

MEMBERSHIP UPDATE



AMAYA & VINYARD –

IT COULD HAPPEN TO YOU

11/22/2021

From: Ken Spencer -Chair, USPPFOP

Most of you have seen the dashcam video involving the USPP pursuit of Bijan Ghaisar; a 25-year-old male who was evading arrest on the night of November 17, 2017 on the George Washington Memorial Parkway in Fairfax County, VA. What I want everyone to remember is that no one except for Lucas Vinyard, Alex Amaya, and the FBI have any idea what exactly happened that evening. Just for a moment, I ask that you humble yourself when it comes to police incidents. It's important to remember that we are all police officers, and it is easy to "Monday Morning Quarterback" any situation that we were not involved in and decide how we would personally handle that

incident without having the slightest idea on what happened. I would be lying if I said I am not guilty of this charge. We all have engaged in this behavior. You can take any YouTube video of police incidents, lay out your own play-by-play, and come to your own conclusion of “IF IT WERE ME, I WOULD’VE DONE THIS...” When did we all forget about the accelerated heartrate, the tunnel vision, the real-time perception of making a split-second decision, being present in real-time from a first-person perspective (not a 3rd-person viewer of a video that shows almost no content), having knowledge outside of a video that has been repeated on mainstream media thousands of times, and remembering that we have the luxury of analyzing this video after the fact... when the officers involved did not have that luxury during the incident itself? Stop, pause, and rewind was not an option for them. Lucas and Alex have been living that hell for four years. It has affected every single aspect of their life, including their wives – and children. These are two of our brothers that have been hung by the mainstream media, the Department of Interior, and the National Park Service; even after being justified by a Federal Judge – not only because of the Supremacy Clause for being Federal Officers, but also for the deadly force actions they took against Bijan Ghaisar. Hung, without any legal justification or due process. Lucas and Alex were proposed Removal from Federal Service by the National Park Service on November 17th – the 4-year anniversary of the incident itself. While the Ghaisar family and friends were setting up for another candlelight vigil, a courier was delivering the paperwork to Lucas and Alex’s residences. Coincidence? The Department of Interior will render the ultimate decision after they respond to their proposal – they have 30 days to do so. Why is this important? The Department of Interior and the National Park Service – for the first time in history – took the case from under the feet of the United States Park Police, completely and illegally disregarded our Union Contract, completed ZERO internal administrative investigations, and arbitrarily proposed removal on two officers based on public opinion, bias media stories, and political manipulation. Alex and Lucas weren’t afforded the decency of an impartial IA/OIG investigation. They weren’t even afforded the decency of an interview to explain their side of the incident. Jennifer Flynn (Chief Pam Smith’s inexperienced bureaucrat Supervisor from NPS) wrote the proposal for removal – she has no idea what is like to be a USPP officer. The proposal reads like Bijan’s supporters and Tom Jackman (Washington Post Reporter) compiled the document. It’s full of political buzzwords and emotional reactions; but it lacks the most important thing of all – facts. Lisa Branum, Deputy Assistant Secretary for Public Safety, works directly for Deb Haaland

– the Secretary of the Interior. She will be the Deciding Official for Lucas and Alex. Lisa Branum has a degree in Marine Biology and has never conducted a traffic stop in her entire life. She isn't law enforcement and never has been. She also has a degree in Political Science. But don't worry, she will apply keen first-hand knowledge and sound judgement when deciding their fate with Use of Force, Vehicle Pursuits, and other key law enforcement functions of that evening. I fully trust the smear campaign of Tom Jackman's Washington Post articles, the banter of local politicians, and the political pressure from local interest groups will have no affect on her decision whatsoever. I am also positive Deb Haaland will remain neutral and have no say in this decision (if you haven't picked up on my sarcasm you shouldn't be a police officer).

The United States Park Police Fraternal Order of Police (USPPFOP) will be initiating a full-scale offensive campaign against the Department of Interior and the National Park Service. Not only for Lucas and Alex, but for all of you. I want you all to think about the next time you might find yourself in a situation that you must use force.

Chief Smith and ECS won't be able to save you. They are powerless. Normally, we have a strict policy that we follow when it comes to disciplinary action and adverse actions that is clearly spelled out in our Collective Bargaining Agreement (Union Contract). There is a process (some of you may be familiar with this). Usually, after a significant UOF incident, IA conducts an inquiry investigation. If they see fit, they will conduct a full investigation, including analyzing paperwork, evidence, etc. They will also interview the officers involved and conduct a thorough review of everything that took place through the lens of Law Enforcement Officials. They apply our General Orders, our UOF policy, and our Union Contract. They conclude and give their findings to the agency to decide on whether the UOF was justified and to determine if any disciplinary action should be taken. Believe it or not, our agency is usually spot on with this and does a great job for the most part. Going forward, you may want to rethink what could happen to you. If the political winds are blowing in the wrong direction, Deb Haaland and her team of bureaucrats will yank the union contract out from under your

feet, kidnap you from the United States Park Police, and apply whatever administrative force they want on you – especially if it appeases certain politicians, and pushes their anti-police and their anti-union agenda. You should all be FURIOUS. The people who demanded we stand on a police-line for weeks on end while getting pummeled by bricks and piss balloons are the same people who despise us. The people that demand you show up to work on your days off for an anti-police march are the same people that will fire you for using justified force against them. They will smile in your face and fire you right before the holidays. They won't lose any sleep while you struggle with what might happen to your family – your wife, your husband, your children. Deb Haaland enjoys the personal protection of United States Park Police officers while she has no regard for us at the same time. She does not care about any of us or our Labor Agreement. The same goes for Jennifer Flynn, Lisa Branum, and Shannon Estenoz among others. These folks will never support us. These are the same people who believe we “attacked peaceful protesters” last summer – after 53 of us were injured by assault, and after OIG justified our actions. They sat on their couches, teleworking, all while judging our operations at the White House through their TVs. This is what happens when people who know nothing about law enforcement hold the keys to your employment.

The USPPFOP is appalled by what happened to Lucas and Alex. We will not stand for this. The Department of Interior and the National Park Service will be held accountable for their actions, legally and in the court of public opinion. We have an army of Labor Attorneys and a powerful Legislative Affairs Attorney at our disposal. Action is already in motion and the Department of Interior and the National Park Service will have to publicly deal with their violations of law and the collective bargaining agreement.

The DOI has become anti-union. This is the biggest violation of our Union Contract and Labor Law in recent history – maybe ever. It is a massive violation of Labor Law, all in the name of politics. Lucas, Alex, and the rest of you can be assured that we will fight this with every fiber we have – administratively and publicly. Please know that we would take the same action if it were to happen to anyone of you. For now, take care of each other

and let us get to work on your behalf. We will keep you all posted throughout the course of this injustice.

Ken Spencer

Chair, USPPFOP

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