



# The Washington Report

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

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**October 16, 2015**

## **NAPO Meets with Assistant AG for Civil Rights Division**

On October 14<sup>th</sup>, NAPO's Executive Director, Bill Johnson, met with Vanita Gupta, the Acting Assistant Attorney General for the Civil Rights Division, Department of Justice. In the meeting, Mr. Johnson discussed with Assistant AG Gupta the need to provide greater protections for law enforcement officers in the face of escalating attacks on officers and persistent anti-police rhetoric. He talked about the importance of increasing the criminal penalties for assaulting or killing officers and the need to focus federal funding towards promoting two person patrols.

Mr. Johnson suggested two options for having violent crimes against state and local law enforcement fall under federal jurisdiction. First, any state or local officer within a jurisdiction that has received federal funding for law enforcement purposes is thereby covered with sufficient federal interest to justify federal criminal charges if that officer is a victim of assault or homicide. The second option is that any officer who by virtue of his or her status as a state or local officer would be a potential defendant in a federal civil rights case also thereby has sufficient federal status to justify federal prosecutions of violent crimes against that officer.

Further, Mr. Johnson followed up with Assistant AG Gupta on NAPO's September 8<sup>th</sup> conversation with COPS Office Director, Ron Davis. In the meeting with Director Davis, NAPO stated that the COPS Office should prioritize for funding recipients who will institute a policy of two person units for all patrol shifts and patrol assignments rather than focusing its grants "procedural justice", "police legitimacy" and "collaborative reform" programs.

While putting two officers in each patrol car, on each beat, etc., will not prevent all attacks, as the assassination of Officers Ramos and Liu in New York City makes clear, it will deter many and thwart others that might still be attempted. Mr. Johnson made clear to Assistant AG Gupta – as he did to Director Davis – that the federal funds earmarked for state and local police use cannot be put to any better use than this immediate and practical way of ensuring greater officer safety and survivability in the face of an escalating war on police.

Mr. Johnson asked Assistant AG Gupta to follow-up with the COPS Office on this issue to ensure NAPO's concerns and suggestions are being taken seriously.

NAPO will continue to engage the Administration and members of Congress to ensure our officers' voices are heard loud and clear, and they receive the protection they need.

If you have any questions about this meeting or NAPO's engagement with the Administration around these issues, please contact Bill Johnson at [bjohnson@napo.org](mailto:bjohnson@napo.org).

## **NAPO Joins 9/11 First Responders in Lobbying for Zadroga 9/11 Health Act**

On October 13<sup>th</sup>, NAPO joined the FealGood Foundation, 9/11 first responders and Iraq and Afghanistan Veterans of America in lobbying for the passage of the James Zadroga 9/11 Health and Compensation Act (S. 928 / H.R. 1786). NAPO's Director of Governmental Affairs, Andy Edmiston, lobbied with a group of 9/11 responders, both NYPD and NYFD, who are suffering from illnesses due to their work at Ground Zero. Her team met with the offices of **Senators Jeff Flake (R-AZ), Dan Sullivan (R-AK), Dean Heller (R-NV), Marco Rubio (R-FL), Ted Cruz (R-TX), and Jim Risch (R-ID)**, all of whom have not pledged their support for the 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 (VCF) – are set to expire in October 2015 and October 2016, respectively. Unless Congress acts to permanently reauthorize these programs, the Health Program will cease to operate next year and the VCF will have to cut awards by as much as 60 percent and will stop taking claims next year. For those who are expected to come down with a 9/11 cancer or disease, this means they will have no alternative or recourse.

While we continue to be met with support for the bill and for the need to provide care and compensation to the survivors and those who responded to 9/11, we were also met with reluctance to permanently reauthorize the Act. When NAPO worked to pass the original legislation in 2010, we were forced to compromise and have the programs end after 5 years. Since then, the Health Program and VCF have proven vital to those who are grappling with the consequences of their bravery and selflessness on 9/11 and the days and weeks after. 9/11 responders and survivors are still battling serious health crises resulting from exposure to the toxins at Ground Zero. More than 33,000 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.

While the evidence is overwhelming that these programs need to be permanently reauthorized, we are still facing lawmakers who want to see a time limit on its reauthorization and those who want to make cuts to the funding for the Health Program or VCF. These attempts to limit or cut these vital programs must be rejected and NAPO thanks Senator Gillibrand (D-NY) and Representative King (R-NY) for their leadership in pushing for full, permanent reauthorization of the Act.

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.

NAPO continues to work with members of Congress and fellow stakeholders to pass the James Zadroga 9/11 Health and Compensation Reauthorization Act. **Please join our efforts by contacting your Congressional representative and Senators and urge them to support passage of this important legislation.** You can find out if your Representative and Senators are cosponsors of this bill by going to our sponsors/co-sponsors spreadsheet at <http://www.napo.org/washington-report/sponsor-cosponsor-spreadsheet/>.

Through all of our lobbying efforts, we have secured 201 co-sponsors in the House and 58 in the Senate, just shy of the 218 and 60 we need to get House and Senate leadership to finally move on this legislation.

Please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org) or (800) 322-NAPO for assistance or if you need more information about the legislation and the programs it will reauthorize.

## **NAPO Participates in AG's Summit on Violent Crime**

On October 7<sup>th</sup>, NAPO's Director of Governmental Affairs, Andy Edmiston, participated in the Attorney General's Summit on Violent Crime, the purpose of which was to identify and examine effective crime reduction strategies and discuss how to address current crime and violence challenges facing our nation's cities. The Attorney General, the Deputy Attorney General, the heads of the FBI, DEA, ATF and Marshals Service, United States Attorneys as well as mayors, police chiefs and district attorneys from the nation's major cities were part of this large group discussion on violent crime in our communities and what needs to be done.

The Summit touched on several areas relating to crime and violence, including guns, drugs, gangs, and mentally ill offenders. Many of the participants focused on the need for additional federal support, not just in the form of funding and resources, but also increased collaboration with the FBI, DEA and ATF. Sentencing reform and reentry issues were also major topics of discussion, with many participants expressing concerns regarding the serious challenges that come along with changing mandatory minimums and early prisoner release.

The Summit highlighted local programs that are proving successful in fighting crime and provided a sounding board for federal, state and local law enforcement to discuss the current crime and violence challenges they are facing. One theme that was repeated throughout the Summit by participants was the need for the Attorney General, the Department of Justice and the Administration to publicly stand behind state and local law enforcement in the face of anti-police rhetoric. They must do a better job consistently recognizing the merits and valor of the officers who go out there every day to protect our neighborhoods.

Outside of the comments regarding the need for public officials to support the officers on the streets, there was very little focus on the role of the rank-and-file. The Summit heavily focused on the responsibilities of management – both local government and police department management – in addressing violent crime in our communities. Overall, it was a useful information exchange and highlighted many of the challenges facing state and local law enforcement as they work to keep our communities safe from crime and violence.

NAPO continues to engage the Administration on our policy priorities and push to ensure that the voice of rank-and-file officers is heard.

If you have any questions about the Attorney General's Summit on Violent Crime, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org)

## **NAPO Takes Part in Body Camera Summit**

NAPO's Executive Director, Bill Johnson, was a presenter at a body-worn camera summit in Orlando held October 7<sup>th</sup> – 9<sup>th</sup>. Over 175 law enforcement officers from across the country participated in the summit and debated every aspect of the cameras, from how to fund them to privacy issues. Participants also examined Central Florida case studies on body-worn cameras.

Click [here](#) to view Mr. Johnson's PowerPoint presentation on federal legislation dealing with body-worn cameras.

Mr. Johnson was quoted in a news article regarding the summit by Bay News 9:

“Our job is to make sure that just like the chiefs and the sheriff’s and the mayors that the rank and file deputy, the rank and file corrections officer, the rank and file police officer, the rank and file tribal police officer has a voice at the table in DC, when the decisions are being made,” said Bill Johnson.

The full article is available at the following site:

[http://www.baynews9.com/content/news/baynews9/news/article.html/content/news/articles/cfn/2015/10/7/law\\_enforcement\\_body.html](http://www.baynews9.com/content/news/baynews9/news/article.html/content/news/articles/cfn/2015/10/7/law_enforcement_body.html)

NAPO believes that decisions regarding officer-worn body cameras must be made on an agency-by-agency basis due to the many details and technical aspects that must be considered when implementing body camera requirements. Details to take into account when considering officer-worn body camera policies include: privacy concerns, storage costs, Freedom of Information Act requests, public expectations of this technology, and much more.

**NAPO will continue to ensure our members’ voices are heard loud and clear on the Hill, with the Administration, and in the media. If you have any questions about the PowerPoint presentation or the publication cited above, please contact Bill Johnson at: [bjohnson@napo.org](mailto:bjohnson@napo.org).**

## **NAPO Speaks at Press Conference Supporting Thin Blue Line Act**

On October 8<sup>th</sup>, NAPO’s Director of Governmental Affairs, Andy Edmiston, joined **Senators Pat Toomey (R-PA)** and **Jeff Sessions (R-AL)** in a press conference calling for the Senate to take action on legislation that reaffirms that police lives also matter. The Thin Blue Line Act would make the targeting or the killing of a local police officer, firefighter, or first responder an aggravating factor in death penalty determinations. Also in attendance were Concerns of Police Survivors (COPS), the Federal Law Enforcement Officers Association (FLEOA), and the National District Attorneys Association (NDAA).



NAPO’s statement:

NAPO represents over 241,000 state and local law enforcement officers across the United States who put their lives on the line every day to keep our communities safe. With persistent and nationwide calls for the killing of officers and anti-police rhetoric continuing with little to no abatement, officers feel like they have targets on their back.

Tepid responses to the murders of police officers do nothing to discourage future attacks, which is why the Thin Blue Line Act is so important. This legislation would make the targeting or killing of a local police officer, firefighter, or first responder an aggravating factor in death penalty determinations in federal court. This would be applicable whether they were murdered on duty, because of the performance of their duty, or

because of their status as a public official.

Establishing stricter penalties for those who harm or target for harm law enforcement officers will deter violence against law enforcement. Any persons contemplating harming an officer must know that they will face serious punishments. Increased penalties make important differences in the attitudes of criminals toward public safety officers, and ensure protection for the community. Stopping the spilling of officers' blood is the first step without which no other person, business or community in this nation can be safe.

We thank Senators Toomey and Sessions for their leadership on this issue and continued support of the law enforcement community and we look forward to working with them to get this important legislation enacted into law.

The press conference in its entirety can be viewed here:

<https://www.youtube.com/watch?v=COdPYaaHRss&feature=youtu.be>

If you have any questions about the Thin Blue Line Act, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

## **NAPO on the Hill: Meetings Concerning Serious Claims Backlog at PSOB Office**

On October 15<sup>th</sup>, NAPO joined fellow public safety stakeholders in meetings with key Congressional staff regarding the serious backlog of disability and death benefit claims in the Public Safety Officers' Benefits Programs (PSOB) Office within the Department of Justice (DOJ). We met with the offices of **Senators Patrick Leahy (D-VT), Charles Grassley (R-IA), Roy Blunt (R-MO), Claire McCaskill (D-MO), and Kelly Ayotte (R-NH) and Representative Michael McCaul (R-TX)**.

The PSOB provides death benefits to survivors of fallen law enforcement officers, firefighters, EMS and other first responders, and disability benefits to officers catastrophically injured in the line of duty. The current death benefit is \$339, 881.00. More information about the PSOB and how to file a claim can be found at the PSOB Office website: <https://www.psob.gov/index.html>.

On July 7<sup>th</sup>, the DOJ Office of Inspector General (OIG) released a report examining the timeliness of PSOB in processing claims. The OIG's audit, which focused on claims filed between 2008 and 2013, found significant delays in PSOB's claims processing. Of the approximately 2,500 claims examined, 1,845 claims had been decided and 650 cases remained pending at the time of the audit. Over 25 percent of the cases took over a year to process and 79 of those claims took more than two years to decide. Of the 650 claims still pending, 69 claims had been pending for more than three years.

It is inexcusable for the PSOB Office to have such a significant claims backlog and for so many cases to take three years or more to decide. Additionally, despite the Office's efforts to make the claims process easier for public safety officers or their families, it is still overly complicated and burdensome. NAPO's meetings are the first of such meeting with members of Congress to bring these issues to light and find a way to ensure that the PSOB Office is processing and deciding claims in a timely manner and that the process is transparent and straightforward for those who have lost their loved ones or have become seriously disabled in the line of duty.

To read the full OIG audit, go to <https://oig.justice.gov/reports/2015/a1521.pdf>.

If you have any questions about the PSOB death or disability benefits or about these meetings, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

## **NAPO Endorses the Stop Sanctuary Policies and Protect Americans Act**

NAPO has pledged its support for the Stop Sanctuary Policies and Protect Americans Act (S. 2146), introduced by **Senators David Vitter (R-LA), Pat Toomey (R-PA), Chuck Grassley (R-IA), Ron Johnson (R-WI) and Ted Cruz (R-TX)**.

NAPO understands that cooperation among federal, state, and local law enforcement officers is essential in keeping criminal illegal immigrants off of the streets. The nation's immigration enforcement system relies on local law enforcement complying with immigration detainers—requests from the Department of Homeland Security (DHS) for local law enforcement to hold an illegal immigrant temporarily, to give federal law enforcement an opportunity to take the individual into custody.

Unfortunately, several courts have ruled that local law enforcement officers may be sued for violating the Fourth Amendment if they comply with an immigration detainer, even if the detainer was lawfully issued and the detention would have been legal if carried out by DHS. This means that dangerous criminals cannot be held and must be released. The Stop Sanctuary Policies and Protect Americans Act solves this problem by explicitly stating that local law enforcement officers have legal authority to comply with immigration detainers. The bill also protects civil liberties, ensuring that someone who has had their constitutional rights violated may sue.

Furthermore, the Stop Sanctuary Policies and Protect Americans Act takes crucial steps to eliminating sanctuary jurisdictions, which pose real threats to the American people, and increases penalties for criminals who re-enter the United States illegally, providing federal, state and local law enforcement vital tools to help keep our communities safe.

The legislation recognizes the need for cooperation with all members of our communities and preserves flexibility for law enforcement, so that victims of crime and witnesses to crime who are in the U.S. illegally may come forward and cooperate with police.

We look forward to working with Senators Vitter, Toomey, Grassley, Johnson and Cruz to get this important legislation enacted into law. If you have any questions about this bill, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

## **The Mental Health & Safe Communities Act Introduced in the House**

**Representative Martha McSally (R-AZ)** introduced the Mental Health and Safe Communities Act on October 8<sup>th</sup>, the companion bill to S. 2002, introduced by Senator John Cornyn (R-TX) in August 2015. NAPO has pledged its support for this important legislation.

More than half of all prison and jail inmates, including 56 percent of state prisoners, 45 percent of federal prisoners and 64 percent of local jail inmates, have a mental health problem. Jails across the nation annually serve an estimated 2 million people with serious mental illnesses, three-quarters of whom also have substance use disorders. The prevalence of people with serious mental illnesses in jails is three to six times higher than for the general population. Once incarcerated, these individuals tend to stay in jail longer, exacerbating their disorder and costing taxpayers more money. Jurisdictions across the nation are looking for

help to improve the efficiency of law enforcement, courts, and corrections resources; to increase the likelihood that people in need are linked to effective supervision and treatment; and to make our communities safer.

The Mental Health and Safe Communities Act is designed to enhance the ability of local communities to identify and treat potentially dangerous, mentally-ill individuals. It will help fix the existing background check system without expanding it, increase the use of treatment-based alternatives for mentally-ill offenders, and improve crisis response and prevention by local officials. The bill is endorsed by a diverse group of organizations, including the National Rifle Association (NRA), the National Alliance on Mental Illness, and NAPO.

If you have any questions about the Mental Health and Safe Communities Act, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

**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.

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October 7, 2015

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Senator Pat Toomey  
United States Senate  
248 Russell Senate Office Bldg.  
Washington, DC 20510

Senator Ted Cruz  
United States Senate  
404 Russell Senate Office Bldg.  
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Dear Senators Vitter, Toomey, Grassley, Cruz, and Johnson:

On behalf of the National Association of Police Organizations (NAPO), I am writing to you to express our support for the Stop Sanctuary Policies and Protect Americans Act, which will enable federal and local law enforcement officers to work together to protect our communities.

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 system relies on local law enforcement complying with immigration detainers—requests from the Department of Homeland Security (DHS) for local law enforcement to hold an illegal immigrant temporarily, to give federal law enforcement an opportunity to take the individual into custody.

Unfortunately, several courts have ruled that local law enforcement officers may be sued for violating the Fourth Amendment if they comply with an immigration detainer, even if the detainer was lawfully issued and the detention would have been legal if carried out by DHS. This means that dangerous criminals cannot be held and must be released. The Stop Sanctuary Policies and Protect Americans Act solves this problem by explicitly stating that local law enforcement officers have legal authority to comply with immigration detainers. The bill also protects civil liberties, ensuring that someone who has had their constitutional rights violated may sue.



Furthermore, the Stop Sanctuary Policies and Protect Americans Act takes crucial steps to eliminating sanctuary jurisdictions, which pose real threats to the American people, and increases penalties for criminals who re-enter the United States illegally, providing federal, state and local law enforcement vital tools to help keep our communities safe.

NAPO also commends you for preserving flexibility for law enforcement, so that victims of crime and witnesses to crime who are in the U.S. illegally may come forward and cooperate with police.

We look forward to working with your offices to pass this important legislation. If we can provide any assistance, please feel free to contact me at (703) 549-0775.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. Johnson", followed by a long horizontal line extending to the right.

William J. Johnson  
Executive Director