



# The Washington Report

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

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March 8, 2024

## NAPO Supports Public Safety Free Speech Act

NAPO pledged our strong support for the Public Safety Free Speech Act (H.R. 7398), introduced by Congressmen Jeff Van Drew (R-NJ) and Steve Cohen (D-TN), which would protect the First Amendment rights of public safety officers, including law enforcement officers, firefighters, and emergency medical services (EMS) personnel. This bill guarantees that public safety officers will not be disciplined for making oral or written statements while off-duty about their personal opinions on job-related issues, including, but not limited to staffing, wages, and working conditions, as well as political and religious opinions.

Too often, law enforcement officers are subjected to the whim of their departments or local politics and penalized for opinions voiced while they were off duty. Under this legislation, a public safety officer may bring legal action against their employer if the employer terminates or brings any adverse employment action against the officer for expressing opinions protected by this bill.

NAPO thanks Congressmen Van Drew and Cohen for supporting the first amendment rights of our nation's public safety officers.

## Congress is Set to Pass Six of Twelve FY 24 Appropriations Bills, Including DOJ Funding

Five months into fiscal year 2023, Congress looks like it will finally manage to pass six of the twelve FY 23 appropriations bills, including the Commerce, Justice, Science, and Related Agencies (CJS) spending measure, on March 8. The remaining six appropriations bills expire on March 22, giving Congress two more weeks to finalize some of the more controversial spending bills, including the Department of Homeland Security and Labor-Health and Human Services measures in which border security funding and abortion provisions are among the biggest sticking points.

NAPO's priority grant programs are sufficiently funded in the Consolidated Appropriations Act, 2024, and did not receive any significant cuts. Within the COPS Office, Congress funded the COPS Program at \$664.5 million, of which, \$256.2 million went to the COPS Hiring Program, \$12 million for active shooter training, \$51 million for anti-meth and heroin task forces, and \$53 million for grants under the STOP School Violence Act. Appropriators also provided \$10 million for the Law Enforcement Mental Health and Wellness Grant Program and the Supporting and Treating Officers in Crisis (STOIC) Program, which provide funding and resources for training, peer mentoring and mental health program activities for officers and their families. \$20 million in COPS Office funding is allocated for activities authorized by the Law Enforcement De-escalation Training Act, which was a NAPO priority enacted in 2022.

Further, Congress directs that COPS Hiring Program grants be prioritized to agencies that have not previously received COPS grant funding.

The Byrne Justice Assistance Grant (JAG) program received a significant increase in funding over FY 23 levels and is funded at just over \$924 million, with carve outs for officer training on responding to individuals with mental illness or disabilities (\$10 million), the VALOR Program (\$13 million) and Project Safe Neighborhoods (\$19 million), among others. In total, there is \$578.5 million in carve outs from the Byrne JAG program.

The Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA), which supports crisis intervention teams (CIT) and other mental health training for law enforcement, is funded at \$40 million. The Bulletproof Vest Partnership (BVP) Grant Program received \$30 million, the STOP School Violence Act through the Bureau of Justice Assistance (BJA) was allocated \$82 million, and the Residential Substance Abuse Treatment for State Prisoners (RSAT) grant \$35 million.

The spending measure appropriates \$32 million for BJA's Body-Worn Camera Initiative and directs BJA to prioritize for grants agencies serving jurisdictions with populations less than 50,000. It also includes \$420 million for grants programs to respond to the opioid crisis and substance abuse in our communities.

Lastly, NAPO worked to include a seven year extension of the Undetectable Firearms Act, which was set to expire on March 8. This Act makes it unlawful to manufacture or possess any firearm that is not detectable by a walk-through metal detector or x-ray machine. Reauthorizing the Undetectable Firearms Act ensures that public safety maintains the ability to detect threats in the most highly targeted areas and secure facilities across the country.

We continue to closely monitor the remaining appropriations measures, particularly DHS, to ensure state and local law enforcement assistance and security grants receive the funding needed for law enforcement to effectively protect our communities.

## **NAPO on the Hill: National Police Week Priorities**

NAPO, together with our law enforcement coalition – Association of State Criminal Investigative Agencies (ASCIA); Federal Law Enforcement Officers Association (FLEOA); Major Cities Chiefs Association (MCCA); Major County Sheriffs of America (MCSA); National District Attorneys Association (NDAA); National Narcotics Officers Associations' Coalition (NNOAC); and National Sheriffs' Association (NSA) – continue to push our National Police Week agenda with Congressional leadership. We met the staff of House and Senate Judiciary Committees to discuss the pro-law enforcement legislation we want to see the Committees move during National Police Week this year to honor the law enforcement profession.

We discussed the need for legislation to enhance officer safety by increasing penalties for the murder, attempted murder, or assault of federal, state, and local law enforcement officers, the LEOSA Reform Act, legislation aiding state and local agencies to hire and retain qualified officers, a bill to cover exposure-related cancers under the Public Safety Officers' Benefits (PSOB) Program, and legislation to provide public safety officers with access to affordable homeownership.

While much of our list is pro-law enforcement legislation, we unfortunately continue to have to spend time during these meetings to discuss our strong opposition the Fourth Amendment is Not For Sale Act (FANFSA), which would produce significant public safety consequences by restricting law enforcement access to critical, publicly available investigative information that is utilized every day to combat violent and

serious crimes such as murder, kidnapping, drug trafficking, human trafficking, child sexual exploitation, terrorism, and threats of mass violence. In our meeting with the House Judiciary Committee staff, we expressed our frustration with having to be on the defense for the past six months with a Republican-led House and urged Chairman Jordan to put us on the offense by marking up our priority legislation.

We have so far received no commitments to moving any of our priority legislation and will continue to press the case that Congress must act in a significant manner to support our nation's law enforcement community. We are no longer willing to accept lip service.

## **FY24 Law Enforcement Mental Health and Wellness Act (LEMHWA) Program Grant Solicitations Announced**

The Department of Justice Office of Community Oriented Policing Services (COPS) has announced that it is now accepting applications for the fiscal year [2024 Law Enforcement Mental Health and Wellness Act \(LEMHWA\) program](#). NAPO worked hard to enact the Law Enforcement Mental Health and Wellness Act in 2018 and has been working to increase funding for this important program every fiscal year since. Congress funded it at \$2 million the first year and then \$4 million and today the program is funded at \$10 million.

The LEMHWA program is a competitive grant program that provides funding to improve the delivery of and access to mental health and wellness services for law enforcement. The 2024 LEMHWA program will fund projects that develop knowledge, increase awareness of effective mental health and wellness strategies, increase the skills and abilities of law enforcement, and increase the number of law enforcement agencies and relevant stakeholders using peer support, training, family resources, suicide prevention, and other promising practices for wellness programs.

All local, state, territorial, and tribal law enforcement agencies that have primary law enforcement authority are eligible to apply. *Applications are due by April 30, 2024, at 4:59 PM ET.* Please click [here](#) for more information on the 2024 Law Enforcement Mental Health and Wellness Act program.

## **NAPO Participates in Press Conference Announcing Coalition to Close the De Minimis Loophole**

NAPO's Director of Governmental Affairs, Andy Edmiston, participated in a press conference on March 6, with Representatives Earl Blumenauer (D-OR), Neal Dunn (R-FL), and Dan Bishop (R-NC), as well as representatives from the National Council on Textile Organizations, United Steelworkers, Voices for Awareness, Coalition for a Prosperous America, and James Carroll, former Director of the White House Office of National Drug Control Policy (2019-2021), publicizing the formation of the Coalition to Close the De Minimis Loophole.

The Coalition was formed to amplify the urgent need to reform a federal law known as Section 321, which allows packages valued at less than \$800 to enter the U.S. without facing any taxes, fees, or inspection. As a result, this cripples domestic manufacturers and workers, undermines retailers, strains law enforcement resources, and facilitates the free flow of illegal and dangerous products and illicit drugs, particularly fentanyl and its precursors. The Coalition, made up of American businesses and manufacturers, unions, law enforcement, and families of victims of fentanyl, is calling on Congress and the Administration to immediately close this dangerous loophole.

In the [press release](#) announcing the formation of the Coalition, NAPO Executive Director Bill Johnson stated, “We have long fought for resources to support law enforcement’s efforts to combat fentanyl and its analogues. Closing the de minimis loophole would help staunch the surge of illicit narcotics that are exploiting this exemption to wreak havoc across the country and protect and safeguard the lives of our children, families, and friends. In this moment of crisis, we need to use every weapon we have to curb the unfettered flow of imported fentanyl. The work of this coalition is incredibly important, and we are proud to be a part of it.”

## NAPO in the News

Senate Minority Leader Mitch McConnell quoted from letters from NAPO and several of our member organizations and highlighted our efforts in a [speech on the Senator floor](#) on March 5 opposing President Biden’s nominee for the 3<sup>rd</sup> Circuit Court of Appeals.

As reported in our last Washington Report, NAPO strongly opposes the nomination of Adeel Mangi to be a judge on the 3<sup>rd</sup> Circuit Court of Appeals, which is one step below the U.S. Supreme Court. Mr. Mangi has zero judicial experience and has served on the advisory board of an organization that has continuously called for the release of numerous cop-killers. Mr. Mangi is associated with the Alliance of Families for Justice, which was co-founded in part by Kathy Boudin, who was convicted for her role in the 1981 Brink’s robbery by the Weather Underground that left two officers murdered. The Alliance has advocated and continues to advocate for the release of at least six other cop-killers - Sundiata Acoli, Mumia Abu Jamal, Mutulu Shakur, Russell Maroon Shoatz, Jamil Al Amin, Kamau Sadiki – referring to them as “freedom fighters.” Mr. Mangi’s conscious work with the Alliance shows an anti-victim and anti-police bias that would certainly cloud his decision making as a judge.

Senate Judiciary Committee Republicans also [highlight the opposition](#) of NAPO, our member organizations, and fellow law enforcement groups to Mr. Mangi’s nomination.

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NAPO Executive Director Bill Johnson was quoted in a February 29, 2024, *Wall Street Journal* article, entitled, “[Your Bike Just Got Stolen. These Vigilantes Will Get It Back.](#)” The article focused on the increase in bike thefts as it becomes more profitable and the efforts of citizen sleuths to try to get them back. It discussed the frustration that bike theft is not a priority for police, which Johnson addressed:

## Senator Graham Calls for the Senate to Act Now on Legislation to Protect Children Online

On March 6, Senator Lindsey Graham (R-SC) went to the Senate floor to try to force an immediate vote via unanimous consent on his legislation, the Eliminating Abusive and Rampant Neglect of Interactive Technologies (EARN IT) Act, S. 1207, in a move referred to as a live UC. NAPO has supported this legislation since Senators Graham and Richard Blumenthal (D-CT) first introduced it in 2020. The EARN It Act would create a National Commission on Online Child Sexual Exploitation Prevention to standardize enforcement of online child sexual exploitation laws and help prevent and reduce child exploitation.

The National Center for Missing and Exploited Children’s (NCMEC) CyberTipline received over 32 million reports in 2022 of apparent child sexual abuse images, suspected “sextortion”, child sex trafficking and child sexual molestation. The largest reporting category is related to suspected child sexual abuse material (CSAM)

with 31.9 million reports in 2022. Alarming, NCMEC saw an 82% increase in reports concerning online enticement last year, which included an alarming new trend in which offenders aggressively blackmail children with the intent to exploit them for financial gain.

Unfortunately, Section 230 of the Communications Decency Act (CDA) inadvertently gives broad criminal immunity to websites and email service providers that enable CSAM and sex trafficking. This significantly hampers law enforcement's ability to enforce state trafficking laws against such websites.

In addition to establishing a National Commission on Online Child Sexual Exploitation Prevention, the EARN IT Act amends Section 230 to allow companies to be held civilly and criminally liable at the state and federal levels for known violations related to child sexual abuse material. This legislation holds companies accountable for the content on their websites and creates consistency that bolsters the enforcement of laws against child sexual abuse materials.

While the EARN IT Act does not address the issue of encryption, which is a significant impediment to law enforcement's fight against online child sexual exploitation, NAPO believes it is an important step forward to protecting our nation's children online.

The Senate Judiciary Committee approved the EARN It Act back in May 2023, and NAPO supports Senator Graham's efforts to call attention to this critical issue and demand Congress do something to protect our children online and hold big tech accountable. Law enforcement needs to be given every tool available to deter and address online child sexual exploitation.

View Senator Graham's efforts [here](#) and [here](#).

## **NAPO's Legislative Positions & Sponsor/Cosponsor Updates**

NAPO's updated "Sponsor/Cosponsor" spreadsheet is available on [NAPO's website](#). The spreadsheet accompanies the latest "[Legislative Positions](#)" document, which is also available on the NAPO website. NAPO's Legislative Positions is a document that highlights all the legislation that we have taken an official position on or are monitoring during the 118th Congress. It is continually updated to reflect the work we are doing on Capitol Hill.

The "Sponsor/Cosponsor" spreadsheet is a useful tool to check if your members of Congress have supported pieces of legislation that will impact our members. NAPO updates this spreadsheet regularly and continues to ensure our voice is heard on Capitol Hill.

***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.***