



# The Washington Report

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

April 14, 2023

## NAPO's 2023 Lobby Day Legislative Breakfast & Legislative Awards Luncheon is Quickly Approaching

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 118<sup>th</sup> 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](mailto:aedmiston@napo.org) or [eloranger@napo.org](mailto: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 1<sup>st</sup> at [aedmiston@napo.org](mailto: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](mailto:eloranger@napo.org) if you have any questions regarding registration or hotel arrangements.

## NAPO Participates in Police Reform Executive Order Listening Sessions on Deaths in Custody and Notifications

NAPO Executive Director Bill Johnson participated in two law enforcement listening sessions on the President's Executive Order on police reform. One was a discussion of best practices for conducting independent criminal investigations of deaths in custody that may involve conduct by law enforcement or prison personnel, and the other was on best practices on notifications of in-custody deaths or deaths as a result of police actions. Section 2 of the President's Executive Order on police reform calls for the Attorney General to issue guidance to state, local, and Tribal law enforcement on investigations of in-custody deaths.

Section 11(d) calls for guidance on best practices of death notifications for deaths caused by use of force by law enforcement.

For Section 2, the draft guidance applies to “the death of any person who is detained, under arrest, or is in the process of being arrested, is en route to be incarcerated, or is incarcerated” by a state, local, or Tribal law enforcement agency and focuses only on criminal investigations. Of the two sections, this draft guidance proved the most concerning to NAPO as it is geared towards prosecuting officers.

Johnson made the point that it is important to ensure privacy and confidentiality for the officer(s) involved, particularly regarding the immediate response to the incident at the scene. Allowing the officer to contact his or her family or having someone from the department contact the officer’s family to let them know the officer is okay should also be part of the response process. He also stressed the importance of keeping *Garrity* issues in mind when interviewing witnesses and officers involved in the incident.

Johnson emphasized that this guidance should be similar to the Bureau of Justice Assistance’s Body-Worn Camera (BWC) toolkit, which provides for an array of best practices that departments can look towards to build their own policies. Like the BWC toolkit, the guidance and best practices for conducting independent criminal investigations of deaths in custody should emphasize the importance of involving the union or association representing the rank-and-file officers from the beginning – during the development of the policy and not wait until the policy is adopted. This creates better policy and a higher acceptance of that policy by officers.

NAPO appreciates the ability to be a part of this process and to provide our input on all aspects of the Executive Order. We take our seat at the table very seriously and we will continue to work with the Administration to ensure officers rights and safety are protected as the various aspects of the Order gets implemented.

## NAPO Participates in DOJ Officer Safety & Wellness Meeting



*From left: Darrell Kriplean, Tom Austin, Becki Sammons, Mick McHale, Bill Johnson, Michael Mazzeo, and George Sakellakis*

NAPO participated in the National Officer Safety and Wellness (OSW) Group meeting on April 5 and 6, which focused on officer wellness and positive community engagement. Participating on behalf of NAPO were NAPO President Mick McHale and Executive Director Bill Johnson, Phoenix Law Enforcement Association (PLEA) President Darrell Kriplean, Ohio Patromen’s Benevolent Association (OPBA)

Executive Director Tom Austin and Director of Organization George Sakellakis, Iowa State Police Association (ISPA) President Becki Sammons, Rochester (NY) Police Locust Club President Michael Mazzeo, and Mesa (AZ) Police Department Sergeant Christen Rope.

The OSW Group is a long-standing gathering comprised of federal, state, and local law enforcement associations and agencies, research organizations, and the Community Oriented Policing Services (COPS) Office, Bureau of Justice Assistance and National Institute of Justice within the Department of Justice (DOJ). The aim of the OSW Group is to better understand and respond to the range of issues associated with improving officer safety and wellness.

NAPO will continue to participate in the National Officer Safety and Wellness Group to ensure that rank and file officers get the support and resources they need to protect and take care of themselves and the communities they serve.

The COPS Office publishes a report after every Officer Safety and Wellness Group meeting to highlight the issues discussed, best practices agreed to and questions that still need to be answered.

## **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.

We have met with the staff of House Majority Leader Kevin McCarthy (R-CA), 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 Committee Ranking Member Lindsey Graham (R-SC), and House Law Enforcement Caucus Co-Chairs Representatives John Rutherford (R-FL) and Bill Pascrell, Jr. (D-NJ). 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, the LEOSA Reform Act, legislation aiding state and local agencies to hire and retain qualified officers, a bill to cover exposure-related cancers under the Public Safety Officers' Benefits (PSOB) Program, and legislation to provide public safety officers with access to affordable homeownership.

Increased penalties for the murder, attempted murder, or assault of a federal, state or local law enforcement officer because of their status as a public safety officer will deter such crimes and bring greater protections to officers and the communities they serve. NAPO is backing three bills that would provide increased penalties for such violent crimes against officers – the **Back the Blue Act**, the **Protect and Serve Act**, and the **Thin Blue Line Act**.

The **LEOSA Reform Act** would ensure the Law Enforcement Officers Safety Act (LEOSA) is more fairly and broadly implemented. The bill would expand the areas qualified, current or retired, officers are allowed to carry a firearm, including on a Gun Free School Zone, on state, local and private property otherwise open to the public, and in certain federal facilities. Furthermore, it will allow qualified officers and retired officers

to carry an ammunition magazine of any capacity that is not prohibited by federal law. Importantly, it will reform qualifications standards to alleviate undue burdens for those carrying under LEOSA.

The **Recruit and Retain Act** would boost recruitment opportunities for state and local law enforcement agencies by expanding the Department of Justice's Community Oriented Policing Services (COPS) Program to help agencies that are understaffed and struggling to attract new applicants. It would also create a new program to encourage partnerships between schools and police departments to foster a stronger local pipeline for law enforcement careers.

The **Invest to Protect Act** would create a broad grant program through the Department of Justice (DOJ) specifically for small state, local or tribal law enforcement agencies that will give them resources to train their officers, provide mental health resources for their officers, and retain and hire officers. A small agency is defined as one that employs 200 sworn law enforcement officers or fewer.

The **Honoring Our Fallen Heroes Act** would cover exposure-related cancers under the Public Safety Officers' Benefits (PSOB) Program for death and disability benefits.

The **HELPER Act** would create a new home loan program through the Federal Housing Administration (FHA) that removes the biggest financial barriers for buying a house – the down payment requirement and a monthly insurance premium requirement – for public safety officers and teachers.

We are working with both the House and Senate Judiciary Committees to finalize the list of bills that will be marked up in honor of National Police Week. We are currently garnering the support of members of both the House and Senate Judiciary Committees to ensure we have the support to get these important bills passed.

## **Stop Dangerous Sanctuary Cities Act Reintroduced in Senate**

NAPO has pledged our continued support for the Stop Dangerous Sanctuary Cities Act, which was reintroduced by Senator Ted Cruz (R-TX). NAPO understands that cooperation among federal, state, and local law enforcement officers is essential in keeping criminal illegal immigrants off the streets. The nation's immigration enforcement system relies on local law enforcement complying with immigration detainers—requests from the Department of Homeland Security (DHS) for local law enforcement to hold an illegal immigrant temporarily, to give federal law enforcement an opportunity to take the individual into custody.

Unfortunately, several courts have ruled that local law enforcement officers may be sued for violating the Fourth Amendment if they comply with an immigration detainer, even if the detainer was lawfully issued and the detention would have been legal if carried out by DHS. This means that dangerous criminals cannot be held and must be released. The Stop Dangerous Sanctuary Cities Act solves this problem by explicitly stating that local law enforcement officers have legal authority to comply with immigration detainers. The bill also protects civil liberties, ensuring that someone who has had their constitutional rights violated may bring a cause of action.

Furthermore, the Stop Dangerous Sanctuary Cities Act takes crucial steps to eliminating sanctuary jurisdictions, which pose real threats to the American people, and increases penalties for criminals who re-enter the United States illegally, providing federal, state and local law enforcement vital tools to help keep our communities safe. The legislation would withhold certain federal funds – Community Development Block Grant funds and certain Economic Development Administration grants – from cities and

municipalities who do not comply with the law. This legislation will not punish law enforcement for decisions made by elected officials by taking away much needed federal grant funding such as the COPS Program or the Byrne Justice Assistance Grant (Byrne-JAG) Program, but instead focuses the penalties on the grant programs most important to city and county managers.

Further, the legislation recognizes the need for cooperation with all members of our communities and preserves flexibility for law enforcement, so that victims of crime and witnesses to crime who are in the U.S. illegally may come forward and cooperate with police.

We look forward to working with Senator Cruz to get this important legislation enacted into law.

## **Senator Grassley Reintroduces Invest to Protect Act**

Senators Charles Grassley (R-IA) and Catherine Cortez Masto (D-NV) reintroduced one of NAPO's priority bills, the Invest to Protect Act, which creates a broad grant program through the Department of Justice (DOJ) specifically for small state, local or tribal law enforcement agencies that will give them resources to help them train their officers, implement or expand body-worn camera programs, provide mental health resources for their officers, and retain and hire officers. A small agency is defined as one that employs fewer than 200 law enforcement officers.

The law enforcement assistance grant programs through the DOJ provide invaluable resources, training, and technical assistance to state and local law enforcement agencies, keeping our communities safe. However, small agencies across the country find themselves getting left behind due to their size and lack of resources for participating in the onerous Federal grant solicitation process. We thank Senators Grassley and Cortez Masto for their leadership, and we look forward to working with them to ensure all law enforcement agencies have the support and resources necessary to serve and protect our communities.

## **NAPO Backs Bill to Provide Education Benefits for Help with Recruitment and Retention**

NAPO once again endorsed the Strong Communities Act, sponsored by Senators Gary Peters (D-MI) and John Cornyn (R-TX). This bill would allow for COPS Hiring Program funds to be used to pay for local law enforcement recruits to attend schools or academies if the recruits agree to serve in precincts of law enforcement agencies in the communities in which they live.

The Community Oriented Policing Services (COPS) Program has assisted more than 13,000 jurisdictions with over \$14 billion in funding to hire more than 135,000 community police officers across the United States since its inception in 1994. A big part of the success of this program is its reliance on local police agencies in defining what their communities need.

There has been a growing call from community leaders across the nation for police departments to hire more officers from the communities being served and who reflect the makeup of the communities in which they serve to increase community trust. The requirement that candidates have a four-year college degree can be a hindrance to achieving that goal. The Strong Communities Act would help agencies remove that obstacle and aid in the recruitment of much needed community police officers.

Allowing agencies to use COPS Hiring Program funds to offer education benefits for recruits who pledge to serve as officers within their communities, agencies will be providing opportunities for members of the community to not only become officers but also to promote within the department. This will improve community relations and lead to increased respect for officers on the street.

Importantly, the Strong Communities Act maintains and augments the original intent of the COPS Hiring Program, which is to help state, local, and tribal agencies hire, rehire, and retain qualified officers that meet the needs of their communities. We will work with Senators Peters and Cornyn to move this important bill through the Senate.

## **Bill Providing Emergency Supplemental Funding for COPS Hiring Program Introduced**

NAPO is supporting the Filling Public Safety Vacancies Act, introduced by Senators Jon Ossoff (D-GA) and Marsha Blackburn (R-TN), which would provide \$162 million in immediate funds to the COPS Hiring Program to aid state and local law enforcement agencies with hiring or rehiring of community police officers.

Across the country, police departments are fighting to contain the increased violent crime our communities are facing, but they are understaffed, under-resourced, and struggling to hire and retain good, qualified officers. In introducing the Filling Public Safety Vacancies Act, Senators Ossoff and Blackburn recognizes the vital importance of the COPS Hiring Program, which provides invaluable assistance to state and local law enforcement agencies for the hiring and rehiring of qualified officers. This legislation will immediately inject much needed resources to state and local law enforcement agencies to help them hire and rehire thoroughly vetted officers and keep our communities safe.

## **FY 2023 Collaborative Crisis Response and Intervention Training Program Funding Open for Applications**

The Department of Justice Bureau of Justice Assistance (BJA) announced that the [FY 2023 Collaborative Crisis Response and Intervention Training Program](#) is now open for applications. This grant funding opportunity seeks applications from state, local, and tribal law enforcement and correctional entities to develop and implement crisis response training programs. This program supports partnerships with mental health, substance use disorder, and community service agencies to improve appropriate and effective responses to individuals in crisis who have behavioral health conditions, intellectual disabilities, developmental disabilities, or physical disabilities, and to achieve safe outcomes for all individuals in the community.

The grant funding from this program can be used in two different ways:

- Category 1: Implement Training Program for Law Enforcement Officers, Law Enforcement Agencies, and Sheriff's Departments (Patrol-Based)
- Category 2: Training Program for Correctional Officers, Probation and Parole, and Sheriff's Department (Facility-Based)

Eligible Applicants are city or township governments; county governments; Native American tribal governments (federally recognized); State governments; Public and state-controlled institutions of higher education with on-campus police departments.

## **Bipartisan Bill Combating Illicit Xylazine Introduced**

A bipartisan group of Senators and Representatives introduced the Combating Illicit Xylazine Act, which NAPO has thrown our support behind. Xylazine, a common pharmaceutical drug used in animals, has begun contributing to the opioid crisis that plagues our nation's communities. A drug that is meant for sedation and anesthesia in horses and cows has followed the trend of fentanyl and is being reported as an additive to illicit drugs. This drug has serious and deadly consequences and there is currently no approved drug to reverse its effects on humans.

The Combating Illicit Xylazine Act is calling for xylazine to be classified as a Schedule III drug and invoke penalties on those who choose to illicitly use and distribute the drug. Additionally, it would enable the DEA to track its manufacturing to ensure it is not diverted to the illicit market; require a report on prevalence, risks, and recommendations to best regulate illicit use of xylazine; and ensure all salts and isomers of xylazine are covered when restricting its illicit use.

NAPO stands with Senators Catherine Cortez Masto (D-NV), Charles Grassley (R-IA), Maggie Hassan (D-NH), James Risch (R-ID), Jeanne Shaheen (D-NH), and Shelley Moore Capito (R-WV) and Representatives Jimmy Panetta (D-CA), August Pfluger (R-TX), Gus Bilirakis (R-FL), Ken Buck (R-CO), and Chris Pappas (D-NH) and applaud their efforts to save countless lives.

## **NAPO's Legislative Positions & Sponsor/Cosponsor Updates**

NAPO's updated "Sponsor/Cosponsor" spreadsheet is available on [NAPO's website](#). The spreadsheet accompanies the latest "[Legislative Positions](#)" document, which is also available on the NAPO website. NAPO's Legislative Positions is a document that highlights all the legislation that we have taken an official position on or are monitoring during the 118th Congress. It is continually updated to reflect the work we are doing on Capitol Hill.

The "Sponsor/Cosponsor" spreadsheet is a useful tool to check if your members of Congress have supported pieces of legislation that will impact our members. NAPO updates this spreadsheet regularly and continues to ensure our voice is heard on Capitol Hill.

***Please monitor NAPO's website, [www.napo.org](http://www.napo.org), and Facebook page: National Association of Police Organizations, and follow us on Twitter at NAPOpolice for breaking news and updates.***