to go to training, go out on fires, go on special details, etc. The slow season allows people to train, maintain equipment, etc.

I look at the firefighters in town here. They are not constantly fighting fires. They polish the engine, lift weights, conduct hydrant inspections. They might not get a run today, or tomorrow. But nobody considers that wasted money.

My idea is this. We convert most law enforcement seasonal positions to permanent positions, allowing seasonals preference to compete. When necessary, these positions are made subject-to-furlough.

Granted, there are some parks that are not four-season parks, and if staffed to handle peak season loads, people would go stir crazy in the winter.

Here's one solution. During the majority of the year, these rangers should be employed at winter parks, such as Death Valley, the Everglades, etc. The work is there, and their presence would allow an effective level of staffing at these areas during the high season.

During the summer, these permanent employees would be detailed to short-summer-season parks, such as Alaska parks, North Cascades, Olympic, etc. Their travel and housing would be paid. They would still be able to keep their homes in the winter parks, or their private homes.

Yes, a few seasonal positions would still be necessary.

Why don't other federal agencies have a seasonal law enforcement system the size of the NPS's? Why don't the Park Police? Other agencies believe that the investment in a workforce that has an effective level of staffing is a worthwhile one. All the discussion about the seasonal problems, and the solutions, lead me to the same conclusion.

The Definitive Study On Ranger Shootings

Now in its second printing with more pages, Use of Deadly Force By--Deadly Assaults Upon Federal Land Management Law Enforcement Officers by Paul Berkowitz gives detailed accounts of all known incidents of deadly force used by and against Park Rangers, BLM and USFS rangers. This should be required reading for every ranger. Order your copy from the Western Lodge. Send your name and address with a check or money order for \$12.50 (FOP members), \$13.50 (non-members) to FOP, P.O. Box 944, Yosemite, CA 95389

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Our Lodges are committed to improving the Ranger profession by joining Rangers together in a spirit of camaraderie to seek a cooperative relationship with management, with the goal a safe working environment, with fair and competitive pay and benefits. FOP is a non-profit organization.

Application For Membership

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

Name: _____

Signature: _____

Address: _____

City: _____

State: _____ ZIP: _____

DOB (required): _____

Alliance membership (non commissioned)

Please enclose a check for one year membership. (Western lodge \$27, Eastern Lodge \$20)

Renewal (check here)

Enclose a copy of your commission.

I'm employed East of the Mississippi

I'm employed West of the Mississippi

NPS Area: _____

Mail to:

Fraternal Order Of Police, Box 944, Yosemite,
CA 95389

or

Eastern FOP Lodge, P.O. Box 151, Fancy Gap,
VA 24328

Stand-Off At Shenandoah

By Bob Martin, Eastern Lodge Director

On a warm afternoon on June 19, 1991, I, along with Backcountry Supervisor Laurie Shannon, were attempting to dart a group of feral domestic goats on Hazeltop Mountain.

With two of the goats snoozing heavily under the influence of the capture drug and the third in the cross-hairs of my "Capshur" rifle, the air was broken with excited voices over my portable radio "... man with a gun at Big Meadows Campground. All Park Law Enforcement personnel report to the Campground Ranger Station for assignments."

We quickly turned the darting operation over to Biological Technicians from our Resource Management and Science Division and Laurie and I proceeded to our residences to get suited up.

Upon arriving at the campground, I met with Central District Ranger Rob Yates, the incident's commander.

Yates relayed that Thomas Eugene Shepherd of Piney Point, Maryland was despondent over a failing marriage and threatening suicide. Shepherd had relayed this information to a volunteer who was working at the Campground Ranger Station.

Three Rangers, Yates, Linda Alick and Tim Woosley subsequently contacted Shepherd, but he refused to talk to them or leave his vehicle. They noted he had two Golden Retriever dogs inside the vehicle with him. They then successfully removed the coil wire from the vehicle. They retreated when Shepherd stated he had a weapon and rolled up the windows of his vehicle.

Crisis Intervention was requested from nearby Madison County. Over an hour later Crisis Intervention and a Madison County Deputy arrived with a temporary detaining order.

The Crisis Intervention folks tried negotiating with Shepherd without any luck. The Deputy and Rangers had tried to reason with him but with no progress; they then used a window punch in an attempt to gain access to the van to arrest Shepherd. Shepherd produced a pistol and all went for cover.

Having been briefed, I was designated as Tactical Operations Chief. Containment was the first order of business and teams were deployed with orders to shoot to kill if Shepherd left the vehicle armed and would not obey orders given to him.

Additional resources were requested from the park and a group of rangers from the regional 40-hour law enforcement refresher nearby were called up to facilitate an evacuation of the nearly full, 240-site campground.

Planning was next on our mind and a few K-9 units, a hostage negotiator, a US Park Police (USPP) SWAT team and the USPP helicopter were requested.

While the crisis intervention folks again tried to contact Shepherd, fog quickly rolled in and obscured the parking lot in which his van was parked. My sniper had lost visual contact of the scene and the Crisis Team was called back.

Meanwhile, a check showed that Shepherd had attempted a similar stunt on the Chesapeake Bay bridge in the mid '80s which resulted in a SWAT team rushing his vehicle and capturing him.

As the clouds continued to roll in, we received word that the USPP SWAT team was considerably understaffed as much of their group was at Mount Rushmore. To make matters worse only their 5-passenger Bell Ranger 206 helicopter was available, as their fourteen seat Bell 412 was down for maintenance.

By this time a full Incident Command system was cranking up and Yates and I discussed contingency plans. It was decided to wait out the situation and continue containment.

At approximately 2210 hours we heard an engine start up and detected the van was moving through the fog toward our position. Everyone took cover and luckily no one shot at the van, as an extreme crossfire situation was created.

Shepherd gained access to the engine compartment from inside the vehicle and apparently used a spark plug wire to reconnect the coil to the starter.

Most of the rangers involved in the containment began pursuing the van north along the Park's main road, Skyline Drive. Luckily a VW van does not run very fast on three cylinders.

The thoughts of this incident turning into a hostage situation or Shepherd "mixing it up" with other traffic on the Skyline Drive weighed heavily on my mind.

Due to foul weather, the USPP helicopter had to land outside the park. They reported they were just entering the park in an unmarked van and a plan was formulated to have the Park Police block the road with their van and then deploy into the woods adjacent to the point where Shepherd would hopefully stop.

Moments later, at 2225 hours, Shepherd approached the roadblock and stopped, but refused to exit as ordered. In the ensuing standoff, Shepherd brandished his weapon constantly and became very agitated. At one time I realized that there were over twenty weapons pointed at Shepherd. The discipline of each of these rangers and police officers would be put to the test for hours to come.

South District Frontcountry Supervisor Clayton Jordan attempted to establish a dialogue with Shepherd, receiving coaching from Officers Cathy Fontaine and Sergeant John Harasek via radio.

Shepherd intermittently responded and moved about the van's interior. Suddenly at about 2344 hours, three shots rang out!

Once the confusion settled and finger tension lessened on each trigger, it was learned that while Park Police officer Buchell was trying to maneuver in the darkened woods, Shepherd shined a flashlight out the window and pointed his pistol directly at Buchell. Buchell, fearing for his life, fired three times, one of the rounds striking Shepherd's dog in the leg.

Again the restraint on the now weary Park Police officers and rangers was phenomenal. To add to the already strained situation, the park's radio system went out, which resulted in the loss of communications for nearly a half an hour.

Eventually Shepherd responded to Jordan's relentless tries to communicate. However, at approximately 0252 hours another shot rang out from the van.

I must admit that little restraint was left in the now fatigued fingers on the triggers or in the now frazzled minds of my rangers on the line and assuredly that was the case for the officers in the woods. Miraculously, no one shot back.

Shepherd later explained away the shot as an accidental discharge.

Again, Jordan attempted and eventually established communications with Shepherd with police officers coaching Jordan through his radio's ear piece.

Finally, during the dialogue, Jordan struck a nerve and negotiators capitalized on the moment. Shepherd subsequently surrendered without incident to Park Police officers at about 0500 hours — one hour before his self-imposed deadline to take his own life.

It was quite an ordeal with US Park Police officers, county deputies, crisis intervention personnel, Virginia State Police and park rangers working side by side. This incident proves that rangers and Park Police can work together. Hopefully through open dialogue these two units of the National Park Service will continue to work closely, aiding each other as the need arises.

As for me, and those in my charge, it was a long ordeal with a happy ending. Luckily no other incidents happened in the park during this standoff. Needless to say I was glad to come home after this one — to my wife and my 3-year-old daughter.

This was but one of an increasing number of violent incidents rangers must now deal with in our parks. It also exemplifies why we are deserving of an enhanced retirement program and pay comparability. What a thin green, grey and blue line in the wilderness we are.

Following this incident a Board of Review was held. Recommendations from the Board included getting the park radio system repaired, equip each District with a sniper rifle and marksman-qualified ranger, obtain night vision devices, work with Park Police to familiarize them with our park and operation,

and train field personnel on tactical operations such as perimeter security, mass evacuation, lines of fire, use of cover and concealment, etc.

As of this writing none of these recommendations have been implemented.

Shepherd has been found competent to stand trial and is awaiting trial for assault on a federal police officer.

Eastern Lodge Member Clayton Jordan received an award from the Police Association of DC, the group which represents the USPP, for his tireless efforts in bringing this incident to a successful conclusion.

Resource Protection: The FOP Position Paper

By Bob Martin, Eastern Lodge Director

The two National Park Rangers Lodges of the Fraternal Order of Police represent nearly 800 Protection Rangers throughout the Park Service, from the first year Seasonal Ranger through the veteran Chief Park Ranger. Our Lodges and members are part of the National Fraternal Order of Police (FOP) which represents over 230,000 law enforcement officers across the country. The FOP is dedicated to serving the public through protection and safety, while improving the law enforcement profession. The Ranger Lodges are dedicated to the "Organic Act" which created the National Park Service (NPS) and the mandate "... to provide for the enjoyment... and to protect these resources for future generations."

National Park Rangers are some of the most dedicated employees in government, if not the nation. We, however need your help, as we are growing increasingly frustrated with our inability to adequately protect our resources, especially wildlife. Our visitor protection workloads are increasing, yet our budget and staffing continue to decrease. The resource is why most of us joined the NPS and why we are staying on through these difficult times.

We offer the following facts:

The NPS is mandated by law to protect all the resources in the park areas so they are "... unimpaired for future generations..."

The NPS is solely responsible for our resource protection efforts, although other federal and state agencies may assist when requested.

In the 1991 Report of Wildlife Protection Needs Assessment, 105 different species were reportedly being poached in nearly one half (150) of our National Park Areas. Twelve of these species are listed under the Endangered Species Act. Additionally, poaching is suspected for the decline in the populations of 29 species and poaching could lead to the extermination of 19 species from park areas.

Despite this report, the NPS has been unable to fund the annual nationwide Wildlife Law Enforcement (WLE) course and National Park Service's Washington Office (WASO) has reportedly halted efforts to resolve our Wildlife Protection dilemma by cutting WLE initiatives out of the 1991, 1992 and 1993 budget. The 1993 initiative would have created 23 positions and \$1.25 million to fund Criminal Investigators whose sole purpose would have been to stem the tide of profit-driven poaching from our park areas.

There is a growing awareness by the American public of our inability to adequately protect our natural resources through excellent presentations such as National Parks and Conservation Association's "Quiet Kill", published in National Parks magazine; National Geographic magazine's "A Shameful Harvest"; and the National Public Television specials including the National Audubon Society "Greed and Wildlife" and National Geographic Society "Wildlife Wars."

For most Americans, the NPS is still the most popular of all federal agencies, according to the latest USA TODAY surveys.

Several oversight committees are becoming disillusioned by the NPS's usual illusion that "everything is O.K." diatribe repeated almost habitually by our upper-level managers at many

congressional oversight appropriation hearings.

Reportedly, a Congressional Inquiry is looking into the NPS' resource protection program.

Rangers are making a few wildlife cases but they are only the tip of the iceberg. In those Parks that support Rangers involvement in WLE efforts, a single complex wildlife investigation can decimate a district or park budget. For example, in the Shenandoah National Park's Central District the entire 1993 overtime account was devastated by one operation which resulted in the conviction of one of our most notorious poachers who had been decimating the Park wildlife resources for nearly 20 years. The Central District also documented over 50 unsolved wildlife poaching cases in 1991.

WE'RE WINNING A FEW BATTLES BUT LOSING THE WAR!

The NPS has not acknowledged our memorandum from Eastern FOP Lodge President Randall Kendrick questioning why the NPS is unable to fund the highly acclaimed and extremely beneficial Wildlife Law Enforcement course. No acknowledgement or response has been received even though the memorandum was sent out July 4, 1991!

The members of the Ranger Lodges are initiating a Natural Resource Protection Program (NRPP) initiative involving the real protection of our NPS natural resources. In an attempt to gain as much support from conservation organizations, the media and Congress, we propose establishment of adequate funding, staffing, equipment, and training to more effectively protect our natural resources, while improving our working conditions.

Our working conditions are becoming more hazardous and Rangers are doing some of the most dangerous professional law enforcement work in the country. We have taken on wildlife officer responsibilities, a potentially dangerous collateral duty.

The attached excerpts from Paul Berkowitz's book U.S. Rangers -- The Law of the Land provide an overview of the dangers of anti-poaching operations. We are poorly trained and equipped to handle the growing and hazardous group of organized wildlife criminals affecting NPS resources.

For example one of the most popular species found in our National Parks, the black bear, has become a target of poachers who will kill this magnificent animal for its gall bladder which can be sold in some countries at prices ranging from \$1000 to \$2500.

The safety of our Rangers is compromised when efforts are made to stop this illegal activity. The profit margin for dealing in illegal wildlife and their parts is comparable to the drug dealing trade. Recent undercover investigations have revealed the two organized criminal activities are inter-related. Several organized crime groups have engaged in gun battles in Chicago and New York City relating to bear gallbladder sales.

In this difficult economic period, with its impact on Congressional actions, we propose a conservative initiative consisting of several phases to be implemented over several years:

As soon as possible, we need at least 50 new, independently functioning Resource Protection Criminal Investigators, equipped with the latest in anti-poaching technology and whose sole purpose will be natural resource investigations. Most of these positions should be placed in the field, in the Parks with the most serious resource protection problems and a limited number of the positions should be allocated for regional operations.

At least 20 belong in Alaska NPS areas, a region so over-worked and under-staffed that there exists a vacuum of baseline data relating to wildlife resources, and much less is known about the intensity of wildlife protection problems.

For example, in the 9.5 million acre Northwest Alaska Areas, where our Natural Resource Protection Program Coordinator worked for three years, there are still no permanent field Rangers twelve years after the area was established. Each permanent field ranger in Alaska is responsible for the protection of an

average of 5 million acres.

By placing a priority on the establishment of this first group of resource investigators the temptation to bastardize the funding and positions from this program should be avoided.

In Fiscal Year 1993, we should develop and provide several nationwide two-week Natural Resources Protection courses annually, as well as facilitate regional NRP courses so field rangers are given the most up-to-date information on anti-poaching operations. Additionally, all of the NPS law enforcement training, especially the NPS's operation at the Federal Law Enforcement Training Center, should be reorganized out of the Human Resources Division of WASO and made into a new section directly under WASO Operations. This should assure this initiative doesn't fall out of sight or favor.

A special NPS Natural Resource Protection Operations Unit should be created by Fiscal Year 1994 to handle interagency coordination, service-wide link analysis, and intelligence gathering. This Branch should be located independent of WASO or regional offices, similar to the organizational structure of the Denver Service Center concept.

There is an urgent need to increase the number of resource protection staffs, properly equipped and trained in those parks with documented resource protection problems. These specialists should be in place by Fiscal Year 1994. They will provide a positive deterrent effect, collect local intelligence data, conduct preliminary investigations and supplement Criminal Investigations as needed.

Most appropriately, an NPS "For Future Generations" educational initiative should be developed by Fiscal Year 1995, which educates the concerned public on preservation issues, illegal wildlife commercialization practices, park use ethics and wildlife protection efforts. A series of presentations could be provided for the general public.

This initiative could be modified and amplified as future demographics change by the NPS interpretive staffs as an outreach program. The Division of Interpretation will need staffing, equipment, and training to accomplish this part of the initiative.

We envision a unique opportunity for all of us to come together to the aid of the resources we so dearly love. For many of our Rangers, the resources are the very reason we sought employment with this agency.

The NPS is dumping millions of dollars into other questionable programs while the actual protection of the natural resource is not being assured. This imbalance simply must be corrected.

For more information on this initiative, please contact Shenandoah National Park Supervisory Ranger Bob Martin, Lodge Director for the National Park Rangers Eastern FOP Lodge and Natural Resource Protection Program Coordinator by telephone (703)999-2008 or by letter at Route 3 Box 314, Elkton, VA.

Chapter News Highlights

Chapter Presidents are urged to contact Western Lodge President Jackson at 702/458-5845 to report activities.

Eastern Lodge

Valley Forge: New chapter now formed. (Welcome!)

Southern Florida (Everglades, Biscayne, Ft. Jefferson, Big Cypress) Developing Eastern Lodge logo, documenting cases that demonstrate need for advanced resource protection training, working for in-park shooting SOP (compiling list of lawyers, psychological resources, etc.), hepivax shots given after lodge request, discussing collective bargaining -- sending questions to lodge. Meeting soon with supt. of Biscayne. Participating in Walktober Festival charity event. (No report since the hurricane, so we are unaware of damage and needs. -- Ed)

Deleware Water Gap (Includes Steamtown, Upper Deleware): Now 50 members strong. Leaning to collective bargaining 70/30.

Shenandoah: No report.

Natchez Trace: No report.

Fire Island: No report.

Boston: No report.

Great Smokey Mountains: No report.

Western Lodge

Organ Pipe: Used idea circulated by FOP to get free hepivax shots at military base, saving the park hundreds of dollars.

Grand Canyon: Major struggle over required occupancy due to shortage of quality housing.

Death Valley: No report.

Lake Mead: Major fund raising efforts to help park ranger Gary Sebade cope with medical problem in family.

Glen Canyon: Fund raising program to help dispatcher with medical problem.

Sequoia/Kings Canyon: Chapter to contact local union regarding its ability to work on local issues. Meeting with personnel on collective bargaining.

Yosemite: Poll running 90 percent for collective bargaining.

Vice President conducting meetings in districts to get more participation.

Note: Western Lodge chapters should prepare a list of chapter members and submit it to the Western Lodge by October 1 to be considered for per-capita membersip rebate.

FOP Membership Benefits

FOP Membership Card -- Contact your lodge if you haven't received one within three months of joining.

FOP Merchandise -- Request a catalog!

Legal Defense Insurance -- Pays for legal defense in Criminal, Civil and administrative cases, starting at \$50.50 per year for criminal-only coverage.

National Discount Prescription Drug Program. Get your prescriptions through the mail at 15-25% off! \$1 per year charge.

National Vision Care Program Includes discount on eye exams, frames lenses, contacts and extras, for only \$10 per year.

National Disability Program

National Retirement Programs

National Cancer Care Program

National Accidental Death And Dismemberment Program

Police Benefitter Death and Dismemberment Program

Member Benefitter A term life policy offering complete coverage.

Contact your lodge for details on these plans, available only to FOP members.



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How To Kill The FOP

The following is adapted from an article in the Police Association News, the newspaper of the Police Association of the District of Columbia.

1. Don't attend meetings. But if you do, arrive late.
2. Leave before the meeting is over.
3. Never have anything to say at meetings; wait until you get outside or back to the office.
4. When at meetings, agree to everything and then go home and do nothing.
5. The next day, find fault with your fellow members.
6. Take no part in Lodge affairs.
7. Take all the members will give, and all they are working hard to get, but give nothing in return. After all, you pay your dues.
8. Talk cooperation, but never cooperate.
9. Never ask a fellow employee to join the Lodge, or forever hold it against them because he/she didn't join when we first started, or because they dropped out.
10. Threaten to drop out, or resign at every opportunity. Tell others they stand for too little, or too much.
11. If asked for help, always say you don't have the time.
12. Never accept an office. It is much easier to criticize others than to do something yourself.
13. If appointed to a committee, never give any time to it, let the chairman do all the work.
14. Nominate or vote for a candidate for office even if he doesn't attend meetings. That way if you attend meetings, he will know less than you do, and if you don't attend meetings he won't know any more than you do.
15. Constantly spread rumors and criticize your Lodge officers. This gives you something to do and talk about. It may even get them to work harder. They all want to be big wheels, or they wouldn't run for office. (Do you think they will run again?)
16. Don't do anything more than you have to. And when others willingly and unselfishly try to use their ability and time to help the Lodge, howl as loud as you can because the Lodge is being run by a clique.
17. Don't return membership surveys, and then criticize the lodge for being off base.

Are You Covered By A Contract?

The Lodges need to know which parks have commissioned rangers that are represented by existing collective bargaining contracts.

Rangers on the Blue Ridge Parkway are one example.

You may not realize that you are represented. For example, rangers in one park discovered that a maintenance worker union may have the exclusive right to represent them, although they have never voted for it.

Should the lodges continue to move toward collective bargaining, identifying employees already represented by a contract is a necessary step.

If you or other rangers in your park are represented by a bargaining unit, please send the name of the park and the name of the bargaining unit to FOP, P.O. Box 944, Yosemite, CA 95389.

Additional comments about the effectiveness of the bargaining unit in dealing with ranger concerns will be helpful.

A reminder, the lodges are not a bargaining unit.

Mandatory Membership Survey

Completion of the lodge survey is requested of all members, East and West.
Please return to FOP, P.O. Box 944, Yosemite, CA 95389 by November 1, 1992.

_____ Western lodge member _____ Eastern lodge member

Please rate the following Lodge goals on a scale of 1-10, 1 being the most important. This will be used to determine future lodge action. (Do not rate them all 1's to make a point.)

- _____ Obtaining seasonal health & retirement benefits
- _____ Changing seasonal positions to subject-to-furlough
- _____ Obtaining enhanced retirement coverage
- _____ Obtaining pay increases
- _____ Instituting a Field Training program for new rangers
- _____ Obtaining body armor
- _____ Improving radio communications systems
- _____ Setting service-wide limits on emergency vehicle mileages.
- _____ Obtaining better and more affordable housing
- _____ Instituting collective bargaining on a national level
- _____ Improving lodge community service efforts
- _____ Other:

Do you favor or oppose instituting a rank system for commissioned rangers?

Favor _____ Oppose _____

Are you ever placed "on-call" without being paid? Y _____ N _____

If you are not FLSA exempt, do you ever work overtime without being paid?

Yes _____ No _____

If the lodge cannot establish a working dialog with Washington to resolve the ongoing concerns of the field ranger, would you support future efforts toward collective bargaining?

Yes _____ No _____ Undecided _____

On a scale of 1-10, how would you rate the following:

_____ Overall Effectiveness of the FOP

_____ Dollar value of FOP membership

_____ Quality of FOP newsletters

What type of articles would you like to see more of?

Less of?

What do you think are the strong points of the FOP?

What are the weak points?

If you do not have a lodge chapter in your park, would you be interested in starting one? (If "yes" include name and address)

Yes _____ No _____

Benchmarking: The Future FOP

By Greg Jackson, Western Lodge President

One of the current fads in management is called "Benchmarking," finding what a successful company does in a variety of capacities and striving to match it.

In other words, to be successful, do what successful people do.

Let's apply that to our organization.

Our goals include obtaining enhanced retirement, obtaining increased pay, obtaining safe emergency equipment and an effective level of staffing, and being consulted on matters of importance to protection rangers, such as NPS-9 revisions, and the Ranger Futures program.

How does a successful organization accomplish these goals?

National Park Service officers already have all of these benefits! The officers are our brothers and sisters in the U.S. Park Police, and they accomplished them through their organization, the Police Association of the District of Columbia.

Thanks to the PADC, USPP officers have enhanced retirement, even though they are 083 series, not 1811. More GS-380 cooks (7.9%) have enhanced retirement than 083 police (7.2%), so this was some accomplishment.

Park Police pay is higher.

When patrol car mileages recently got high enough that safety was a concern, they went to Congress and came back with 15 new cars.

When the initial staffing plan for the Presidio was drafted, plans were for a staff in the low 30s'. The PADC went to work, and staffing will now be at 53. (The workload will be close to that of Yosemite Valley, that has a staff near 20).

They have a fitness program that grandfathered everyone in, provides physicals, and physical fitness facilities.

They have direct participation on NPS-9 reviews.

And do you think that when a Ranger Futures program comes along for them, they are left out?

Clearly a solid benchmark for us to follow is that of the PADC.

Benchmarking was at work in the physical fitness conflict the Lodge had with WASO. We appealed to WASO that the proposed standards were unfair, were not age and sex adjusted, etc. Nothing happened. But when we went to Interior and used the benchmarks of programs in other agencies and the benefits that went along with them, Interior stepped in. The new NPS fitness program will not have adverse actions for failure.

Success for our fellow officers has followed an active dialog with Washington. This is what we are seeking. Whether through formal meetings between the FOP as a concerned organization, or over a bargaining table with the FOP National Labor Council. We hope for the former, but will seek the latter if Washington will not include field rangers as represented by the lodge in the planning process.

New Ranger Badge?

Excuse the poor reproduction, it's a copy of a faxed copy of a fax, but this may be the new badge design for park rangers. Thanks to friends in Region.



Park Service Looking At Ladder: 5/7/9/11 With Enhanced Retirement

The Ranger Futures task force has begun a tour of several major parks to get more input into its program.

Along with taking questions and looking for ideas, the task force is leaving tidbits of what the ranger of the future will look like.

Various tidbits of information (i.e. rumors) have filtered to the lodge. Assimilated, they make the Ranger Futures program look like the FOP goals list from two years ago.

Here are the most reliable rumors we have:

Enhanced Retirement: The program is looking at some form of enhanced retirement. This will include agency recommendation for coverage (as requested by the FOP), re-writing PD's to specifically include wording (as published in the FOP newsletter) to include enhanced retirement, restricting commissions to strengthen the case for enhanced retirement.

Pay: The agency will support law enforcement pay (as recommended by the FOP) for commissioned rangers.

Blanket PD's: The agency will draft blanket PD's that meet the requirements for 6c retirement and law enforcement pay (as recommended by the FOP).

Journeyman Level: The journeyman level will be at least the GS-9 level, more likely the GS-11 level. (The FOP's original platform called for GS-9 as the journeyman level, but has evolved to seeking the GS-11 level as the journeyman grade.)

The retirement justification comes out of the General Authorities Act section used by some people in their packets seeking past retirement coverage.

The act says that rangers have the authority to carry firearms and make arrests, execute warrants, and (most importantly) conduct investigations of offenses against the United States.

This is the language required for 6c coverage.

The Act does not mention police duties, but does mention investigations.

We cannot confirm any of these rumors, as the lodge has not been put into the communications loop. We prefer to deal in fact, but when we are excluded, we have to deal with what we have.

Letter To Interior On Radio Safety

Manuel Lujan
Secretary of Interior

Dear Mr. Secretary:

The Interior Department's manual on law enforcement (DM446) requires that law enforcement radio systems be used for law enforcement radio traffic only.

However, law enforcement radio systems in the National Park Service are also used for maintenance and park administration.

It is not uncommon for emergency law enforcement radio traffic to be interrupted by maintenance workers discussing the status of restrooms and trash dumpsters, posing a risk to park rangers and the public they protect.

This is both a violation of Departmental policy, and a major safety concern. Should injury or damage occur, this would increase the chance of tort liability on the part of the government.

The FOP represents 800 park rangers in the National Park Service. We urge you to seek prompt compliance with DM446 in the NPS. We know of no other agency in the Department that fails to meet this policy.

Federally mandated upgrades of park radio systems will be occurring in the next few years. Now is the time to act to see that these upgrades factor in Departmental policy, and the safety of park rangers and the public.

Greg Jackson, Western Lodge President

Chapters Request Help For Rangers In Need

The Lake Mead Chapter of the Western Lodge requests your assistance for park ranger Gary Sebade of Lake Mead. Sebade's son in San Diego requires frequent medical attention due to an automobile accident. Sebade's expenses to commute to San Diego each weekend are mounting. You can help by sending donations to the chapter c/o Joe Hayes, Lake Mead NRA, 601 Nevada Hwy, Boulder City, NV 89005.

The Glen Canyon Chapter requests your help for Karen Rutherford, park dispatch supervisor at Glen Canyon. Rutherford is undergoing extensive chemotherapy for treatment of cancer and needs donations of annual leave and financial assistance.

If you wish to donate leave, complete form 630A (Request to donate annual leave to leave recipient) donating to Karen Rutherford, ID number 082-30-2753.

Financial donations should be sent to Personnel Office, Glen Canyon NRA, P.O. Box 1507, Page, AZ 86040, Attn: Marge.

FOP Seeking Congressional Hearings On Retirement, Personnel Issues

The Eastern and Western lodges of the FOP are making contacts in Congress with the goal of Congressional hearings on the issue of enhanced retirement, with a focus on the delay in processing past coverage packets.

The lodges also believe that the issues of pay, seasonal workers, grade, career ladder and other issues deserve hearings.

The lodges had previously requested Interior and OPM to speed the process of reviewing past coverage, and institute a system for future coverage.

The lodge promised to go to Congress if Interior and OPM did not act to process retirement coverage packets promptly, and provide for future coverage for eligible positions.

National Park Rangers Lodge 23
Fraternal Order Of Police
P.O. Box 944
Yosemite, CA 95389

Address Correction Requested

National Ranger FOP Conference Planned For November

Western Lodge President Greg Jackson has called for a national conference of ranger FOP members and chapters to be held in Las Vegas November 16-17.

Leaders of the Eastern and Western Lodges will be present. Chapter presidents and representatives are strongly urged to attend, and several have already pledged to be there. All FOP members at large are also welcome to attend the conference.

The conference is tentatively scheduled at this time. RSVP by contacting the lodge by mail at P.O. Box 944, Yosemite, CA 95389, or by phone at 209/372-9216.

The first day of the conference will cover issues facing park rangers, and strategies for meeting lodge goals.

Day two will focus on collective bargaining, and how to change lodge by-laws and re-organize the lodges to better meet members needs and improve efficiency.

A special guest, Police Assn. of D.C. President and U.S. Park Police officer Ralph Pfister is planning on attending to discuss ways to continue to improve relations between our organizations and means of resolving mutual problems with Washington.

There will be no cost for the meetings. Attendees will be responsible for their own meals, transportation and accommodations. The lodge is currently seeking hotel room discounts. Ground transportation from the airport and hotels will be provided if you coordinate with the lodge beforehand.

This will be the first national ranger FOP conference. Please plan on attending to help set the course for the lodge in the years to come!

