TO: All FOP Members  
FROM: Patrick Yoes, National President  
DATE: 16 March 2020  
RE: Impact of COVID-19 on FOP Meetings at National, State, and Local Level

We have received numerous questions regarding the advisability of FOP meetings in light of the ongoing Coronavirus (COVID-19) pandemic. Our Constitution and Bylaws do not address state of emergencies under these circumstances, and Robert’s Rules do not offer any clear guidance. However, based on our review of the various emergency orders issued by state, county, and local governments, as well as the recommendations from the President of the United States and the Centers for Disease Control, we believe the circumstances relating to the outbreak of COVID-19 have made it impossible, illegal and impractical for FOP Lodges to hold meetings at this time.

Various state, county, and local governments have restricted non-essential travel by public employees since the outbreak of COVID-19 as well as large gatherings. Restrictions on government employee travel have been enacted in Arkansas, Connecticut, Florida, Georgia, Kentucky, Maine, Maryland, Massachusetts, New Mexico, Ohio, Pennsylvania, West Virginia, and Virginia, as well as Los Angeles, Pittsburgh, Birmingham and Charlotte, and many others. Limits on the size of meetings and gatherings have been enacted in California, Colorado, Connecticut, Massachusetts, New York, Ohio, Oregon, Rhode Island, Washington State, and Virginia, among others. These restrictions are becoming increasingly strict—as of March 16, New York, New Jersey, and Connecticut banned all meetings of over 50 people, while Massachusetts banned meetings over 25 people. Even states that have not officially banned large gatherings have been systematically cancelling meetings and events.

Furthermore, the CDC recently recommended an eight-week nationwide ban on “mass gatherings,” defined as any event that brings together 50 persons
or more in a single room or single space at the same time. Even with gatherings of fewer than 50 people, the CDC has urged all people to maintain social distancing, including staying approximately six (6) feet away from other persons. Most critically, however, the CDC has stated, "in the interest of stopping the spread of this highly communicable disease, it is urged that if at all possible, stay home and avoid unnecessary contact with one another."

Based on the above, there is a legal a basis for local public bodies and national, state and local Lodges with already-scheduled meetings to either reschedule or utilize electronic means to conduct meetings remotely. Each Lodge should discuss this matter with their legal counsel before making a final decision, but on the basis of the national, state, and local emergencies, we believe it is prudent and legal to reschedule meetings that may run afoul of national, state, and local governments’ emergency orders.

Consistent with the CDC's most recent guidelines, it is permissible and recommended to use video conferencing or other electronic devices for meetings whenever possible in lieu of in-person meetings. But please note that this does not relieve other procedural requirements. For instance, a quorum still must be present (whether in person, by phone, or in some combination) and a majority vote will still be necessary (unless your Constitution provides otherwise).

Lastly, please be advised that some states have restricted food and beverage (including liquor, beer, and wine) sales to carryout sales and delivery only, and banned on-site consumption. In addition, with lines for carryout, establishments must maintain an environment in which patrons and staff maintain social distancing of at least six (6) feet away from all other persons whenever possible. Thus, if Lodges have scheduled social events or regular gatherings for entertainment purposes, they should be mindful of these recommendations. No on-site consumption should be permitted and Lodges should promote social distancing as much as possible.

This memorandum is intended to offer guidance and should not be considered legal advice. We strongly urge all Lodges to consult their state or local legal counsel to ensure compliance with all emergency orders, which are subject to change. As we are drafting this memorandum—Monday morning, March 16, 2020—the President of the United States, the CDC, and state and local officials are considering and announcing additional restrictions on public gathering.

For the reasons set forth above, we recommend all FOP Lodges take appropriate action in response to this emergency and take precautions to avoid spreading the virus to fellow FOP members, their families, and the public.