



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 ~ Email: info@napo.org

EXECUTIVE OFFICERS

July 22, 2022

MICHAEL McHALE

President
*Florida Police Benevolent
Association*

JOHN A. FLYNN

Vice President
*Police Benevolent
Association of New York City*

CRAIG LALLY

Recording Secretary
*Los Angeles Police
Protective League*

SCOTT HOVSEPIAN

Treasurer
*Massachusetts Coalition
of Police*

MARC KOVAR

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

SCOTT LEETON

Executive Secretary
*Combined Law Enforcement
Associations of Texas*

MARK YOUNG

Vice President,
Associate Members
*Detroit Police Lieutenants &
Sergeants Association*

JAMES PALMER

Parliamentarian
*Wisconsin Professional Police
Association*

WILLIAM J. JOHNSON, CAE

Executive Director and
General Counsel

The Honorable Richard Durbin
Chairman
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

The Honorable Charles Grassley
Ranking Member
Committee on the Judiciary
United States Senate
Washington, D.C. 20510

RE: July 26, 2022 "Law Enforcement Officer Safety: Protecting Those Who Protect and Serve" Hearing

Dear Mr. Chairman and Ranking Member Grassley:

I am writing on behalf of the National Association of Police Organizations (NAPO), representing over 241,000 rank-and-file law enforcement officers throughout the United States. NAPO is a coalition of police unions and associations, which was organized for the purpose of advancing the interests of America's law enforcement officers through legislative advocacy, political action, and education.

I want to thank the Chairman and Ranking Member for holding a hearing on this important issue and recognizing that there is a serious and growing trend of armed attacks on law enforcement officers. According to a May 2021 Report to Congress on the National Blue Alert Act from the Department of Justice's Office of Community Oriented Policing Services (COPS), 2020 saw 312 officers shot in the line of duty and 44 of those officers died from their injuries. 60 officers were shot in ambushes or premeditated, calculated assaults.ⁱ

Further, preliminary, year-end data from the FBI's Law Enforcement Officers Killed and Assaulted (LEOKA) database shows that 73 officers died in felonious killings in the line of duty in 2021. This marks the highest level of officers killed in the line of duty, as recorded by the FBI, since 1995, excluding the September 11, 2001 terrorist attacks.ⁱⁱ

That brings us to this year. During the first half of 2022, 33 officers were killed in the line of duty by felonious assaults using a firearm, according to the National Law Enforcement Officers Memorial Fund (NLEOMF) 2022 Mid-Year Preliminary Law Enforcement Officers Fatalities Report. This is an 18 percent increase over the number of firearms related officer fatalities during the first six months of 2021.ⁱⁱⁱ

On January 3, 2022, Harris County Precinct 5 Constable Charles Galloway was gunned down while conducting a traffic stop. On February 11, five Phoenix Police Officers were shot and four others wounded in an ambush attack while

responding to a call. On May 24, a California Highway Patrol Officer was ambushed by a spray of gunfire as he drove his patrol car through East Los Angeles. El Monte Police Corporal Michael Paredes and Officer Joseph Santana were ambushed and killed in the line of duty on June 14. On that same day, a Phoenix Police Detective was ambushed by two assailants while sitting in her unmarked vehicle performing surveillance. Were it not for her bulletproof vest, she would no longer be with us. Detroit Police Officer Loren Courts was shot and killed in an ambush-style attack on July 6.

Unfortunately, I can go on and on.

Officers are targets for disgruntled individuals who harbor hatred for the profession and blame them for all of society's ills and for policies that the officers themselves have no control over. The consistent drumbeat by politicians of distrust of the police absolutely helps engender attacks on officers and encourages the public not to comply with police commands. It is becoming more and more common for persons who come in contact with police to resist, obstruct, interfere, thwart and even attack officers. This is an unacceptable environment in which officers find themselves and it is impacting not just officer morale, but also retention, hiring, and officer safety and wellness.

Tepid responses to the murders or attempted murders of police officers do nothing to discourage future attacks, which is why NAPO strongly supports establishing stricter penalties for those who harm or target for harm law enforcement officers. We believe this will deter violent crimes and add another layer of safety for our nation's officers. Any persons contemplating harming an officer must know that they will face serious punishments.

NAPO supports increased protections for officers through both the utilization of existing federal criminal provisions and the enactment of new federal laws. We have long advocated that the United States Department of Justice can and should use current law to address (1) the assault and murder of federally funded state and local law enforcement officers, such as those officers whose agencies or jurisdictions receive aid from the Departments of Justice or Homeland Security; and (2) the assault and murder of state and local officers engaged in the protection of federally recognized civil rights, such as those officers attacked while safeguarding protests. NAPO believes that state and local law enforcement, as part of the performance of their duties, are protectors of citizens' civil rights and thus any attacks on officers who are engaged in such duties should be viewed by the Department's Civil Rights Division as a violation of protected federal civil rights.

In addition to using current criminal statute, NAPO calls for the enactment of new and increased federal penalties on those who violently assault public safety officers, including the Protect and Serve Act (S. 774), the Back the Blue Act (S. 3080), and the Improving Law Enforcement Officer Safety and Wellness Through Data Act (S. 3981).

The **Back the Blue Act**, sponsored by Senator John Cornyn, would add new criminal provisions to address the assault, attempted murder, or murder of federally funded law enforcement officers. It would also create a new federal crime for interstate flight to avoid prosecution for such crimes. It would increase penalties on those who harm or target for harm public safety officers by making the murder or attempted murder of a local police officer, firefighter, or first responder an

aggravating factor in death penalty determinations. This legislation would help to bring federal resources to bear in the prosecution of those who attempt to injure or murder any public safety officer.

The **Protect & Serve Act**, introduced by Senator Thom Tillis, would add new federal criminal provisions to address the assault, attempted killing, or killing of law enforcement officers. This would apply to federal law enforcement officers as well as state and local officers in circumstances where the federal government can establish jurisdiction over the case.

Further, NAPO has long advocated that the data collected on the use of deadly force must include the actual and threatened use of force against officers, and not only situations involving firearms. The **Improving Law Enforcement Officer Safety and Wellness Through Data Act**, introduced by Ranking Member Grassley, would be an important first step to ensuring we are collecting the data necessary to fully understand assaults against officers and getting agencies the support and resources necessary to protect the health and safety of the men and women who so valiantly serve and protect our communities.

Lastly, to help promote the protection of officers, NAPO supports the **LEOSA Reform Act** (S. 1610), introduced by Senator John Kennedy, which will ensure that the Law Enforcement Officers Safety Act (LEOSA) is more fairly and broadly implemented. In a time when law enforcement officers are being targeted for violence simply because of the uniform they wear, allowing officers to carry their firearms off-duty for the protection of themselves, their families and our nation's communities is important to further the protection of officers who serve and protect others. LEOSA is not only a job benefit for officers, but it also reinforces in officers the commitment to protect the well-being of the communities they serve.

NAPO urges the Committee to act to help curb the violence being perpetrated against our nation's law enforcement officers and take up the Back the Blue Act, the Protect and Serve Act, the Improving Law Enforcement Officer Safety and Wellness Through Data Act, and the LEOSA Reform Act. Show our nation's officers through actions and not just words that you have their back and believe that ensuring protections for them will also ensure our communities are safer.

We look forward to working with the Committee to protect those who serve and protect our communities. Thank you for your time and consideration of this important issue.

Sincerely,



William J. Johnson, Esq.
Executive Director

ⁱ https://cops.usdoj.gov/pdf/Blue-alert/2020_Blue_Alert_Officers_Shot_Year_End_Report.pdf

ⁱⁱ <https://crime-data-explorer.app.cloud.gov/pages/downloads>

ⁱⁱⁱ <https://nleomf.org/wp-content/uploads/2022/07/2022-Mid-Year-Fatality-Report-FINAL.pdf>