



The Washington Report

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

February 10, 2014

NAPO WASHINGTON REPORT

NAPO's Meetings on Capitol Hill with Texas Congressmen

Over the past week, NAPO met with staffers for **Congressman Michael Burgess (R-TX)** and **Congressman Michael McCaul (R-TX)** (Chairman of the House Committee on Homeland Security) to discuss the McLelland-Hasse Line of Duty Act. Congressman Burgess is a co-sponsor of the McLelland-Hasse Line of Duty Act. This legislation would:

- Create a new federal crime for the killing, attempted killing, or conspiring to kill a United States judge, federal law enforcement officer, or federally funded public safety officer.
- Create a new federal crime for interstate flight to avoid prosecution for killing, attempting to kill, or conspiring to kill a United States judge, federal law enforcement officer, or federally funded public safety officer.
- Clarify and enhance penalties for assaulting a federal official during the discharge of his or her duties.
- 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.

NAPO supports this legislation, as NAPO believes the establishment of stricter penalties for harming or attempting to harm law enforcement officers will deter crime. Any persons contemplating harming an officer must know that they will face serious punishments. Increased penalties can make important differences in the attitude of criminals towards law enforcement officers, and ensure protection of the community.

NAPO's Executive Director traveled to Dallas in May 2013 to participate in a roundtable discussion with the sponsor of the Senate's version of this bill, Senator John Cornyn (R-TX). NAPO will continue to advocate for the passage of this legislation. Attached please find NAPO's letter of support for the bill.

In addition to the McLelland-Hasse Line of Duty Act, the following priorities were discussed with the staffers:

Justice and Mental Health Collaboration Act (JMHCA) of 2013: NAPO expressed our strong support of the JMHCA, which reauthorizes the successful Mentally Ill Offender Treatment and Crime Reduction Act and extends the life of the Justice and Mental Health Collaboration Program (JMHCP) for five years. Individuals with mental illnesses are significantly over-represented in the prison and jail population. The JMHCP helps criminal justice and mental health agencies work collaboratively towards better outcomes. The JMHCA will provide training for law enforcement to identify and respond appropriately to individuals with mental illness.

Bulletproof Vest Partnership (BVP) Grant Program Reauthorization Act: NAPO explained the importance of the BVP Grant Program, which provides federal funds to state and local law enforcement departments to assist state and local law enforcement efforts to purchase bullet resistant vests. NAPO continues to expend all available efforts to garner additional cosponsors for the House and Senate versions of this bill.

Officer Sean Collier Campus Police Recognition Act: NAPO provided background on the Officer Sean Collier Campus Police Recognition Act, which amends the Omnibus Crime Control and Safe Streets Act of 1968 by adding campus police officers to the Department of Justice's Public Safety Officers' Benefits Program. This bill defines a "campus police officer" as a police officer who is authorized to enforce the criminal laws and is employed by an institution of higher education.

Both of the staffers were extremely receptive to the above proposals, and we look forward to working with them on these legislative initiatives.

NAPO also expressed strong support for the Social Security Fairness Act of 2013 during our meeting with the staffer for Congressman Burgess, as the Congressman is a cosponsor of the legislation. This bill strikes the Windfall Elimination Provision (WEP) and Government Pension Offset (GPO) formulas currently used to calculate Social Security benefits. Both GPO and WEP were enacted in the 1980s because Congress was concerned that Social Security paid unintended benefits to workers who had spent most of their careers in "non-covered" jobs. However, the formulas go too far and penalize workers with split careers who contributed a great deal to Social Security, but retire under their "non-covered" pensions. By significantly scaling back and reducing Social Security benefits for law enforcement officers and their survivors, as GPO and WEP do, officers and their families are provided much less protection against financial difficulties. NAPO looks forward to working with Congressman Burgess to pass this important piece of legislation.

Senate Judiciary Committee Advances Nomination for Assistant Attorney General for the Civil Rights Division

On February 6, 2014, NAPO attended a Senate Judiciary Committee meeting, where the Committee voted 10-8 to advance Debo Adebile's nomination to be the next Assistant Attorney General for the Civil Rights Division at the U.S. Department of Justice. NAPO has consistently voiced strong opposition to Mr. Adebile's nomination. Under Mr. Adebile's leadership, the Legal Defense Fund of the National Association for the Advancement of Colored People volunteered their services to defend Mumia Abu-Jamal, a convicted cop-killer. Abu-Jamal was convicted of murdering Philadelphia Police Officer Daniel Faulkner in 1982. Mr. Adebile worked tirelessly to free this unrepentant cop-killer. The nominee's efforts led to the overturning of the just sentence Abu-Jamal received for murdering a valuable member of the law enforcement community.

We urge our members to write to your Senators to express opposition to the nominee. For your reference, NAPO's letter of opposition can be found at the following site: <http://www.napo.org/washington-report/latest-news-updates/napo-opposes-debo-adebile-nomination/>. Please send a copy of your letter to Melissa Nee (mnee@napo.org) so that NAPO can ensure all of our member groups are heard.

If you have any questions, please contact Melissa Nee at: mnee@napo.org or 703-549-0774.

NAPO Works to Increase Support for the Justice and Mental Health Collaboration Act

As noted above, individuals with mental illnesses are significantly over represented in the prison and jail population. State and local governments are increasingly finding the need for greater collaboration between criminal justice, juvenile justice, and mental health and substance abuse treatment systems to better allocate resources across systems, increase connections to needed services, and reduce recidivism.

The Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA) created the Justice and Mental Health Collaboration Program (JMHCPC) to help states and counties design and implement collaborative efforts between criminal justice and mental health systems. The Justice and Mental Health Collaboration Act (JMHCAC) of 2013 reauthorizes the successful MIOTCRA and extends the JMHCPC for five years.

NAPO is a strong supporter of the JMHCPC, which helps criminal justice and mental health agencies work collaboratively towards better outcomes. The JMHCPC can help law enforcement agencies across the United States in their responsibilities in assisting those, and dealing with citizens with mental health issues.

This past week, NAPO sent letters to key Republican members of the House of Representatives to request they co-sponsor the House version of the JMHCA, sponsored by Congressman Nugent (R-FL). The House bill is currently supported by 35 GOP co-sponsors, and we are hopeful to get the cosponsor tally to 50 to demonstrate the strong support the bill holds. Attached please find the letter for your review.

If you have any questions about this legislation, please contact Melissa Nee at: mnee@napo.org.

NAPO Participates in National Law Enforcement Memorial Fund Meeting

NAPO's Executive Director participated in a National Law Enforcement Officers Memorial Fund (NLEOMF) Names Committee Meeting on February 4, 2014. NAPO is a founding member of the NLEOMF. NAPO's efforts led to the successful passage of legislation to establish the Memorial, which is the nation's monument to law enforcement officers who have died in the line of duty. Dedicated on October 15, 1991, the Memorial honors federal, state, and local law enforcement officers who have made the ultimate sacrifice for the safety and protection of our nation and its people.

NAPO has made the NLEOMF a top priority, and we will continue to keep our members informed of updates on the NLEOMF.

NAPO Briefing on Capitol Hill - Driver's Privacy Protection Act

On February 7, 2014, NAPO met with a senior staffer for **Congressman Gus Bilirakis (R-FL)**, and took the opportunity to discuss our proposal to modify the recent amendment to the Driver's Privacy Protection Act (DPPA).

The DPPA requires state motor vehicle departments to receive permission from individuals before their personal motor vehicle record may be sold or released. The DPPA 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 was 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.

NAPO briefed the staffer on our proposed language modifications to the DPPA amendment, which include adding a clause that explains that penalties will be applied only if persons access information with the specific intent to secure an economic benefit. Also, NAPO proposes removing the \$2,500 penalty for a violation of this act, as well as adding a statement that explains there must be repeated disregard of this law for action to be taken. If the 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 will continue to aggressively lobby members of Congress to gain support for our proposed language changes to the DPPA amendment. We will keep our members updated on the status of these initiatives. If you have examples of law enforcement departments that have been negatively impacted by the most recent DPPA amendment, please contact Melissa Nee at: mnee@napo.org.

HSGAC Advances Postal Reform Act of 2013

On February 6, 2014, the Senate Homeland Security and Governmental Affairs (HSGAC) advanced the Postal Reform Act of 2013 (S.1486) by a vote of 12-5.

The bill includes a provision that would reduce compensation benefits for those considered totally disabled to 50 percent of their pre-disability pay when the individual reaches full retirement age. NAPO has fought for this language to be removed from the bill, which Senator Tester proposed to the Committee during its first mark-up session. After that amendment failed to pass, Senator Tester offered an amendment on February 6th that would make this language apply only to federal employees hired after the date of enactment of the bill. Although the amendment was rejected, Chairman Carper and Ranking Member Coburn said this issue will be readdressed during conference with the House.

NAPO will continue to work this issue and provide our members with updates as the bill moves forward.

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.



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

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WILLIAM J. JOHNSON
Executive Director

January 29, 2014

The Honorable John Cornyn
Senate Judiciary Committee
517 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Cornyn:

On behalf of the National Association of Police Organizations (NAPO), I am writing to you to express full support for the "Officer Daniel Faulkner Line of Duty Act."

NAPO is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement through legislative and legal advocacy, political action, and education. Founded in 1978, NAPO now represents more than 1,000 police units and associations, 241,000 sworn law enforcement officers, and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement.

The "Line of Duty Act" will add critical protections for the law enforcement community. NAPO strongly believes the establishment of stricter penalties for harming or attempting to harm law enforcement officers will deter crime. Any persons contemplating harming an officer must know that they will face serious punishments. Increased penalties can make important differences in the attitude of criminals towards law enforcement officers, and ensure protection of the community.

If you have any questions, or if we can be of further assistance, please feel free to contact me at: (703) 549-0775.

Sincerely,

William J. Johnson
Executive Director



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WILLIAM J. JOHNSON
Executive Director

February 6, 2014

Honorable Larry Bucshon
Member, United States House of Representatives
1005 Longworth House Office Building
Washington, D.C. 20515

Dear Congressman Bucshon:

On behalf of the National Association of Police Organizations (NAPO), I would like to express our strong support of H.R. 401, the Justice and Mental Health Collaboration Act (JMCA), which was introduced by Congressmen Rich Nugent (R-FL) and Bobby Scott (D-VA).

NAPO is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement through legislative and legal advocacy, political action, and education. Founded in 1978, NAPO now represents more than 1,000 police units and associations, 241,000 sworn law enforcement officers, and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement.

This bipartisan legislation improves the successful Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA) and supports jurisdictions creating collaborative programs to address the needs of justice-involved individuals with mental illnesses. The legislation has 66 cosponsors in Congress and was overwhelmingly approved by the Senate Judiciary Committee by voice vote last June.

Increasing numbers of people with mental illnesses are coming into contact with the criminal justice system. The impact of this trend on people's lives, public safety, the administration of the criminal justice system, and public expenditures is difficult to overstate.

MIOTCRA has strengthened public safety by: providing training to law enforcement officers to help them improve their response to people with mental illnesses; establishing new and expanding existing mental health courts; increasing available mental health treatment resources in jails and prisons; and other collaborative approaches.

The JMCA further strengthens the original MIOTCRA legislation by: providing additional resources for veterans treatment courts to help veterans suffering from behavioral or post-traumatic stress disorders; providing

treatment and transitional programs in correctional facilities; creating resources for communities to better address "high utilizers" of public services; offering training at police academies and orientations; and promoting the use of evidence-based practices.

We hope you will consider cosponsoring the JMHCA. By doing so, you will be giving state and local officials in your state who represent criminal justice and mental health agencies the tools they need to increase public safety, reduce spending, and improve the prospects of recovery for justice-involved individuals. If NAPO can provide any additional information, please do not hesitate to contact me at: (703) 549-0774.

Sincerely,



William J. Johnson
Executive Director