



# The Washington Report

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

February 18, 2014

## NAPO WASHINGTON REPORT

### **TAKE ACTION: Nomination for Assistant Attorney General for the Civil Rights Division**

On February 6, 2014, the Senate Judiciary Committee voted 10-8 to advance Debo Adegbile's nomination to be the next Assistant Attorney General for the Civil Rights Division at the U.S. Department of Justice. NAPO has consistently voiced strong opposition to Mr. Adegbile's nomination. Under Mr. Adegbile's leadership, the Legal Defense Fund of the National Association for the Advancement of Colored People volunteered their services to defend Mumia Abu-Jamal, a convicted cop-killer. Abu-Jamal was convicted of murdering Philadelphia Police Officer Daniel Faulkner in 1982. Mr. Adegbile worked tirelessly to free this unrepentant cop-killer. The nominee's efforts led to the overturning of the just sentence Abu-Jamal received for murdering a valuable member of the law enforcement community.

**NAPO expects the Senate to vote on this nomination during the next working period, and we plan to expend all available efforts to express our strongest possible opposition to the nominee in the coming weeks. We urge our members to write to your Senators to express opposition to the nominee. For your reference, NAPO's letter of opposition can be found at the following site: <http://www.napo.org/washington-report/latest-news-updates/napo-opposes-debo-adegbile-nomination/>. Please send a copy of your letter to Melissa Nee ([mnee@napo.org](mailto:mnee@napo.org)) so that NAPO can ensure all of our member groups are heard.**

If you have any questions, please contact Melissa Nee at: [mnee@napo.org](mailto:mnee@napo.org) or 703-549-0774.

### **NAPO Meeting on Capitol Hill – Congressman Sessions**

NAPO met with a senior staffer for **Congressman Pete Sessions (R-TX)** on February 12, 2014. The following topics were discussed during the meeting:

**McLelland-Hass Line of Duty Act:** NAPO stressed our support of the McLelland-Hass Line of Duty Act. This legislation would create a new federal crime for the killing, attempted killing, or conspiring to kill a United States judge, federal law enforcement officer, or federally funded public safety officer. The bill would also create a new federal crime for interstate flight to avoid prosecution for killing, attempting to kill, or conspiring to kill a United States judge, federal law enforcement officer, or federally funded public safety officer. The legislation would clarify and enhance penalties for assaulting a federal official during the discharge of his or her duties. Additionally, the bill would

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expressly allow all judges, prosecutors, and law enforcement officials, subject to limited regulations, to carry firearms into all federal facilities, federal courts, and in jurisdictions where the carrying of such weapons is otherwise prohibited by law.

**Justice and Mental Health Collaboration Act (JMHC) of 2013:** NAPO expressed our strong support of the JMHC, which reauthorizes the successful Mentally Ill Offender Treatment and Crime Reduction Act and extends the life of the Justice and Mental Health Collaboration Program (JMHC) for five years. Individuals with mental illnesses are significantly over-represented in the prison and jail population. The JMHC helps criminal justice and mental health agencies work collaboratively towards better outcomes. The JMHC will provide training for law enforcement to identify and respond appropriately to individuals with mental illnesses.

**Bulletproof Vest Partnership (BVP) Grant Program Reauthorization Act:** NAPO explained the importance of the BVP Grant Program, which provides federal funds to state and local law enforcement departments to assist state and local law enforcement efforts to purchase bullet resistant vests. NAPO continues to expend all available efforts to garner additional cosponsors for the House and Senate versions of this bill.

**Officer Sean Collier Campus Police Recognition Act:** NAPO provided background on the Officer Sean Collier Campus Police Recognition Act, which amends the Omnibus Crime Control and Safe Streets Act of 1968 by adding campus police officers to the Department of Justice's Public Safety Officers' Benefits Program. This bill defines a "campus police officer" as a police officer who is authorized to enforce the criminal laws and is employed by an institution of higher education.

**Driver's Privacy Protection Act (DPPA):** NAPO briefed the staffer on our proposed language modifications to the most recent DPPA amendment, which include adding a clause that explains that penalties will be applied only if persons access information with the specific intent to secure an economic benefit. Also, NAPO proposes removing the \$2,500 penalty for a violation of this act, as well as adding a statement that explains there must be repeated disregard of this law for action to be taken. If the language is not modified, law enforcement officers will be subject to large fines, and even the loss of their licenses for *de minimus* actions.

**The staffer was receptive to the above proposals, and we look forward to working with Congressman Sessions on these legislative priorities.**

## **NAPO Meeting on Capitol Hill – Congressman Reichert**

NAPO met with **Congressman Dave Reichert's (R-WA)** senior staff on February 12, 2014 to discuss the Community Oriented Policing Services (COPS) Improvement and Reauthorization Act of 2013. Congressman Reichert is the sponsor of this important legislation and continues to be a staunch advocate for the law enforcement community as the co-chair of the House Law Enforcement Caucus.

Since its inception, the COPS Office, (within the United States Department of Justice), has been extremely successful in implementing and carrying out its designated objectives. To date, COPS has funded over 118,000 community police officers and awarded more than 40,000 grants to 13,300 state, local, and tribal law enforcement agencies, advancing community policing in all jurisdictions across the United States.

**NAPO fully supports the COPS Improvement and Reauthorization Act, and looks forward to continuing to work with Congressman Reichert and his staff to pass this important bill. NAPO will keep our members updated on the status of this legislation.**

## **NAPO Attends NCJA Brown Bag**

NAPO participated in the monthly National Criminal Justice Association (NCJA) Brown Bag on February 10, 2014. Staffers for **Chairman Bob Goodlatte (R-VA)** (House Judiciary Committee) and **Chairman Jim Sensenbrenner (R-WI)** (House Judiciary Committee's Subcommittee on Crime, Terrorism, Homeland Security, and Investigations) discussed priorities for 2014. The following list includes items the Judiciary Committee plans to address:

- The first hearing on the reauthorized Over-Criminalization Task Force is expected to be held at the end of February. The goal is to hold a hearing each month for the next six months.
- Both Chairmen Goodlatte and Sensenbrenner plan to review the efficiencies of grant management at the Department of Justice (DOJ). The Judiciary Committee plans to review ways to consolidate and streamline DOJ grant programs, as well as create greater transparency in the system.
- Chairmen Goodlatte and Sensenbrenner have prioritized bills addressing child exploitation and sex trafficking. (NAPO is a staunch advocate of Congressman Ted Poe's End Sex Trafficking Act & Justice for Victims of Trafficking Act).
- Both Chairmen will also review legislation involving mentally ill individuals in the criminal justice system. (As noted above, NAPO is a strong advocate of the JMHCA and will continue to work with fellow stakeholders to advance the legislation).

**NAPO will continue to keep our members updated on Judiciary Committee actions and ensure our priorities remain at the top of the Committee's agenda.**

## **NAPO Victory - TSA Decision Not to Arm Agents**

The Transportation Security Administration (TSA) is reviewing its protocols in response to the November 1 shooting at Los Angeles International Airport, and while there are many potential changes under consideration, Administrator John Pistole has declared that arming TSA agents will not be one of them.

In the wake of the shooting, TSA union officials called for the creation of a class of armed TSA officers with law enforcement training and the authority to make arrests. Visiting LAX on January 30 to announce the opening of a "pre-check" expedited screening application center in Terminal 5, TSA head Pistole stated that the agency has officially rejected the idea, and that introducing more guns is not the solution. The conclusion that carrying weapons should be left to trained, dedicated airport police officers is consistent with the findings of many law enforcement experts, who point out that arming TSA agents would be expensive, time-consuming, and a distraction from their primary purpose of screening passengers for dangerous items. Perhaps most crucially, it would blur the delineation between TSA personnel and airport police, breaking the chain of command, delaying responses, and jeopardizing public safety.

Instead, the ongoing TSA review will focus on ways to improve communication with local law enforcement. Pistole praised the swift reaction of LAXPD officers to the shooting, noting that they came within two minutes of the radio call and subdued the shooter within two and a half minutes:

**This is a victory for NAPO, as we brought this issue to the attention of Congress in November 2013. NAPO expressed great concern about the proposal to issue firearms and grant arrest authority to TSA screeners. NAPO stressed that sworn and trained police officers, accountable to their own local public jurisdictions, should continue to be utilized for all law enforcement tasks. NAPO explained that responses should remain the duty of state and local law enforcement officers who already possess the appropriate training, experience, and equipment. Overlapping law enforcement and TSA duties would have jeopardize public safety.**

**Source:**

"Los Angeles Airport Peace Officers Association :: LAAPOA." *Los Angeles Airport Peace Officers Association :: LAAPOA*. LAAPOA, n.d. Web. 14 Feb. 2014. <[http://laapoa.com/enews/LAAPOA\\_Supports\\_TSA\\_Decision\\_Not\\_to\\_Arm\\_Agents.php](http://laapoa.com/enews/LAAPOA_Supports_TSA_Decision_Not_to_Arm_Agents.php)>.

## **SENATE POSTAL REFORM BILL INCLUDES FECA CHANGES, CLEARS COMMITTEE**

On February 6, 2014, the Senate Homeland Security and Governmental Affairs Committee cleared its postal reform legislation (S. 1486), the result of bipartisan collaboration between the panel's Chairman, **Tom Carper (D-DE)**, and ranking member, Dr. **Tom Coburn (R-OK)**.

The legislation was introduced last summer, and had several hearings scheduled and rescheduled, before the sponsors unveiled a managers amendment that addressed some concerns raised by postal employees and other groups.

Overall, the legislation is designed to free the Postal Service from the need to prefund future retirees' healthcare payments, a requirement mandated in a 2006 postal law. The Postal Service has defaulted on those payments for the past two years.

The bill contains a provision affecting the Federal Employees Compensation Act (FECA) that would affect all federal employees, if enacted. Essentially, the proposed FECA change would lead to a decrease in the overall rate of compensation to 66.7 percent of a workers' pre-injury salary. Currently, that number for FECA participants with dependents is up to 75 percent of salary.

**NAPO has fought for the FECA language to be removed from the bill. NAPO will continue to work this issue with key stakeholders, and provide our members with updates as the bill moves forward.**

### **Source:**

"Senate Postal Reform Bill Includes FECA Changes, Clears Committee." *FEDmanager*. FEDManger, 11 Feb. 2014. Web. 14 Feb. 2014. <<http://www.fedmanager.com/columnswats-happening/from-the-hill/1580-senate-postal-reform-bill-includes-feca-changes-clears-committee>>.

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