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Representing America's Finest

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NAPO Meetings with DOJ Leadership Regarding President's Budget

On February 13, NAPO's Executive Director Bill Johnson met with Principal Deputy Assistant Attorney General Alan Hanson, head of the Office of Justice Programs (OJP), Bureau of Justice Assistance (BJA) Director Jon Adler, and Associate Deputy Attorney General Steve Cook, head of the Attorney General's Law Enforcement Liaison Office. The purpose of the meeting was to discuss the President's budget proposal, the merger of COPS into OJP and how we feel our priority programs fared under the proposal. NAPO also attended a law enforcement stakeholder meeting regarding the proposed budget with Associate Deputy Attorney General Cook, Principal Deputy Assistant Attorney General Hanson and BJA Director Adler on February 15 to discuss the budget proposal.

In general, the budget proposal for DOJ focuses on reducing violent crime, fighting against the opioid crisis and enforcing immigration law and proposes adequate sustained funding for several of NAPO's priority grant programs, including the Bulletproof Vest Partnership (BVP) Grant Program, the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA), and the Adam Walsh Act. However, the budget proposes to move these programs under the Byrne Justice Assistance Grant (Byrne JAG) Program as carve-outs, taking a big chunk of funding away from that important grant program. The Community Oriented Policing Services (COPS) Hiring Program also suffered significant cuts under the President's proposed budget.

In addition to almost halving the funding amount for the COPS Hiring Program, the President's budget proposes to merge it under BJA, which oversees the majority of the DOJ's state and local law enforcement grant programs as well as the PSOB Office. The purpose is to consolidate all of DOJ's state and local law enforcement assistance programs and bureaus under one office. DOJ would create a Deputy Director under BJA Director Adler to run the COPS Program. NAPO does not oppose the consolidation as long as vital COPS programs, including Hiring Program, the National Blue Alert Network and the peer mentoring pilot grant program that passed as part of the Law Enforcement Mental Health and Wellness Act, remain adequately funded and staffed under BJA.

NAPO had concerns that several of these programs were being cut because the budget makes no mention of them. Johnson raised this concern with Associate Deputy Attorney General Cook, Principal Deputy Assistant Attorney General Hanson and BJA Director Adler and he was assured that these programs are priorities for the Department. The National Blue Alert Network will continue to function as it is under BJA and they are looking to make the peer mentoring pilot program part of the Preventing Violence Against Law Enforcement Officer Resilience and Survivability (VALOR) Program, which focuses on office safety and wellness.

Johnson also voiced our concern with the proposed funding level for the COPS Hiring Program and told the DOJ leadership that it is a NAPO priority to ensure Congress appropriates a significantly higher amount for

this important program. The President's budget proposes \$99 million, which is well below the \$207 million that the President requested for fiscal 2018 and the \$187 million the Program was appropriated in Fiscal 2017. The proposal includes \$35 million in carve-outs for the Tribal Resources Grant Program, community policing development, the Collaborative Reform Model, and the Regional Information Sharing System. This leaves just \$64 million to help state and local agencies hire and rehire law enforcement officers through the COPS Hiring Program, which is unacceptable.

NAPO reiterated the importance of COPS Hiring, Blue Alert, and law enforcement mental health and wellness at the stakeholder meeting. The DOJ leadership once again reiterated the importance of the COPS Program and their importance to the Department's mission in supporting its state and local law enforcement partners.

NAPO will work closely with members of Congress to ensure that the COPS Hiring Program is funded well above the \$99 million proposed by the President and that there is strong funding for all NAPO's priority state and local law enforcement programs.

If you have any questions about the President's Fiscal 2019 Budget, please contact Andy Edmiston at aedmiston@napo.org.

NAPO Supports Sanctuary Cities Amendment

NAPO supported and lobbied for the Stop Dangerous Sanctuary Cities Act, which Senator Pat Toomey (R-PA) introduced as an amendment during the Senate's week-long debate on comprehensive immigration reform. Although the amendment failed by a vote of 54-45, falling short of the 60 needed, all Republicans voted in favor and we gained additional Democrat support, which is far better than it fared when it was last voted on in 2016.

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 Dangerous Sanctuary Cities 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 Dangerous Sanctuary Cities 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 would withhold certain federal funds – Community Development Block Grant funds and certain Economic Development Administration grants – from cities and municipalities who do not comply with the law. This legislation will not punish law enforcement for decisions made by elected officials by taking away much needed federal grant funding such as the COPS Program or the Byrne Justice Assistance Grant (Byrne-JAG) Program, but instead focuses the penalties on the grant programs most important to city and county managers.

Further, 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.

NAPO will continue to push this important legislation any way we can and we will work with Senator Toomey to try to add this as an amendment to an immigration reform bill or legislation dealing with an extension of rights under the Deferred Action for Childhood Arrivals (DACA) program.

NAPO on the Hill: Sentencing Reform and Corrections Act

On February 15, the Senate Judiciary Committee passed the Sentencing Reform and Corrections Act by a vote of 16-5, despite near-unanimous opposition from the law enforcement community and the Department of Justice. Six Republicans, including Committee Chairman Charles Grassley (R-IA), joined all of the Committee's Democrats in voting in favor of the bill. The opposition of the law enforcement community at all levels of government – federal, state and local – did not dissuade the bills proponents who listed all of the other organizations supporting it. It was made to seem that law enforcement, the practitioners most impacted by this legislation, were outliers who just do not understand the changes that need to be made to the nation's criminal justice system.

This legislation tries to do too much at once, and consequently, would negatively impact public safety. States and localities would become the dumping ground for federal criminals due to the sentencing and correctional reforms and the bill does not contain the safeguards, support and resources that would be necessary for communities to handle the influx of parolees. As we have seen in California, while the state prison reforms have led to lower state prison populations and some savings for the state, it has resulted in increased stresses on local and county budgets and resources as those prisoners who were once wards of the state fill county jails and flood community services.

Further, NAPO continues to believe that mandatory minimums are a strong deterrent for criminals and an important tool in helping law enforcement keep our communities safe from violent crime. We have supported smart sentencing reduction in the past, including the Fair Sentencing Act of 2009, which reduced the sentencing ratio for crack and powder cocaine offenses. The important difference is that while the Smarter Sentencing Act reduced mandatory minimums, it also targeted and punished those who bring the most destruction to our neighborhoods: dealers or sellers who use violence or weapons, or cause injury to or threaten others, regardless of the form of cocaine. The Sentencing Reform and Corrections Act does not provide for such safeguards.

NAPO will continue to voice our opposition to the bill until our concerns are heard and consideration of this legislation as it is currently written stops. We do not stand in the way of criminal justice reform; we stand in the way of bad policies that will harm law enforcement and the communities they serve.

It is unclear if the Sentencing Reform and Corrections Act will be taken up on the Senate floor. The House Judiciary Committee is also taking up criminal justice reform, but because of the strong law enforcement backlash to the Sentencing Reform and Corrections Act, it is looking at just doing correctional reforms. NAPO will monitor the progress of both the House and Senate bills and keep our members updated on their status. If you have any questions, please contact Andy Edmiston at aedmiston@napo.org.

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