



The Washington Report

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

September 30, 2022

House Passes NAPO-Backed Invest to Protect Act

In a win for NAPO, the House passed the Invest to Protect Act, H.R. 6448, sponsored by Representatives Josh Gottheimer (D-NJ) and John Rutherford (R-FL), on September 22, by a large bipartisan vote of 360-64. NAPO worked closely with Reps. Gottheimer and Rutherford on this legislation, which would create a broad grant program through the Department of Justice (DOJ) specifically for small state, local or tribal law enforcement agencies that will give them resources to train their officers, provide mental health resources for their officers, and retain and hire officers. A small agency is defined as one that employs 125 sworn law enforcement officers or less.

The law enforcement assistance grant programs through the DOJ provide invaluable resources, training, and technical assistance to state and local law enforcement agencies, helping to keep our communities safe. However, small agencies across the country find themselves getting left behind due to their size and lack of resources for participating in the onerous Federal grant solicitation process.

We thank Representatives Gottheimer and Rutherford for their leadership and work to ensure all law enforcement agencies have the support and resources necessary to serve and protect our communities.

WEP Reform Dominates Social Security Fairness Act Markup

On September 20, the House Ways and Means Committee marked up H.R. 82, the Social Security Fairness Act, which would fully repeal both the Government Pension Offset (GPO) and the Windfall Elimination Provision (WEP). By taking up the bill, the Committee has removed it from the consensus calendar and curtailed our chances of forcing a vote on the House floor this year.

The GPO reduces a public employees' Social Security spousal or survivor benefit by two-thirds of their public pension. The WEP is a benefit formula that reduces the size of your Social Security retirement benefit if you receive a pension from a non-Social Security covered job.

This move by the Committee underscores House leadership's opposition to holding a vote on this bill, a feeling that was evidently backed by a majority of Committee members. While the Social Security Fairness Act has 300 bipartisan cosponsors, lawmakers on the Committee – many of whom are cosponsors of the bill – spoke of the high costs of repealing both the WEP and GPO as the main deterrent to acting on full

repeal. The bill would cost approximately \$150 billion over 10 years and the Social Security Chief Actuary stated it would make Social Security go bankrupt a year earlier than estimated, in 2034 rather than 2035.

While lawmakers opined on the unfairness of the GPO and WEP on our nation's public servants, they stated they would not support final passage of the Social Security Fairness Act and instead would focus on accomplishing WEP reform. Chairman Richard Neal (D-MA) and Ranking Member Kevin Brady (R-TX), each of whom have introduced their own versions of WEP reform, pledged to work together in good faith to come to a compromise on reforming WEP.

NAPO called on the Committee to favorably approve the Social Security Fairness Act and recommend it for immediate action on the House floor in a letter we sent to Chairman Neal and Ranking Member Brady on September 19. While we are disappointed in the lack of fortitude in the cosponsors of this important bill to follow through with their support for full repeal of the GPO and WEP, we understand the political realities of the significant fiscal challenges associated with this effort. Even as full repeal remains our top priority, we have worked closely with other public sector organizations to find common ground on a meaningful WEP reform proposal. The result of this work is Chairman Neal's legislation, the Public Servants Protection and Fairness Act (H.R. 2337), which has gotten us closer to the possibility of true, more equitable WEP reform than ever before.

The Public Servants Protection and Fairness Act would repeal the current WEP formula, replacing it with a new Social Security benefit formula designed to more accurately account for years a public employee paid into Social Security versus the years paid into a public pension system in a non-Social Security covered position. As a result of this change, the Social Security Actuary has projected that the majority of current retirees impacted by WEP would see roughly one-third of their benefit restored. Further, this legislation ensures that WEP reform would not further harm public safety officers' retirement benefits by including a benefit guarantee and maintaining the current WEP exemptions.

Ranking Member Brady's WEP reform bill, the Equal Treatment of Public Servants Act (H.R. 5834), uses the same WEP reform formula that is in the Public Servants Protection and Fairness Act, but the bill is less generous as it does not include a benefit guarantee and it phases out the current WEP exemptions.

The Public Servants Protection and Fairness Act currently has 189 cosponsors while the Equal Treatment of Public Servants Act has 54 cosponsors. In speaking with Ways and Means Committee staff, the goal is to reach a compromise this fall and include it in a must-pass bill before the end of the year.

The loss of income caused by both the WEP and GPO is a financial strain on law enforcement officers and their families, an additional strain that those who spent their careers on the front lines protecting our nation's communities do not need. By significantly scaling back and reducing Social Security benefits for law enforcement officers, as the GPO and WEP do, officers and their families are shut out from even the modest retirement that Social Security benefits can provide. The Public Servants Protection and Fairness Act would at least help partially restore retirement security for public servants across this nation.

We have not given up our efforts to accomplish total repeal for the WEP and GPO and support the efforts of Representative Rodney Davis (R-IL), the sponsor of the Social Security Fairness Act, to push this bill to the House floor for a vote. Rep. Davis filed a discharge petition on September 30, which needs 218 signatures to force a vote on the bill, and we are working to secure those signatures.

NAPO has been fighting the GPO and WEP for over 30 years and we will not stop fighting to protect the retirement security of our members.

NAPO Meets with DOJ Leadership

On September 29, NAPO met with Attorney General Merrick Garland, Deputy Attorney General Lisa Monaco, and Associate Attorney General Vanita Gupta as well as the leaders of other major national law enforcement organizations for a standing quarterly meeting between the DOJ and national law enforcement leadership. These meetings have been set to discuss relevant issues facing officers in the streets and how the DOJ can best assist its state and local law enforcement partners. This meeting focused on rising violent crime rates in our nation's cities as well as the recruitment and retention issues departments across the country are experiencing.

NAPO appreciates the opportunity to participate in these leadership meetings as we believe it is an important step in the DOJ's efforts to forge a new and better relationship with state and local law enforcement. We stand ready to work with the Department to address the violent crime scourging our communities, improve policing practices, and support getting more officers on our streets.

NAPO Meets with DOJ on Implementation of Policing Executive Order

In a follow-up to NAPO Executive Director Bill Johnson's meeting with U.S. Department of Justice (DOJ) Associate Attorney General Vanita Gupta and staff to discuss [our concerns](#) with how the Department will implement the President's Executive Order on police reform, NAPO met with DOJ staff in charge of leading much of the Department's implementation process. The DOJ's Office of Justice Programs (OJP) is in charge of implementing much of the Order, including the National Law Enforcement Accountability Database.

OJP is also leading the work of the Task Force on Law Enforcement Oversight, a DOJ interagency working group established by Congress in the Fiscal 2022 appropriations measure to consider how to define law enforcement officer misconduct and how the Department should collect and report on allegations of misconduct. The work of the Task Force is expected to heavily influence the implementation of the Executive Order. The Task Force must consult with the stakeholder community, including NAPO, as it develops policy recommendations.

It was the first meeting of what will be many to discuss the status of the Executive Order, how NAPO will be involved in the implementation and policy development process for both the Order and the Task Force, and to touch on some of our biggest concerns. We appreciate the opportunity to be involved and have our voice heard and we look forward to working with OJP and the Department to achieve policies that have the buy-in of all stakeholders, but particularly that of rank-and-file officers.

House Passes Bill to Help Law Enforcement Improve Homicide Clearance Rates

The House passed the NAPO-supported VICTIM Act (H.R. 5768) on September 22. This bill would establish a grant program at the Department of Justice (DOJ) to help state, tribal, and local law enforcement agencies improve their clearance rates for homicides and non-fatal shootings. The grant funding can be used

to hire additional detectives, officers, and personnel to support efforts to improve clearance rates as well as train detectives and police personnel to investigate, solve, and respond to homicides and non-fatal shootings.

Over the past two years, homicides have jumped nearly 40 percent. Murders and non-fatal shootings are going unresolved at higher rates as law enforcement agencies do not have the officers and resources to dedicate to improving clearance rates for these horrendous crimes. The VICTIM Act will help address this issue by supplying much needed grant funding to agencies to fill, replenish, and train their detective and homicide personnel. Through this legislation, law enforcement will be able to focus on solving these violent crimes that have such a detrimental impact on our communities and improve the services that they render to victims.

NAPO on the Hill: Lawful Access to Data

NAPO joined the 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 Association of Assistant U.S. Attorneys (NAAUSA), National District Attorneys Association (NDAA), National Fusion Center Association (NFCA), and National Narcotics Officers' Associations' Coalition (NNOAC) on [a letter](#) to House Speaker Nancy Pelosi (D-CA), Minority Leader Kevin McCarthy (R-CA), House Energy and Commerce Committee Chairman Frank Pallone (D-NJ) and Ranking Member Cathy McMorris Rogers (R-WA) expressing our opposition to the American Data Privacy Protection Act (H.R. 8152).

Law enforcement supports data privacy as many law enforcement officers have seen their personal data publicly exposed, resulting in these officers and their families being harassed and threatened. But this legislation in its current form would significantly hamper law enforcement's ability to obtain publicly available information in a timely, lawful manner, which is vital to keeping our communities safe, prosecuting criminals and protecting victims, particularly when it comes to investigations of heinous crimes such as kidnapping, child pornography, or human trafficking.

NAPO, with our national law enforcement partners, have been actively working to improve the American Data Privacy Protection Act so that individuals' personal data is protected without pushing law enforcement's crime-fighting capabilities back to 20th Century standards. We are urging Congress to work with us to achieve this balance before it decides to move on this bill, which may happen after the November elections.

National Blue Alert Network Advisory Committee Meets

The Blue Alert Advisory Group, of which NAPO is a member, in conjunction with the Justice Department's Community Oriented Policing Services (COPS) Office, convened on September 28 to discuss the Network's continued work to establish Blue Alert systems in all 50 states. COPS Acting Director Rob Chapman lead the meeting.

Currently, thirteen states and Washington, D.C. do not have Blue Alert networks. Getting Blue Alert plans up and running in all 50 states is a priority for NAPO as it ensures the National Blue Alert Network we fought so hard to get enacted as part of the Rafael Ramos and Wenjian Liu, National Blue Alert Act works efficiently and effectively to protect officers from harm. The Act was named after NAPO members Officers Ramos and Liu, who were assassinated while sitting in their police cruiser on December 20, 2014.

The states that currently do not have active Blue Alert Networks are: Alaska, Arkansas, Hawaii, Louisiana, Massachusetts, Nebraska, Nevada, New Mexico, New York, Oregon, Pennsylvania, Wisconsin, and Wyoming. Legislation to create Blue Alert plans is pending in New York and Pennsylvania. NAPO members in many of these states have been instrumental in introducing legislation to create Blue Alert plans. Our New York member organizations have been instrumental in moving Blue Alert legislation through both the State Assembly and Senate and it is now awaiting the Governor's signature.

NAPO, together with the COPS Office, stand ready to work with stakeholders in these remaining states to help enact such legislation. If you are interested in receiving information and resources on how to establish a Blue Alert plan or you wish to participate in the state-level working group, please contact the NAPO Office at (703) 549-0775 or info@napo.org.

As violence against officers continues to rise, Blue Alerts are an essential resource to keeping our officers safe. Best practices and other Blue Alert resources collected from around nation, including examples of legislation, policies, forms, and a directory of state Blue Alert officials can be found on the [National Blue Alert Network website](#).

NAPO Participates in House Small Business Roundtable on Crime

On September 16, NAPO participated in a roundtable discussion hosted by the House Small Business Committee Republican members on "Crime's Impact on Small Businesses". House Small Business Committee Ranking Member Blaine Luetkemeyer (R-MO) and Representative Pete Stauber (R-MN) led the roundtable discussion on how rising crime is harming small business operations and what steps can Congress take to help deter small business crime. NAPO was joined by small business owners in Missouri, California and Minnesota and was the only law enforcement organization to participate.

NAPO focused on the need to prosecute "quality of life" crimes, such as shoplifting, graffiti, or trespassing, that are making it difficult for small businesses to thrive and threaten community safety. Bail reform and pre-trial release policies at the state and local level exacerbate the issue because these are the crimes that are often repeated. If corporations like Starbucks and Walmart are leaving places due to an increase in these crimes, one can only imagine how small businesses are suffering. Congress can better support small businesses and safer communities by investing in policing programs that target "quality of life" crimes and by taking a serious look at how bail reform is enabling repeat offenders and impairing public safety.

NAPO also highlighted bills, such as Representative John Katko's SERVE Our Communities Act, which incentivizes states to allow judges to consider "dangerousness" when determining whether to release a repeat offender before trial. We also raised Representative Andrew Garbarino's Detective Brian Simonsen Memorial Act, named after a New York City Detective who was tragically killed in the line of duty responding to a robbery at a T-Mobile store that ended in a hail of gun fire. This bill would prohibit mobile service providers from delivering service on smart phones that have been reported stolen and require smart phones to be equipped with anti-theft functionality at no cost to the purchasers. It also puts in place requirements around mobile device identification numbers to make it more difficult to sell stolen smart phones and it increase the penalties for doing so, adding further deterrents to committing such thefts.

We look forward to working with members of the House Small Business Committee to protect small businesses and the communities they support.

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**October 31– November 2, 2022 ~ Marriott Harbor Beach Resort & Spa
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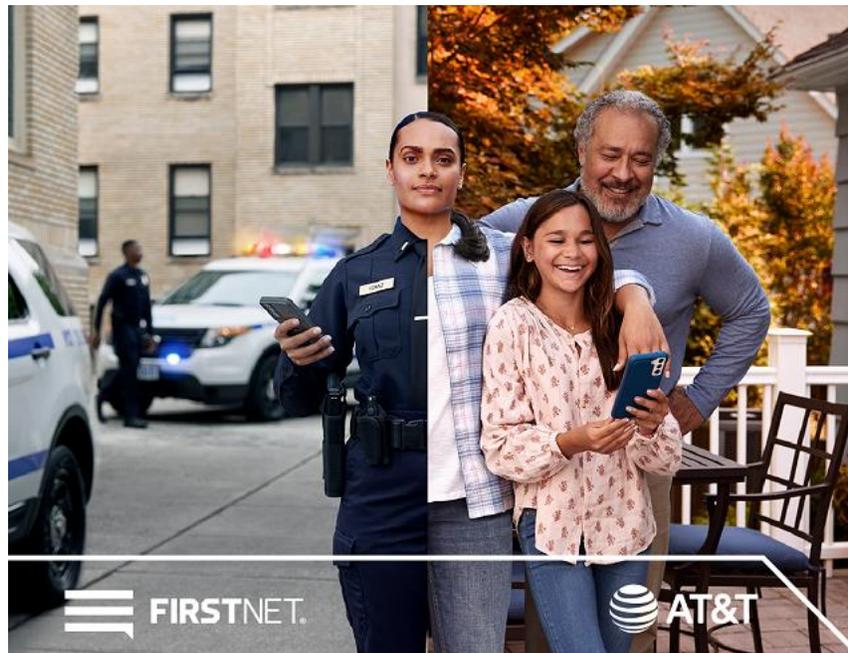
Join NAPO for our [2022 Fall Seminar](#) in Fort Lauderdale, Florida. This important Seminar will focus on the mid-term national elections, and what the outcome means for control of the Congress and NAPO's legislative priorities. We will also look at how the current Administration's policies and Congressional efforts are impacting police departments, including civil rights investigations and Qualified Immunity, and the public perception of policing in America. We will also review recent Court decisions as well as other important current issues for Law Enforcement Unions & Associations and the men and women we represent.

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We need to plan for your arrival! Please register at your earliest convenience either [online](#) or mail-in the registration. Information regarding hotel reservations, airline discounts and the agenda can be found at www.napo.org/fall22.

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

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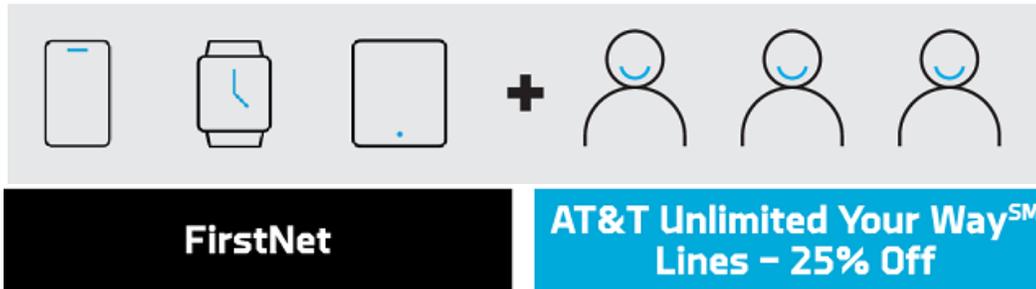
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