



The Washington Report

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

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NAPO Participates in National Summit on Crime Reduction & Public Safety

As part of the work of the Task Force on Crime Reduction and Public Safety, the Department of Justice held a National Summit on Crime Reduction and Public Safety on June 20-21, 2017. NAPO Executive Director Bill Johnson participated in the Summit, which brought together organizations from around the country that share a commitment to supporting the criminal justice system and reducing crime in our nation.

Attorney General Sessions opened the Summit talking about the mission of the Department of Justice (DOJ), which is to ensure public safety and provide federal leadership in preventing and fighting crime, and how the DOJ shares these responsibilities with state and local law enforcement agencies across the country. The Attorney General recognized that the Federal government alone cannot successfully address rising crimes rates, secure public safety, or implement best practices in policing. He believes that state, local, and tribal law enforcement are first and foremost responsible for these tasks and the role of the DOJ is to support state and local law enforcement by strengthening the relationship between the Federal government and its state, local and tribal partners.

In addition to the Attorney General, Summit participants also heard from Deputy Attorney General Rod Rosenstein, Associate Attorney General Rachel Brand, and the acting directors of the Marshals Service, the Drug Enforcement Agency (DEA), the Federal Bureau of Investigation (FBI), and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). These DOJ leaders discussed the importance of Federal support for state and local law enforcement and having a collaborative relationship with all levels of the law enforcement community.

The Summit included several breakout sessions for participants to dive deeper into the issues, including sessions on key issues related to opioids, ICE and state and local agreements, comprehensive anti-gang initiatives, strategies to reduce violence in Hot Spots, targeting offenders through intelligence and analysis, and officer safety and wellness, just to name a few. In addition to the breakouts, the Summit held a panel discussion on the resources and strategies used by the DOJ law enforcement agencies to work with state, local and tribal law enforcement to address violent crime.

While the Summit was useful for information sharing and best practices, it was geared more towards law enforcement executives and the tools the DOJ can provide them to assist their agencies in fighting crime. It was not a real opportunity for law enforcement representatives, particularly rank-and-file representatives, to provide input into what is important to the officers on the street. NAPO appreciated the opportunity to participate in the

Summit and we will continue to work with the Attorney General and the DOJ to strengthen our relationship to ensure that the voice of rank-and-file officers are heard in this Administration.

NAPO on the Hill: Law Enforcement Officer Bill of Rights

NAPO met with staff of House Law Enforcement Caucus Co-Chairs **Congressmen Bill Pascrell (D-NJ)** and **Dave Reichert (R-WA)** and **Congressman Erik Paulsen (R-MN)** to discuss the reintroduction of the Law Enforcement Officers' Procedural Bill of Rights Act. Congressman Paulsen was one of the sponsors of this legislation when it was last introduced in the 111th Congress in 2009. This bill would establish standards to guide law enforcement agencies in developing and operating a fair and effective investigative process. Individuals should have the right to file a complaint, to have the complaint investigated, and to be informed of its final disposition, including learning the outcome of the investigation and any resulting disciplinary action.

Many of NAPO's members are facing attacks to their due process rights from activists who believe that the due process rights given to officers either through their collective bargaining agreements or their state's law enforcement officers' bill of rights creates a double standard and gives officers undue protections against criminal investigations. With the President and the Attorney General declaring that supporting state and local law enforcement is a top priority for the Administration, anti-cop activists are taking to the state and local level to wage a war against officer rights.

Throughout the country, many states lack coherent guidelines and procedures for law enforcement officers' due process rights. Sworn law enforcement officers are held to an extremely high standard of personal and professional conduct, due to the enormous responsibilities they exercise. However, many officers are denied the same basic due process rights that all other citizens enjoy. In approximately fifty percent of the states, officers enjoy some legal protections against false accusations and abusive conduct. Nevertheless, this leaves hundreds of thousands of officers with limited or no due process or who face limitations or retaliation when exercising these rights.

Taking away an officers' due process rights is not the way to improve police accountability and transparency. In fact, most officer bill of rights laws and provisions include guidelines and procedures for handling and investigating complaints, ensuring the department takes complaints against officers seriously and conducts a thorough inquiry. The Law Enforcement Officers' Procedural Bill of Rights Act would ensure that all states have at least a minimum of standards and procedures in place to guide both state and local law enforcement agencies and law enforcement officers during internal investigations, administrative hearings, and evaluation of citizen complaints.

Congressman Pascrell's staff raised the concern that the atmosphere has changed since this bill was last introduced and while protecting officers' due process rights is important, that might need to be balanced with more transparency and accountability measures. This has been the response we have received in the majority of our meetings on this legislation. While NAPO is willing to negotiate to a certain extent, we do not want this legislation to become a vehicle for certain police reform initiatives. Congressmen Reichert's and Paulsen's staff were largely supportive, but needed to take a deeper dive into the legislation and discuss it with their bosses.

NAPO is looking for a member of Congress to take up the mantle and fight for officer due process rights. NAPO will continue meet with members of Congress until we find the person who will stand up for rank and file officers on this important issue.

If you have any questions about this legislation or NAPO's efforts to create a national Law Enforcement Officer Bill of Rights, please contact Andy Edmiston at aedmiston@napo.org.

Senate Releases Its Health Care Bill; Only Delays Cadillac Tax

The Senate released the language of its version of the American Health Care Act (AHCA) on June 22 and it is expected to vote on the legislation by the end of next week barring a revolt from a significant number of Republican senators. Much to NAPO's disappointment, the legislation mirrors the House-passed language regarding the 40 percent excise tax ("Cadillac tax") on employer-sponsored health plans and only delays the implementation of the tax until 2025 and does not repeal it. It is one of only a few of the many taxes created by Obamacare that the House and Senate decided to keep.

NAPO sent [a letter](#) to Senate Finance Committee Chairman Orrin Hatch (R-UT), who was responsible for working on the tax provisions of the repeal legislation, urging him to include the full repeal of the tax.

Delaying the excise tax until 2025 will not provide relief to the public safety officers who will be negatively impacted by the tax whether it goes into effect in 2020 or 2025. The excise tax is not just a tax on health plans; it is a loss of earned wages and benefits. There will be a chance to amend the legislation when it comes to the Senate floor for a vote and NAPO is working on getting an amendment the bill introduced that would fully repeal the "Cadillac" tax.

While both the House and Senate versions of the American Health Care Act fails public safety officers regarding the "Cadillac" tax, they do expand the ability for officers and their families to use Health Savings Accounts (HSAs) and Flexible Spending Arrangements (FSAs). These health savings accounts allow for individuals and families to create accounts funded by pre-tax earnings that can be used to cover qualified medical expenses and out-of-pocket medical, dental and vision costs.

NAPO believes that in today's economic climate, it is important to maximize personal savings, especially in regard to an officer's annual healthcare expense. NAPO continues to work to make HSAs more accessible and to increase the contributions limit for FSAs to ensure public safety officers have access to the tools they need to ensure they and their families get the health coverage they need.

NAPO will keep our members informed of any changes to the "Cadillac" tax as the AHCA moves forward. If you have any questions about the "Cadillac" tax or health savings accounts, please contact Andy Edmiston at aedmiston@napo.org.

NAPO Meetings: ATF; Public Pension Network

ATF Open Discussion of Regulation and Policy

On June 19, NAPO attended a state and local law enforcement discussion at the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) that focused on ATF policies and regulations. The meeting was led by the Acting Director of Public and Governmental Affairs and we were joined by the International Association of Chiefs of Police, the Fraternal Order of Police, the National Sheriffs Association, Major County Sheriffs of America, the Police Executive Research Forum, the National District Attorneys Association, and the National Organization of Black Law Enforcement Executives.

The main purpose of the meeting was to discuss Executive Order 13771, known as the two for one order, that directs Federal departments and agencies to repeal two regulations for every new regulation that is implemented. ATF was interested in hearing from their state and local law enforcement partners about what current regulations and policies have had the most impact on our members and if there were any that we felt needed to be protected or repealed/replaced. ATF currently does not have any regulations it is looking to repeal and it is still awaiting further direction from the Justice Department on how to implement the Executive Order.

ATF regulation and policy has little real world impact on the daily work of state and local law enforcement. NAPO and the other organizations focused on proposed legislation and the need to ensure that any changes to policies and regulations do not hamper ATF's ability to partner with state and local law enforcement. The ATF representatives did not believe that this Executive Order would in any way impact their relationship and partnerships with state and local law enforcement.

Public Pension Network

On June 22, NAPO attended the monthly Public Pension Network (PPN) meeting, which brings together public pension practitioners and retirement systems, public sector labor organizations, and state and local government representatives to discuss the latest updates on public pension and social security issues being considered by Congress and the Administration.

Of note, the House Ways and Means Subcommittee on Social Security is holding a hearing on June 29 to look at Social Security coverage and payroll tax compliance for state and local governments. There is some concern that mandatory Social Security will be raised as part of this discussion, although the PPN has been assured by committee staff that it is not the intent of the hearing to raise this issue. NAPO will be attending the hearing and is prepared to submit written testimony on the issue if necessary as we strongly oppose mandatory Social Security participation by state and local government employees.

The PPN is an integral partner in our work to protect public pension plans, reform the Government Pension Offset (GPO) and the Windfall Elimination Provision (WEP), oppose mandatory Social Security, and fight against the unfair consequences of the imposition of the excise ("Cadillac") tax on employees' healthcare benefits. NAPO will update our members on the Social Security hearing next week and if any action needs to be taken regarding mandatory Social Security.

Senate Hearing on MS-13 Crisis and Immigration

On June 21, NAPO attended a Senate Judiciary Committee hearing entitled "The MS-13 Problem: Investigating Gang Membership, its Nexus to Illegal Immigration and Federal Efforts to End the Threat". The purpose of the hearing was to get a greater understanding of what the Federal government is doing to help fight MS-13 from the perspective of the Departments of Homeland Security, Justice and Health and Human Services, including Border Patrol, Immigration and Customs Enforcement (ICE), and the Office of Refugee Resettlement.

One main theme that kept rising throughout the hearing was the issue of sanctuary cities. The problems Federal officials face with sanctuary cities range from the release from jail of known MS-13 children back into our communities to the inability of agents to enter jails in these cities to interview alleged MS-13 members. The ability of the Federal government to detain and deport MS-13 gang members is vital to the fight against this terrorist organization that has been linked to dozens of crimes across the nation, including rape, murder and human trafficking.

NAPO has long supported efforts to clamp down on sanctuary policies in cities, which make it difficult for law enforcement to effectively protect communities from violent criminal aliens. The country's immigration system relies on local law enforcement complying with immigration detainers – requests from DHS for local law enforcement to hold an illegal immigrant temporarily – to give federal law enforcement an opportunity to take the individual into custody. Sanctuary cities forbid their local law enforcement from cooperating with federal immigration officials, which has led to the release of violent criminals, such as MS-13 gang members, back into our communities.

Join NAPO for Our 39th Annual Convention and Consider Becoming a Law Enforcement Sponsor

NAPO's 39th Annual Convention July 22-25, 2017, in New York City is quickly approaching. In conjunction with the Patrolmen's Benevolent Association of NYC and NAPO's many New York & New Jersey member groups, we are busy planning what is sure to be a fantastic convention. We would like to ask that member organizations please consider contributing \$500 - \$1000 towards the cost of the convention. **If your organization would like to help sponsor an event, please return [this form](#) and payment to NAPO by July 3, 2017.**

If you have not yet registered to join us at our 39th Annual Convention, *please do so by July 9th*. **Please complete the [registration form](#) and mail it with payment to the NAPO office. Registrations may also be emailed to registrations@napo.org or faxed to (703) 684-0515.** Registrations received July 10 – July 20 will be charged a late registration fee of \$50. Registrations received after July 20 and on-site are discouraged; however, if you are unable to register in advance, you may do so on-site for an additional \$100 per person. Registration fees include the cost of convention materials, special events and food functions. Only registered individuals may attend convention events. Spouses, guests, and children must register if they wish to attend any convention events.

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.