



# NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

*Representing America's Finest*

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## EXECUTIVE OFFICERS

February 26, 2024

### **MICHAEL McHALE**

President  
*Florida Police Benevolent  
Association*

The Honorable Edward J. Markey  
United States Senate  
255 Dirksen Senate Office Building  
Washington, D.C. 20510

### **JOHN A. FLYNN**

Vice President  
*Police Benevolent  
Association of New York City*

Dear Senator Markey:

### **CRAIG LALLY**

Recording Secretary  
*Los Angeles Police  
Protective League*

On behalf of the National Association of Police Organizations (NAPO) and the over 241,000 sworn law enforcement officers we represent across the country, I am writing to advise you of our serious concerns with S. 3409, the End Solitary Confinement Act.

### **SCOTT HOVSEPIAN**

Treasurer  
*Massachusetts Coalition  
of Police*

The staffing and resource shortages at the U.S. Bureau of Prisons (BOP) is a growing issue that is impacting both correctional officers, BOP staff, and incarcerated individuals. Correctional officers are facing mandated overtime, often working 16 hours shifts, and when overtime is not enough to ensure the prison population is sufficiently supervised, BOP management is forced to pull medical personnel, librarians, and janitors from their duties to act as correctional officers. This places all individuals within the prison facility in danger.

### **KEITH CURRY**

Sergeant-at-Arms  
*New Jersey State Policemen's  
Benevolent Association*

### **SCOTT LEETON**

Executive Secretary  
*Combined Law Enforcement  
Associations of Texas*

With BOP facilities facing such staffing and resource shortages, the homogeneous approach to out-of-cell time for all inmates that the End Solitary Confinement Act mandates significantly endangers both inmates and staff and is not consistent with sound correctional practices. There is a need for flexibility, particularly when dealing with predatory or violent individuals, that this bill does not allow for. Solitary confinement is necessary for the safety of all individuals within the prison facility. Individuals are put into solitary confinement for violence against other inmates or correctional officers, for gang and drug-related activity, or even to keep individuals safe from violent threats from other inmates.

### **MARK YOUNG**

Vice President,  
Associate Members  
*Detroit Police Lieutenants &  
Sergeants Association*

### **JAMES PALMER**

Parliamentarian  
*Wisconsin Professional Police  
Association*

In this current environment, it would be dangerous and nearly impossible for BOP facilities to safely and fully implement the requirements of the End Solitary Confinement Act.

Unfortunately, state and local correctional facilities are facing the same scarcities in staffing and resources. Through arbitrary penalties to Byrne Justice Assistance Grant program funds, the End Solitary Confinement Act endangers the ability of state and local prisons to increase staffing, provide mental health and substance abuse services, and anti-recidivism programming to inmates. This would be counterproductive to the intent of this legislation.

### **WILLIAM J. JOHNSON, CAE**

Executive Director and  
General Counsel

We strongly urge you to focus on addressing the staffing and resource shortages that the BOP and state and local detention facilities are experiencing and ensuring the safety of both facility staff and inmate populations. The fact that those who are tasked with putting their lives on the line to ensure the safety and rehabilitation of those incarcerated are treated with less respect than the inmates themselves is unfathomable. Once our nation's prisons are fully staffed with trained, qualified correctional officers and have the resources to deliver other required anti-recidivism programs and services, then we can discuss how to provide flexible, more expansive out-of-cell time for incarcerated individuals that provides for the safety of both staff and inmates.

We appreciate your consideration of our concerns. Until they have been addressed, NAPO must strongly oppose the End Solitary Confinement Act. If you have any questions, please feel free to contact me at (703) 549-0775.

Sincerely,

A handwritten signature in black ink, appearing to read 'William J. Johnson', followed by a long horizontal flourish.

William J. Johnson, Esq.  
Executive Director