



The Washington Report

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

April 28, 2023

It's Not Too Late! Register Now for NAPO's 2023 Lobby Day Legislative Breakfast & Legislative Awards Luncheon

Don't miss out on the opportunity to join NAPO on Thursday, May 11 for our Lobby Day & Legislative Awards Luncheon on Capitol Hill. This is a great opportunity to lobby Congressional Representatives and Senators on behalf of your members concerning the issues which affect law enforcement. Prior to lobbying Capitol Hill, plan to attend NAPO's Legislative Breakfast for an update on NAPO's legislative priorities, results to date from the 118th Congress and to receive handouts to use during Hill visits.

While on Capitol Hill be sure to stop by NAPO's Legislative Awards Luncheon, which is back after a three year hiatus, where several Representatives, Senators, and their staff will be recognized for their continued support of Law Enforcement.

Please Register [online](#) or complete the attached registration form and return to NAPO at aedmiston@napo.org or eloranger@napo.org by MAY 1, 2023.

For assistance in setting up Capitol Hill appointments, please contact Andy Edmiston, NAPO's Director of Governmental Affairs, no later than May 1st at aedmiston@napo.org or (703) 549-0774.

The registration fee of \$150.00 per person includes the Legislative Update Breakfast, handouts for your Congressional visits and the Legislative Awards Luncheon. **Advanced Registration is required.** Please contact Elizabeth Loranger, NAPO's Director of Events, at (800) 322-6278 or eloranger@napo.org if you have any questions regarding registration or hotel arrangements.

House Passes Resolution Disapproving of D.C.'s Police Reform Statute

The House passed a joint resolution (H.J.Res. 42), sponsored by Congressman Andrew Clyde (R-GA) on April 19 that would overturn a District of Columbia (D.C.) police reform law, the Comprehensive Policing and Justice Reform Amendment Act (CPJRAA), by a vote of 229-189. The joint resolution is not expected to be taken up by the Democratic-controlled Senate and President Biden has stated he will veto the bill if it makes it to his desk.

NAPO has some serious concerns with the CPJRAA that was enacted by the D.C. City Council on January 19, 2023. Most significantly, this Act is an attempt by the Council to strip officers of their Constitutional rights in the name of police reform. We sent [a letter](#) to House leadership in support of the resolution and laying out our concerns with the D.C. law.

The CPJRAA will negatively impact the Metropolitan Police Department (MPD) and the City it serves. The underlying message of this act is that law enforcement officers cannot be trusted. It strips the men and women of the MPD of their right to bargain over accountability or disciplinary issues. This creates substandard collective bargaining rights for the officers, setting them apart from their fellow public servants in the District, who are allowed to bargain over disciplinary issues.

Further, the CPJRAA undermines officers' Constitutional rights, including the right to due process, a right we give to all citizens. This is incredibly concerning. Without guidelines and procedures to protect officers' due process, officers are too often subjected to the whim of their departments or local politics during internal investigations and administrative hearings. The CPJRAA also violates officers' right to privacy by disclosing officer disciplinary records, without regard to personal identifiable information, which risks putting officers and their families in harm's way.

NAPO is concerned the CPJRAA will exacerbate the current hiring and retention crisis the MPD is facing. With the City Council not respecting or trusting the officers who serve and protect their citizens, it will hinder recruitment and impact officer morale. NAPO thanks the Members of Congress who voted to stand with law enforcement officers and overturn this statute. We will continue to urge support for this resolution in the Senate.

NAPO on the Hill: National Police Week Priorities

Every year, NAPO works in conjunction with other national law enforcement organizations – both management and labor – to push a list of bills we all agree on and support to move during National Police Week. We have spent the past few weeks meeting with Democratic and Republican leadership of the House and Senate as well as the House and Senate Judiciary Committees to discuss the pro-law enforcement legislation we want to see moved during National Police Week.

To date, we met with the staff of House Speaker Kevin McCarthy (R-CA), House Minority Leader Hakeem Jeffries (D-NY), Senate Minority Leader Mitch McConnell (R-KY), House Judiciary Ranking Member Jerrold Nadler (D-NY), House Judiciary Chairman Jim Jordan (R-OH), Senate Judiciary Chairman Richard Durbin (D-IL), Senate Judiciary Ranking Member Lindsey Graham (R-SC), House Law Enforcement Caucus Co-Chairs Representatives John Rutherford (R-FL) and Bill Pascrell, Jr. (D-NJ), and Senate Law Enforcement Caucus Co-Chairs Senators Chris Coons (D-DE) and John Cornyn (R-TX). The support of these leaders is vital to our success in moving our priorities.

We discussed the need for legislation to enhance officer safety by increasing penalties for the murder, attempted murder, or assault of federal, state, and local law enforcement officers (**Back the Blue Act** and **Protect and Serve Act**), legislation to improve qualified officers' ability to carry under the Law Enforcement Officer Safety Act (**LEOSA Reform Act**), legislation aiding state and local agencies to hire and retain qualified officers (**Recruit and Retain Act** and **Invest to Protect Act**), a bill to cover exposure-related cancers under the Public Safety Officers' Benefits (PSOB) Program (**Honoring Our Fallen Heroes Act**), and legislation to provide public safety officers with access to affordable homeownership (**HELPER Act**).

We are also urging House leadership to take up the Fighting PTSD Act under suspension of the rules during Police Week. This bill, which would require the Attorney General to propose a program for making treatment for post-traumatic stress disorder and acute stress disorder available to all federal, state, and local public safety officers, passed the Senate by voice vote on March 2. There is no reason this bipartisan bill should not be sent to the President's desk for signature during Police Week.

Additionally, NAPO is working with the Senate Health, Education, Labor and Pensions (HELP) Committee to move the bipartisan Public Safety Concussions and Traumatic Brain Injury Health Act (S. 894) during Police Week.

We continue to garner support of members on both sides of the aisle for all of these bills to ensure we have the support to get them passed.

DOJ Holds Recruitment and Retention Convening

On April 18, NAPO participated in a Recruitment and Retention Convening held by the Department of Justice and led by the Bureau of Justice Assistance (BJA) and the Community Oriented Policing Services (COPS) Office. The purpose of the meeting was to focus on identifying short-term responses and long-term strategies in support of law enforcement agencies and their efforts to recruit and retain qualified professionals. Associate Attorney General Vanita Gupta kicked off the meeting, which was attended by BJA Director Karhlton Moore and COPS Director Hugh Clements. There were over 40 participants in the meeting, with the large majority of participants representing management.

The meeting was largely an open discussion on best practices on a variety of subjects and issues, including eligibility and hiring practices, benefits and incentives, work/life balance and officer wellness, pipeline programs, and the image of the law enforcement profession. No decisions were made at the meeting as to what are the best practices to move forward. The COPS Office will be leading a report that will review the solutions and strategies were discussed in the meeting and put forth best practices based on the discussion as well as recommendations that law enforcement agencies and the DOJ can implement.

NAPO appreciated the opportunity to participate in the meeting and we look forward to continue to provide feedback on this important issue as the report is drafted.

Legislation Based on San Diego POA's Childcare Center Introduced

NAPO has thrown its support behind the Providing Childcare for Police Officers Act (H.R. 2722), which was spearheaded by NAPO member organization, the San Diego Police Officers Association (SDPOA) and introduced by Representative Scott Peters (D-CA) and co-lead by Representatives Josh Harder (D-CA), Darrell Issa (R-CA), and David Valadao (D-CA).

This legislation is an important part of the solution to the recruitment and retention issues law enforcement agencies across the country are experiencing. The Providing Child Care for Police Officers Act would help lift barriers to entry and retention for parents seeking employment or already employed by law enforcement agencies. Through grant funding, this Act would help agencies establish childcare centers specifically tailored for law enforcement officers that accommodate for the nonstandard hours that many work and meet

their financial needs. These centers could also help provide provisions of care for sick children and children with disabilities to ensure that all officers' childcare needs are met.

NAPO strongly believes that this bill will help contribute to safer communities as it will assist in the recruitment and retention of law enforcement officers. The San Diego Police Officers Association, a NAPO member organization, created the [first such childcare center](#) in the nation and it has proved that by easing the complications of childcare services it allowed their officers to better perform in their work. Officers have one of the toughest jobs in the country and deserve to know that their children are being looked after while they are risking their lives to keep us safe.

Senator Daines Gets Commitment from IRS to End Improper Audits on Disabled First Responders

During a Senate Finance Committee hearing on April 19, Senate Steve Daines (R-MT), sponsor of the Putting First Responders First Act, which was enacted into law last year, secured a commitment from IRS Commissioner Danny Werfel that the IRS will end improper audits on disabled first responders. While the Putting First Responders First Act, which codified existing IRS regulations making public safety service-connected disability compensation exempt from Federal income taxes, was signed into law last year, it will not take effect until 2026.

With this commitment on the record, disabled first responders will not have to wait until 2026 to know that they will no longer be unnecessarily audited for taking their earned tax exemption. Commissioner Werfel also stated that the IRS will be issuing clarifying guidance that will assist disabled first responders when they're preparing their tax returns. He also committed that the IRS will do outreach to disabled first responders on this tax exemption and work directly with them if issues do arise rather than go straight to an audit.

NAPO thanks Senator Daines for his continued commitment to this issue and we will be honoring him with a legislative award for his work on this issue and the enactment of the Putting First Responders First Act

NAPO-Backed Pretrial Release Reporting Act Introduced

NAPO pledged our support for the Pretrial Release Reporting Act, introduced by Senator Ron Johnson (R-WI) and Congressman Scott Fitzgerald (R-WI), that would require the Department of Justice (DOJ) to issue a report to Congress within 180 days detailing information on individuals released on bail and pretrial release from state courts charged with violent felony offenses.

States and localities are increasingly embracing bail reform, and these efforts are supported by millions of dollars in federal grant monies to help states and municipalities enact pre-trial release programs. These programs, which allow accused criminals to await their trial at home, rather than in jail, often serve repeat, dangerous criminals, with little oversight, putting public safety at risk. Increased oversight of these programs would decrease the possibility of the accused committing crimes while on pre-trial release or simply disappearing to avoid facing justice.

The Pretrial Release Reporting Act addresses the lack of oversight of these programs. The reporting requirements of this bill will inform Congress and the American people on how often violent criminals are released from state courts on bail and how often they re-offend while out on bail. As federal dollars are

going towards bailing out criminals, this Act helps ensure that the accused face justice and our communities are protected.

National Blue Alert Advisory Committee Meets

The Blue Alert Advisory Group, of which NAPO is a member, in conjunction with the Justice Department's Community Oriented Policing Services (COPS) Office, convened on April 20 to discuss the Network's continued work to establish Blue Alert systems in all 50 states. COPS Director Hugh Clements lead the meeting.

Currently, twelve states and Washington, D.C. do not have Blue Alert networks. Getting Blue Alert plans up and running in all 50 states is a priority for NAPO as it ensures the National Blue Alert Network we fought so hard to get enacted as part of the Rafael Ramos and Wenjian Liu National Blue Alert Act works efficiently and effectively to protect officers from harm. The Act was named after NAPO members Officers Ramos and Liu, who were assassinated while sitting in their police cruiser on December 20, 2014.

The states that currently do not have active Blue Alert Networks are Alaska, Arkansas, Hawaii, Louisiana, Massachusetts, Nebraska, Nevada, New Mexico, Oregon, Pennsylvania, Wisconsin, and Wyoming. Legislation to create Blue Alert plans is pending in Pennsylvania. NAPO members in many of these states have been instrumental in introducing legislation to create Blue Alert plans. Our New York member organizations were instrumental in getting Blue Alert legislation enacted into law this year, making New York the 38th state to join the National Blue Alert Network.

NAPO, together with the COPS Office, stand ready to work with stakeholders in these remaining states to help enact such legislation. If you are interested in receiving information and resources on how to establish a Blue Alert plan or you wish to participate in the state-level working group, please contact the NAPO Office at (703) 549-0775 or info@napo.org.

As violence against officers continues to rise, Blue Alerts are an essential resource to keeping our officers safe. Best practices and other Blue Alert resources collected from around nation, including examples of legislation, policies, forms, and a directory of state Blue Alert officials can be found on the [National Blue Alert Network website](#).

Senate Bill Introduced to Impose Sanctions on Transnational Organizations Trafficking Fentanyl

Senators Tim Scott (R-SC), Sherrod Brown (D-OH), Roger Wicker (R-MS), and Jack Reed (D-RI), the leadership of the Senate Banking and Senate Armed Services Committees, introduced a bill this week that will help combat the country's fentanyl crisis by targeting opioid traffickers. The bill, the Fentanyl Eradication and Narcotics Deterrence (FEND) Off Fentanyl Act, will enhance current law so U.S. government agencies can more effectively disrupt illicit opioid supply chains and penalize those facilitating the trafficking of fentanyl. It also ensures that sanctions are imposed not only on the illicit drug trade, but also on the money laundering that makes it profitable.

The spread of fentanyl in our communities is devastating. It is being mixed with already deadly illicit drugs, hidden in counterfeit drugs, and being peddled at alarmingly high rates. NAPO has long fought for resources to support law enforcement's efforts to combat fentanyl, its analogues, and similar opioids. The FEND Off

Fentanyl Act will be a critical component in the fight against this deadly poison in our communities by imposing sanctions on transnational organizations and cartels that traffic fentanyl and its precursors. We cannot take action only after this drug enters our country; we must fight it before it crosses our borders.

The FEND Off Fentanyl Act, together with a permanent scheduling of fentanyl and its analogues as a Schedule 1 drug, will give the federal government and law enforcement the tools it needs to stem the flow of fentanyl into our country and communities. NAPO supports this legislation and thanks Senators Scott, Brown, Wicker and Reed for their leadership on this issue.

Bill Strengthening Violent Crime Statutes Reintroduced

NAPO once again pledged its support for the Combating Violent and Dangerous Crime Act, sponsored by Senator Chuck Grassley (R-IA). This bill would address ambiguities and conflicting application of existing criminal statutes by clarifying congressional intent, giving law enforcement and prosecutors the tools they need to deter and punish violent crimes.

Among other provisions, the bill would:

- Clarify that attempted bank robbery and conspiracy to commit bank robbery are punishable under the current bank robbery statute;
- Rectify conflicting circuit court decisions that have resulted in a higher burden to charge offenses like assaulting a police officer than Congress intended;
- Increase the statutory maximum penalty for carjacking and removes a duplicative intent requirement needed to charge a carjacking offense;
- Fix conflicting circuit court decisions by clarifying that an attempt or conspiracy to commit an offence involving physical force meets the legal definition of a crime of violence;
- Outlaw the marketing of candy-flavored drugs to minors; and
- Establish a new category of violent kidnapping offences, allowing for greater penalties for violent kidnapping.

This legislation would ensure that perpetrators of crime, particularly violent crime, will be held accountable. NAPO stands with Senator Grassley and thanks him for his continued support of the law enforcement community.

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.