



# The Washington Report

**The Newsletter of the National Association of Police Organizations**

*Representing America's Finest*

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**November 9, 2018**

## **Attorney General Jeff Sessions Resigns**

On November 7, Attorney General Jeff Sessions resigned at President Trump's request. Matthew Whitaker, the Attorney General's Chief of Staff, will take over as Acting Attorney General until the President nominates a permanent successor.

In his almost two years in office, Attorney General Sessions has been a champion of law enforcement. The most visible efforts the Attorney General made in support of state and local law enforcement and in partnership with organizations like NAPO include the President's executive order repealing restrictions on surplus military equipment, changes to federal asset forfeiture policy to make it easier for state and local agencies to participate, the creation of the Office of Law Enforcement Liaison, and memorandums directing United States Attorneys to pursue increased penalties for violence against law enforcement officers and making changes to how the Department uses consent decrees. The Attorney General also sent out personal condolence letters to the families of officers who have died in the line of duty.

Attorney General Sessions was also instrumental in revitalizing the Project Safe Neighborhoods grant program and attacking violent crime in our communities by having United States Attorneys go after the stiffest penalty available under law for violent felonies, including firearms felonies. In 2018, the Department saw a record number of firearms defendants and violent crimes defendants filed – a significant increase over the previous administration – and a considerable decrease in violent crimes in the nation's 60 largest cities.

NAPO enjoyed a close working relationship with the Attorney General and are sorry to see him go. We look forward to working with his Chief of Staff, Matthew G. Whitaker, who will be the Acting Attorney General until President Trump nominates a permanent successor. Acting Attorney General Whitaker has already had staff reach out to let us know that he is committed to maintaining the Department's high level of support for state and local law enforcement.

[Click here](#) to read Attorney General Sessions' resignation letter.

As for possible nominees to be the next Attorney General, many names have been floated, including Whitaker, Chris Christie, Rudy Giuliani, Senator Lindsey Graham (R-SC) and Florida Attorney General Pam Bondi, amongst others. NAPO would oppose the nomination of Mr. Christie to be Attorney General given his utter lack of support for the law enforcement community in New Jersey while he was governor.

We will be sure to keep you updated on our work with the Acting Attorney General and on the President's future nominee for Attorney General.

# Midterms Split Congress

The November 6 midterm elections led to the Democrats winning the House and Republicans securing their majority in the Senate. With this, there will be changes to the chairmanships of the various Congressional Committees for the next Congress. Democrats will be taking over the majority and chairs of the Committees in the House, while the Senate will have new chairs take over due to retirements. Here are the changes for the committees with jurisdiction over NAPO priority legislation:

## House

Judiciary Committee: Representative Jerrold Nadler (D-NY) is presumed to be the next chair of the Committee. He took over as ranking member of the Committee this Congress when Representative John Conyers (D-MI) retired. Representative Nadler has been supportive of NAPO's efforts to protect public safety officer benefits, reauthorize and fund our priority grant programs, and establish and reauthorize the World Trade Center Health Program and 9/11 Victims Compensation Fund.

Ways and Means Committee: Representative Richard Neal (D-MA), current ranking member of the Committee, is expected to be chair next Congress. With regards to NAPO's priorities, Representative Neal supports reforming the Government Pension Offset (GPO) and Windfall Elimination Provision (WEP), protecting public safety retirements, and opposes mandatory Social Security.

Education and the Workforce Committee: Representative Bobby Scott (D-VA) will be chair of this committee. He will be making the Public Safety Employer-Employee Cooperation Act and expanding public sector collective bargaining rights a priority for the Committee.

## Senate

Judiciary Committee: Current Senate Judiciary Chair, Charles Grassley (R-IA), is widely expected to take the chairmanship of the Senate Finance Committee with the retirement of the current chair, Senator Orrin Hatch (R-UT). If Senator Grassley does decide to move to be Finance Committee Chair, Senator Lindsey Graham (R-SC) would be the next chair of the Judiciary Committee. Senator Graham has been a stalwart supporter of our issues in Committee and has shown a strong interest in protecting and expanding public safety officer death and disability benefits.

Finance Committee: It is expected that Senator Grassley will move from the Judiciary Committee to be chair of this Committee. As a member of the Finance Committee, Senator Grassley has supported ensuring public safety officers get the benefits they deserve and providing law enforcement and communities they serve the resources needed to fight the opioid epidemic. We have not had much interaction with the Senator regarding pensions and Social Security benefits but look forward to working with him on these issues.

If Senator Grassley remains chair of the Judiciary Committee, Senator Michael Crapo (R-ID) will take over as chair of the Finance Committee.

NAPO looks forward to working with the new Committee chairs in the 116<sup>th</sup> Congress to ensure our nation's law enforcement have the tools, resources and support they need to efficiently and effectively serve and protect our communities.

The formal announcements of the new Committee chairs will be coming soon. Please monitor NAPO's website ([www.napo.org](http://www.napo.org)) for updates and the latest news.

## **NAPO on the Hill: Protect and Serve Act**

NAPO met again with staff of Senate Judiciary Committee Chairman Charles Grassley (R-IA) regarding the Protect and Serve Act. We also met with staff of Senator Orrin Hatch (R-UT), the sponsor of the Protect and Serve Act, to determine the best way forward to secure passage of this important bill.

The **Protect and Serve Act of 2018**, which passed the House during this year's National Police Week on May 16, 2018, provides for new criminal provisions for deliberate, targeted attacks on officers. Specifically, it creates federal mandatory minimum sentences for the assault or attempted assault and the killing of a state or local law enforcement officer when there is a federal nexus to the case, such as use of a firearm that has crossed state lines or the crime is connected somehow with interstate or foreign commerce.

This bill is critical, as there is a serious and growing trend of armed attacks on law enforcement officers. According to a December 2017 report from the Office of Community Oriented Policing Services (COPS) and the National Law Enforcement Officers Memorial Fund, 2016 saw a significant increase in ambush attacks on unsuspecting officers, with 21 shot and killed. 61 percent of those officers were not answering a call for service or engaged in enforcement action or performing official duties – they were targeted and killed just for the uniform they wore. 12 officers were murdered sitting in their patrol cars.

Further, according to the Memorial, 2018 is on track to be deadlier for law enforcement than last year, with firearms related officer deaths up almost 20 percent. Given this dangerous atmosphere officers are facing daily on our streets, the Protect and Serve Act is a must-pass bill for NAPO. In this meeting, the Chairman's staff indicated that while the Chairman supports the bill, he has other priorities, including the FIRST STEP Act and judicial nominations, that will take precedence. They indicated that obtaining some Democratic support for the bill and ensuring no Republican opposition may be the best way forward.

NAPO is working with Senator Hatch's staff to find a way to move this bill, especially given that the Senator is retiring at the end of this year. It is our top priority during the lame duck session for the Senate to pass the Protect and Serve Act so the President can sign it into law this year. With the Democrats controlling the House next Congress, it will be very difficult to move this important bill forward. It is time for the Senate to step up and pass a bill that provides real protections for our nation's law enforcement officers.

NAPO will keep our members up-to-date on the Committee's work and the status of our priority legislation once Congress returns after the elections. If you have any questions about NAPO's efforts, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

## **NAPO on the Hill: Public Safety Collective Bargaining**

NAPO met with staff of Representative Bobby Scott (D-VA), the ranking member and soon to be chair of the House Education and the Workforce Committee, to discuss our priorities for the Committee for the 116<sup>th</sup> Congress. NAPO and the Ranking Member share a commitment to passing public safety collective

bargaining and NAPO hopes the Committee will join us in pushing the issue of PTSD being a compensable condition under workers' compensation.

One of NAPO's top priorities, especially in the aftermath of the U.S. Supreme Court's *Janus* decision, is the Public Safety Employer-Employee Cooperation Act, which would extend basic collective bargaining rights to state and local public safety officers. While NAPO has several member organizations in right-to-work states such as Florida, Texas and Arizona that have been successful in maintaining and growing membership in such environments, NAPO has long believed all law enforcement officers should have the basic right to bargain collectively.

Ensuring collective bargaining rights for all public safety officers is a priority for Ranking Member Scott and the Committee and they are looking to accomplish this either through the passage of the Public Safety Employer-Employee Cooperation Act or the Public Service Freedom to Negotiate Act. The latter is based on our public safety bill but expands collective bargaining rights to all public employees, including law enforcement. According to staff, the Committee would prefer to move the larger bill encompassing a greater number of public employees, but that would not be at the detriment of our public safety collective bargaining bill. The priority is to ensure public safety and public employees get collective bargaining rights and they will move whichever bill has a better chance of passing. The Committee will also be looking at ways to strengthen unions in the aftermath of the U.S. Supreme Court's *Janus* decision.

NAPO also discussed the issue of PTSD not being covered by workers' compensation in a significant number of states. Only just over half of states cover PTSD under their workers' compensation programs, leaving hundreds of thousands of law enforcement officers and first responders to foot the bill for their own mental health services – a big obstacle to ensuring officers get the mental health and wellness help they need. We strongly believe that lawmakers must recognize the stresses and strains officers experience on the job every day and support them in getting the help they need for the safety of themselves, their families and communities. Committee staff indicated interest in the issue and want to work with us to explore it further.

NAPO looks forward to working with the Committee and Chairman Scott in the new Congress to protect officer rights and benefits.

## **NAPO Participates in DOJ Law Enforcement Working Group Meeting**

On November 1, NAPO participated in the Department of Justice (DOJ) Law Enforcement Working Group (LEWG) meeting, which was led by Associate Deputy Attorney General Steve Cook. Along with NAPO, the Working Group consists of representatives of other national law enforcement organizations and DOJ staff and it meets quarterly to discuss relevant issues facing officers in the streets and how the DOJ can best assist its state and local law enforcement partners.

Topics discussed included asset forfeiture; health and wellness programs for law enforcement officers, including updates on where the Department is on implementing the Law Enforcement Mental Health and Wellness Act; the successes achieved in reducing violent crime in our major cities due to Project Safe Neighborhoods and the Department's crackdown on violent crimes and gun crimes; and a presentation on the FBI's new use of force database that will be made public at the beginning of next year.

The Attorney General also made an appearance at the meeting, sitting down with the group to discuss our priorities and the accomplishments the Department has had over the past two years in its work with state and local law enforcement.

We look forward to continuing the work of the LEWG under Acting Attorney General Whitaker and ensuring federal, state and local law enforcement and prosecutors remain strong partners in the fight against crime, guns and drugs in our nation's communities.

## **NAPO Participates in DOJ Hate Crimes Roundtable**

NAPO Executive Director Bill Johnson participated in the Department of Justice Hate Crimes Enforcement and Prevention Initiative Roundtable for law enforcement on improving the identification and reporting of hate crimes. The Roundtable explored successful practices and challenges in identifying, reporting, and tracking hate crimes and discussed actionable next steps on this issue.

Specifically, the Roundtable heard perspectives from the field on improving hate crimes investigations and reporting, the challenges to hate crime Uniformed Crime Report (UCR) reporting, stakeholder perspectives on hate crime identification and reporting, and promising practices from the field, amongst other issues. The discussions around these areas will inform a federal action plan on improving the identification and reporting of hate crimes.

## **National Blue Alert Advisory Group Ramps-up State-Level Efforts**

The Blue Alert Advisory Group, of which NAPO is a member, in conjunction with the Justice Department's Community Oriented Policing Services (COPS) Office, are moving forward with an action plan to getting Blue Alert systems in all 50 states. Currently, nineteen states do not have Blue Alert networks, including Iowa, Louisiana, Massachusetts, Nevada, New Jersey, New Mexico, New York, Oregon and Wisconsin. 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 COPS Office has begun state working group calls in the states that currently do not have Blue Alerts. The purpose of these calls is to bring together core stakeholders in the state to coordinate efforts to support the establishment of a Blue Alert plan. The COPS Office staff will help support the state-level efforts in any way possible. NAPO members in Iowa and Massachusetts have already participated in their working group calls and are taking active roles in efforts to create Blue Alert plans in their states.

State working group calls will continue through the end of the year.

NAPO will continue to participate as part of the Advisory Group and keep our members updated on the status of the National Blue Alert Network. If your organization or agency is in a state that does not yet have a Blue Alert and 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 Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

## **NAPO'S 31<sup>st</sup> Annual Pension & Benefits Seminar**

### **Registration Now Open!**

We invite you to join NAPO for our 31<sup>st</sup> Annual Police, Fire, EMS & Municipal Employee Pension & Benefits Seminar to be held at Caesars Palace Hotel and Casino in Las Vegas, Nevada, February 3 – 5, 2019. Participate in discussions on the pressing topics that are affecting your pension fund and benefits.

Topics will include: The Role of Alternative Investments, PSOB Benefits, Using Technology to Communicate, Securities Litigation Policy for Pension Plans, Medicare Options, Fiduciary Responsibility Around Investment Menu, Stable Value Funds, just to name a few!

Take an active role in improving your fund by registering for this informative seminar. Watch your mail box for the Registration Brochure and check out NAPO's website at [www.napo.org/PB2019](http://www.napo.org/PB2019) for the most up-to-date agenda or to register [online](#).

If you have any questions or need additional information please do not hesitate to contact Elizabeth Loranger, NAPO's Director of Events, at [eloranger@napo.org](mailto:eloranger@napo.org) or (703) 549-0775. We look forward to seeing you in Las Vegas!

*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.*