



The Washington Report

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

October 28, 2022

NAPO Meets with DOJ on Implementation of Police Reform Executive Order

On October 27, NAPO participated in virtual discussion with representatives from the Department of Justice's Office of Justice Programs (OJP), the Civil Rights Division, and the Community Oriented Policing Services (COPS) Office to discuss the President's police reform executive order, particularly Section 14, entitled, "Promoting Comprehensive and Collaborative Responses to Persons in Behavioral or Mental Health Crisis."

The DOJ was soliciting feedback from us on:

- When different models -- alternative, co-responder, law enforcement only -- should be used, and how to make that determination;
- The role of community-based crisis centers and the importance of post-crisis support services;
- The tools, training, and other needs for law enforcement to achieve improved outcomes in these encounters; and
- The risks associated with administering drugs such as ketamine in the field to subdue individuals in behavioral or mental health crisis.

We were asked to keep comments to 3 minutes, which is not much time at all given the topics. We hit hard on our main positions with such collaborative responses: we support co-responder models, but in no model should the law enforcement role be supplanted – it should only be assisted. We have long supported increased training for officers in responding to individuals going through a mental, behavioral or substance abuse crisis to improve outcomes and that rank-and-file officers must be consulted in the development of that training. We also believe it is vital there are the community supports and services in place for those individuals to receive care and treatment.

As for the risks associated with administering ketamine and other such drugs in the field, that is a difficult question. If law enforcement were to be empowered to administer such life-saving drugs, officers would at the very least need to have very thorough training as well as immunity should something go wrong if they administer the drugs in good faith, much like many places have in place for naloxone.

This was promised to be the first of many meetings to discuss the implementation of various aspects of the Executive Order. There is a lot of work the Department must do in a little time to meet the deadlines of the order. We appreciate the opportunity to be involved and have our voice heard and we look forward to working with OJP and the Department to achieve policies that have the buy-in of all stakeholders, but particularly that of rank-and-file officers.

NAPO Meets with Lawmakers Urging Support for Funding the 9/11 WTC Health Program

During the Congressional recess, NAPO is continuing to meet with the staff of members of the House Energy and Commerce Committee, which has jurisdiction over the 9/11 Responder and Survivor Health Funding Corrections Act (H.R. 4965), to garner strong support for the bill. This bill would provide additional funding to the 9/11 World Trade Center Health Program (WTCHP), which will face a budget shortfall starting in 2025, causing the program to have to limit spending and reduce services for new enrollees as soon as next year.

NAPO fought hard for the passage of the James Zadroga 9/11 Health and Compensation Act in 2010 and its reauthorization in 2015 to ensure our nation took care of the victims and first responders who are coping with 9/11-related chronic health conditions. James Zadroga, a New York City Police Department Detective and member of NAPO, died of respiratory disease caused by his exposure to toxic chemicals during rescue and recovery efforts at Ground Zero.

In our meetings, we are urging Committee members to cosponsor the bill to show support for providing the needed additional \$3 billion in funding to ensure the WTCHP does not need to cut services to 9/11 responders and survivors. Additionally, we request that they support including the bill or just the \$3 billion in funding in any must-pass legislation Congress considers this year.

In addition to ensuring the program is sufficiently funded, the 9/11 Responder and Survivor Health Funding Corrections Act also makes important changes to improve the ability of the WTCHP to certify both health care providers and WTC-related health conditions, as well as increase funding for research activities. While passage of the bill in its entirety is important, our top priority is ensuring the continuation of the WTCHP's important work on behalf our nation's first responders.

Congress cannot wait until next year to fund the WTCHP. The men and women who answered the call 21 years ago should not be made to walk the halls of Congress yet again to force lawmakers to do the right thing. It is our obligation and duty to remember these heroes and ensure that survivors who risked their lives to protect us continue to receive the compensation and care that they deserve without having to worry about losing it.

New York Judge Sides with Fired Sanitation Workers Over Vaccine Mandate

On October 25, a New York Supreme Court Judge Ralph Porzio sided with a group of New York City sanitation workers who were fired for refusing to comply with the City's COVID vaccine mandate for government employees and ruled that they should get their jobs back and receive retroactive pay.

New York City employees were required to show proof of having received at least one dose of a coronavirus vaccine before November 2021. In December of 2021, a similar vaccine mandate was issued for private-sector employees, but Mayor Eric Adams ordered significant exemptions from the mandate for public performers and professional athletes. The sanitation workers were fired in February 2022.

The ruling by Judge Porzio stated that while the Health Commissioner clearly has the authority to issue public health mandates, the Health Commissioner cannot create new employment conditions for City employees, nor can he terminate employees or prohibit them from reporting to work. The ruling further stated that the Mayor

cannot exempt certain employees from these mandates as “[e]ither there is a mandate for all, or there is a mandate for none”.

Judge Porzio stated that City employees were “treated entirely differently” from private sector employees, and both city and private sector employees were “treated entirely differently” from professional athletes, artists and performers. The Judge found that this violated the sanitation workers’ equal protection rights under the New York Constitution and called the mandate “arbitrary and capricious”.

The Judge ended his order with “In a City with nearly 80% vaccination rate, we shouldn’t be penalizing the people who showed up to work, at great risk to themselves and their families, while we were locked down. If it was about safety and public health, no one would be exempt. It is time for the City of New York to do what is right and what is just.”

New York City has stated that the mandate will stay in place except as it pertains to the petitioners, and it plans to appeal the ruling to the appellate courts.

NAPO in the News

On October 26, NAPO Executive Director Bill Johnson was a guest on “[The Fox News Rundown: Evening Edition](#)” podcast and spoke with host Jeff Monosso about the current state of law enforcement recruitment, the causes for the down turn, and possible ways to change it.

Monosso and Johnson discussed the sense among rank-and-file officers that elected officials in many cities and jurisdictions do not have their backs, that they are not being supported when they go out and do the job they were hired to do. Johnson also addressed the frustration felt by officers with bail reform laws and progressive prosecutors releasing criminals who the officers risked their lives to apprehend only to have to rearrest them hours or days later.

Listen to their wide-ranging discussion on the state of policing today [here](#).

NAPO on the Hill: De-Escalation Training

With Congress returning from a six-week recess on November 14, there is little time left in the year to move legislation. NAPO is working with Senators John Cornyn (R-TX) and Sheldon Whitehouse (D-RI) to push the Law Enforcement De-Escalation Training Act (S. 4003/H.R. 8637) across the finish line. The bill passed the Senate by unanimous consent on August 1. It is a bipartisan bill that is supported by nearly 50 national law enforcement and mental health organizations and advocacy groups that should easily move through the House. NAPO is reaching out to Members to garner additional cosponsors to show House leadership there is widespread support for the bill, and it should be moved quickly under suspension of the rules when Congress returns from recess.

The bill would build off of the existing Byrne Justice Assistance Grant (Byrne-JAG) structure to provide a dedicated stream of funding to local and state law enforcement agencies to train their officers as well as mental health professionals working with – *not in lieu of* – those officers in de-escalation tactics, alternatives to use of force, safely responding to mental or behavioral health crises, successfully participating on a crisis intervention team, and making referrals to community-based mental and behavioral health services and support and other social programs.

NAPO worked closely with Senators Cornyn and Whitehouse on this legislation to ensure that rank-and-file officers and their representatives are at the table in developing the curricula in training topics or identifying current curricula and best practices in training on these issues. We have long supported funding for training programs for law enforcement and corrections personnel to identify and respond to incidents involving individuals with mental health, behavioral health and substance abuse issues. Without adequate training and tools to assist officers in responding to and de-escalating these situations, officers face tremendous obstacles in managing these incidents.

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 117th 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.

NAPO's 30th Annual TOP COP Awards – [Nominate an Officer Today](#)

Don't let your TOP COPS nominations get lost in the year-end shuffle! The *January 11, 2023* deadline for nominations will be here before you know it.

Please take the time to nominate examples of outstanding police work for this prestigious award. We count on you, our members, to help us get the word about TOP COPS out and obtain nominations for officers nationwide. Join us in honoring America's Finest by nominating a case today. The **nomination form** must be postmarked or faxed to (703) 684-0515 by **January 11, 2023**. If you have any questions please do not hesitate to contact NAPO's Director of Events, Elizabeth Loranger, at elorange@napo.org or (703) 549-0775.

2023 will mark the thirtieth year that NAPO has hosted the TOP COPS Awards®. The TOP COP Awards® Dinner will take place on May 12th at the Omni Shoreham Hotel in Washington, D.C., again coinciding with National Police Week.

Nominate an officer today and with your help and partnership, the TOP COPS Awards® will continue to be a tremendous success!

Register Now for NAPO's Pension & Benefits Seminar

January 29 - 31, 2023

Caesars Palace Hotel & Casino ~ Las Vegas, Nevada

Register Here

Please join us at [NAPO's 34th Annual Police, Fire, EMS, & Municipal Employee Pension & Benefits Seminar](#), January 29 – 31, 2023, at Caesars Palace Hotel & Casino in Las Vegas, Nevada. Our goal for the 2023 Pension & Benefits Seminar is to educate pension and union representatives along with their providers on the latest issues surrounding the pension and benefits industry.

The seminar will focus on the current challenging situation and causes for concern in today's pension and benefits environment. Soaring inflation, stagflation, and a general recession are rearing their heads, and the market, after years of run-up, has turned bearish. Politically, both parties will be analyzing the results of the midterm elections, and how those results will influence the economic policies which are a major dividing line between them. Global corporate taxation, socially conscious investing, mounting national debt, and expansion of IRS taxation and reporting powers are just some of the issues being debated. We will examine these areas and more as we evaluate the effect of these trends on public employment benefits and security, and the overall economic situation for the near- and mid-term.

Take an active role in improving the future of your fund by registering today. You will find information regarding registration, hotel reservations and the full agenda on NAPO's website: www.napo.org/PB23 or download the attached brochure and fax to NAPO at (703) 684-0515.

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

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