



# The Washington Report

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

December 18, 2020



**28th Annual TOP COP AWARDS®  
Dinner ~ May 12, 2021  
MGM National Harbor Hotel & Casino**

*Don't let your TOP COPS nominations get lost in the holiday shuffle! The **January 11<sup>th</sup> deadline** for nominations will be here before you know it!*

Please take the time to nominate examples of outstanding police work for the prestigious award TOP COPS Award. We count on you, our members, to help us get the word about TOP COPS out and obtain nominations for officers nationwide.

Join us in honoring America's Finest by nominating a case today. The [nomination form](#) must be postmarked or faxed (703) 684-0515 by **January 11, 2021**. If you have any questions please do not hesitate to contact NAPO's Director of Events, Elizabeth Loranger, at [eloranger@napo.org](mailto:eloranger@napo.org) or (703) 549-0775. With your help and partnership, the TOP COPS Awards® will continue to be a tremendous success!

## **2020 ANNUAL TOP COP AWARDS DINNER CANCELLED**

It is extremely important to NAPO that we honor the men and women selected as this year's TOP COPS Award® winners. However, the safety of the award winners, families and NAPO guests is also vitally important. In addition, we are obliged to honor the various governmental and venue restrictions on travel and events and gatherings which have been imposed as a response to the COVID-19 outbreak. Therefore, we regret very much that we have had to make the difficult decision to cancel the Awards Ceremony scheduled for February 6, 2021 in Las Vegas, Nevada.

**PLEASE NOTE THAT THIS CANCELLATION IS ONLY FOR THE 2020 AWARDS, THE 2021 TOP COPS AWARDS DINNER IS STILL SCHEDULED FOR MAY 12, 2021 IN WASHINGTON, D.C.**

We will be working with the appropriate departments and NAPO member groups to honor the recipients on a local level. We have prepared a video narrating the 2020 TOP COP Stories. The video, which normally is shown at our awards dinner, along with a printed program and personalized TOP COP Trophy will be presented to each award winner.

## **Congress Close to Finalizing FY 2021 Funding and COVID Relief**

The White House and Congressional leadership are finalizing a final FY 2021 spending agreement to fund the federal government through the end of the fiscal year and a COVID relief package, which will be bundled together into a single measure to be passed. With the final details still being worked out on both the FY 21 spending and COVID relief deals and government funding ending at midnight tonight, Congress may pass a very short-term continuing resolution to give them through the weekend to iron out final language, take up and pass the measure.

While final text has not been released, the COVID relief package is expected to provide about \$900 billion in relief for small businesses, money for vaccine distribution, a new round of stimulus checks (roughly \$600 per person), enhanced unemployment benefits (\$300 per week), and funding for schools, amongst other provisions. It is not expected to include any aid to state and local governments – a Democratic priority – or liability protections for employers against pandemic-related lawsuits – a Republican priority. Despite our efforts to have state and local aid included, both provisions were dropped from consideration in the name of compromise and because time is running out to get a COVID deal accomplished before the end of the year.

Significant, flexible aid for state and local governments to help offset budget holes due to the pandemic is a priority for NAPO. Up until the end, we were [pressing Congressional leadership](#), particularly Republican leadership, on the importance of including such aid to ensure state and local police departments have the staff and resources needed to effectively serve our communities. President-Elect Biden has stated that this round of COVID relief will not be the last and that state and local aid is a priority for him. We will push for another COVID relief package that includes state and local government aid when Congress reconvenes in January.

As for FY 21 appropriations, NAPO is confident that our priority grant programs will be sufficiently funded. What remains to be seen is if we were successful in keeping out all the concerning police reform proposals that the House appropriators were pushing to include under the Commerce, Justice, Science and Related Agencies (CJS) title. NAPO reached out to House and Senate Appropriations Committee leadership and House and Senate leadership letting them know of our concerns with the House CJS provisions and requesting that they not include any provisions that would hamper a state or local government or law enforcement agency from accessing these vital grant programs. As Congress has yet to unify around police reform policies, we strongly feel these controversial provisions should be left out of the final Fiscal 2021 appropriations bill.

NAPO will send out an update report once Congress has released the text and passed the bills.

## **NAPO Invited to Participate on National Decertification Index Database Advisory Committee**

NAPO Executive Director Bill Johnson was invited by the International Association of Directors of Law Enforcement Standards and Training (IADLEST), in partnership with the Department of Justice, Bureau of Justice Assistance (BJA), to participate in an advisory committee to maintain and expand the National Decertification Index (NDI) database. The purpose of this committee is to help design the expansion of

the NDI to assist with the implementation of President Trump's Executive Order on Safe Policing for Safe Communities.

The National Decertification Index (NDI) will serve as a national registry of certificate or license revocation actions relating to officer misconduct. Based on recommendations from this advisory committee, the NDI expansion will facilitate the sharing of information between and among federal, state, local, tribal, and territorial law enforcement agencies regarding instances of excessive use of force, the tracking of terminations, resignations, retirements, and de-certifications, related to on-duty improper use of force, and the establishment of standards to ensure fair due process for inclusion of officers in the database.

NAPO appreciates the opportunity to participate in this advisory committee. We support the premise of expanding the NDI to ensure officers who have substantiated serious allegations of misconduct can no longer practice law enforcement. However, as part of the committee, Johnson will work to ensure those allegations must have been officially and fairly adjudicated and that officers have due process before they are placed in the NDI database.

## **NAPO Continues Push to Ease PSOB Disability Eligibility Requirements**

NAPO pushed for the Protecting America's First Responders Act to be included in the year-end spending and COVID relief package. This important legislation would make it easier for public safety officers disabled in the line of duty to qualify for the Public Safety Officer's Benefits (PSOB) Program's disability benefits, in addition to several other important programmatic changes.

Since the bill passed the Senate by voice vote on May 16, 2019, the bill has been sitting with the House Judiciary Committee, which has chosen not to act on this important legislation. With the 116<sup>th</sup> Congress coming quickly to a close, we revamped our efforts to move the Protecting America's First Responders Act and bypass the Committee, working closely with the bill's sponsors – Senator Charles Grassley (R-IA) and Congressman Bill Pascrell (D-NJ) – and key PSOB stakeholders. Despite bipartisan and bicameral support for the bill, our efforts were not successful as Chairman Nadler (D-NY) refused to allow the bill to move outside of the normal Committee process. Committee staff did promise to work with us on the legislation next year and we will hold them to that promise.

Senator Grassley and Congressman Pascrell stated they will work with us to move it quickly next year and we aim to pass it by National Police Week at the very latest. The Protecting America's First Responders Act is so important because the PSOB Program's incredibly stringent requirements for officers disabled in the line of duty have been applied unfairly and inconsistently. These requirements make it extremely difficult for officers to qualify for PSOB disability benefits, and the PSOB regulations regarding disability benefits do not match up with what Congress intended when it created the disability benefit in 1990.

This legislation would ease the strict requirements for disabled officers to qualify for PSOB disability benefits, ensuring that officers who are catastrophically injured in the line of duty, but can perform some level of meaningful work, would still qualify for the much-needed benefit. It would also ensure that beneficiaries receive the highest award amount possible and it will make certain that all children of public safety officers disabled or killed in the line of duty are able to benefit from the Public Safety Officers' Education Assistance program.

The Protecting America's First Responders Act will be a top priority for NAPO in the 117<sup>th</sup> Congress. The way the PSOB Program treats our nation's disabled first responders is reprehensible and the changes this bill makes to the program are necessary to support these officers and honor the sacrifices they and their families have made.

## **Legislation Introduced to Hold Online Sexual Predators Accountable**

NAPO pledged our support for the Holding Sexual Predators and Online Enablers Accountable Act of 2020 (S. 5012), introduced by Senator Kelly Loeffler (R-GA), which would hold online platforms accountable for enabling the sexploitation of minors.

Since its inception in 1998, the National Center for Missing and Exploited Children's (NCMEC) CyberTipline has received more than 74 million reports of suspected child sexual exploitation. In 2019 alone, the CyberTipLine received 16.9 million reports of apparent child sexual abuse images, suspected "sextortion", child sex trafficking and child sexual molestation. These numbers are only increasing. Unfortunately, due to Section 230 of the Communications Decency Act (CDA) liability protections, law enforcement's ability to enforce child exploitation laws against such online platforms is hampered.

This legislation addresses this issue and narrowly amends Section 230 to allow victims to bring cases against bad actors that willfully and recklessly facilitate child exploitation. It also provides for criminal penalties for such online platforms and enhances penalties for child sexual predators and those that knowingly facilitate materials involving the sexual exploitation of minors. This bill works to protect victims by making certain those who commit or enable these heinous crimes will not go unpunished.

## **117<sup>th</sup> Congress Outlook: Judiciary Committee**

For the **House Judiciary Committee**, Representatives Jerrold Nadler (D-NY) and Jim Jordan (R-OH) will remain the chair and ranking member, respectively, in the 117<sup>th</sup> Congress. Chairman Nadler has promised that the Committee will continue to focus on significant reforms to policing practices as well as several gun control measures that came before the Committee in the 116<sup>th</sup> Congress, including expanding background checks. The Committee is also expected to continue its oversight investigations into the Trump Administration.

Senator Charles Grassley (R-IA) will once again take over as chair of the **Senate Judiciary Committee** after a brief break in the 116<sup>th</sup> Congress. Current ranking member Senator Dianne Feinstein is stepping down from that role and Senator Richard Durbin (D-IL) is expected to take over as ranking member. Much like the House, police and criminal justice reforms is anticipated to be much of the focus of the Committee in the 117<sup>th</sup>. Democrats are also pressing for immigration reform and gun control to be part of the agenda.

With Democrats holding a very narrow majority in the House and a narrowly divided Senate, no matter who wins the Georgia run-off on January 5, there will need to be some bipartisan compromise on legislation coming out of either Committee or it stands little chance of making its way to the President's desk to be signed into law. That being said, the Georgia election is important as the Senate will have a significant say on police reform policies and a Republican Senate will counter – as it did this year – the Democratic House's more radical proposals. Our ability to protect qualified immunity for officers,

safeguard officer due process, and stop continuing efforts to “defund the police” hinges on the results of this election. If Democrats win both Senate seats, Senator Durbin will become the Committee chair and it will be an uphill battle to make certain damaging police reform policies are not put in place.

NAPO will be pushing the Committees to take up the Protecting America’s First Responders Act and the Protect and Serve Act, which provides for increased penalties for violent assaults against law enforcement officers. We will actively be monitoring any police reform legislation that is taken up by the Committees and work to ensure our voice is heard in those discussions.



***NAPO wishes you and your loved ones a happy holiday and we look forward to working with you in the new year!***

**Be sure to look out for NAPO’s legislative review of the 116<sup>th</sup> Congress and our 116<sup>th</sup> Congressional Scorecard in January.**