



The Washington Report

The Newsletter of the National Association of Police Organizations

Representing America's Finest

February 14, 2017

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NAPO's 29TH ANNUAL PENSION & BENEFITS SEMINAR

Please join NAPO at our 29th Annual Police, Fire, EMS and Municipal Employee Pension & Benefits Seminar February 26 - 28, 2017 at Hyatt Regency Grand Cypress in Orlando, Florida.

Thanks to the assistance of our impressive advisory board, we are receiving overwhelming responses to our seminar. Our goal is to educate pension and union representatives, along with their providers, on the latest issues surrounding the pensions and benefits industry.

This year's key issues include: Economic and Political Updates, Asset Allocations, Alternative Investments, Department of Labor's New Fiduciary Rules, Rising Health Care Costs, The Imposition of the "Cadillac Tax" on Public Safety Plans, just to name a few.

Take an active role in improving the future of your fund by registering for this informative seminar. If you have any questions, please contact Elizabeth Loranger, NAPO's Director of Events, at (800) 322-6276 or email eloranger@napo.org.

NAPO Victory! Trump Issues Executive Order on Preventing Violence Against Law Enforcement Officers

President Trump issued an Executive Order on February 9, 2017, entitled "[Preventing Violence Against Federal, State, Tribal, and Local Law Enforcement Officers](#)." NAPO has long been advocating for the policies and actions laid out in the Executive Order and in a meeting with the Trump presidential transition team, we included our suggestions for preventing violence against law enforcement in both our oral and written remarks to the team.

The Executive Order reflects NAPO's position in making the case for existing constitutional bases for federal protections of state and local officers, including enacting new federal criminal provisions to address the assault and murder of federally-funded local law enforcement officers, such as those officers whose agencies receive aid from the federal DOJ or DHS. (Please see [NAPO's written remarks](#), specifically under the heading "Increased Penalties for Crimes against Law Enforcement".)

NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS

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NAPO argued for these federal protections repeatedly in conversations with the Obama Administration, including meetings with Attorney General Eric Holder and his successor Loretta Lynch, Assistant Attorney General for the Civil Rights Division Vanita Gupta, and Department of Justice (DOJ) staff, all with zero interest. We then bring up our suggestions in written remarks to the Trump DOJ transition team and we get a response within weeks of Mr. Trump's inauguration in the form of this Executive Order that directly addresses our proposals.

There is a new day dawning for American law enforcement officers when it comes to the President of the United States and the Department of Justice supporting us.

In addition to this Executive Order, the President also issued an Executive Order directing the Attorney General to establish a [task force on crime reduction and public safety](#) and another that would increase resources for federal law enforcement agencies to [strengthen enforcement of federal laws regarding transnational criminal organizations and to prevent international trafficking](#).

These executive orders were issued at the swearing-in ceremony for Senator Jeff Sessions to be Attorney General, following his confirmation by the Senate on February 8th. NAPO looks forward to working with the new Attorney General and Department of Justice on the issues addressed by these executive orders.

NAPO Supported Law Enforcement Officers Equity Act Introduced

NAPO has pledged its support for the Law Enforcement Officers Equity Act (H.R. 964), sponsored by Congressman Peter King (R-NY). This bill would expand the definition of "law enforcement officer" for retirement purposes to include certain Federal law enforcement officers, who, despite their classification as police officers, are not granted the same retirement benefits as other law enforcement officers in that class. These officers face the same risks and challenges as the law enforcement personnel currently classified as law enforcement officers.

This legislation is not only important because it will ensure all federal law enforcement officers are eligible for the same enhance retirement benefits, but it is also significant as it will improve the ability of these agencies to recruit and retain experienced and highly trained law enforcement officers. This bill will ensure that officers across the country, who put their lives on the line each and every day to protect us, earn the benefits that they deserve.

NAPO is most grateful for Congressman King's steadfast support of the law enforcement community, and we look forward to working with the Congressman and his staff to advance this important bill.

If you have any questions about this legislation, please contact Andy Edmiston at aedmiston@napo.org.

NAPO Endorses the Health Savings Act of 2017

Congressman Michael Burgess (R-TX) reintroduced the Health Savings Act of 2017, which will expand the use of Health Savings Accounts (HSAs) and allow Americans to put aside money for themselves and their children to help mitigate the rising cost of deductibles and out-of-pocket healthcare expenses.

Public safety officers have been impacted by the current law, which only allows HSAs to be purchased for certain health insurance plans, and contributions are restricted to levels that are often substantially lower than deductibles. This bill will help to ensure that HSAs may be used more broadly, thereby increasing patient choice in how their healthcare dollars are spent. Additionally, it would allow parents to set up an HSA for their

child, while allowing the contributor to claim an after-tax deduction. The Health Savings Act would also raise the contribution limit to match the maximum out-of-pocket limit and provide bankruptcy protections to HSAs in the same way retirement accounts are currently protected.

NAPO strongly supports this legislation as we believe this bill is important to the law enforcement community. We have let Congressman Burgess and his staff know that NAPO stands ready to support any efforts necessary to pass this legislation.

If you have any questions about the Health Savings Act, please contact Andy Edmiston at aedmiston@napo.org.

NAPO on the Hill: Line of Duty Act and DPPA Amendments

NAPO met with senior staff for **Congressman Ted Poe (R-TX)** and **Senator John Cornyn (R-TX)** about the reintroduction of the Line of Duty Act. This legislation would create a new federal crime for the killing, attempted killing, or conspiring to kill a 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 federally funded public safety officer. This is important for NAPO members because so many of our jurisdictions receive federal funding, and this legislation will help to bring federal resources to bear in the prosecution of those who attempt to murder or murder any of these officers. Additionally, the bill would 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.

The Line of Duty Act perfectly complements President Trump's Executive Order on preventing violent against law enforcement officers. NAPO has long fought for increased federal protections for state and local law enforcement officers and we are working with Congressman Poe's and Senator Cornyn's staff on the reintroduction of this critical piece of legislation.

NAPO also met with senior staff for **Congressman Ted Deutch (D-FL)**, who will be reintroducing our amendment to the Drivers Privacy Protection Act (DPPA). The DPPA was originally enacted in 1994 to protect the privacy of personal information assembled by the State Department of Motor Vehicles (DMV). The DPPA prohibits the release or use by any DMV (or an officer, employee, or contractor) of personal information about an individual obtained by the department in connection with a motor vehicle record.

The latest amendment to the DPPA requires DMVs to receive permission from individuals before their personal motor vehicle record may be sold or release to third-party marketers. This is a major concern for the law enforcement community as this amendment authorizes a private right of action for knowing violations and a court may award damages in the amount of \$2,500 for each time a record is accessed, as well as attorney fees and other litigation costs. Law enforcement officers are subject to these stringent punishments, even if they did not review files with criminal intent.

The NAPO-backed legislation to be reintroduced by Congressman Deutch would address our concerns that merely accessing the information subjects an officer to penalties and it would also raise the threshold at which punitive damages would apply. This would permit an officer to access the information without being penalized, unless the information was disclosed publically. NAPO strongly believes that if the DPPA language is not modified, law enforcement officers will be subject to large fines, and even the loss of their licenses for *de minimus* actions.

NAPO thanks Congressmen Poe and Deutch and Senator Cornyn for their continued support for America's law enforcement officers. We are working with their offices to ensure these two important bills will be reintroduced

with bipartisan support and we will keep our members up to date on their status. If you have any questions, please contact Andy Edmiston at aedmiston@napo.org.

NAPO in the News

On January 30th, NAPO Executive Director Bill Johnson was quoted in an article for *The Advocate* entitled, “Number of Officers Retiring and Resigning in Baton Rouge Inches Up in Recent Years”. As the title suggests, the article discusses the growing number of officers and sheriff’s deputies who have been voluntarily leaving over the past couple of years and the possible reasons behind the spike in departures.

“Bill Johnson, the executive director of the Virginia-based National Association of Police Organizations, said there aren’t nationwide statistics available that show an increase in resignations on that scale, but he’s heard of similar issues at many local departments.

‘For about two years, there’s been a marked shift in the view of whether or not entering the policing profession is worth it anymore,’ Johnson said. ‘Part of it is it has become more dangerous... (but also officers) felt local political leadership didn’t have their backs like it used to.’”

The full article is available at: http://www.theadvocate.com/baton_rouge/news/article_c1e05bd2-ea5c-11e6-ad40-ef7265d0afec.html?sr_source=lift_amplify

NAPO continues to ensure our members’ voices are heard loud and clear on the Hill, with the Administration, and in the media. If you have any questions about the publication cited above, please contact Bill Johnson at: bjohnson@napo.org.

NAPO Supports Legislation to Combat Synthetic Drugs

NAPO has pledged its support for two bills dealing with the issue of synthetic drugs. The first, the Synthetic Abuse and Labeling of Toxic Substances (SALTS) Act (S. 207), is a bipartisan bill sponsored by Senators Amy Klobuchar (D-MN), Lindsey Graham (R-SC), Dianne Feinstein (D-CA), Chuck Grassley (R-IA), Sheldon Whitehouse (D-RI), John Cornyn (R-TX), Richard Blumenthal (D-CT), Thom Tillis (R-NC), Mark Warner (D-VA), and Orrin Hatch (R-UT) that would help address a significant issue law enforcement faces in their fight against synthetic drugs. Current law makes it difficult to prosecute new synthetic drugs as analogues because they are often labeled “not intended for human consumption” despite their well-known use as recreational drugs with dangerous side effects. The SALTS Act would make it easier to prove that synthetic drugs are intended for human consumption and thus easier to prosecute.

There have been reports from states around the country of people acting violently while under the influence of these drugs, leading to deaths or injuries to themselves and others. While taking these drugs, people can experience elevated heart rates and blood pressure, hallucinations, seizures, and extreme agitation. By making it easier to prove that synthetic drugs are intended for human consumption, this legislation will help law enforcement in their efforts to get these drugs off the streets and out of stores.

NAPO has also endorsed the Synthetic Drug Awareness Act (H.R. 449), sponsored by Congressman Hakeem Jeffries (D-NY), which would require the Surgeon General to submit a report to Congress on the effects the increased use of synthetic drugs by children ages 12-18 years old has had on public health since January 2010. The Surgeon General report is intended to educate Congress and the public so that lawmakers can adequately address the growing issue of the abuse of synthetic drugs by our nation’s youth.

In meetings with NAPO, the Senate Judiciary Committee has indicated that it will be pursuing a legislative package aimed at addressing our nation's synthetic drug problem. Synthetic drugs affect communities across the country, both big and small, and local law enforcement officers are on the front line in the fight against these drugs. There is a reason more and more agencies are equipping their officers with Naloxone and similar anti-overdose drugs. Officers and the communities they serve need all of the resources and help they can get to combat these drugs and ensure the safety of our children.

If you have any questions about the SALTS Act or the Synthetic Drug Awareness Act, please contact Andy Edmiston at aedmiston@napo.org.

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.