



# The Washington Report

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

---

October 14, 2014

## NAPO WASHINGTON REPORT

### NAPO Meetings on Capitol Hill

Over the past week, NAPO has met with senior staffers for **Senator Joe Donnelly (D-IN)**, **Congressman Bill Pascrell (D-NJ)**, and **Congresswoman Carolyn Maloney (D-NY)**. (Congressman Pascrell is the co-chairman of the House Law Enforcement Caucus. NAPO continues to maintain a close relationship with the Congressman and his staff). NAPO used the meeting to outline our top legislative priorities, which include the following initiatives:

**Bulletproof Vest Partnership (BVP) Grant Act:** The BVP Grant Program provides Federal funds to state and local law enforcement departments to assist state and local law enforcement efforts to purchase bullet resistant vests. NAPO continues to expend all available efforts to garner additional cosponsors for the House and Senate versions of this bill.

**Community Oriented Policing Services (COPS) Improvement and Reauthorization Act:** This bill would reauthorize the COPS Program for five years and raise the current hiring cap from \$75,000 to \$125,000. The COPS Office has been extremely successful in implementing and carrying out its designated objectives. Since its creation, the COPS Office has assisted over 13,000 of the nation's 18,000 jurisdictions with over \$14 billion in funding to hire more than 125,000 additional officers. Reauthorizing this program will allow for the continuation of a highly successful program that keeps our communities safe.

**Justice and Mental Health Collaboration Act (JMHCA):** The Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA) created the Justice and Mental Health Collaboration Program (JMHCP) to help states and counties design and implement collaborative efforts between criminal justice and mental health systems. The JMHCA reauthorizes the successful MIOTCRA and extends the JMHCP for five years. The JMHCP can help law enforcement agencies across the United States in their responsibilities in assisting citizens with mental health issues.

**Social Security Fairness Act:** This bill would strike the Windfall Elimination Provision (WEP) and Government Pension Offset (GPO) formulas currently used to calculate Social Security benefits. Both formulas were enacted in the 1980s because Congress was concerned Social Security paid unintended benefits to workers who had spent most of their careers in "non-covered" jobs. However, the formulas go too far and penalize workers with split careers who contributed a great deal to Social Security, but retire under their "non-covered" pensions. By significantly scaling back and reducing Social Security benefits for law enforcement officers and their survivors, as GPO and WEP do, officers and their families are provided much less protection against financial difficulties.

NAPO appreciated the opportunity to meet with each of the staffers, and looks forward to working them in the future. If you have any questions about any of the issues summarized above, please contact Melissa Nee at: [mnee@napo.org](mailto:mnee@napo.org).

## **NAPO Supports the James Zadroga 9/11 Health and Compensation Reauthorization Act**

On October 7, 2014, NAPO met with **Congresswoman Carolyn Maloney's (D-NY)** Legislative Director and a fellow law enforcement stakeholder to discuss ways to move the James Zadroga 9/11 Health and Compensation Reauthorization Act forward. (Congresswoman Maloney is the sponsor of the Zadroga bill).

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 – are set to expire in October 2015 and October 2016 respectively. This bill would continue these programs for 25 more years, through 2041.

9/11 responders and survivors are still battling serious health crises resulting from exposure to the toxins at Ground Zero. More than 30,000 9/11 responders and survivors have an illness or injury caused by the attacks or their aftermath, and over two-thirds of those have more than one illness. Many are disabled and can no longer work. They are suffering from a host of chronic diseases: asthma, obstructive pulmonary disease and gastroesophageal reflux disease, and many more.

Medical research has identified more than 60 types of cancer caused by 9/11 toxins. More than 2,900 people have been diagnosed with cancers caused or made worse by the aftermath of the attacks - more than 800 New York Fire Department members and more than 550 New York Police Department personnel are struggling with serious 9/11-related illnesses, not including the more than 70 firefighters and 60 NYPD officers who have died from their 9/11-related illnesses.

Responders came from all over the country to aid in the response to the attacks. And some area residents, workers and survivors have since moved and are currently receiving care in cities and states across the country. Participants enrolled in the World Trade Center Health Program for treatment currently reside in all 50 states and in 429 of the 435 Congressional districts in the country.

These heroes put their lives on the line to serve us, and must be afforded every resource available as they cope with chronic health conditions caused by exposure to toxic chemicals at the World Trade Center. The bill will also honor those who made the ultimate sacrifice to protect our nation. James Zadroga, a New York City Police Department Detective and member of NAPO, died of respiratory disease caused by his exposure to toxic chemicals at Ground Zero. It is our obligation and duty to remember these heroes and ensure that survivors who risked their lives to protect us continue to receive the treatment and compensation that they deserve.

NAPO's letter of support for the bill is available at the following site: [http://www.napo.org/files/3114/1141/1197/NAPO\\_Supports\\_the\\_James\\_Zadroga\\_9-11\\_Health\\_and\\_Compensation\\_Reauthorization\\_Act\\_6.pdf](http://www.napo.org/files/3114/1141/1197/NAPO_Supports_the_James_Zadroga_9-11_Health_and_Compensation_Reauthorization_Act_6.pdf)

NAPO looks forward to working with members of Congress and key law enforcement stakeholders to pass this important legislation. If you have any questions about this bill, please contact Bill Johnson at: [bjohnson@napo.org](mailto:bjohnson@napo.org).

### **Source:**

"Lawmakers Introduce Critical Reauthorization of James Zadroga 9/11 Health and Compensation Act."  
*Congresswoman Carolyn Maloney*. N.p., 17 Sept. 2014. Web. 19 Sept. 2014. <<http://maloney.house.gov/media-center/press-releases/lawmakers-introduce-critical-reauthorization-of-james-zadroga-911-health>>.

# NAPO Pursues Passage of Justice for Victims of Trafficking Act

On October 8, 2014, NAPO sent letters to over 60 Senators requesting they support the Justice for Victims of Trafficking Act. (The letter is attached to this report for your review). This bill, sponsored by **Senator John Cornyn (R-TX)**, was passed by the Senate Judiciary Committee on September 18, 2014 as an amendment. This legislation will boost support for and protection of victims of human trafficking by increasing law enforcement resources, enhancing victims' services, and increasing penalties in an effort to combat child sex trafficking, child pornography, sexual exploitation, and human trafficking.

NAPO has worked closely with Senator Cornyn's staff to advance this bill, and plans to use the remaining days of this Congress to continue to pursue the passage of this bill.

If you have any questions about the Justice for Victims of Trafficking Act, please contact Melissa Nee at: [mnee@napo.org](mailto:mnee@napo.org).

## NAPO Participates in Webinar: A Comprehensive Approach to Addressing Mental Health Situations

Today's public safety practitioners are becoming increasingly aware that they need to use a special operational approach when encountering an individual with known mental health issues. Public safety officials are constantly seeking new, innovative ways to improve their interaction to ensure everyone remains safe and secure. On October 9, 2014, NAPO participated in the following webinar, which addressed this topic: "A Comprehensive Approach to Addressing Mental Health Situations."

The first half of the webinar discussed how Arizona has coordinated several grant programs to improve the quality, timeliness, and immediate accessibility of criminal history records and related information, with an emphasis on providing data for purposes of responding to the National Instant Criminal Background Check System (NICS) queries handled by the FBI. Arizona has taken a comprehensive approach to improve reporting to the various systems.

In the second half of the webinar, the presenters discussed the comprehensive approach from training to operations that have been developed by the Tucson Police Department and the Pima County Sheriff's Department to address mental health concerns in their community. The Mental Health Teams of these Departments continue to develop progressing strategies to connect citizens to the services they need while improving public safety.

This webinar included highly respected subject matter experts in the field, including the following individuals:

- Pat Nelson, Arizona Criminal Justice Commission, Program Manager, CJ Systems Improvement
- Sergeant Jason Winsky of the Mental Health Investigative Support Team, Tucson Police Department
- Sergeant Terry Staten, Pima County (AZ) Sheriff's Office

If you have any questions about this webinar, please contact Melissa Nee at: [mnee@napo.org](mailto:mnee@napo.org).

# Washington Post Article – AG Holder Urges Tech Companies to Leave Device Backdoors Open for Police

NAPO continues to monitor developments on smartphone encryption that will inhibit law enforcement's ability to gain access to information stored on such devices. The following Washington Post article outlines Attorney General Holder's concerns over the new policies:

## **Holder urges tech companies to leave device backdoors open for police**

By Craig Timberg

*Attorney General Eric H. Holder Jr. said on Tuesday that new forms of encryption capable of locking law enforcement officials out of popular electronic devices imperil investigations of kidnappers and sexual predators, putting children at increased risk.*

*“It is fully possible to permit law enforcement to do its job while still adequately protecting personal privacy,” Holder said at a conference on child sexual abuse, according to a text of his prepared remarks. “When a child is in danger, law enforcement needs to be able to take every legally available step to quickly find and protect the child and to stop those that abuse children. It is worrisome to see companies thwarting our ability to do so.”*

*In his comments, Holder became the highest government official to publicly chastise technology companies for developing systems that make it difficult for law enforcement officials to collect potential evidence, even when they have search warrants. Though he didn't mention Apple and Google by name, his remarks followed their announcements this month of new smartphone encryption policies that have sparked a sharp government response, including from FBI Director James B. Comey last week.*

*Federal, state and local law enforcement officials have complained loudly that the companies are undermining efforts to fight crime, including terrorism. Apple's newest mobile operating system, iOS 8, is so thoroughly encrypted that the company says it cannot unlock iPhones or iPads that use it. Google's Android operating system plans to begin using encryption automatically, for all users unless they specifically opt out, in a version to be released in October. (It will take months or years for that feature to reach most Android users.)*

*Company officials have said stronger encryption better protects the privacy of users by toughening the security of the devices against a wide range of intrusions, by governments, criminals or curious hackers. American technology companies have been particularly eager to demonstrate their commitment to user privacy in the aftermath of the revelations by former National Security Agency contractor Edward Snowden, detailing the extensive reach of government surveillance. Apple and Google did not respond to requests for comment Tuesday.*

*Holder was speaking to the Global Alliance Against Child Sexual Abuse Online, meeting in Washington, when he raised the issue of preserving government access to electronic devices.*

*“Recent technological advances have the potential to greatly embolden online criminals, providing new methods for abusers to avoid detection,” Holder said. “In some cases, perpetrators are using cloud storage to cheaply and easily store tens of thousands of images and videos outside of any home or business – and to access those files from anywhere in the world. Many take advantage of encryption and anonymizing technology to conceal contraband materials and disguise their locations.”*

*He called on companies “to work with us to ensure that law enforcement retains the ability, with court-authorization, to lawfully obtain information in the course of an investigation, such as catching kidnappers and sexual predators.”*

*Even with the new forms of encryption, government officials maintain access to several sources of data related to the use of smartphones, including the records of calls and texts kept by cellular carriers and the device backups that most smartphones make on remote cloud services, such as Apple's iCloud. Police with search warrants also are free to use third-party tools to try to crack the encryption on smartphones or other devices. Courts can potentially order users to furnish passcodes that will unlock devices as well.*

**Source:**

Timberg, Craig. "Holder Urges Tech Companies to Leave Device Backdoors Open for Police." *Washington Post*. The Washington Post, 30 Sept. 2014. Web. 10 Oct. 2014. <<http://www.washingtonpost.com/blogs/the-switch/wp/2014/09/30/holder-urges-tech-companies-to-leave-device-backdoors-open-for-police/>>.

**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.**



## NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

*Representing America's Finest*

317 South Patrick Street ~ Alexandria, Virginia ~ 22314-3501  
(703) 549-0775 ~ (800) 322-NAPO ~ Fax: (703) 684-0515  
[www.napo.org](http://www.napo.org) ~ Email: [info@napo.org](mailto:info@napo.org)

### EXECUTIVE OFFICERS

THOMAS J. NEE  
President  
Boston Police  
Patrolmen's Association

MICHAEL MCHALE  
Executive Vice President  
Florida Police Benevolent  
Association

CHRIS COLLINS  
Recording Secretary  
Las Vegas Police  
Protective Association

SEAN M. SMOOT  
Treasurer  
Police Benevolent & Protective  
Association of Illinois

KEITH DUNN  
Sergeant-at-Arms  
New Jersey State Policemen's  
Benevolent Association

JOHN A. FLYNN  
Executive Secretary  
Patrolmen's Benevolent  
Association of New York City

### NATIONAL HEADQUARTERS

WILLIAM J. JOHNSON  
Executive Director

October 8, 2014

The Honorable Richard Shelby  
United States Senate  
304 Russell Senate Office Building  
Washington, D.C. 20510

Dear Senator Shelby:

On behalf of the National Association of Police Organizations (NAPO), I am writing to you to express our full support of the Justice for Victims of Trafficking Act (S.1738).

NAPO is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement through legislative and legal advocacy, political action, and education. Founded in 1978, NAPO now represents more than 1,000 police units and associations, 241,000 sworn law enforcement officers, and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement.

The Justice for Victims of Trafficking Act will provide resources to stop the growing problem of human trafficking and restore the lives of victims who have been impacted by this heinous crime. This comprehensive anti-human trafficking bill will also create new tools that will enhance law enforcement's ability to combat human trafficking across the United States.

On September 18, 2014, the Senate Judiciary Committee approved the Justice for Victims of Trafficking Act as an amendment to the Runaway and Homeless Youth and Trafficking Prevention Act by a unanimous vote of 18-0. We are advocating for the Senate to vote on this bill during the 113<sup>th</sup> Congress.

We appreciate your consideration, and hope to work with you to pass this important legislation. If you need any additional information on this bill, please feel free to contact me at: (703) 549-0775.

Sincerely,

William J. Johnson  
Executive Director