



The Washington Report

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

March 25, 2022

NAPO's Annual Lobby Day is Quickly Approaching!

REGISTER TODAY

**Capitol Hill and MGM National Harbor Hotel
Wednesday, May 11**

Use this opportunity to lobby Congressional Representatives & Senators on behalf of your members concerning the issues which affect law enforcement. Prior to lobbying Capitol Hill, attend NAPO's Legislative Breakfast at our host hotel for an update on NAPO's legislative priorities, results to date from the 117th Congress, and to receive handouts to use during Hill visits.

To have NAPO arrange Congressional meetings please contact Andy Edmiston, NAPO's Director of Governmental Affairs, by May 2, 2022, at aedmiston@napo.org or (703) 549-0775.

You will find information regarding registration and the agenda on NAPO's website: www.napo.org/Lobby22 or download the attached brochure and fax to NAPO at (703) 684-0515.

Please note: This event is for NAPO members only. Due to the ongoing COVID and Security restrictions at the U.S. Capitol complex, we will not be able to host our Annual Legislative Awards Luncheon.

NAPO's May Executive Board Meeting will be held Friday, May 13 from 10:30 a.m. - 12:00 p.m. at the MGM National Harbor Hotel.

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 or (703) 549-0775.

We look forward to seeing you in May!

Michael McHale
President, NAPO

Bill Johnson
Executive Director, NAPO

Retirement Bill that would Keep First Responder Disability Compensation Tax-Free Heads to House Floor

The Securing a Strong Retirement Act (H.R. 2954), sponsored by House Ways and Means Committee Chair Richard Neal (D-MA) and Ranking Member Kevin Brady (R-TX), is headed to the House floor for a vote next week. The Securing a Strong Retirement Act is bipartisan legislation that aims to help Americans successfully save for a secure retirement. NAPO supports this bill as it includes the language of NAPO priority legislation, the Putting First Responder First Act. This provision would codify existing IRS regulations making service-connected disability compensation exempt from Federal income taxes. NAPO has been working with Committee staff to move the Putting Our First Responders First Act and supports its inclusion in this important legislation.

In 1985, the IRS clarified in the IRS Revenue Ruling 85-105 that service-connected disability compensation for first responders is tax-exempt. Unfortunately, many auditors and first responders are not aware of this tax benefit and the first responders, who gave up so much in the line of duty, end up paying the tax unnecessarily or being audited for taking advantage of the tax exemption. By codifying the Revenue Ruling, this provision of the Securing a Strong Retirement Act would clarify the ruling and help ensure first responders' injury-related compensation is tax-exempt. This is most important for the service-related disability compensation that is determined by reference to an individual's age, length of service, or contributions. Service-related disability compensation that is structure like a worker's compensation benefit (i.e., the benefit is equal to two-thirds of an individual's salary and not based on age, length of service, or contributions) is already considered tax-free under law.

NAPO is urging every House member to support the passage of the Securing a Strong Retirement Act to protect the financial security of our public servants.

NAPO also supports making the tax-exempt status of this compensation permanent through retirement and we continue to work with member of Congress to provide perpetual tax relief to those who were disabled while serving their country and communities.

Senators Champion Justice and Mental Health Collaboration Reauthorization

Senators John Cornyn (R-TX) and Amy Klobuchar (D-MN), together with their colleagues Senators Jerry Moran (R-KS), Sheldon Whitehouse (D-RI), Thom Tillis (R-NC), Richard Durbin (D-IL), Charles Grassley (R-IA), Susan Collins (R-NH), and Catherine Cortez Masto (D-NV), have introduced the Justice and Mental Health Collaboration Reauthorization Act (S. 3846).

NAPO is a long-time supporter of the Justice and Mental Health Collaboration Program (JMHCPC), which grew out of the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA), and worked closely with Senator Cornyn and stakeholder organizations on this reauthorization bill. It is a top priority for us, as it supports crisis intervention teams and training programs for law enforcement and corrections personnel to identify and respond to incidents involving individuals with mental health conditions.

Law enforcement officials are all too familiar with calls for service that repeatedly bring them into contact with people whose mental illnesses are not being adequately addressed. These officers often find themselves in the difficult position of determining whether to resolve such incidents informally or to take the person into custody, either for arrest or emergency evaluation. Although these incidents are generally resolved safely, on

rare occasions they can involve use of force, exposing both the law enforcement officer and the person with mental illness to serious risk. Without adequate training and access to community-based mental health resources, officers face tremendous obstacles in managing these incidents.

The Justice and Mental Health Collaboration Reauthorization Act reauthorizes the program for the next five years at \$50 million annually and makes important improvements, including:

- Strengthening support for mental health courts and crisis intervention teams;
- Supporting diversion programming and training for state and local prosecutors;
- Strengthening support for co-responder teams;
- Supporting the integration of 988 into the existing public safety system;
- Amending allowable uses to include suicide prevention in jails and information sharing between mental health systems and jails/prisons;
- Amending allowable uses to include case management services and supports; and
- Clarifying that crisis intervention teams can be placed in 911 call centers.

The JMHCP must be reauthorized to ensure law enforcement continue to have access to these vital resources and training programs. We thank Senators Cornyn and Klobuchar for their steadfast support and leadership on this issue and we look forward to working with them to see this important bill enacted into law this year.

HELPS Retirees Improvement Act Introduced

NAPO pledged our support for the Wally Bunker HELPS Retirees Improvement Act (H.R. 7203), sponsored by Representatives Steve Chabot (R-OH) and Abigail Spanberger (D-VA), which enhances the HELPS Retirees provision of the Pension Protection Act of 2006 and helps ensure all public pension plans are able to implement it to the benefit of their public safety retirees.

The HELPS Retirees provision provides public safety officers, who often retire earlier than other occupations because of the physical demands and unique job hazards they face, with means to more affordable healthcare options. This is important as many law enforcement retirees lose their employer-provided health insurance and are years away from being Medicare-eligible, forcing them to spend their retirement money on health insurance premiums.

Unfortunately, health care costs have gone up dramatically since 2006 and the \$3,000 per year permitted under the provision is no longer adequate to cover even half a year's worth of health insurance premiums. The HELPS Retirees Improvement Act would increase the amount of tax-free money retired public safety officers are allowed to take from their pension funds annually to up to \$6,000 to pay for qualified health and long-term care insurance premiums.

This legislation also addresses the fact that many public pension plans have not implemented this important provision due to the administrative burden of the direct payment requirement. By repealing this requirement, it would make it easier for plans to execute the HELPS Retirees provision and ensure more public safety retirees can take advantage of this vital benefit.

The HELPS Retirees Improvement Act would help preserve the retirement security and the health of those public servants who selflessly served and protected our communities and we are committed to seeing this important proposal passed this Congress.

COPS Law Enforcement Mental Health & Wellness Grant Now Open for Applications

The Department of Justice Office of Community Oriented Policing Services (COPS) has announced that it is now accepting application for the fiscal year [2022 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 \$8 million.

This competitive grant program that provides funding to improve the delivery of and access to mental health and wellness services for law enforcement through the implementation of peer support, training, family resources, suicide prevention, and other promising practices for wellness programs. The FY 2022 LEMHWA program will include two open solicitations:

- **The LEMHWA Implementation Projects:** This solicitation aims to support law enforcement agencies seeking to implement new or enhance existing programs that offer training and services on officer mental health, peer mentoring, suicide prevention, stress reduction, and police officer family services. Proposed projects may serve one agency, a consortium of agencies, or personnel from agencies located within a county or state. This solicitation is open to local, state, tribal, and territorial law enforcement agencies. Up to \$7.5 million is available for this solicitation.
- **The LEMHWA National Level Training and Technical Assistance:** This solicitation has two subcategories – (1) National Peer Support Training Program and (2) LEMHWA Implementation Technical Assistance and Resources – and aims to support training, resources, and technical assistance efforts to help build knowledge and capacity of state, local, tribal, and territorial law enforcement agencies that are seeking to implement their mental health and wellness initiatives. This solicitation is open to any public governmental agency, federally recognized Indian tribe, for-profit organization, institution of higher education, community group, or faith-based organization. Up to \$500,000 is available for this solicitation.

Applicants may apply for both subcategories, but a separate application is required for each program. *Applications are due by April 29, 2022 at 7:59 PM ET.* Please click [here](#) for more information on the FY 2022 LEMHWA program.

DOJ Announces Expansion of the COPS Collaborative Reform Initiative

Attorney General Merrick Garland [announced](#) the expansion of the Department of Justice's [Collaborative Reform Initiative](#) (CRI), run by the Office of Community Oriented Policing Services (COPS). The CRI includes three components, in order of level of departmental need: the Collaborative Reform Initiative Technical Assistance Center (CRI-TAC), the Critical Response Program, and the Organizational Assessments Program. The CRI is a completely voluntary program. The CRI was created under the Obama Administration and became widely known as “consent decree light”. The Initiative largely went dormant under the Trump Administration. The Biden Administration is looking to breathe new life into the initiative and expand its services to address departments needing reform in a way that is collaborative and useful to the requesting agency, trying to shed the “consent decree light” moniker.

CRI-TAC provides customized technical assistance for a range of issues impacting law enforcement agencies from active shooter response to community engagement to officer safety and wellness and everything in between at no cost to the requesting agency. The Critical Response Program is an after-action review that can be requested by an agency after a high-profile event or other special circumstance and is seen as short-term assistance provided by the Department. The last program, Organizational Assessments, is more intensive and looks to address systemic issues within the requesting department, with areas for reform being addressed with ongoing and actionable guidance. This last program is designed to transform a department's operations and its relations with the community it serves.

NAPO participated in a listening session held by the COPS Office last year in preparation for this expansion of the CRI. Issues discussed included roles and expectations of participating agencies, how should "success" be defined, timeframes for assessments, and how should the COPS technical assistance and organizational assessment be provided so it is most useful to agencies. Our biggest concerns are that this does not turn into another "consent decree light" and result in a top-down, Washington knows best model to reform policing practices. It is also vital to ensure the representatives of rank-and-file officers are involved in any CRI program being provided to law enforcement agencies. These concerns were shared with the COPS Office during the listening session and prior to the Attorney General's announcement last week.

We appreciate our on-going partnership with the COPS Office and look forward to working with them to ensure the newly enhanced CRI meets the needs of the law enforcement agencies looking to serve and protect their communities better.

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 117th 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, and Facebook page: National Association of Police Organizations, and follow us on Twitter at [NAPOpolice](#) for breaking news and updates.