



The Washington Report

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

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NAPO Testifies in Support of Qualified Immunity Before House Judiciary Committee

NAPO's Executive Director and General Counsel, Bill Johnson, testified on March 31 before the House Judiciary Subcommittee on the Constitution, Civil Rights, and Civil Liberties about police reform, specifically about the issue of qualified immunity for officers. NAPO was the only witness out of eight to solidly defend the importance of qualified immunity for our officers and the communities we serve.

NAPO's submitted written testimony can be found [here](#).

You can view the hearing in its entirety [here](#). Johnson's testimony begins approximately at the [1:02:30 mark](#).

House Passes Retirement Bill that would Keep First Responder Disability Compensation Tax-Free

In a victory for NAPO, the House passed the Securing a Strong Retirement Act (H.R. 2954), sponsored by House Ways and Means Committee Chair Richard Neal (D-MA) and Ranking Member Kevin Brady (R-TX), by 415-5 vote on March 29. The Securing a Strong Retirement Act is bipartisan legislation that aims to help Americans successfully save for a secure retirement. Importantly, this bill includes the language of NAPO priority legislation, the Putting First Responder First Act. This provision would codify existing IRS regulations making service-connected disability compensation exempt from Federal income taxes. NAPO has been working with Committee staff to move the Putting Our First Responders First Act and applauds its passage in the House as part of the Securing a Strong Retirement Act. We thank Chairman Neal and Ranking Member Brady for their support.

In 1985, the IRS clarified in the IRS Revenue Ruling 85-105 that service-connected disability compensation for first responders is tax-exempt. Unfortunately, many auditors and first responders are not aware of this tax benefit and the first responders, who gave up so much in the line of duty, end up paying the tax unnecessarily or being audited for taking advantage of the tax exemption. By codifying the Revenue Ruling, this provision of the Securing a Strong Retirement Act would clarify the ruling and help ensure first responders' injury-related compensation is tax-exempt. This is most important for the service-related disability compensation that is determined by reference to an individual's age, length of service, or contributions. Service-related disability compensation that is structure like a worker's compensation benefit (i.e., the benefit is equal to two-thirds of an individual's salary and not based on age, length of service, or contributions) is already considered tax-free under law.

NAPO also supports making the tax-exempt status of this compensation permanent through retirement. We continue to work with the Senate Finance Committee to either pass S. 1618, Senator Steve Daines' (R-MT) Putting First Responders First Act, or include language in its version of a broad retirement bill that provides perpetual tax relief to those who were disabled while serving their country and communities.

NAPO-Backed Better Cybercrime Metrics Act Passed by Congress

In another victory for NAPO, on March 29, the House passed the Better Cybercrime Metrics Act (S. 2629) by a vote of 377-48, sending it to the President's desk to be signed into law. The Senate passed the bill by unanimous consent back on December 7, 2021. The NAPO endorsed bill is sponsored by Senators Brian Schatz (D-HI) and Thom Tillis (R-SC) and Representative Abigail Spanberger (D-VA).

This legislation will 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.

Robust data on cybercrime is necessary to supporting and enhancing the capacity of state and local law enforcement to prevent, investigate and respond to such crimes. Law enforcement's job is to serve and protect our communities from all crime, whether it is cyber or violent crime, and the data collected as a result of the Better Cybercrime Metrics Act will help departments across the nation better investigate and prosecute these crimes.

NAPO thanks Senators Schatz and Tillis and Representative Spanberger for their leadership and support in getting this important bill passed into law.

President Releases Proposed FY 2023 Budget

On March 28, President Biden released his [proposed budget for fiscal year 2023](#). The budget proposal includes funding requests for NAPO's priority grant programs within the Departments of Justice and Homeland Security (DOJ, DHS).

In general, the President's budget proposal for the DOJ is very similar to his FY 22 request and focuses on supporting police and criminal justice reform initiatives and proposes adequate sustained funding for several of NAPO's priority grant programs, including the Bulletproof Vest Partnership (BVP) Grant Program, the Justice and Mental Health Collaboration Program (JMHC, previously known as the Mentally Ill Offender Treatment and Crime Reduction Act), and the Law Enforcement Mental Health and Wellness Act and Supporting and Treating Officers in Crisis (STOIC) Act programs. It also includes a significant funding increase for the Community Oriented Policing Services (COPS) Program, most of which is prioritized for the President's anti-violence and police reform priorities.

The President's budget requests \$533.5 million for the Byrne Justice Assistance Grant (Byrne JAG) Program, with \$178 million in carve outs for several law enforcement and criminal justice related grants. Rather than making these grants standalone programs, their funding is carved out of the larger Byrne JAG program. The carve outs include \$13 million for the Preventing Violence Against Law Enforcement Officer Resilience and Survivability (VALOR) Program, \$40 million for Project Safe Neighborhoods, \$20 million for a state and local law enforcement grant program to provide officer training on responding to individuals with mental

illness or disabilities (separate from JMHCP), and \$20 million for a grant program to provide law enforcement training on racial profiling, de-escalation and duty to intervene.

For the COPS Program, the President's budget proposes \$651 million, nearly \$139 million more than the program was funded in FY 22. The proposal allocates \$537 million of that for the COPS Hiring Program, out of which \$8 million would go towards the Law Enforcement Mental Health and Wellness Act and Supporting and Treating Officers in Crisis (STOIC) Act programs. It also allocates \$20 million for the Collaborative Reform Program, which provides technical assistance and training for departments to help them address systemic issues, and \$23 million for programs that promote organizational reform, legitimacy and justice in policing.

In his budget, the President is not moving to "defund" the police, but rather he is recommending a significant increase in funding for certain community policing initiatives and directing that funding to supporting police reform policies and practices. For example, the budget would add new conditions and priority preferences for the COPS Hiring Program to focus grant funding to agencies that partner with community organizations to implement community violence intervention (CVI) strategies, which aim to reduce gun violence through tools other than incarceration, and want to hire officers to dedicate to those strategies. It also prioritizes for funding those jurisdictions that want to implement hiring practices to help law enforcement agencies "mirror the racial diversity of the communities they serve".

The budget also includes \$95 million to improve police-community relations, which encompasses \$35 million for the Bureau of Justice Assistance (BJA) Body-Worn Camera grant program. It proposes a new program within BJA, the Accelerating Justice System Reform, and asks for \$300 million to provide state, local, and tribal governments with additional resources to invest in addressing justice system reforms that promote equity and community trust, and reduce "disparate impacts on people of color and other historically disadvantaged communities". It also includes \$250 million for the Community Violence Intervention Initiative.

Under the President's FY 23 proposed budget, \$367 million would be invested in the DOJ's federal civil rights enforcement, including supporting police reform and equitable access to justice.

The budget requested funding levels for NAPO's other priority grant programs:

- Bulletproof Vest Partnership (BVP) Grant Program: \$30 million
- Justice and Mental Health Collaboration Program (JMHCP): \$40 million
- Adam Walsh Act: \$20 million
- STOP School Violence Act Grants: \$135 million

For the important DHS grants, the budget proposal requests approximately \$616.2 million for the State Homeland Security Grant Program (SHSGP), \$711.2 million for the Urban Area Security Initiative (UASI), and \$100 million for port security grants.

The President's Fiscal 2023 Budget represents the President's fiscal priorities, but it is Congress that decides the final appropriations for fiscal 2023. NAPO will work with Congress to ensure we preserve the President's funding levels for our priority grant programs, while maintaining local discretion on how these funds can best be used to meeting the needs of communities. We continue to work with the Administration to ensure they understand the importance of these programs, and the flexibility that comes with them, to ensuring state and local law enforcement have the resources and equipment they need to effectively serve and protect our communities.

NAPO's Annual Lobby Day is Quickly Approaching!

[REGISTER TODAY](#)

Capitol Hill and MGM National Harbor Hotel Wednesday, May 11

Use this opportunity to lobby Congressional Representatives & Senators on behalf of your members concerning the issues which affect law enforcement. Prior to lobbying Capitol Hill, attend NAPO's Legislative Breakfast at our host hotel for an update on NAPO's legislative priorities, results to date from the 117th Congress, and to receive handouts to use during Hill visits.

To have NAPO arrange Congressional meetings please contact Andy Edmiston, NAPO's Director of Governmental Affairs, by May 2, 2022, *at the latest*, at aedmiston@napo.org or (703) 549-0775.

You will find information regarding registration and the agenda on NAPO's website: www.napo.org/Lobby22 or download the attached brochure and fax to NAPO at (703) 684-0515.

Please note: This event is for NAPO members only. Due to the ongoing COVID and Security restrictions at the U.S. Capitol complex, we will not be able to host our Annual Legislative Awards Luncheon.

NAPO's May Executive Board Meeting will be held Friday, May 13 from 10:30 a.m. - 12:00 p.m. at the MGM National Harbor Hotel.

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

DOJ Announces Funding Opportunity for Body-Worn Camera Grants and VALOR Initiative

The U.S. Department of Justice just announced the Fiscal Year 2022 grants for the Bureau of Justice Assistance's (BJA) [Body-Worn Camera Policy and Implementation Program](#) and [Preventing Violence Against Law Enforcement Officers and Ensuring Officer Resilience and Survivability \(VALOR\) Initiative](#).

Body-worn Camera Policy and Implementation Program to Support Law Enforcement Agencies

The Office of Justice Programs' Bureau of Justice Assistance (BJA) has released the *FY 2022 Body-worn Camera Policy and Implementation Program to Support Law Enforcement Agencies* for funding.

Through this opportunity, BJA is seeking applications for funding law enforcement agencies seeking to purchase body-worn cameras (BWCs) to establish or expand comprehensive BWC programs with a specific and demonstrated plan to implement this technology to maximize the benefits of BWCs.

You can down the application here: <https://bja.ojp.gov/funding/opportunities/o-bja-2022-171093>.

Eligible Applicants: Eligible agencies include law enforcement agencies, correctional agencies that perform law enforcement functions, prosecutors' offices, and state or regional consortia that support such agencies, including state administrating agencies. Eligibility is restricted to agencies that are publicly funded. State and regional consortia are eligible to apply, provided they are considered a public agency.

Deadlines: Note that there are two deadlines for this solicitation. May 20, 2022 at 8:59 PM EST for submission to Grants.Gov and May 25, 2022 at 8:59 PM EST for submission to JustGrants.

Preventing Violence Against Law Enforcement Officers and Ensuring Officer Resilience and Survival (VALOR) Initiative

The Office of Justice Programs' Bureau of Justice Assistance (BJA) has released the *FY 2022 Preventing Violence Against Law Enforcement Officers and Ensuring Officer Resilience and Survivability (VALOR) Initiative* for funding.

Through this opportunity, BJA is seeking applications to the VALOR Initiative, an effort to improve the immediate and long-term safety, wellness, and resilience of our Nation's law enforcement officers. Through a multifaceted approach that includes various programs to deliver no-cost training (professional education), conduct research, develop and provide resources, and establish partnerships that benefit law enforcement officers, the VALOR Initiative provides our law enforcement with innovative, useful, and valuable resources and skills.

You can download the solicitation here: <https://bja.ojp.gov/funding/opportunities/o-bja-2022-171210>.

Eligible Applicants: City or township governments; county governments; for-profit organizations other than small businesses; federally recognized Native American tribal governments; non-profits having a 501(c)(3) status with the IRS, other than institutions of higher education; private institutions of higher education; public and state controlled institutions of higher education; special district governments; state governments; other (see solicitation).

Deadlines: Note that there are two deadlines for this solicitation. May 20, 2022 at 8:59 PM EST for submission to Grants.Gov and May 25, 2022 at 8:59 PM EST for submission to JustGrants.

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.