



The Washington Report

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

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NAPO Priorities: 117th Congress Mid-Term Review

NAPO was successful in 2021 moving our legislative and policy priorities forward, including the enactment of three of our top priorities: the Protecting America's First Responders Act, the COPS Counseling Act and the Jaime Zapata and Victor Avila Federal Officers and Employees Protection Act. These wins and others are highlighted below in our year-end review.

NAPO Priority Legislation Signed into Law

Protecting America's First Responders Act. It makes it easier for public safety officers disabled in the line of duty to qualify for the federal Public Safety Officer's Benefits (PSOB) Program's disability benefits, ensures that beneficiaries receive the highest award amount possible, and makes 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. It also includes a two year extension of the COVID presumption for PSOB eligibility for public safety officers who had COVID-19 at the time of death or who are disabled due to COVID-19.

COPS Counseling Act. It implements confidentiality standards for federal law enforcement peer support counseling programs and directs the U.S. Attorney General to report on best practices and professional standards for state and local peer support counseling programs. It is a significant step forward in ensuring that all law enforcement officers across the nation have access to confidential peer support programs.

Jaime Zapata and Victor Avila Federal Officers and Employees Protection Act. It ensures justice is served by applying federal extra territorial jurisdiction to federal murder or attempted murder cases of federal law enforcement officers. It is a simple fix to a hole in federal law that ensures that federal law enforcement officers serving abroad receive the same protections as those serving at home.

NAPO Priority Legislation Passed by the Senate

Better Cybercrime Metrics Act. This bill was passed by the Senate by unanimous consent on December 7, 2021. It would establish standardized metrics for tracking cybercrime that would help law enforcement, policy makers, and criminologists better understand the scope and size of cybercrime in the United States. It also would mandate the FBI integrate the new cybercrime metrics into its current reporting systems and databases, making it easier for state and local law enforcement to collect and report on data on cybercrime incidents in their jurisdictions.

Residential Substance Use Disorder Treatment Act. This bill was passed by the Senate by unanimous consent on July 30, 2021. It would reauthorize the Residential Substance Use Disorder Treatment program for the next five years at \$40 million annually. This program provides funding, training and technical assistance for states and local governments to develop and implement critical substance use disorder treatment programs in state, local, and tribal correctional and detention facilities and to create and maintain community reintegration services for individuals upon release to the community.

Additional NAPO Victories

Securing funding for state and local governments in the American Rescue Plan. NAPO worked to secure over \$350 billion in direct aid to state and local governments in President Biden's COVID aid package, the American Rescue Plan, which was signed into law in March 2021. The Coronavirus State and Local Recovery Funds can be used - amongst other things - to provide premium pay of up to an additional \$13 an hour to essential workers, capped at \$25,000 per worker, and to fund government services, including public safety, that were reduced due to the pandemic and related revenue losses.

In July 2021, reacting to the country's violent crime wave, the Administration expanded the allowable uses for the Recovery Funds under its comprehensive strategy to fight violent crime to specifically include the rehiring of police officers and other public servants to restore law enforcement and courts to their pre-pandemic levels. In communities that are experiencing an increase in violent crime, they can use the funds to hire officers, even above pre-pandemic levels, or to pay overtime for officers engaged in community policing. To summarize, the Coronavirus State and Local Recovery Funds can be used to pay hazard pay, overtime, and for the hiring and retention of officers.

NAPO looks forward to building on these victories, continuing to press our legislative agenda and have a successful rest of the 117th Congress.

Draft Presidential Executive Order on Police Reform Leaked

On January 5, NAPO learned of and obtained a copy of a draft Presidential Executive Order on police reform that is being circulated. The draft Order would implement much of Senator Booker's police reform legislative proposal that we fought so hard to stop last year, and which was rejected by Congress. The new proposed Executive Order cannot do away with qualified immunity or expand Section 242 of U.S. Title 18 (criminal prosecution of officers for civil rights violations) as it is an Executive Order, not a law, but it does recommend that Congress make significant changes to those long-standing officer protections.

Through its various provisions, the draft Executive Order, in effect, sets up a situation where the Department of Justice will be managing the hiring, training, deployment, and policy, including use of force and equipment, for every state and local agency. It would make law enforcement more dangerous and difficult for officers and it would exacerbate the already dire recruitment and retention issues facing state and local agencies.

NAPO alerted our members to the draft Order and sent [a letter to the White House Domestic Policy Advisor](#), Ambassador Susan Rice, and the Domestic Policy Council highlighting a few of our biggest concerns with the draft and expressing our dismay that we, as one of the biggest voices for rank-and-file law enforcement, were not at the table for its drafting. We asked for the opportunity to engage in a robust discussion of our concerns, specific provisions the Administration is considering including in the final Executive Order, and the goals of the Administration on the issue of police reform. The Administration responded stating that the

document leaked is not the final Order and we are scheduled to meet with the Administration to review where they are with the draft Order.

An outline of the leaked draft Executive Order on police reform can be found [here](#).

We will continue to update you on the status of this Executive order and any Executive Order that threatens to harm law enforcement.

NAPO Supports Bill to Give Small, Rural Departments Greater Access to COPS Program

NAPO pledged its support for the COPS on the Beat Grant Program Reauthorization and Parity Act, H.R. 6375, introduced by Representatives Tom Rice (R-SC) and Abigail Spanberger (D-VA). This legislation would reauthorize the COPS Grant program, expands the grant program to allow rural, low-income communities to use COPS Hiring Program (CHP) grant funding to increase law enforcement wages, and removes the preference for agencies that can afford a higher match than required. The bill would also provide for a lower match for qualifying lower-income rural communities that gradually increases over time to ensure these departments can participate in the CHP grant program.

The COPS Program provides invaluable resources, training, and technical assistance to state and local law enforcement agencies, helping to keep our communities safe. However, small and rural agencies across the country find themselves getting left behind due to their size and lack of resources. The COPS on the Beat Grant Program Reauthorization and Parity Act levels the playing field for small and rural law enforcement agencies and ensures greater access to departments in lower-income communities that otherwise would not be able to afford to participate in the grant program.

NAPO worked tirelessly with members of Congress and the Administration to enact the COPS Program in 1994. We similarly worked closely with Representatives Rice and Spanberger to ensure this reauthorization continued and enhanced the original intent of the COPS Program to support law enforcement agencies large and small, urban and rural hire and retain community police officers. We thank Representatives Rice and Spanberger for their leadership and we look forward to working with them to ensure all law enforcement agencies have the support and resources necessary to serve and protect our communities.

Build Back Better Suffers Setback

Right after Congress adjourned for the holiday recess, Senator Joe Manchin (D-WV) announced that he would not support the President's Build Back Better Act in its current form. Senator Manchin wants Democrats to completely rework the proposal and move it through the Committee process, much to House and Senate Democratic leaderships' chagrin. He has stated he may support a significantly scaled back package that focuses on fewer policies and programs that are authorized for longer rather than a package with any programs authorized for shorter periods. It is unclear whether a fix to the state and local tax (SALT) cap deduction is something that the Senator would support as part of a new Build Back Better Act.

Senators Manchin and Kirsten Sinema (D-AZ) have been obstacles to progressives getting the large reconciliation package that they want. Both senators, but Manchin in particular, are the key to moving any social spending package forward and in the end, it must be something that they will support.

Eliminating or substantially revising the cap to the SALT deduction is a priority for NAPO and we will

continue to work with our allies in Congress to ensure it is included in whatever is the final Build Back Better Act or another must pass bill.

NAPO's Legislative Scorecard for the 1st Session of the 117th Congress Available

Find out how your representatives and senators voted on NAPO's priority legislation by reviewing NAPO's Legislative Scorecard for the first term of the 117th Congress, which is available on our [website](#) under Washington Report. The results include all recorded votes that impacted NAPO's members in Congress during 2021. The Legislative Scorecard includes a description of the votes analyzed in 2021 and NAPO's stance on each of the votes as well as spreadsheets detailing how Members of Congress voted on each of our priority bills.

While there were recorded votes on NAPO's priority legislation in the House in 2021, there were no Senate roll call votes on our priorities in the first term of the 117th Congress. NAPO had several legislative victories in the Senate that were passed by unanimous consent, which does not record how each individual senator voted for the legislation. The purpose of the Scorecard is to only track yea/nay votes in order that we can attribute support or opposition to senators on NAPO's priority legislation and analyze their support for our positions in a meaningful way.

Included with this Mid-Term Report is our Sponsor/Cosponsor spreadsheet, which is a useful tool to check if your members of Congress have supported pieces of legislation that will impact our members. This will give you a fuller picture of individual member's support for our issues, particularly in the Senate where we have no votes to score.

If you have any questions about the Legislative Scorecard or any of the legislation that NAPO is currently working on, please contact Andy Edmiston at aedmiston@napo.org.

NAPO on the Hill: Justice & Mental Health Collaboration

NAPO is working with Senator John Cornyn (R-TX) and Representative Bobby Scott (D-VA), the long-time sponsors of this important program, and stakeholder organizations to introduce legislation to reauthorize and improve the Justice and Mental Health Collaboration Program (JMHC). NAPO is a long-time supporter of the JMHC, which grew out of the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA). 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.

JMHCP must be reauthorized to ensure law enforcement continue to have access to these vital grants and training programs. We hope to have the bipartisan legislation introduced soon so we can quickly move it forward.

It's Not Too Late! Register for NAPO's Pension & Benefits Seminar

**February 27 – March 1, 2021 (NEW DATES)
Caesars Palace Hotel & Casino ~ Las Vegas, Nevada**

Please join us at [NAPO's 33rd Annual Police, Fire, EMS, & Municipal Employee Pension & Benefits Seminar](#), February 27 – March 1, 2021 at the Caesars Palace Hotel in Las Vegas, Nevada, and learn from industry experts the latest information on pensions and benefits.

The seminar will focus on the brittleness and potential causes for concern in today's pension and benefits environment. While stock markets continue to set new records, individual investment confidence is faltering. Inflation and stagflation are rearing their heads, and the market run-up, while high, is also narrow, and confined to a relatively few areas. Politically, both parties are already looking ahead to the midterm elections, and economic policies are a major dividing line between them. Global corporate taxation, the long-term impact of extraordinary governmental stimulus spending, mounting national debt, and expansion of IRS taxation and reporting powers are just some of the issues being debated. We will examine these areas and more as we evaluate the effect of these trends on public employment benefits and security, and the overall economic situation for the near- and mid-term.

Take an active role in improving the future of your fund by registering today. You will find information regarding registration, hotel reservations and the full agenda on NAPO's website: www.napo.org/PB22 or complete [the brochure](#) and fax it to NAPO at (703) 684-0515.

Don't miss out! REGISTER NOW!

NAPO's Executive Board Meeting will be held in conjunction with the Pension & Benefits Seminar on February 27, 3:30 p.m. – 5:15 p.m.

If you have any questions or need additional information, please do not hesitate to contact NAPO's Director of Events, Elizabeth Loranger, at eloranger@napo.org or (703) 549 -0775.

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.