



# The Washington Report

The Newsletter of the National Association of Police Organizations  
*Representing America's Finest*

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November 23, 2015

## NAPO Submits Amicus Brief in Friedrichs Case

NAPO, joining several other large public safety labor organizations, filed an amicus brief to the United States Supreme Court in the *Friedrichs v. California Teachers Association* case. This case threatens “fair share” fee payments to unions and collective bargaining agents by non-union member beneficiaries in the workplace.

Specifically, the Supreme Court will be deciding (1) whether *Abood v. Detroit Board of Education* (1977), which allows for public-sector unions to collect fair share fees from non-union members, should be overruled and public-sector “agency shops” invalidated under the First Amendment; and (2) whether it violates the First Amendment to require that public employees opt-out of subsidizing ideological speech by public-sector unions, rather than requiring that employees opt-in to subsidizing such speech.

No decision is expected for several months. NAPO will be following this case closely and will keep our members informed on its status.

You can find NAPO’s amicus brief [here](#).

If you have any questions or need more information on the details and impact of *Friedrichs v. California Teachers Association* or NAPO’s amicus brief, contact Bill Johnson at [bjohnson@napo.org](mailto:bjohnson@napo.org).

## NAPO on the Hill: Zadroga Act Update

On November 16<sup>th</sup> and 17<sup>th</sup>, NAPO lobbied members of the House of Representatives to push for the passage of the James Zadroga 9/11 Health and Compensation Reauthorization Act (H.R. 1786). On the 16<sup>th</sup>, NAPO and a representative of the Sergeants Benevolent Association (NYPD) met with the staff of **Congressmen Steve King (R-IA), Darrell Issa (R-CA), Ted Poe (R-TX), Ken Buck (R-CO) and David Trott (R-MI)**, who sit on the House Judiciary Committee, which has jurisdiction over the Zadroga bill.

The purpose of the meetings was to make the Congressmen aware of our serious concerns with House Judiciary Committee Chairman Bob Goodlatte’s (R-VA) bill (H.R. 3858) and educate them on how it does not help the 9/11 first responders in any meaningful way. On October 29<sup>th</sup>, Chairman Goodlatte introduced the September 11<sup>th</sup> VCF Reauthorization and U.S. Victims of State Sponsored Terrorism Compensation Act, a competing bill to the Zadroga 9/11 Health Act, which only reauthorizes the Victims Compensation Fund (VCF) for five years and seriously underfunds the program.

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It is important that members of the House Judiciary Committee know that while we appreciate Chairman Goodlatte's attempt to reauthorize the VCF, his bill is woefully inadequate and therefore unacceptable, and we remain ready and willing to work with members of the Committee to advance the Zadroga 9/11 Health Act as quickly as possible.

On the 17<sup>th</sup>, NAPO again joined the FealGood Foundation, the Iraq and Afghanistan Veterans of America, and 9/11 responders in a lobby day pushing for more support and cosponsors of the Zadroga Act. **Due to the work accomplished on the 17<sup>th</sup> and on our previous lobby days, the Zadroga Act has over 255 cosponsors in the House and 65 cosponsors in the Senate.** On the 17<sup>th</sup>, Senator Marco Rubio became the first major Republican presidential candidate to sign on in support of the bill.

The Zadroga Act continues to gain momentum towards reauthorization. In a big win for this bill, Republican members of the House Energy and Commerce Committee, which also has jurisdiction over the bill, agreed to back a permanent extension of the Zadroga Act as long as lawmakers can agree on a way to pay for it. Furthermore, on November 19<sup>th</sup>, House Speaker Paul Ryan stated during a press conference that he wants to see the bill reauthorized by the end of the year.

There is still much work to do to get the bill out of the committees and passed both the House and Senate, but the support that it has gained over the past week proves that we will get the Zadroga Act reauthorized. In addition to moving the bill through the committee process, NAPO is looking at various alternative options to get the Zadroga Act passed this year.

The Zadroga bill's two critical programs providing medical treatment and compensation for 9/11 heroes – the World Trade Center Health Program and the September 11th Victim Compensation Fund (VCF) – expired September 30th. Unless Congress acts to permanently reauthorize these programs, the Health Program will cease to operate next year and the VCF will have to cut awards by as much as 60 percent and will stop taking claims next year. For those who are expected to come down with a 9/11 cancer or disease, this means they will have no alternative or recourse.

These heroes put their lives on the line to serve us, and must be afforded every resource available as they cope with the cancer and chronic health conditions caused by exposure to toxic chemicals at the World Trade Center. NAPO will not stop until this bill is signed into law. **Please join our efforts by contacting your Congressional Representative and Senators and urge them to support passage of this important legislation.** We will continue to keep our members updated on its status.

Please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org) or (800) 322-NAPO for assistance or if you need more information about the legislation and the programs it will reauthorize.

## **NAPO Working with Rep. Deutch to Introduce Modification to DPPA**

Last month, NAPO spoke with **Congressman Ted Deutch (D-FL)**, approving final language for a bill that would modify the Driver's Privacy Protection Act (DPPA), and since has been working with his office to drum up bipartisan support for the bill. NAPO has been working with the Congressman's staff on this issue since May and we look to have a final bill introduced after Congress returns from its Thanksgiving recess.

The DPPA requires state motor vehicle departments to receive permission from individuals before their personal motor vehicle record may be sold or released. The DPPA amendment authorizes a private right of action for knowing violations, and a court may award automatic “damages” in the amount of \$2,500 for each time a record was accessed, even if no actual damages were proved, as well as attorney fees and other litigation costs. Law enforcement officers are subject to these stringent punishments, even if they did not review files with criminal intent.

Congressman Deutch’s bill would address NAPO’s concerns that merely accessing the information subjects an officer to penalties and it would also raise the threshold at which punitive damages would apply. This would permit an officer to access the information without being penalized, unless the information was disclosed publicly.

If the language is not modified, law enforcement officers will be subject to large fines, and even the loss of their licenses for *de minimus* actions.

NAPO will continue to aggressively lobby members of Congress to gain support for our proposed language changes to the DPPA. We will keep our members updated on the status of these initiatives. If you have any questions about our efforts, please contact Bill Johnson at [bjohnson@napo.org](mailto:bjohnson@napo.org) or Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

## NAPO in the News

On November 18, 2015, NAPO’s Executive Director, Bill Johnson, was quoted in a *New York Daily News* article, “Most American voters don’t think Black Lives Matter can ensure equal justice for all, poll shows”. The article reported on a recent New York Daily News/Rasmussen Reports national telephone survey of likely voters on how they view the Black Lives Matter movement. The poll found that a majority of likely voters said they do not think the Black Lives Movement supports reforms to ensure all Americans are treated fairly under the law and that many are unsure of what the movement wants to accomplish.

“William Johnson, executive director of The National Association of Police Organizations, in Alexandria, Va., says it is important to bridge the divide between Black Lives Matter and law enforcement agencies, but he has not seen any of the movement’s policy proposals. ‘They don’t seem to be interested in meaningful dialogue or reform,’ he said. ‘When a politician says, all lives matter, the politician is shouted down or shamed.’”

The full article is available at the following site: <http://www.nydailynews.com/news/national/u-s-voters-skeptical-black-lives-matter-poll-article-1.2439090>

**NAPO will continue to ensure our members’ voices are heard loud and clear on the Hill, with the Administration, and in the media. If you have any questions about the publication cited above, please contact Bill Johnson at: [bjohnson@napo.org](mailto:bjohnson@napo.org).**

# 28th Annual Police, Fire, EMS & Municipal Employee Pension & Benefits Seminar

JANUARY 24-26, 2016 - LAS VEGAS, NV

*28th Annual*  
**POLICE, FIRE, EMS &  
MUNICIPAL EMPLOYEE  
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Please join the National Association of Police Organizations at *NAPO's 28<sup>th</sup> Annual Police, Fire, EMS, & Municipal Employee Pension & Benefits Seminar* January 24 – 26, 2016 at the Caesars Palace Hotel in Las Vegas, Nevada. Thanks to the assistance of our impressive advisory board we are receiving overwhelming responses to our new and improved seminar. Our goal is to educate pension and union representatives along with their providers on the latest issues surrounding the pension and benefits industry.

At the 28<sup>th</sup> Annual Seminar, we are putting the spotlight on key issues including: 2016 Political Outlook, DB/DC debate, Selecting Service Providers, Investment Management, Social Security Pension Issues, Healthcare Cost & the Cadillac Tax, to name a few. Ensure that you fulfill your fiduciary responsibility to your fund by educating yourself on these issues!

Take an active role in improving the future of your fund by registering for this informative seminar. For Registration Information [Click Here](#) or visit NAPO's website at [www.napo.org](http://www.napo.org).

**Please monitor NAPO's website, [www.napo.org](http://www.napo.org), and Facebook page: National Association of Police Organizations, and follow us on Twitter at NAPOpolice for breaking news and updates.**