

August 26,  
2022

# KC LODGE 37

Issue #1

## Latest News For You

Chris Leyba

### President's Message

VP Zielinski and I met with the new state fop recommended attorney and labor coalition leader Dan Thenell this week. Dan has his own practice with locations in Portland, Seattle, and Bend Oregon. He is also looking at contracting opportunities for additional representation in Tacoma and Everett.

Dan and his group have handled numerous major investigations across the Pacific Northwest. He has been successful to the extent that both Oregon and Washington FOP have him in leadership positions within their respective labor coalitions.

Dan explained his process to us and one thing that stood out to us is that every officer will have a separate attorney assigned to them. We believe this is excellent given that there have been numerous times where a single representative for multiple officers in IIU or DRBs has resulted in uneven representation.

We believe Dan will have the resources and talent to take care of any of our members who need representation from IIU to OIS. His contact information is posted on the website members section for FOP legal.

As a reminder, unlike the guild PORAC plan that only affords you whichever attorney they guild chooses for you, you can still choose from a wide list of options with your FOP legal plan. Dan is just who we have recommended based on our board research.



Superior service and transparency, for all

## The scoop of the day

### DC FOP BEATS THE VACCINE MANDATE

VP Zielinski was able to track down this gem from national FOP news. Today, the DC FOP lodge has just won one of the first major blows against mandatory vaccinations as a condition of employment! The DC circuit court judge in this case ordered a stay on all enforcement of vaccine mandates AND ordered that all terminated or disciplined officers be rehired and have their records expunged.

Obviously, this is a long way away from Washington State, but this case will likely go higher and may eventually affect the whole country. This is a huge win for medical freedom in the United States and is the first sign that maybe things are turning around on this subject.

And of course... the FOP (not WACOPS, not IACP, etc) led the charge to get this first victory. We hope it is a good sign of more things to come.



PRESS RELEASE

DC Superior Court Judge Rules Mayor's Vaccine Mandate Unlawful

FOR IMMEDIATE RELEASE  
August 25, 2022  
Contact: Gregg Pemberton, Chairman

On August 25, 2022, DC Superior Court Judge Maurice Ross issued an Order ruling that the Mayor's COVID-19 mandate that applies to all District employees is illegal. In a 17-page decision, Judge Ross addressed each of the Mayor's legal arguments to attempt to justify the vaccine mandate and ruled that "the Mayor lacks legal authority to impose a vaccine mandate" and that "our system does not permit the Mayor to act unlawfully."

Judge Ross Ordered that the Mayor is "permanently enjoined from implementing, imposing, and/or enforcing the COVID-19 vaccine mandate," and he further Ordered that "all disciplinary actions initiated, proposed, or taken pursuant to the COVID-19 vaccine mandate shall immediately cease and be dismissed, with full reimbursement to be provided to all FOP members for any loss of benefits, pay, or rights and all related disciplinary proceedings to be expunged from their records."

Chairman Gregg Pemberton stated, "This is a significant victory for our Union that protects the rights of our members and ensures that they will no longer be forced to receive the COVID-19 vaccine against their will and will no longer be subjected to discipline for deciding not to receive the vaccine." The Chairman went on to state, "This has been a long and unnecessary fight. Had the Mayor just engaged the Union in good faith bargaining, we could have reached a reasonable compromise that protected everyone's interests. Nonetheless, we are pleased that Judge Ross agreed with our arguments and issued this ruling. Now, all of our members can go back to doing the necessary work of trying to protect our communities from crime and violence without unlawful threats of discipline and termination."

# # #

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## **RETIREE**

### AETNA MEDICARE SUPPLEMENTAL

Did you know AETNA offers FOP specific plans? The plans offered to our members have a higher monthly premium then a few others but a \$0 annual max out of pocket and \$0 copay for almost every basic medical procedure out there! Here is a basic chart of just some of the differences between FOPs premium plan and the regular premium plan called AETNA select.

For more information on the various plans AETNA offers FOP members, click here:

<https://www.aetnamedicare.com/fop/en/index.html>

	Premium FOP	Civilian Select
Monthly Premium	220.57	99
Annual Deductible	0	0
Annual Max Out of Pocket	0	5900
Primary Care	0	0
Emergency Care	0	90
Ambulance Service	0	255
Medicare Part B drugs	0	20%
Medicare Part D drugs	0	varies >\$15
Hospital Stay daily	0	325
Outpatient Services	0	295



Secretary

## **RENEWALS FLOWING IN**

### 2023 Membership Dues

Thank you so much for those of you that have submitted your 2023 Membership dues.

For those who haven't, please submit your payments by Sept 1 so I can pay state and national for 2023 on time! ☺

Venmo: @KC-Lodge37

Mail: PO BOX 88882, Tukwila, 98138

Dept Mail: Bridgman, Sound Transit

#### MEMBERSHIP

Total Active: 127

Total Retirees: 28

#### Welcome new members for August:

Christopher Cross (ATU), Anthony DeMuse (ATU/Recruiting), Joshua Scognamiglio (Pct 4), James Price & Omar Jackson (Burien), Ryan Cullen (Shoreline) and Raven Grist.

## **Of Interest...**

#### CASE LAW - TURIANO V PHOENIX

Recent case law out of Arizona where officers were ordered by their agency to turn over their personal cell phones for inspection. The officers sued and successfully made the case that an agency has no right to access your personal cell phones that they are not paying for. There was a caveat in the case that an agency may develop a policy regarding this, but it appears even that would become a bargaining issue.

The point is: if you are asked to turn over your personal cell phone for inspection, say NO and call your FOP attorney. For more information on this case click here:

<https://www.rcds.org/images/phocadownload/Dept-Cannot-Discipline-Ofcr-for-Refusal-to-Consent-to-Cell-Search-Turiano-v-City-of-Phoenix.pdf>





