



# The Grievance

May 5th 2023

[HTTPS://USCP-FOP.COM](https://uscp-fop.com)

## State of Our Union

Brothers and Sisters,

I hope all of you are well and healthy. After almost 3 years following the Covid closures on the hill, we are back to normal and operations most of us were use to pre Covid, however the workload and mission demand has to increased without the necessary manpower needed to fulfill the operational requirement. After January 6, 2021, Congress brought in General Honoree and his group to conduct an analysis of the Department. The Honoree report was embraced by the Union as their findings concluded we need over 800 additional officers. Until we get our staffing to where it needs to be, this will be the norm for the foreseeable future with over 500 of the post 9-11 hires eligible to retire over the next 3-5 years. As a result we need to stay strong and united.

We have also been pushing for retention bonuses to try and keep officers here instead of retiring early or going to another agency. Although it may not entice everyone, I think this has a positive impact. Additionally, last year we pushed for a compressed pay scale that we had been working on for years. In fact, when Congress had ordered an actuary study of our retirement benefits in 2010, we had pushed for this incentive in the report released in 2012. I applaud Chief Manger for pushing this. I also thank the committees and the USCP Board for approving the pay scale improvement which will help with recruitment and retention.

Additionally, last year we had a bill passed on the House side but stalled in the Senate twice to enhance our retirement with the Overtime benefits included in the High 3 calculation. I applaud Congressman Connelly (VA) for pushing this bill for us on the house side and former Congressman Tim Ryan for his efforts to get it thru for us. Although we weren't successful last year, we will push this again, as it's important for our Officers.

In closing, I'm proud to announce that the Unions building's mortgage has been paid off. In 2009 when we took over the Executive Board, we inherited a \$650k mortgage with only \$40k in the bank. Now we have paid off property and close to \$500k in the bank. This is a big accomplishment for this Union. We've done this without increasing Union dues for over 10 years.

**In solidarity,**

**Gus 'Papa' Papathanasiou**

**Chairman**

### **Upcoming Events:**

- National Police Week 5K  
May 13th 2023
- FOP/USCP Labor  
Committee Scholarship  
Deadline is June 15th 2023

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# SUMMERS SPEAKS

Police unions across the country defend their members against administrative and/or criminal charges. The Labor Committee is no different. Our primary objective in any matter is to see that the respondent officer receives due process. With this all said, I wish to discuss Garrity rules/rights in this article.

Imagine you're on post and you're involved in a deadly shooting. What are your rights under the law? You have the constitutional right against self-incrimination, which the Supreme Court confirmed in *Garrity v. New Jersey*, 385 US 493 (1967). If you are required to answer questions as part of an administrative investigation, you also have the right to a union representative, but only if you ask for one!

The Garrity protections are some of the most fundamental protections available to law-enforcement officers. In *Garrity*, the Supreme Court held that government employees are not required to sacrifice their Constitutional rights against self-incrimination in order to retain their jobs. The basic premise of the Garrity protection is straightforward: First, a government employee cannot be compelled, by the threat of discipline, to make statements that may be used in a subsequent criminal proceeding, and second, a government employee cannot be disciplined for refusing to waive their Fifth Amendment right against self-incrimination. In the simplest terms, if a government employee involved in an administrative investigation is required to give a coerced statement, that statement is "protected," and cannot be used in a subsequent criminal prosecution.

If an officer gets involved in a shooting, they're going to be investigated for a potential homicide. One of the problems we are having here at the Capitol Police is no one is telling the officer to invoke their Garrity rights.

We've had cases after shootings where officials came to the scene and started asking questions about the event that just happened. The nervous Officer may start speaking, not knowing what they are saying, could be detrimental to their career. Again, your Constitutional rights are extremely important to protect your career.

When OPR gets on the scene, they will work closely with CID. You do not need to answer questions asked by OPR or CID unless they provide you with a Garrity warning, which requires you to answer questions, but prevents your answers from being used in a subsequent criminal proceeding. If OPR or CID asks "do you wish to invoke your Garrity rights?" you should say "yes." Once you do that, there is a form that the investigator will have you sign, confirming your Garrity rights.

Additionally, bargaining unit employees are entitled to have union representation present during questioning in an administrative investigation. Once you request a union representative, the Department

cannot ask you any more questions until you have a union rep present. Before you have any discussions with anyone, you must first have discussions with your union representative. This brings me to another point, it is mind-boggling to me as to why every

officer on Capitol Police is not in the union. We patrol, police our areas with our standard police equipment, and yet some of us are not in the union. Our union has great lawyers and excellent shop stewards to protect us whenever something goes south.

I am writing this article to inform all of you that you do have rights under the law. I get it, when you're involved in a use of force situation, your first inclination is to convince management that you did nothing wrong and you did your job but you're speaking at your own peril. The Department, in my opinion, should have a policy advising officers of their rights in regards to any Use of Force. I wonder how many police agencies in the area have such a policy?

The proverb "United We Stand, Divided We Fall" professes that there is strength in unity. It means that together a group of people can face adversities and threats together. On the other hand, alone they will just crumble under the threat. It is important that we stay United, that is what makes and keeps our Union strong.

**YOU NEED TO KNOW  
YOUR RIGHTS  
UNDER THE LAW!**

**Vinnie Summers**

**Second Vice Chairman**

# The Importance of Establishing a Primary Care Provider

By: Serena M. Liebengood, MD, MHSA

Law enforcement officers often begin their career at the height of peak physical and emotional health and wellness. However, the long-term cumulative effects of shift work, sleep deprivation, stress and trauma can have a detrimental impact on one's health—both physically and psychologically. The physical and psychological risks of law enforcement professionals have been well documented in the literature. Research has linked chronic psychological stress with metabolic syndrome, a cluster of conditions that increase your risk for cardiovascular disease, including myocardial infarction, stroke and type II diabetes. These conditions include obesity, impaired glucose tolerance, abnormal cholesterol/triglyceride levels and hypertension. Chemical irritant exposure and physical injuries can also impact your physical health.

The psychological consequences of wearing the badge are also striking. Compared to the general population, law enforcement officers report higher rates of depression, PTSD, burnout, and other anxiety related conditions. Nationwide, the increased risk of suicide among police officers is 54% greater than the general American population.

Establishing a medical home can provide an opportunity for prevention, early detection, and adequate treatment of these

health conditions. Available resources might also include access to early screening examinations, lifestyle modification recommendations and subspecialty referrals.

*“Please remember that your medical and mental health visits are a safe space.”*

Many medical and mental health providers may not be aware of the unique risks, needs and demands of police officers. Some tips to optimizing your care include:

**Advocate for your needs.** Medical visits provide opportunities to discuss the entire range of health concerns, including sleep hygiene, mental and sexual health. There are no health topics that are off limits. Multiple visits may be needed to address your concerns if the allotted time is not sufficient. If you feel that your needs are not being addressed, voice your concerns to your provider. Seeking second opinions or exploring other provider options can also be considered.

**Find the right fit.** Not all health care providers are the same. Physicians (MD/DO), physician assistants and nurse practitioners all administer medical care. The types of training among similar primary care providers may also differ (e.g., family medicine, internal medicine or gynecology) as well as areas of interest. Some providers may be more adept at mental health

screening and initiating pharmacological treatment for psychological conditions, if needed. It is important to identify the best fit for your needs. Communication styles and feeling understood by your health care provider are also important factors to consider.

Other considerations when choosing a physician and/or practice might include scheduling flexibility, virtual options, responsiveness to inquiries, ease of communication, geography, and access to other providers in the practice if your provider is unavailable.

**Schedule routine care.** Routine care allows for implementation of preventative measures to combat some of the occupational risk factors that officers face. Oftentimes, practices enable urgent visits or expedited services for established patients.

Establishing routine care with a health care provider also provides opportunities to engage others in your healthcare treatment, such as a partner or family members.

**Expand your healthcare team, as needed.** Keep in mind that your healthcare team, may involve a nutritionist, therapist or other subspecialty healthcare providers. Expanding your healthcare team may be necessary to maintain optimal physical and mental health.

Serena M Liebengood, MD, MHSA

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## Q&A:

### If I seek mental health treatment, can my job find out if I use my health benefits?

No, your employing agency is not and cannot be made aware of your health benefit utilization. When seeking medical or psychological care, it is important to know that your information is confidential. Confidentiality rules are governed by The Health Insurance Portability and Accountability Act (HIPAA) of 1996. This federal law protects sensitive patient health information from being disclosed without the patient's consent or knowledge. Health care professionals are only obligated to disclose information if there is immediate harm to yourself or someone else. Please remember that your medical and mental health visits are a safe space.

# Change is Upon Us

By: Landon Rowe, Recording Secretary

Salutations to all current Union Members, and also a very warm welcome to all who are new to the Department. Thank you for being a valuable member of the FOP USCP Labor Committee. I encourage you to not only be a dues paying member, but participate as much as possible during your tenure in the department. Our future is ours!

Nationwide, we are witnessing change that directly affects our law enforcement community and all of the careers that make up the Brotherhood/sisterhood. Society, social media, news outlets, local and national networks, etc. have a collective interest in our day to day operations and decision making. That interest is peaking at an all time high, so much that "law enforcement" as a career has been and continues to trend in the wrong direction.

Once considered one of the most rewarding and stable careers, law enforcement agencies both federal and state are offering record high incentives to fill vacancies that were overflowing with an abundance of qualified candidates eager to begin the first academy willing to extend them an opportunity.

*"The Secret of Change is to Focus All  
Of Your Energy Not on Fighting the  
Old, but on Building the New"*  
- Socrates

Those days seem to be further and further in our rear view.

It is critical that those of us who remain in the career pull together and keep this union light burning! There's strength in numbers, and as we continue to increase our membership we can only continue to focus on bettering our work environment in pursuit of this law

enforcement way of life. It should be our goal to have 100% membership of all rank and file that are eligible for the bargaining unit! Many see the union as a safety net for discipline, as that is factual, it is not the only purpose of the union. We are here to represent all dues paying members thoroughly as they continue to excel in their careers at this department. Be

encouraged! Be purposeful!

Best of all, be blessed and safe.

I would like to leave you with a quote from Wade Boggs. "A positive attitude causes a chain reaction of positive thoughts, events and outcomes. It is a catalyst and it sparks extraordinary results."

## A New Benefit For Union Members

By: Tommy DeMar, Sergeant At Arms

As you may know we have a New Legal Defense Program with the law firm Robert A. Ades and Associates as of February of this year.

This program features legal services that can be extremely beneficial to our members, many with no fee such as the 24-Hour Hotline. In the event of an emergency participants may reach out on a 24-hour basis and contact an attorney. The legal team aids in application for Veteran's benefits, prepares simple legal documents like general powers of attorney, bills of sale, simple wills, as well as real estate representation for landlord/tenant consultations and negotiations.

*Office of Robert A. Ades &  
Associates, P.C.  
24 Hour Hotline  
(202) 452-8080*

Additional services are available (some for a surcharge/flat fee) for divorce or annulments, post-nuptial or property settlement agreements, child support actions and visitation proceedings.

In the case of an Officer being involved in a shooting on the job, representation will be available to help them during the process. These resources are only available to Officers in the Union and relieve stress that may come up when experiencing a major life event, or an incident on the job.

Please reach out to any Shop Steward or Executive Board Member for a digital brochure of the services.

**2023 FOP/United States Capitol Police Labor Committee Student Scholarship Application**

**SCHOLARSHIPS AWARDED:**

FIRST PLACE- \$1500      SECOND PLACE- \$1000  
THIRD PLACE- \$500

**ELIGIBILITY:**

Only dues paying members in good standing for at least (1) one year of the FOP/United States Capitol Police Labor Committee may sponsor their son or daughter as an applicant.

Applicants must be a High School Senior who are attending their first year of College.

The scholarship may only be used at an accredited College, University, or Technical School.

**APPLICATION MUST INCLUDE:**

- ◇ Completed Application
- ◇ Sealed Copy of their Official High School Transcripts
- ◇ One (1) Letter of Recommendation
- ◇ 2 Page Essay on five of six questions/topics provided

**Do not include your name or your sponsor's name in your essay. Failure to complete application process will be an automatic disqualification.**

**Administration:**

This program is administered by the FOP/USCP Labor Committee Executive Board. All decisions and rulings will be finalized by the Executive Board. Scoring and judging of applications will be done by persons who have no relations with the applicants.

Check will be payable to the winner's College, University, or Technical/Vocational School.

If for any reason the applicant is unable to fulfill the Scholarship Rules or the Eligibility Requirements, the Executive Board shall terminate all funding for the recipient.

Applicants should notify the Executive Board Secretary if Applicants College, University, or Technical School changes from the one stated in the application. Failure to comply will terminate all funding for the recipient.

Email questions to USCP/FOP Executive Board Secretary Jordyn Rising at

fopjrising@gmail.com



**All applications must be post marked by May 28, 2023, or delivered by June 15, 2023 to:**

FOP/USCP Scholarship  
1320 G Street, S.E.  
Washington, DC 20003

OR

Delivered in person to (1) one of the following FOP/USCP Labor Committee Executive Board Members:

- Gus Paphansiou
- Jodie Penny
- Vince Summers
- Ronald Lucarino
- Jordyn Rising
- Landon Rose
- Tommy DeMar
- Dave Riggelman

FOP/USCP Labor Committee does not discriminate based on race, color, national origin, sex, religion, disability, age or any other legally protected status in the provisions of its courses, programs, service and activities.

# Leave Something Better than How You Found It

By: Jordyn Rising, Secretary

I would like to think that my efforts to always improve something comes from being an American Soldier. That's when the idea was drilled into my brain. I learned that when you borrow anything, you make sure it isn't just in the same state but is even better than when it came into your possession. It's second nature to me to spend a little extra time on something so I would be proud to leave it. That was until I joined United States Capitol Police, and those efforts became more difficult. For years this Department has been consistently predictable. It's common to hear someone say "That's the way its always been done" and then it is continued to always be done in that same way.

After I stepped into the role of a Union Representative, I found that there are ways to contribute to USCP's evolution and modernization. The Union has a network throughout the Hill that can help resolve problems and create change for the betterment of the Officers. A couple of ways the Union is partnering with the Department is:

- Negotiating SOP's and Directives
- Various Committees (Such as Uniform and JOSH)
- Partnering with Peer Support and Office of Equity and Inclusion

Recently, there was a health and safety issue at the CVC and Capitol Division Men's locker room. Capitol Division's Chief Shop Steward, Matt Shephard, was able to notify the Executive Board and

the JOSH Committee so that they were able to get the solution expedited. Both the Department and the Union need Officer's who wants to make this place better and who will continue to step up like this and champion for changes and improvements. We need to make this Department a desirable place to work and have a sense of pride with our mission.

Making this place better isn't just a job for the Union or on the Department. It's a constant effort for all.

Maybe Better is Cleaning Up Your Post/Cruiser?

Maybe Better is Checking on a Fellow Officer?

Maybe Better is Planning Events for Everyone to create Fellowship with your Coworkers and Families?

To be nominated for a position in the FOP/United States Capitol Police Labor Committee you must be a current, good-standing Member of the Union and have been a member for one calendar year.

Every odd year are the elections for Chief Shop Stewards and Executive Board Members. Every even year are the Elections for Shop Stewards. If you would like to be eligible to be on a Committee you must be a current and good standing Member of the Union.

## National Police Week 5K | Run to Remember

Where: Arlington, VA

When: May 13th, 2023 at 0900 hrs

Link for Registration and Information: <https://nationalpoliceweek5k.com/>

### USCP Team: EnduroRacers

Team Name was chosen by Serena Liebengood in honor of Howie Liebengood's Passion for Auto Racing

Runner Options: Run for Time (Solo), Run in Formation (Group), or Walk

Dedication Team Tent will be On Site

Snack and Drink will be Provided by the FOP/USCP Labor Committee

Contact for Addition Info if you Wish to Join Team EnduroRacers: Ronald Ortega or Edyta Zak

Deadline to reserve transportation from USCP HQ is May 10, 2023

**Show Your Support For Our Fallen Heroes!!**

# Reviving Law Enforcement

My fellow Officers,

Police Departments throughout the country have major concerns on hiring and retaining Police Officers. With recruitment numbers way down, retirement and officer exits are way up. The number of men and women applying to become Police Officers has drastically declined. More Cops are leaving the force altogether and long tenured Officers are retiring at a higher rate than several years ago.

This is very concerning for the future in Law Enforcement. So, how do we revive our profession? For starters, I've been advocating fixing the FERS retirement system for Law Enforcement Officers. The FERS system is close to a 40 year old retirement system. Enhancing retirement benefits is one way to recruit and retain quality officers.

Second, support for Law Enforcement should never ever be a political issue. Politicians from both sides of the aisle need to work together to fund and support Cops throughout the country so they have the necessary tools to do their jobs. The 'Defund the Police' movement needs to be abolished forever.

Last, the respect for Cops needs to come back. Without Law and Order in this country we are doomed. We all need to come together so our communities and this country are well protected. Together we can make it happen, but we must come together and we need the support from our political leaders.

**In solidarity,**

**Gus 'Papa' Papathanasiou**

**Chairman**

**FOP/USCP Labor Committee's**

**Current Executive Board**



*United for the Common Good  
of Our Members.*

Position	Name	Email
Chairman	Gus Papathanasiou	guspapafop@gmail.com
1st Vice Chairman	Jodie Penny	jpennyfop@gmail.com
2nd Vice Chairman	Vinnie Summers	summup@yahoo.com
Chief Executive Shop Steward	Ronald Lucarino	rlucarino12@gmail.com
Secretary	Jordyn Rising	fopjrising@gmail.com
Recording Secretary	Landon Rowe	landonrowe@gmail.com
Treasurer	David Riggelman	davidriggleman@me.com
Sgt-at-Arms	Tommy DeMar	tommydemar@yahoo.com