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FOP



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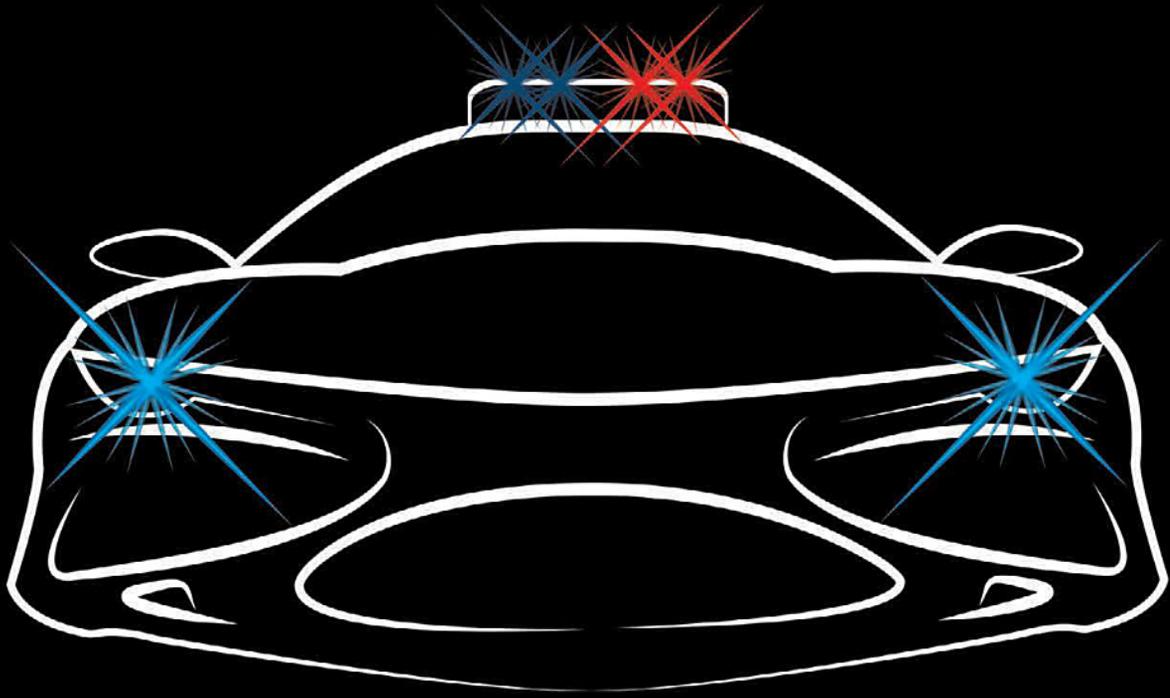
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Enough Is Enough

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

It's Saturday in Pittsburgh and officers all over the city are working their beats, thinking about their weekend, wondering if the Steelers will win, wondering if the Penguins have what it takes to win the Stanley Cup this year, deciding whether to get a haircut on their next day off and remembering that they promised that this week they would get started on the list of stuff to do around the house.

Then the radio crackles, "Shooting at Tree of Life Synagogue." They don't even think about it — they get in response mode, where training and experience take over. Tactics run through their minds, but the one thing they know is that they're going in. Firearms at the ready, heart racing, they head straight for the door. They're looking at their surroundings for suspects, cars and anything else that appears out of place. They are thinking about facing the bad guy(s). They are thinking about stopping the threat. In years past, they might have been stalling and waiting for backup, as we were all trained back then. But as we all know now, it's first on scene, first in.

What they aren't thinking about is their own safety. They aren't thinking about an escape route or waiting for someone else to take control. What they aren't thinking about is their own mortality.

They can't think of these things, or their own human reaction would be to flee. This is what sets law enforcement professionals apart from any other civilian job. This is why we do what we do. The many hours of paperwork and traffic details and patrolling our beats has now become a life-or-death situation, and unlike anyone else, we go in.

Just like the recent afternoon in Florence, South Carolina, when three officers went to a suspect's house to interview him and got ambushed at the front door by a crazed gunman. The next four officers,

knowing that their own were down, kept coming. They kept laying down suppression fire in order to get their fellow officers out of the area for medical care, and they kept up the fight. They could have staged, waited for more officers, sought cover and protected themselves, but that's not what we do. The end result was seven officers shot, two of whom made the ultimate sacrifice. They did what we do: They charged ahead and went into danger without hesitation.

Officers in Cincinnati who responded to the Fifth Third Bank shooting on September 6 did so without regard for their own safety. Four people had already been killed, but police responded professionally, rapidly and with resolve. They quickly eliminated the threat and saved countless lives. I know some of these officers, and they will tell you they did what they get paid to do. They would say they appreciate the praise, but not for themselves — rather, for the other members of their profession who do their jobs every day. They would just say it's what we do.

Sacrificing our lives is not in our job descriptions. Getting assaulted is not what we get paid to do, but in law enforcement it is just a reality. We can't get used to it and we can't stop fighting for legislation that will let the citizens know that harming a police officer will not be tolerated by our society. We aren't more important than anyone else who goes to work every day, but without law enforcement there would be no rule of law, no justice, no security and therefore no quality of life in our country. The job we do is noble and the way we perform it is honorable.

I urge all of our members to support legislation that sends a message that it is not OK to hurt us. It is not OK to resist arrest, or to assault or attack us. The Protect and

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Indianapolis Lodge Inspires Us to Think Bigger



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

In the summer of 2017, two Indianapolis police officers were involved in a shooting that some in the community viewed as controversial. The officers were cleared in a criminal investigation, but the chief of police and the City of Indianapolis recommended that the officers be fired. Indianapolis FOP Lodge #86 contested the firing at the Merit Board and was successful in preventing its members from being fired, thanks to the hard work of the lodge and its attorneys.

Usually that is where the story ends. However, in Indianapolis the lodge leaders knew that they had to change the conversation about use of force and community relations. Lodge #86 President Rick Snyder said, "It's an opportunity for everyone to stop pointing fingers at each other and figure out how to come together." Lodge #86 put together a series of initiatives called the #ThinkBigger campaign.

The key points of #ThinkBigger are that the Indianapolis FOP will:

- Contribute up to \$25,000 to launch a public education, prevention and awareness campaign about "do's and don'ts" during police encounters
- Lead an effort to partner with local leaders, nationally recognized law enforcement instructors, civil rights advocates and members of the community to professionally produce video education materials, public service announcement segments, and enhanced youth education and crime prevention lesson plans that will help better educate the public about law enforcement practices and could help prevent future tragic outcomes during police encounters
- Work with state legislators to draft a bill for the next legislative session that will have the BMV provide training and testing on safety practices during traffic stops

- Work with the Indiana Governor's Office to pursue executive direction to implement such BMV changes via administrative rule in lieu of waiting for legislative enactment
- Partner with the One Congregation One Precinct (OneCOP) initiative to invite faith-based institutions to get involved in education about police interactions and increase community engagement
- Work with partners throughout the nation to develop a multifaceted module that can be replicated ("plug and play") for other communities around the country

An important part of the #ThinkBigger campaign is the work Lodge #86 is doing with the OneCOP initiative. This Atlanta-based program trains members of the faith-based community to be liaisons between law enforcement officers and the residents those officers have taken an oath to protect and serve. In August, Indianapolis kicked off this project with role-play training of faith leaders on the dangers of traffic stops.

Imam Muhammad Ndiaye of the Al-Haqq Foundation was one of the religious leaders invited to participate. The imam was asked to engage in role-playing with another clergy member at the IMPD Academy and learn what it was like to do a traffic stop, as academy trainers pretended to be bad guys being pulled over.

Imam Ndiaye told FOX 59 in Indianapolis, "I've learned pretty much that police officers, their lives are in danger, because the experience I had today we had to pull over this car and they pretty much came out and started shooting and we were taken by surprise. Now we know what it is like wearing the badge."

Reverend Markell Hutchins, the Atlanta-based founder of the OneCOP initiative, says it has been a huge success

in Georgia. He told Indianapolis media, "There are hundreds of houses of worship in Atlanta that have joined forces and have adopted a partnership with their police professionals and we're seeing a lot of productivity when it comes to a decrease in crime and violence as well as an increase in police and law enforcement in general. It's a faith community, faith institution. These congregations, many of them in the city of Indianapolis, have hundreds if not thousands of members. Those congregations have resources and their members should get to know the officers that work in those communities and those communities should get to know the officers and the officers should get to know the communities."

Lodge #86 hopes to replicate that success in Indianapolis, and they believe that this important part of the #ThinkBigger campaign will lead to a greater understanding of the role of law enforcement by the community, as well as a greater understanding of the expectations of the community in regards to law enforcement.

The goals of the campaign are simple: to increase the communication between the community and law enforcement, and to give the community the tools to ensure that police/citizen interactions are safe for everyone involved. This campaign has been endorsed and supported by the Indiana State Lodge and the National FOP as well. FOP leaders from across the country are watching and learning from the actions of the FOP leaders in Indianapolis. This is the kind of progressive and innovative leadership that local lodges throughout the nation are providing their membership — just one more reason I am proud to be FOP!

Please continue to wear your vests and your seat belts. Watch out for one another. Stay safe! **FOP**

Our Responsibility to Fix That Which Is Broken



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

We are ordinary people who answer to a higher calling of public service and, at times, we are called upon to do extraordinary things. Our jobs are often rewarding, mostly mundane and sometimes terrifying.

We finish our shifts, go home and hug our families. We try to shield our loved ones from the pain of a raging storm of emotions deep inside us. When we close our eyes to sleep, we are haunted by sights that cannot be unseen. We struggle to understand these internal conflicts and the carnage perpetrated by the kinds of people most would like to think don't exist.

But even after our worst days, we pull ourselves out of bed, suit up, put on our badge and strap on a gun.

Being a police officer is not easy and has evolved to include the role of therapist, marriage counselor, addiction specialist and spiritual advisor. Police officers see the worst of humanity. Add to this the constant and relentless anti-police rhetoric fueled by 24-hour news coverage that shines bright lights on politicians, pundits, celebrities and sports figures who quickly rush to judgment without knowing the facts, placing the weight of the world on our shoulders.

All of this takes a toll on the physical and mental well-being of police officers. One in every five officers is subject to post-traumatic stress disorder (PTSD), which can cause deterioration of heart arterial health, hormonal imbalances and depression leading to suicide.

Consider this: The average life expectancy for an American is 78.7 years. However, the average life expectancy of a police officer is 10 years fewer, with an above-average rate of officers dying within five years of retirement.

First responders have five times more PTSD and depression than civilians, yet little has been done to address it, and the number of suicides seems to be grossly underreported. In 2017, 140 police officers took their own lives and 46 officers died after being fatally shot on the job. That is nearly 67% less than the number of suicides.

Who do officers turn to when they are overcome by stress? Good question! There must be more awareness and better access to mental health services for police officers, including peer support. Police officers run toward danger when most people run away; our agencies should be running toward us with support and understanding.

Police officers are human beings and our

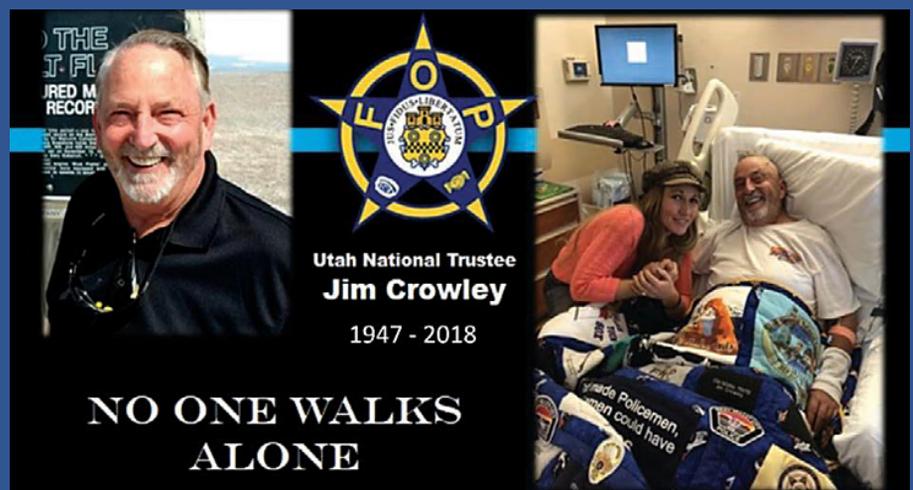
work takes a major toll on our relationships, our quality of life and our mental health. It is our obligation to care for each other and support our brothers and sisters in blue in every way possible.

The FOP, at both the State and National levels, is systematically promoting the enactment of PTSD and officer wellness legislation that offers a holistic approach to address root causes and provide potentially lifesaving mental health services and stress management education.

Historically, people who suffer from PTSD are in a dark place, personally and professionally, and may be viewed as problem employees because of their tendency to self-medicate and act out. Agencies are quick to act against them rather than addressing the root cause, which is sustained stress, conflict and trauma.

Rather than cast them aside, it is our moral and fiduciary responsibility to fix that which is broken in the service of others, increasing awareness and finding solutions for the growing problem of police officers with PTSD. It is far more cost-effective than casting officers aside ... and it's the right thing to do! **FOP**

National Trustee Jim Crowley was an advocate for those with the courage to pin on a badge. A charter member of West Valley City Lodge #4, Jim was instrumental to the development of the Utah FOP. As the Utah National trustee, Jim was the longest-serving member of the National Board of Trustees. Surrounded by his family, Jim passed away on November 3, 2018, after a brief illness. Please keep the Crowley family, blood and blue, in your thoughts and prayers.





Knowing Your Responsibilities as a Lodge Treasurer

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

As your National treasurer, I am frequently asked what a treasurer should be doing with lodge funds and what should be reported to lodge members. I always start by saying that as lodge leaders we must be familiar with our lodge's constitution and by-laws. The basic answers about how to run your lodge and how to handle your finances can usually be found there. It is also important to put in place additional procedures for handling lodge finances. The treasurer should be suggesting procedures to the board, as the board members should be the ones deciding how their lodge funds are handled.

As a State Lodge treasurer and now as your National treasurer, I am responsible for multiple bank accounts. I work with the Lodge accountant to make sure all our procedures are up to date and being followed for all the accounts. Your lodge may only have one bank account, or you may have multiple accounts. The Grand Lodge has three checking accounts, two savings accounts and an investment account. The Foundation has a checking account and a savings account, and the PAC has a checking account. The Foundation checking account has three accounts within it for the Memorial, disaster relief and the general Foundation. We also have a loan for the building in Washington, D.C. In addition, the Grand Lodge issues credit cards to the Executive Board and some employees. It is my responsibility to manage all these accounts and report on them to the Board every month. I issue approximately 3,000 checks every year, and I have to make sure each expense has proper authorization and receipts before the check is sent. Your lodge treasurer is responsible for managing your accounts, making sure procedures are followed and reporting to the members of your lodge on a regular basis. If this is not happening, you need to find out why.

Your lodge treasurer, with the guidance

of your board, should prepare a draft of a budget every year to present to the board so they can finalize and approve it for the upcoming year. This allows your board to track the progress of your finances throughout the year. On a regular basis, your treasurer should prepare reports on your lodge finances for the board and your members. I send out monthly reports to our Board, and the trustees share that information with their members. The treasurer should also advise the board if some items are likely to exceed what has been approved. Remember, the board has approved the spending limits and they must be adhered to by your treasurer. I prepare a financial sheet that shows the balances in all our accounts, budget versus actual reports for the Grand Lodge and the Foundation, check registers for the previous month for checks written on any of our accounts, and balance sheets for any accounts with no activity. Your lodge treasurer should prepare reports for your lodge. The type and scope of the reports should be determined by your board and your membership.

Bank statements should be reconciled each month and reviewed by your lodge accountant, another board member or several board members. Someone else besides the treasurer should be reviewing income and expenses each month. The Grand Lodge bank statements are sent directly to our accounting firm each month. After I reconcile the bank accounts, I forward copies of the reconciliations to our accounting firm and to our part-time accountant, Bob Krone, to review. Bob also requests copies of cleared checks that he then follows up on to make sure the expenditure was proper.

We also have an annual audit by our accounting firm that double-checks everything that has been occurring during the past year. The auditors point out changes in their auditing procedures, which sometimes

require us to change the way we handle our finances. Everything is done to protect the assets of the lodge and to make sure the members know how their funds are being spent. Information from the audit is also used to complete the LM2 form the Grand Lodge is now required to file each year with the Department of Labor. Additionally, it is used to complete yearly reports for workers' comp insurance. Your lodge should determine what it needs to track and how extensive an audit is needed.

It is very important to maintain proper records for tax purposes and any issues that may arise. The Grand Lodge uses QuickBooks to keep track of our expenditures, and we are now keeping copies of vouchers that authorize an expense and receipts for the expenses electronically. Your lodge should determine how you will keep copies of expenses, approvals and receipts, and you should make sure those items are properly stored.

I realize that in many lodges, a small number of board members may do the majority of the lodge business. But it is important for each board member to know what their lodge constitution and by-laws say their responsibilities are, and to make sure they fulfill those responsibilities. As your National treasurer, I get various assignments from the president or the Board and I do them as asked. But I was elected to be your treasurer, and the Constitution and By-Laws spell out what I am responsible for. Those things, above all else, are the treasurer's responsibility. We have over 2,000 local and State Lodge treasurers who should make sure they are following proper procedures, reporting to the membership and doing their job properly.

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

The Changing Pension Landscape



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

One of our organization's legislative priorities is to oppose the inclusion of law enforcement officers in the Social Security system. Due to the current environment involving public-sector pension plans, it may be necessary for us to re-evaluate this position, particularly for newly hired officers.

The primary basis for our position in the past was that defined-benefit police pensions were sufficient to provide a secure financial life after a law enforcement career. The amount of the monthly benefit, combined with the shorter time needed to earn a pension, gave officers the opportunity

to either work after their law enforcement career to supplement what was a reasonable pension benefit or, in some cases, retire completely and still receive a fair monthly pension benefit earned as a police officer.

Sadly, for newer officers coming on the job, that is no longer the case. Throughout the country, police defined-benefit pensions are under attack. The climate now exists to reduce their level of benefits, increase the amount of time needed to earn those reduced benefits or eliminate their defined-benefit plans entirely and move newly hired police officers into a defined-contribution plan.

These continued attacks will leave new officers in a state of financial insecurity. Without a secure reasonable monthly pension benefit, their only financial floor would be Social Security, which provides at least a minimal level of security to American workers and their spouses. Social Security is a defined-benefit plan. And while the benefit level varies depending on a worker's earning history, in exchange for an employee contribution of 6.2% of wages, the benefit received is one that continues until the death of both the

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2018 FOP Member of the Year: Carlton Stallings

Carlton Stallings began his law enforcement career with the Georgia State Patrol in 1970. He had an exceptional career as a trooper, spanning more than three decades. He started as a radio operator and retired as a captain, which speaks volumes about his training, ability and leadership qualities. Carlton has received numerous awards and commendations, including four Officer of the Year awards, three Governor's Challenge awards in technology, and the Georgia Commendation Medal, Department of Defense, Military Division for his work at the 1996 Olympics. His work has left a legacy that will remain for many years.

Carlton's tenure with the Fraternal Order of Police has been equally as exceptional. In 1995 he organized and chartered his own lodge, Lookout Mountain Lodge #86. He was elected lodge president and served in that position for 12 years. In 1999, he was appointed to fill the remaining term of State sergeant-at-arms, beginning his legacy with the Georgia State FOP. In 2002 he



was elected State vice president and in 2004 was elected State Lodge president, serving six terms. As State president, he chartered 14 new lodges across the state, led the startup of the State FOP Foundation and led the effort to restart the FOP Law Enforcement Day on the Hill at the Georgia Capitol in Atlanta. In 2016, he was elected as Georgia's National trustee, a position he still holds today. His dedication to the FOP is displayed every day, and his work to build the Order in Georgia is tireless. He never misses an opportunity to talk to a law enforcement

officer about joining the FOP.

Carlton Stallings has done so much, both in his law enforcement career and as a member of the FOP. In recognition of all that he has achieved, the marks he has made in both fields, and the legacy he has left and continues to create, the FOP is proud to present him with the 2018 Member of the Year award. Congratulations! **FOP**



You Need the FOP Now More Than Ever



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

I have been involved in the police labor movement in one form or another for the last 40 years. As a young activist I was a local union president and negotiated contracts, handled grievances and worked with our union-supplied attorneys in conducting arbitrations and representing members in disciplinary matters. I currently work as a union representative for the Illinois FOP Labor Council. As anyone who has done this work can attest, there are aspects of being an FOP advocate that are not always the most enjoyable. As the human condition can attest, none of us are perfect, and in law enforcement, errors can be made

that can have long-lasting effects on an officer's career.

We have always striven to protect the integrity of our profession. Part of this is guaranteeing that the due process rights of our members are protected. All too often, administrators cut corners in order to expeditiously address what they see as a problem employee. Sometimes a superior's motivations can come into question. Political influence can come into play, and from time to time it's just cheaper to expedite an investigation without giving it the focused attention that it is due.

The job of an FOP advocate is to

protect the process as much as it is to protect the officer. In protecting the process, sometimes poorly conducted investigations reveal ulterior motives outside management's equal obligation to ensure the integrity of the profession. And sometimes overzealous investigations of perceived wrongdoing result in heavy-handed delivery of discipline. Often we see officers terminated, only to be reinstated because the crime didn't fit the time. Or, to the dismay of a law enforcement administrator, a hefty suspension is

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Leave Your Legacy

// **WRITE TO US!** If you have further questions, contact Rob Pride at lodg52pride@gmail.com.

The recent storms in the southeastern part of our country have once again reminded us how quickly Mother Nature can devastate lives. In back-to-back disasters, Hurricanes Florence and Michael have ravaged Florida, the Carolinas and surrounding states. Some of our fellow law enforcement officers were directly impacted by these events. While they were out protecting their communities and saving lives, their own homes were being damaged and their

families displaced. Over recent years, this sad story has constantly repeated itself. I remember when, at our National Conference in Nashville in 2017, some of our members from Texas had to leave early as Hurricane Harvey was bearing down on their state. Many of our FOP brothers and sisters suffered a part of the more than \$125 billion in total damages from that storm.

But do you know what else I remember? I remember lodge after lodge going to the

microphones on the Conference floor and pledging thousands of dollars to the FOP Foundation Disaster Relief Fund to help our brothers and sisters before Hurricane Harvey had even made landfall. That is what we do for one another in times of need, and I couldn't be more proud of it!

However, as proud FOP members we should pause to consider if there is more we can do outside of these tough times. Can we do more planning ahead of time to find better ways to help our members before disaster strikes? Support our annual National FOP Memorial Ceremony? The White Chairs? We can and we should.

One easy way to ensure that we can help our organization in the future, even after we are gone, is through trusts and estate planning. We take care of our family, loved ones, and often our churches and favorite charities when drafting our estates, trusts and wills. But have you remembered the FOP? Imagine the great work we could do in the future if all 340,000 members of our Order pledged a small percentage or amount of their estate to the FOP! What a worthy way to not only help our brothers and sisters who will find themselves in need in the future, but at the same time leave your lasting legacy in our Order.

Recently, I have had the opportunity to update my own will and future arrangements. Although each state is different, I was surprised at how easy it was to designate a set amount to go to my local, state and National FOP in my will. I found great satisfaction and peace in knowing I will be helping my brothers and sisters and their families even after I am gone. I challenge all my fellow FOP members to consider looking into this and doing the same.

Together, we can leave our lasting legacy within our beloved Order, through both the work we do for each other now and our generosity in the future. And I can think of no worthier cause to do so! **FOP**

A New Memorial in Michigan

By MI FOP Lodge #148 President Bill Strasz

About two years ago, Michigan FOP's Greater Thumb Area Lodge #148 decided to build a monument to honor the fallen officers of Huron, Sanilac and Tuscola counties. Two of our members, Chaplain Bill Sanders and Bill MacNicol, took the bull by the horns and made it possible.

On May 2, 2018, we unveiled the monument in Indianfields Township Cemetery in Caro. State Lodge President Joe Adams spoke at the ceremony, and family members of all four of our fallen officers were there — including the daughter of Sheriff Joseph Murray, who was only 7 months old when her dad was killed back in 1932. Two of the officers honored were from the Huron County Sheriff's Department, another was from Caro P.D. in Tuscola County and the fourth was from Marlette P.D. in Sanilac County.

We know that there is the national monument and a soon-to-be Michigan state monument, but we wanted something closer to home for the family members who cannot travel to those locations. We also wanted something for the general public to see and learn from, so that although these brave officers may be gone, they will never be forgotten. **FOP**



Photo by Rae's Photography

PRESIDENT'S MESSAGE

Continued from page 6 >

Serve Act must be passed by the Senate and we need the president to sign it. This legislation provides federal penalties for individuals who deliberately target local, state and federal law enforcement officers with violence. Let's send the message that law enforcement officers matter, that we vote and that we will only support candidates who support our safety. H.R. 5698 passed the House on May 16 with a vote of 382–35 and is now in the Senate. I urge you to write to your senators and advocate for the quick passage of this bill. We can get this done, but we need each of you to lobby and push for passage.

Remember the hashtag **#enoughisenough** and use it each and every time you post on social media about violence committed against our brothers and sisters. Together, we can make a difference. **FOP**

SECOND VICE PRESIDENT'S MESSAGE

Continued from page 10 >

worker and the spouse, with a COLA as provided for by law.

Financial planners often point to the three legs of a stool as an illustration of a secure retirement, the legs being a defined pension benefit, Social Security and savings. Most officers only had two legs, since they did not participate in Social Security, but the generous level of their pension kept the stool from collapsing. Now, with reduced or nonexistent defined-benefit plans, it is imperative for new officers that a secure stream of income is provided. Social Security is the obvious answer.

Employers will undoubtedly be opposed, since the 6.2% contributed by the employees must be matched by the employers. But employers are already enjoying the reduction in their contributions to the inadequate defined-benefit pension plans or defined-contribution plans they are providing to these new officers.

In addition, an ancillary benefit of including new officers in the Social Security system may be the repeal of the Windfall Elimination Provision (WEP) of the Social Security Act. The FOP has long been opposed to this unfair legislation. The argument in favor of WEP has been that police officers who do not

participate in Social Security during their law enforcement career receive a benefit level higher than those who earned less during their work career but always paid into the system. That argument would be eliminated immediately for new hires with Social Security participation and may open the door wider for the complete elimination of the WEP for all law enforcement officers. **FOP**

SERGEANT AT ARMS' MESSAGE

Continued from page 11 >

drastically reduced for similar reasons. There are also times when an FOP advocate recognizes a thoroughly conducted investigation and must advise an officer that their future in law enforcement is tenuous.

As my career in law enforcement was multifaceted, I can also relate to the administrator who becomes frustrated in their inability to issue what they feel is the appropriate amount of discipline to an officer they see as deserving of it. I was in such a position of authority, where I was as responsible as the FOP advocates for ensuring the integrity of our profession. And I worked alongside individuals who felt slighted by a process that they perceived as favorable to the employee. I often reminded those folks that it's not their personal quest to see to it that officers live up to the standards that they have established for themselves as supervisors, but rather, they are obligated to maintain an even standard of expectations established by the profession itself.

As I travel around the country as a representative of the National FOP, I often interact in meetings with administrators who blame their inability to lead on the vigorous representation of their subordinates by the FOP. I often must remind them that good leadership routinely overcomes these obstacles. What is required of a leader is an even disposition and a holistic understanding of what is expected of our profession. Investigations into misconduct must be done in as a professional manner as is expected of the subordinate who is alleged to have infringed. Anything less is a disservice to the profession!

Inevitably, when the meeting is over, several more progressive administrators will thank me (or more so the FOP) for our diligent advocacy for our members, because many enlightened leaders realize that there must be a system of checks and balances to

ensure that the integrity of the profession is maintained. And often they will inform me that they are lifelong members of the FOP and proud of the work we do!

What is becoming most concerning to me recently is the propensity of administrators to abdicate their leadership responsibilities to the courts. Rather than conducting a thorough investigation and addressing the issue internally, these administrators wash their hands of the matter and refer an infraction to a state or district attorney for criminal prosecution.

The propensity of video footage to be exaggerated through social media has caused elected government officials to become hypersensitive to occurrences that in the past were handled internally and professionally. Now, even advocates of good management are forced to throw their personnel to the courts and the media wolves in order to protect their own employment. Often, politics comes into play and we have seen prosecutors bolster their own political capital on the backs of officers who are simply trying to do their jobs. My kudos to those administrators who do stand up for their employees and risk it all for the integrity of the profession. Unfortunately, these heroes are few and far between.

Where we once encouraged our members to join their FOP lodge for protection, and then, in states where collective bargaining was allowed, to join their labor council, now there are additional protections needed in the form of legal defense. I often hear that FOP dues are too high, labor dues can be avoided under *Janus* and legal defense is only necessary for those who are already breaking the rules. I can attest, with 40 years of experience in seeing the ebb and flow of FOP advocacy — as a profession we are in troubling times.

We have our advocates, but they are far outweighed by those who relish the dismantling of our basic rules of law. If you think for a minute that you, as a professional law enforcement officer, are immune from suspension, termination or indictment, then you are not looking around you. Now more than ever, you need all the protections the FOP can provide you. Pay your dues, attend your lodge meetings and for the love of your profession, enter the FOP Legal Defense Plan. You may very well be the next victim of someone's political aspirations or weak leadership abilities. **FOP**



PROTECTING *THE* CASTLE

TACTICS TO **SECURE** **PUBLIC VENUES** **AGAINST VIOLENT** **ATTACKS**

By **Darren Norris**

▲ *The Mandalay Bay resort and casino in Las Vegas, site of the deadliest mass shooting by an individual in modern U.S. history, is just one example of how public venues can be vulnerable to attack.*

It seems as though nothing is off limits to individuals and groups intent on doing harm to others. The Los Angeles County Sheriff's Department Temple Station, NYPD's 52nd Precinct and Texas Tech University Police in Lubbock are only a few of the law enforcement agency locations that have fallen victim to attacks in recent years. There have also been cowardly attacks at concerts and other entertainment events around the world, including the Las Vegas mass shooting and the Manchester bombing. These incidents have forced law enforcement to re-evaluate their current tactics, techniques and procedures for mitigating threats to public sites and their own workplaces. Additionally, critical infrastructure facilities and entertainment venues alike are examining their physical security postures to assess their readiness to combat these types of violent attacks. Law enforcement must place great emphasis on securing their own houses as well as public places that may be targets, developing facility-specific strategic response plans that work in conjunction with the venues' existing security measures.

For many years, active killers and terrorist organizations have claimed victims from all walks of life on a global scale. These threats are very real, and law enforcement must maintain a constant state of readiness and conduct ongoing training and evaluations. Terrorists will indiscriminately seek soft targets and exploit vulnerabilities in an attempt to claim as many victims as possible. These attacks are not random or by accident; they are calculated acts of violence with the intent of achieving a specific outcome. The Federal Bureau of Investigation defines terrorism as "the unlawful use of force or violence against persons or property to intimidate or coerce a government, the civilian population, or any segment thereof, in furtherance of political or social objectives." Therefore, law enforcement, entertainment venues and music touring personnel, like anyone else, must face the potential threat of global terrorism just as much as they must face random acts of violence.

The tactics, techniques and procedural lines of physical security and personal security are often blurred or confused by personnel not specifically trained in the two disciplines. To clarify this misconception, **physical security** is the act of protecting assets, whereas **personal security** focuses on the protection of

personnel. Although these are completely separate procedurally, they both have common ground and therefore the security model must work in harmony between the two. This article will focus on the **physical security** aspects for maintaining a high level of security at a public venue, with the primary focus of creating a harder target and enhancing the level of protection of the site and its occupants.

Military and law enforcement operations all start with information pertaining to a particular operation or event. Once that information is collected, it is then vetted to determine whether it will yield any benefit to the operation. If it is determined to be beneficial, it is considered intelligence and categorized accordingly. The intelligence is then used to build a target package through the utilization of intelligence assets and other resources. Let's examine the social media aspect of active-shooter incidents. Several case studies show that the attackers either posted their intent on social media prior to the attack or livestreamed during it. There is never a perfect solution to these types of incidents. However, data shows that the use of open-source intelligence (OSINT) may have proved beneficial in mitigating some of these attacks, thereby potentially saving lives. There are numerous companies that provide software platforms for the collection of OSINT. These platforms collect data from the dark web, social networks, public records and numerous other online locations, using keyword searches, geofencing, historical searches and SMS real-time alerts to quickly locate people.

Threats, Risks and Vulnerabilities

The first thing that should be assessed is the physical security posture of each specific potential target, whether it be a law enforcement agency, entertainment venue or critical infrastructure site. This starts with a thorough physical security assessment of the site by examining three key components: risk, vulnerability and real or perceived threats. This is often referred to as a threat and vulnerability or risk assessment. It is important to note that "threat," "risk" and "vulnerability" are not interchangeable terms. Although they have similarities, each is very different in nature and is part of the overall paradigm for assessing risk and vulnerability.

Threats can often be a very challenging element to factor into a security plan. In most cases, a threat is viewed as the "X-factor" when it pertains to physical security. Threats are typically outside of total control and therefore are usually assessed on a theoretical basis, unless specific threats have been made to a specific site. However, once a threat has been identified, the validity must then be evaluated to determine whether the threat is real or perceived, and then the physical security plan can be tailored to meet it as required.

The risk assessment element is designed to

clarify the nature of a risk. Additionally, it is designed to gauge the probability of occurrence, its intensity and what impact it will have on people, property and the surrounding environment. By decreasing existing onsite vulnerabilities, risk can be effectively managed and theoretically mitigated through proper assessments, planning and corrective action.

A vulnerability exists when there is degradation in the physical security design. An inoperable barrier, eroded berm or broken fence are all examples of vulnerabilities in the physical security design. These, coupled with existing threats, may result in a loss of life or catastrophic damage to the venue if existing vulnerabilities aren't identified and the appropriate corrective actions taken.

Physical Security Design Process

In order to determine what level of physical security is required for a facility, a thorough physical security assessment must be conducted in order to identify what vulnerabilities exist. The simplified baseline for this assessment is to deny unauthorized persons access to the facility, equipment or resources. The singular focus is to protect lives and property at the location being assessed. There are seven basic elements that should be evaluated during the assessment. These multilayered elements are interdependent and must be assessed and maintained on a continuous basis.

1. Perimeter security: The perimeter is the boundary that separates the secure areas from those the public can access. There are numerous types of perimeters that are used to security a facility, ranging from fences to solid walls. The physical security assessment will aid in identifying which perimeter control measures should be added or enhanced for each individual

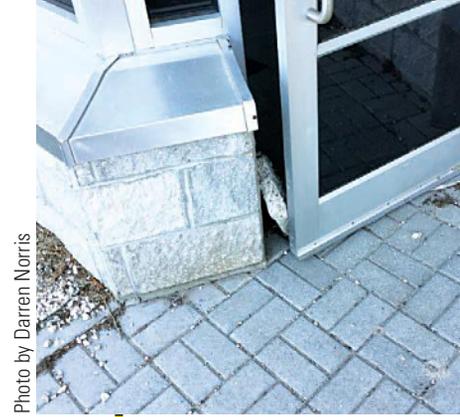


Photo by Darren Norris

▲
A typical sight in most office buildings, a door being propped open is a simple example of a security vulnerability that has the potential to compromise an entire facility.

▼
For added perimeter security at a recent rally held by President Trump, Houston Police created barriers with M35 2½-ton (aka "deuce and a half") cargo trucks and dump trucks to close roads around the venue.



Photo by Darren Norris

location. This should also include the perimeter or security buffer zone.

2. Security guard force: Security guards with the appropriate jurisdictional authority to enforce the laws on the property in which they are paid to protect. In most cases, a properly deployed guard force will serve as a deterrent for those with the intent to do harm.

3. Access control: Access to any facility should be restricted to persons authorized to be in specific areas of the property. Access control is typically designed to allow access through the use of human-controlled methods such as a receptionist or security guard, or through mechanically controlled methods such as key locks or biometrics.

4. Intrusion detection system (IDS): Intrusion detection monitors the security system for both malicious activity and violations of facility policy. The system network will immediately alert security personnel in the control center of any

irregularities. Typically, the intrusion detection system will integrate with other systems, such as perimeter control and video monitoring systems.

5. Video monitoring system (VMS): Video monitoring systems are a valuable asset because they can function as a facility-wide force multiplier when sufficient guard force does not exist to patrol the facility. Additionally, they serve as a visible deterrent and provide video documentation that can be used for analysis of previous events.

6. Security lighting: Proper security lighting must be utilized to protect persons and property from criminal

activity. Proper lighting also serves as a deterrent and gives the perception of an increased security posture. Security lighting should be installed along perimeters, buildings, pathways, parking lots and any other area determined to be a potentially vulnerable zone.

7. Occupant emergency plan (OEP): Law enforcement or a physical security specialist should assist in the development of a comprehensive OEP for agency as well as all civilian sites. This is done through the physical security assessment process. The OEP is a critical part of the security plan, as it instructs personnel on how to respond during an incident. Comprehensive incident response guidelines for personnel should include the following elements:

- Supervisory role
- Rally points
- Accountability of personnel
- Communications
- Medical aid
- Law enforcement response and how personnel should interact during an incident

All personnel who work within the facility should be educated on the OEP so that they have a complete understanding of how they should respond to an incident, either individually or in a group.

Crime Prevention Through Environmental Design (CPTED)

Crime prevention through environmental design is a widely used technique in the physical security design process. Not every facility has the fiscal means within its budget to purchase state-of-the-art security equipment or pay personnel for security staffing. The CPTED method is widely used in conjunction with all security designs, as it provides an additional layer of security for facilities with existing physical security assets. For facilities with limited budgets, CPTED will provide a fundamental layer of security. CPTED is not designed as a means to deny access to any location, but as a



▲
A walk-through magnetometer at a concert venue is an example of access control.



▲
Landscaping should be designed to deny access to the facility. This berm providing easy access to the roof is an example of what not to do.

Photos by Darren Norris



Jersey barriers should be properly placed and properly filled. Empty barriers will not provide the required level of protection to deny access to unauthorized vehicles.

that would be detrimental to the public and community infrastructure if attacked.

Unfortunately, numerous facilities have allowed their onsite equipment assets to degrade and essentially become ineffective. A good example is a cracked water-filled Jersey barrier that allows the water to drain out. A Jersey barrier, depending on design, ranges in weight from 1,500 to 2,000 pounds when full, versus an empty weight of approximately 150 pounds. Another good example would be the triple strand of barbed wire atop a chain-link fence. The triple-strand wire routed through the “Y” arm atop the fence post creates an ominous sight to most. However, the majority of fences are easily defeated, as many of the arms are not welded in place, thus rendering them ineffective from an access-control standpoint.

Officers tasked with conducting physical security assessments must be certified as a physical security specialist, train regularly, and build a comprehensive network with open lines of communication with the various high-value entertainment venues, educational sites and infrastructure facilities within the community.

means of redirecting direct access to certain areas and deterring crime. The CPTED concept consists of four basic principles:

1. Natural surveillance is the “see and be seen” concept. A person is less likely to commit a crime if they believe that someone can see them committing it. During the design process, lighting and landscape should be assessed to provide maximum site-wide visibility.

2. Natural access control is a method to direct pedestrian and vehicular traffic to a desired location through a predetermined route. In order to achieve the desired result, landscape, signage, fencing, lighting and walkways are used.

3. Territorial reinforcement is used to create a sphere of influence giving the perception of an increased security posture at the facility. Public and private areas are clearly distinguished. The physical security design process may include the use of concrete planters, landscaping, signage or other devices to make a statement of proprietorship on the facility grounds.

4. Maintenance is an often-overlooked component in all security programs. The “broken window theory” implies that if one broken window exists, it will lead to others. Neglected and poorly maintained properties will ultimately become an attractive target for the criminal element. Therefore, scheduled and as-needed repairs and preventive maintenance should be ongoing.

Training, Assessments and Maintenance

Physical security assessments are not a “one and done” concept. Law enforcement should conduct regular training and evaluations at their own agency as threats against law enforcement continue to increase. Additionally, training and security assessments should be conducted on a regular basis with partner agencies and designated high-value targets within the community at locations such as stadiums, arenas, schools, water treatment facilities and other facilities



Darren Norris retired as the assistant chief of police with the Pelion Police Department. He is the chief operations officer with MUR Strategic, a company that specializes in protective security operations. He has over 28 combined years of military and law enforcement experience. A state-accredited law enforcement instructor since 1995, he has served in command, patrol, K-9, SWAT and investigations assignments throughout his career and is an active member of Midlands Lodge #1. FOP



Portable barriers are an outstanding method for controlling access in the absence of fixed equipment.

TACTICAL TRENDS

The Latest in Law Enforcement Apparel, From Pockets to Protection

Being selected to serve on a tactical team often means you've acquired an advanced skill set to carry out high-risk duties, so you expect your clothing to meet that tough challenge, too. When choosing tactical apparel, there are a lot of factors to consider, with the first always being comfort. Tight, binding fabric for shirts, pants or jackets could inhibit movement, which is absolutely unacceptable. Another key characteristic is whether the item has been winterized. Does the material provide protection against the elements, be it wind, rain, snow or frigid temperatures? A third factor is functionality, from extra pockets to store gear or conceal a weapon, to boots designed to prevent foot fatigue, to vests for added layers. Finally, don't forget about style — there's no reason why tactical apparel can't look good, too. The items highlighted here are designed to meet these and many other criteria, helping law enforcement professionals dress for success.



GALATI GEAR DELUXE TACTICAL VEST **Invested in Safety**

In 2018, Galati Gear introduced the Deluxe Tactical Vest with a removable mag belt. This new design is loaded with options to efficiently organize your gear the way you want it — for example, owners can remove the deluxe universal holster, pistol web belt and shot shell holder to attach patches or additional accessories. It also holds three height-adjustable pistol mag/flashlight pouches, a radio pouch, a sniper shoulder pad, two internal zippered map/document pockets, and a heavy-duty back-loop system to hold even more gear if necessary. It's available in standard left- or right-hand versions, plus a husky right-hand design.

MSRP \$103.44–\$115.45



TRU-SPEC MEN'S 24-7 SERIES GUARDIAN PANTS **Fit for Duty**

Keeping the foundation of its popular tactical pant style, Tru-Spec has upgraded the design for its latest, the 24-7 Series Guardian Pants for men. The slider waistband offers a more wearable fit, but still contains the original PRYM snap with YKK brass zipper. Side cargo pockets have been elongated with hook-and-loop closures. These are topped with an additional utility pocket. Another update is the easy-access DropN pocket behind each cargo pocket. Knees have been reinforced to endure intense physical activity. Colors include black, coyote, khaki and ranger green.

MSRP \$62.95

HAIX BLACK EAGLE TACTICAL 2.0 GTX **HIGH SIDE ZIP BOOT** **Fancy Footwork**

The latest in footwear from HAIX USA appears heavy-duty but feels lightweight. For the Black Eagle Tactical 2.0 GTX High Side Zip Boot, designers paired trail-running technology with nonslip soles, which are also shock-absorbing to insure footing when giving chase. Extra padding in the ankle zone provides support and stability. This version contains Sun Reflect technology for breathability, a GORE-TEX inner liner for dry comfort and a waterproof zipper. The boots are completely metal-free, which gives you a leg up on security surveillance or metal detectors.

MSRP \$199



DICKIES TACTICAL SOFTSHELL JACKET

Withstand the Weather

On the outside, the Dickies Tactical Softshell Jacket functions like typical winter outerwear; it's both water-repellent and water-resistant as well as wind-resistant. On the inside, you'll find smart tactical options, including hidden front and back ID panels and storage pockets to keep items out of sight. Plus, concealed weapons can be quickly accessed through a side holster. Designers included front slash hand-warmer pockets for extra comfort.

MSRP \$99.99-\$109.99



PROPPER 1/4 ZIP JOB SHIRT

Total Coverup

When you need a shirt to be much more than just a fashion statement, Propper's 1/4 Zip Job Shirt is designed to get the job done. The cotton/polyester fleece fabric wraps the wearer in a warm, cozy layer. When dressed for duty, utilize the tactical specifics, such as mic clips located on the shoulders, dual-depth chest pockets and a two-channel pen pocket. It's constructed to withstand lots of wear and tear, with anti-abrasion canvas reinforcements strategically located at elbows, side pocket and inside the collar. Sizes range from XS to 5XL.

MSRP \$44.99

**WIN
IT!**

UNDER ARMOUR UA ENDURO TACTICAL PANTS Practical Tactical

The UA Enduro Tactical Pants from Under Armour are styled for doing the job in winter's harsh elements. The UA Storm technology embedded in the material helps repel water, such as melting snow, while an anti-odor technology blocks the growth of nasty microbes. Plus, the pants are constructed from ultra-durable ripstop fabric, so they can withstand just about any activity required in the field. Offset belt loops make room for proper holster placement, and the stretch-engineered waistband accommodates movement. Available in both women's and men's cuts.

MSRP \$75-\$80 FOP



**Enter for a chance to WIN!
See page 5 for more info.**



the human touch

Criminal justice degrees emphasizing human services can help officers help others.

As a public servant, you regularly come in contact with a variety of people — witnesses and victims of every age as well as offenders. Each encounter presents unique circumstances that call for situational-specific responses. Traditional training emphasizes the legal, safety and tactical parameters of a scenario, but what about the human behavior aspect? “Without the human services component, you are at a disadvantage — 99.9% [of what we do] involves people,” says Dan Barry, a retired law enforcement officer who chairs the Criminal Justice and Security program (which includes the option for a human services concentration in its B.S. in Criminal Justice Administration degree) at the University of Phoenix’s Las Vegas campus.

Many members of law enforcement are attracted to the profession specifically because they want to have a positive impact on people’s lives. And the expectations on officers to address issues of community policing, mental illness, homelessness, domestic violence and juvenile justice are greater than ever. In response, more and more criminal justice degree programs are offering a human services concentration for a holistic approach to policing. Whether you’re interested in honing your people skills in your existing position or transitioning to a specialized field like child welfare or victim advocacy, pursuing higher education in this area can better equip you to answer the call for help.

WALDEN UNIVERSITY www.waldenu.edu



DEGREE: Bachelor of Science in Criminal Justice: Human Services for Criminal Justice

COURSE SAMPLING: Restorative Justice; Mobilizing and Coordinating Community Response; Victimology

KEY COMPONENTS: Walden's human services concentration arms students with the power to advocate for victims and juveniles by learning to assess needs and identify community resources as well as studying trends, such as restorative justice strategies.

FACULTY INSIGHT: "What makes us different is our mission statement of making positive social change, and we incorporate that into the curriculum. For capstone projects, we encourage students not just to summarize their experience, but also how they will apply what they learned to their daily lives." — Kimberley Blackmon, Ph.D., Criminal Justice program director

SOUTHERN NEW HAMPSHIRE UNIVERSITY www.snhu.edu

DEGREE: Bachelor of Science in Criminal Justice, Human Services Concentration

COURSE SAMPLING: Communication Skills for Human Service Professionals; Family and Community Systems; Ethics and Laws in Child Welfare

KEY COMPONENTS: Coursework for this online degree helps students learn skills to manage crises, identify the impact of trauma and spearhead coordination with other agencies.

FACULTY INSIGHT: "We have a responsibility to give victims the help they need and we need to build relationships to improve [community policing]." — Sheryl Victorian, Ph.D., adjunct professor and assistant chief of the Houston Police Department

BELLEVUE UNIVERSITY www.bellevue.edu

DEGREE: Bachelor of Science in Child Protection and Juvenile Justice

COURSE SAMPLING: Interviewing and Negotiating; Victimology and Trauma; Freedom and Responsibility

KEY COMPONENTS: Offered online only, courses for this accelerated degree are divided into sequential cohorts to advance skill sets. Lessons examine adolescent welfare and juvenile justice, psychological disorders affecting young people, and the complexity of family dynamics.

FACULTY INSIGHT: "For law enforcement officers who work in schools, such as resource officers, this would be an ideal degree. Courses discuss how to confront adolescents under the influence of drugs or with mental illness."

— David Hoppe, assistant professor and program director

REGENT UNIVERSITY www.regent.edu

DEGREE: Master of Art in Human Services, Criminal Justice & Ministry

COURSE SAMPLING: Helping Skills & Techniques; Multicultural Awareness & Individual Diversity; International Trafficking in Persons

KEY COMPONENTS: A partnership between the School of Psychology & Counseling and the Regent University School of Law, this master's degree addresses pertinent topics in law enforcement today. Each course runs eight weeks, often including small-group projects, podcast lectures and asynchronous chatroom discussions.

FACULTY INSIGHT: "Even if topics aren't ministry-specific, such as criminal justice, our core classes in human services do have integrated components. You're studying the specifics, but we're also talking about ways on how to enhance that from a ministry perspective." — Amy Trout, Psy.D., associate professor and Human Services program director

NATIONAL UNIVERSITY www.nu.edu

DEGREE: Master of Science in Juvenile Justice

COURSE SAMPLING: Leaders at National University are restructuring the curriculum, with input from juvenile probation departments, for this advanced degree. Starting in spring 2019, courses will reflect restoration and other proven practices to prevent juveniles from becoming adult offenders.

KEY COMPONENTS: National University awards students with credit for classes completed at the police academy and general education units from community colleges to reduce the time needed in the classroom.

FACULTY INSIGHT: "We're looking at ways to educate people with a look at juvenile offenders from a broader, holistic view rather than just an offender in an incident." — Jack Hamlin, J.D., professor and Criminal Justice department chair **FOP**

For more programs, along with faculty insights on how human services degrees in criminal justice can benefit officers, visit fopconnect.com/education-connect.

EducationConnect

Take Aim

FIREARMS AND RELATED PRODUCTS TO IMPROVE ACCURACY AND SAFETY



SAFARILAND Model 557 Open-Top Concealment Holster Safely Secured

Many recent handgun models allow for lighting devices, including lasers, to be attached, but most previous holster designs can't accommodate the combination.



The Safariland Model 557 Open-Top Concealment Holster, however, makes room for both pieces of gear. Released this year, the holster safely secures a firearm with or without a light attachment. An ejection point detent protects the weapon with a gripping mechanism but allows for quick release. Its low profile cleverly keeps the gun concealed, and the wide design distributes the weight more evenly to provide a comfortable fit. The holster's utilitarian design houses a number of gun makes. MSRP \$50.

Enter for a chance to WIN!
See page 5 for more info.



BLACKHAWK Multipoint Sling Weight Distribution

The weight of a concealed weapon during a long shift can become physically tiring and muscle straining. The Multipoint Sling from Blackhawk prioritizes comfort as well as safety. The nylon weave material is strong enough to withstand hours of wear and tear. A wide webbing helps distribute the weight to prevent strain while also allowing freedom of movement. A patented rapid-adjust slider enables quick changes to sling length as needed. The sling also easily converts into multiple configurations. Available in black and coyote tan. MSRP \$39.95-\$79.95.



MOSSBERG 590M Mag-Fed Pumped for Action

Earlier this year, Mossberg introduced the 590M Mag-Fed 12-gauge shotgun, building on the company's tradition of creating top-quality pump-action platforms. This model is characterized by nonbinding twin action bars, a steel-to-steel lockup, dual extractors and a heavy-walled barrel. Total round capacity maxes out at 10+1. Unique engineering created integral stabilizing ribs to directly engage the magazine via notches that ensure a positive lockup. The double-stack magazine's patented design consists of hardened steel feed lips, over-molded steel shell ramps and an anti-cant rounded follower. Magazine capacities are available in 5, 10, 15 and 20 rounds. MSRP \$721.



QUALIFICATION TARGETS INC. USMC-THREAT Target in Sight

Qualification Targets Inc. intended the USMC-THREAT-PL to aid soldiers in firearms training, but law enforcement can easily adopt it, too. Measuring 20 inches by 40 inches, the target is printed directly onto corrugated plastic, protecting it from weather conditions. The USMC-THREAT-HALO is a paper target featuring specified chest zones, an outer halo zone and head zone. MSRP \$67.50 for bundle of 10 PL; \$35 for bundle of 100 HALO.

For more firearms
and accessories, visit





FOP Plans Lame-Duck Agenda

At this writing, Congress is in recess and will remain so until after the midterm elections, when both the House and Senate return for a lame-duck session. The results of the election — which saw a change of control in the House of Representatives — will certainly shape the congressional agenda in the lame-duck, so the FOP is preparing for all contingencies.

Update: The Social Security Fairness Act and Related Bills

We are pleased to report several positive developments in our effort to repeal the Windfall Elimination Provision (WEP) and the Government Pension Offset (GPO). To begin with, we have 191 co-sponsors on H.R. 1205, the Social Security Fairness Act, which means we did achieve our goal of getting more co-sponsors in this Congress than we did in the 114th Congress.

In fact, this means we are only 27 co-sponsors short of having a House majority. The following representatives were co-sponsors of this legislation in the previous Congress but have not yet signed on in this Congress:

- Sanford D. Bishop Jr. (D-Ga.-2)
- Larry Bucshon (R-Ind.-8)
- John Abney Culberson (R-Texas-7)
- Lloyd Doggett (D-Texas-35)
- John B. Larson (D-Conn.-1)
- Tom Marino (R-Pa.-10)
- Mike Quigley (D-Ill.-5)
- David Scott (D-Ga.-13)

FOP members from these districts should make a point of contacting their representatives, but we also urge all of our members to contact their representatives and ask them to support this bill.

The Senate companion bill, S. 915, has 27 co-sponsors — which is more than we had in the previous Congress. There are four senators who previously cosponsored this legislation but have not yet done so this Congress:

- Maria Cantwell (D-Wash.)
- Bill Cassidy (R-La.)

Just the Facts:

» The FOP is preparing for all contingencies of the midterm election results. Positive developments have been made in the effort to repeal the WEP and GPO, and members are encouraged to contact their legislators in support of H.R. 1205/S. 915. The FOP successfully led efforts to pass legislation addressing the national opioid crisis, and a number of other FOP-backed bills on various public safety issues are progressing and await congressional action.

- Martin Heinrich (D-N.M.)
- Bernard Sanders (I-Vt.)

Our members from these states should contact these senators' offices and ask them to support the bill again.

In addition to the remarkable progress we made on building support for this bill, we also supported an effort by the bill's sponsor, Representative Rodney Davis (R-Ill.), to have H.R. 1205 considered as an amendment to H.R. 6757, the Family Savings Act, in the House Committee on Rules.

Just a few hours before the hearing, Representatives Davis and Garret N. Graves (R-La.) contacted the FOP to advise us of their intentions. The National Legislative Office immediately engaged with Rules Committee staff and communicated our strong support for the amendment. Graves offered the amendment, and Davis appeared before the committee as a witness and spoke strongly in favor of the legislation. No member of the committee spoke against the amendment and, in fact, six are co-sponsors of H.R. 1205.

The Rules Committee held one vote to consider the Social Security Fairness Act and two other amendments as one package. For procedural reasons, House and committee leadership favored a "closed rule," meaning that no amendments would be considered in order and that the bills, including H.R. 6757, would have

an up-or-down vote on the floor without considering any amendments at all. The amendments package was defeated on a party-line 3–7 vote and, as reported above, the underlying bill was passed without amendment.

While this was a disappointing outcome, it is also the first time in many years that this issue was actively considered by a House committee, and we think we can build on this success.

Continued on page 24 >

Top Priorities in Brief

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

House: 191 co-sponsors
Senate: 27 co-sponsors

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

House: 51 co-sponsors
Senate: 6 co-sponsors

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

House: 56 co-sponsors
Senate: 7 co-sponsors

WASHINGTON REPORT

Continued from page 23 >

In addition to these developments, Senator Patrick J. Toomey (R-Pa.) introduced S. 3433, the Social Security Fairness for Police Officers and Firefighters Act. This bill is nearly identical to H.R. 1205/S. 915, but the repeal would only apply to law enforcement officers and firefighters. Other public employees would still be impacted by the WEP and GPO. The FOP supports this legislation.

Finally, the FOP reviewed H.R. 6933, the Equal Treatment for Public Servants Act, which would repeal the WEP and replace it with an individualized calculation of Social Security benefits. This legislation was introduced by Representative Kevin P. Brady (R-Texas), chairman of the House Committee on Ways and Means. The FOP has been working with Brady for many years on this issue, and we continue to be very engaged with his staff and that of the Ways and Means Committee.

This legislation would repeal the WEP (but not the GPO) by 2025 and then replace it with a new formula, which would be calculated by using total lifetime earnings and then adjust for the years in which the individuals paid into Social Security. In other words, the benefit would only be based on the number of years spent in Social Security-covered employment.

Currently, retired public employees and those who will turn 62 prior to January 1, 2025, would continue to use the existing WEP formula but would receive a per-month restoration of the benefit of \$100 for the individual and \$50 for the spouse beginning in 2020.

However, not all of our members will be better off under the new formula. Public employees who have 30 or more years in Social Security-covered employment are not currently subject to the WEP at all. However, any public employee reaching 30 years of substantial earnings in 2025 would be penalized under the proposed formula simply because they were a public employee and collect a government pension. If you earn a benefit through your career in public service, you should receive its full value. Similarly, if you earn your Social Security benefit after 30 years of substantial earnings, you should receive that benefit in full as well. For the FOP, this is an issue of fairness.

We have advised Brady that we cannot support as his legislation as introduced, but we are working with him and his staff to see if there is a way to address this issue as the bill moves forward.

Major Success in Efforts to Combat the Opioid Epidemic

The FOP has played a leadership role in shaping our national response to the opioid epidemic that is devastating so many communities and families. The FOP worked with key officials in the administration and congressional leadership to pass H.R. 6, the Substance Use-Disorder Prevention that Promotes Opioid Recovery and Treatment (SUPPORT) for Patients and Communities Act. This bill will have been signed into the law by the time you receive this issue of the *Journal*.

In addition to a comprehensive national strategy, the FOP was successful in our effort to include four bills that we supported as part of H.R. 6. As a result, the following bills will also become law:

- **H.R. 5788/S. 3057**, the Synthetics Trafficking and Overdose Prevention (STOP) Act, will allow U.S. Custom and Border Protection to effectively enforce customs laws that will stop the flow of deadly synthetic drugs into our communities from China.
- **S. 207**, the Synthetic Abuse and Labeling of Toxic Substances (SALTS) Act, amends the Controlled Substances Act to set forth factors that may be considered as evidence to determine whether a controlled substance analogue is intended for human consumption.
- **S. 2789**, the Substance Abuse Prevention Act:
 - Reauthorizes the Office of National Drug Control Policy (ONDCP), the Drug Free Communities Program, the National Community Anti-Drug Coalition Institute, the High-Intensity Drug Trafficking Area Program (HIDTA) and the drug court program
 - Authorizes the Drug Enforcement Administration (DEA) 360 Strategy
 - Provides supplemental grants to law enforcement agencies to protect law enforcement from accidental exposures by purchasing portable equipment to test for fentanyl and other substances
 - Authorizes the attorney general to

make competitive grants available for the Office of Community Oriented Policing Services (COPS) anti-meth and anti-heroin programs

- Expands ONDCP's media campaign to focus on anti-drug messages for all age groups and not only "youth"

Update: H.R. 6105, the LEOSA Improvements Act

As we reported in the previous issue of the *Journal*, Representative Donald J. Bacon (R-Neb.) introduced H.R. 6105, the LEOSA Improvements Act, in an effort to address several issues with the Law Enforcement Officers' Safety Act (LEOSA). The FOP's analysis of the bill was that it fell short in addressing the issues with LEOSA that concern our active and retired members, so we engaged with Bacon's staff in an effort to help craft new language.

They were very receptive to our input and, together, we did develop some new language. It is Bacon's intention to reintroduce the bill with a new number or use the amendments process to replace the existing text with the new language. The legislation would extend the LEOSA exemption to apply to the Gun Free School Zones Act, national parks and certain federal buildings like 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 have limitations on the number of rounds or capacity of a magazine.

FOP-Backed Bills Awaiting Action in the House

This bill has cleared the Committee on Oversight and Government Reform and is pending on the House floor:

- **H.R. 3303**, the Fair Return for Employees on Their Initial Retirement Earned (RETIRE) Act, would allow federal law enforcement officers who were severely injured in the line of duty to maintain their 6(c) early retirement if they take a civil service position after their injury.

This bill has been referred to the House Committee on the Judiciary for further consideration:

- **S. 654**, the Preventing Animal Cruelty and Torture Act, would provide criminal penalty for those who engage

in “animal crushing” and for those who create or distribute such films.

FOP-Backed Bills Awaiting Action in the Senate

Of the bills awaiting action in the Senate, these five have been referred to the Senate Committee on the Judiciary:

- **H.R. 115**, the Thin Blue Line Act, would increase the penalty for offenders who kill or attempt to kill law enforcement or other public safety officers.
- **H.R. 613**, the Lieutenant Osvaldo Albarati Correctional Officer Self-Protection Act, would direct the Bureau of Prisons to make secure firearms storage areas accessible to employees at all of its facilities.
- **H.R. 1039**, the Probation Officer Protection Act, would amend section 3606 of Title 18, United States Code, to grant probation officers authority to arrest hostile third parties who obstruct or impede a probation officer in the performance of official duties.
- **H.R. 1761**, the Protection Against Child Exploitation Act, would close an existing loophole in current statute by clarifying certain definitions in child pornography law.
- **H.R. 5698**, the Protect and Serve Act, would make it a federal crime to target a law enforcement officer with an assault that results in seriously bodily harm or death.

This bill has cleared the Committee on the Judiciary and is ready for floor action:

- **S. 2961**, the Victims of Child Abuse Act Reauthorization Act, would reauthorize and expand victims’ services programs and extend liability protection to secondary reporters of child abuse.

The next two bills passed the Senate, were amended by the House and then returned to the Senate for final action:

- **S. 1311**, the Abolish Human Trafficking Act, would reauthorize parts of the Trafficking Victims Protection Act and expand the authority of state and local agencies to obtain wiretap warrants for trafficking investigations.
- **S. 1312**, the Trafficking Victims Protection Act, would help prevent human trafficking by promoting training for law enforcement and school resource officers through the Office

of Community Oriented Policing Services (COPS) to better identify and respond to human trafficking victims.

The final two bills have been referred to the Committee on Finance and the Committee on Banking, Housing and Urban Affairs, respectively.

- **H.R. 2792**, the Control Unlawful Fugitive Felons (CUFF) Act, would amend the Social Security Act to keep fugitives from collecting Social Security benefits while on the run.
- **H.R. 4768**, the National Strategy for Combating the Financing of Transnational Criminal Organizations Act, would codify part of Executive Order 13773 by developing a national strategy for combating transnational criminal organizations.

FOP-Backed Bills Incorporated Into Other Legislation

The FOP supports H.R. 909/S. 322, the Pets and Women Safety (PAWS) Act, which would expand existing federal protections to the pets of domestic abuse victims and establish a grant program to assist victims and their pets when they leave their abusers. This legislation has been referred to the Agricultural Committees in both chambers and, on a bipartisan basis, has been folded into H.R. 2, the Agricultural Improvement Act, which is currently in a conference committee to reconcile the House and Senate-passed versions of the bill. A final floor vote in both chambers is expected before the end of the year.

Other Legislation

The FOP continues to be engaged with the White House, the U.S. Department of Justice (DOJ) and Congress at the highest levels on the issue of criminal justice reform. Depending in part on the outcome of the midterm elections, there may be efforts to advance legislation, possibly including H.R. 5682, the Formerly Incarcerated Reenter Society Transformed Safely Transitioning Every Person (FIRST STEP) Act, which passed the House earlier this year. The FOP opposed this bill as introduced, but we are working with all parties in the executive and legislative branches to address the FOP’s many concerns.

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 that we keep our PAC strong.

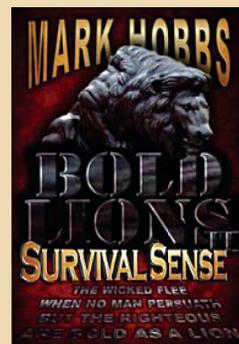
To do this, we are urging every FOP member in your lodge to make a donation and to consider becoming a monthly contributor. These contributions will help grow our PAC and amplify our voice in the legislative process. We also encourage lodges to consider participating in a payroll deduction program. Participating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

To donate or learn more about 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.



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Labor and Legal Conference 2019

As we near the end of 2018, the Labor Services Division is already looking forward to 2019 and all the Division has to offer. At the beginning of the new year is our annual Labor Summit and Legal Counselors' Seminar on March 19–22 in Las Vegas, Nevada, at the Planet Hollywood Resort and Casino. The Labor Summit will be held on March 19–20, followed immediately by the Legal Counselors' Seminar on March 21–22. As attendees have come to expect, the Labor Summit and Legal Counselors' Seminar will treat participants to an agenda rich with recent changes, current events and practical tools.

For example, Labor Summit presentations will include the *Janus* decision and how it affects our members, health care in negotiations, use of force and consent decrees, as well as presentations from the Federal Mediation Conciliation Service and how they can support our members. Past attendees already know that this Summit better educates and better prepares our LEO community on labor issues that directly impact them in their workplaces.

Of course, those who attend the Labor Summit are also invited to our Legal Counselors' Seminar, which will focus on post-*Janus* legal matters, LEO

representation during investigative interviews, strategic initiatives and better legislation stemming from the controversial Indianapolis shootings, and pertinent topics relating to the FOP Legal Defense Plan. In addition to this very timely subject matter, all lawyers in attendance will receive continuing education certificates.

Don't miss out on these opportunities as we address all of these issues and more, not to mention the fun and excitement of Las Vegas! For registration and more information, contact (615) 399-0900 or go to www.fop.net as more information is released. **FOP**

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From “Boy of the Year” to National FOP President

None of us in this day and age can live on our laurels; we have to produce constantly. No one is going to represent police officers better than an FOP member who is a full-time police officer,” said National FOP President Dewey Stokes in an interview by Peter Dodenhoff in the December 15, 1988, edition of *Law Enforcement News*.



Dewey Stokes became this organization’s 16th president in August 1987, elected at the National Conference held in Mobile, Alabama. This just happened to be my first National Conference. Brother Stokes was re-elected three times, serving a total of eight years. His vice president was Gil Gallegos.

Dewey Stokes began his law enforcement career with the Columbus Police Department on October 1, 1967. He worked patrol and intelligence most of his career, and retired on February 14, 1994.

He became a member of Ohio FOP Lodge #9, and has held several positions throughout his Lodge #9 career:

- Second vice president, 1972–1973
- President, 1974–1976 and 1982–1989
- Trustee, 1978
- Past president, 1977–1981 and 1990–1994
- President emeritus, 1994–present

Dewey was elected as National vice president, serving under Dick Boyd. Prior to that, he was the National trustee for the state of Ohio for several years and has also served on various National committees over the years. He currently sits on the National Board as one of four past presidents and is a member of the National FOP History Committee.

In addition to his law enforcement and FOP endeavors, Dewey has been active and continues to be involved in various organizations. This is a partial list of the organizations he has belonged to over the years:

- Boys and Girls Clubs of America of Columbus
- Board of Directors of the Ohio Bureau of Workers’ Compensation
- Franklinton Historical Society Board of Trustees
- Member of Hilltop Business Association
- President of the Retired Police Officers Association
- Franklin County Commissioner, 1995–2006
- Co-chair of Governor George V. Voinovich’s Labor Advisory Committee
- 2011 member of the Columbus Area Labor Management Board

Dewey has had a lifelong association with Boys and Girls Clubs

of America in Columbus. In 1957, he was presented with the “Boy of the Year” award. In following years, he became a member of the club’s board of directors and founded the West Side Boys and Girls Clubs Alumni Association. He later became a recipient of the Boys and Girls Clubs of America’s Keystone Award for exemplary service.

Past President Gil Gallegos stated, “Dewey was always high on labor. Also, we opened up a national office in D.C. He pushed for and expanded recognition of the FOP at the National Memorial.”

Dewey remains as enthusiastic and driven today as he was when I first met him 30-plus years ago. He is an asset to the History Committee and offers an enormous amount of knowledge, information and data.

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

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Body-Camera Admissibility

Footage from police officer dashboard and body-worn cameras has been increasingly utilized to depict officer interactions with victims, witnesses and defendants. The footage can assist both prosecutors and defense attorneys. In the courtroom, it is a tool used to verify that an officer's actions were justified and corroborate officer testimony.

To admit the video recording as evidence, the footage must be authenticated (Fed. R. Evid. 901[a]). That means testimony of a witness with knowledge of what appears on the footage must be offered. Most often, that is achieved by calling the officer driving the car or wearing the body camera to testify.

Body-camera footage is likely admissible in a courtroom but deserves three key considerations. First, body-camera footage can create problems involving hearsay. Under the Federal Rules of Evidence, hearsay is defined as a statement that the declarant does not make while testifying at the current trial or hearing and is offered into evidence for the truth of the matter asserted (Fed. R. Evid. 801[c]). Hearsay is generally inadmissible unless it falls under an exception to the rule. The footage itself is **not** hearsay, but any oral or nonverbal assertions recorded that are then offered for the truth of the matter asserted are inadmissible unless an exception applies.

For example, where body-camera footage captures the victim identifying the defendant, it may be admissible under the out-of-court identification exception to the hearsay rule (*In re T.W.*, 8th Dist. Cuyahoga No. 105346, 2017-Ohio-8875, ¶ 18). However, courts have found an identification of a defendant as the assailant on body-camera footage to be inadmissible under the excited utterance exception (*United States v. Avila*, 719 Fed. Appx. 591, 593 [9th Cir. 2017]).

The second consideration for a court is the probative value of the footage weighed against its prejudicial effect on the defendant. Courts that have examined whether police

Just the Facts:

➤ As courtroom evidence, body-camera footage can be a useful tool to verify that an officer's actions were justified and corroborate officer testimony. It is likely admissible if authenticated, but there are several considerations: It can create problems involving hearsay, its probative value has to be balanced against its potentially prejudicial effect, and it may be inadmissible if the officer is unable to testify.

body-camera footage is unduly prejudicial have determined it is not inadmissible for that reason. The Nebraska Court of Appeals rejected a defendant's argument that a portion of the arresting officer's body-camera footage was unfairly prejudicial (*State v. Reed*, No. A-17-416, 2018 Neb. App. LEXIS 163, at *15 [Neb. Ct. App. June 5, 2018]). The court determined that the defendant's statements made in the immediate aftermath of his brother's death were highly probative and not unfairly prejudicial.

Finally, if the officer wearing the body camera is unable to testify, the footage may be inadmissible under the Confrontation Clause of the Sixth Amendment. Courts have not decided whether body-camera footage poses a Confrontation Clause issue. However, because it is communicative, like an officer creating a written police report, a defendant may argue they should be afforded the opportunity to cross-examine the officer.

The footage captured on dashboard and body-worn cameras is admissible to corroborate an officer's version of the circumstances regarding an arrest. State and federal district courts have acknowledged the footage is a useful tool in verifying an officer's testimony — see *People v. Fenton*, 2017 NY Slip Op. 51977 (N.Y. City Ct. Dec. 14, 2017) (finding that officer “credibly testified and her testimony was corroborated by body-camera footage”), and *Reyna v. State*, 2017 Tex. App. LEXIS 6202, at *10 (Tex. Ct. App. July 6, 2017) (concluding that dashboard-camera video corroborated the officer's testimony

that the traffic stop was supported by reasonable suspicion). Further, courts have found that assertions in an affidavit, when taken in connection with body-camera video and the officer's account of what occurred, present an accurate summary of the police interaction (see *United States v. McKee*, 157 F. Supp. 3d 879, 898 [D. Nev. Jan. 26, 2016]).

To increase police department accountability and transparency, courts will continue to admit dashboard and body-worn camera footage to assess whether officers acted reasonably in the events leading up to an arrest. The footage can be used by officers to quickly dispel allegations that a defendant's rights were violated. For example, in *City of Topeka v. Murdock* the court found the consent exception to the warrant requirement was met when body-camera footage depicted the defendant telling the officer, “Well, come in” (*City of Topeka v. Murdock*, No. 116, 213, 2018 Kan. App. Unpub. LEXIS 12, at *7 [Kan. Ct. App. Jan. 12, 2018]; *United States v. Kitchenakow*, 149 F. Supp. 3d 1062, 1071 [E.D. Wis. March 2, 2016] [body-camera footage demonstrated defendant's statements that she was drinking beer were “volunteered” and therefore, admissible]).

Courts will continue to grapple with the admissibility of footage containing hearsay problems. Officers can expect dashboard and body-worn camera video to be admitted into evidence, and can use it as a tool to corroborate testimony and justify their actions during encounters with victims, witnesses and defendants. **FOP**



Legal Defense Plan Update

The frequency of allegations against peace officers, and the ensuing rise in legal costs, calls for the most comprehensive legal plan coverage. The Fraternal Order of Police (FOP) Legal Defense Plan, Inc., provides payment of legal defense costs for coverage-approved, duty-related administrative disciplinary action by your law enforcement employer along with civil and criminal lawsuits. The FOP plan, currently serving over 81,000 members, offers you and your fellow lodge members the following affordable options:

- Coverage A — Administrative (includes Administrative Off-Duty)
- Coverage B — Civil
- Coverage C — Criminal

January 1, 2019, Full-Coverage Rate Change

Effective on the first anniversary date on or after January 1, 2019, a price increase on full coverage will be implemented. The new annual pricing will go into effect on your lodge or individual annual renewal date. (Please note that the Participant Fee for Civil and Criminal Only coverage has not been changed.)

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Plan Management

The client portal was developed to

assist groups or lodges in accessing and maintaining their accounts. The portal allows you to administer your legal plan roster by adding and deleting members, along with the ability to view current billing statements and due dates. When changes are made to your account, they are submitted to Hylant for final approval and entered into the database. This provides a real-time snapshot of your current roster, minimizing potential mistakes that could result in delay of verification of coverage or denied claims.

If your lodge has a group membership with the FOP Legal Defense Plan and is interested in accessing the Client Web Portal, please submit a Client Portal Registration Form. (Please note that member reinstatements cannot be submitted via the Client Portal. You will need to submit the request in writing to Hylant.)

For questions, marketing material or more information, please contact Hylant at (800) 341-6038 or visit the plan website at www.foplegal.com. You can also follow **FOPLDP** on Facebook. **FOP**

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An Attitude of Gratitude

As we move forward in the season of thanks, celebrations and family, Auxiliary members recount the reasons and ways we are grateful.

The Auxiliary is grateful for our many projects directed to the safety of law enforcement and their families. We encourage officers to lock up their weapons at home, urge all officers and family members to wear their seat belts, and promote a campaign to not text and drive.

Auxiliary members promote charitable organizations in an effort to give back to those in need through Easter Seals and Special Olympics.

Demonstrating our gratitude for the officers who have given their all in the performance of their duties, and the sacrifice made by their family members, is never more powerful than in the many memorial services held every year by our Auxiliary and FOP members around this country and in our nation's capital. In addition, the Auxiliary now has a program to assist family members of officers injured in the line of duty to let them know we care.

The National Auxiliary illustrates our gratitude to our members by maintaining a scholarship program in which members and their families can participate.

And finally, the Auxiliary is grateful for an organization that realized a need for family support and whose leaders and members

continue to support the Auxiliary's efforts today. The Auxiliary unites family members in a common endeavor to promote law enforcement in a positive manner and to support them in all of their efforts.

The Auxiliary motto relates to many parts of our Auxiliary family:

We Will Never Let **Law Enforcement Officers** Walk Alone

We Will Never Let **Law Enforcement Families** Walk Alone

We Will Never Let **Families of Fallen Officers** Walk Alone

We Will Never Let **Past, Present or Future Law Enforcement Officers and Their Families** Walk Alone

We Will Never Let **Our Auxiliary Brothers and Sisters** Walk Alone

The Auxiliary is ready to help your lodge and extend gratitude to your membership. We would be pleased to provide you with more information regarding how you can join the Auxiliary or how to organize an auxiliary for your lodge. The Auxiliary can be reached at www.fop.net/CmsPage.aspx?id=8 or by contacting the Grand Lodge at FOP National Headquarters. **FOP**

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

HELPING HEROES

The FOP Foundation supports our members in distress.

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John W., CJM Graduate

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