



# The Washington Report

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

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December 4, 2017

## **NAPO Victory! House Passes Law Enforcement Mental Health & Wellness Act**

In a victory for NAPO, the House passed the Law Enforcement Mental Health and Wellness Act (H.R. 2228) by voice vote on November 28, moving us one step closer to getting this bill signed into law. The Senate passed its version of the bill (S. 867) by unanimous consent back in May. The House made a minor amendment to the bill, so it must go back to the Senate for a final vote. NAPO is working with Senate Judiciary Committee leadership and the Senate Majority Leader's office, as well as the sponsors of S. 867, Senators Joe Donnelly (D-IN) and Don Young (R-IN), to ensure the Senate swiftly takes up and passes this important bill. Our goal is to have the House-passed bill to skip Committee consideration and go straight to the Senate floor for a unanimous consent vote before Congress adjourns for Christmas recess.

The legislation would help law enforcement agencies establish or enhance mental health care services for their officers by making grants available to initiate peer mentoring pilot programs, developing resources for mental health providers based on the specific mental health challenges faced by law enforcement, and supporting law enforcement officers by studying the effectiveness of crisis hotlines and annual mental health checks. The House amendment to the bill would ensure that this study would be complete within a year of the enactment of this Act.

According to the National Study of Police Suicides, officers are 2.5 times more likely to die from suicides than from homicides. State and local law enforcement officers are our nation's first responders. They respond to our country's greatest tragedies as well as violent crimes that unfortunately occur more frequently in our communities. They have seen and experienced horrors that they cannot forget, yet they still put their lives on the line every day to protect and serve our communities. It is time that we as a nation recognize the stress and strain of the job and give officers the resources they need to address their emotional and mental wellbeing.

NAPO thanks Congresswoman Susan Brooks (R-IN), and Senators Donnelly and Young for their support of the law enforcement community and their leadership on this important issue. We look forward to seeing this bill signed into law and will keep our members updated on its status. If you have any questions about this bill, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

## **NAPO on the Hill: Senate Takes up Tax Reform**

The Senate debated and voted on the Tax Cuts and Jobs Act (H.R. 1) last week, ending with the bill being passed by a vote of 51-49, with Senator Bob Corker (R-TN) joining the Democrats in opposing the bill. Like the House-

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passed bill, the Senate version of the Tax Cuts and Jobs Act partially eliminates the state and local tax (SALT) deduction. It caps the state and local property tax deduction at \$10,000 and completely repeals the deduction for state and local income and sales taxes. The capping and elimination of the majority of the SALT deductions would equate to a large tax increase on the citizens of states with high state and local taxes, such as New York, New Jersey, California and Illinois.

NAPO joined the Americans Against Double Taxation (AADT) in opposing the partial elimination of the SALT deduction and we signed on to an [AADT coalition letter](#) on November 29 urging the Senate to fully restore the deduction.

Throughout this country, firefighters, law enforcement officers, and other public safety-focused public servants wake each day and go to work with one goal in mind: to keep their communities safe. In order to achieve this mission, they receive support from the communities they serve, as public safety budgets across the United States are largely drawn from state and local property, sales, and income taxes – essential investments that give our first responders the tools they need to get the job done. The SALT deduction helps support these vital investments at the state and local level.

NAPO's members are not just law enforcement officers; they are also citizens of the communities in which they work, and the fact is that eliminating the SALT deduction would be deeply harmful to middle-class taxpayers in many of these same communities that first responders call home. A recent analysis released by Americans Against Double Taxation found the plan would result in tax increases as high as \$6,300, or more than \$63,000 over 10 years, for many suburban homeowners, including both single filers and families, due in large part to the cuts to the SALT deduction. This puts them squarely in the range of middle-class taxpayers that this tax reform legislation was supposed to help. Instead, if SALT is partially or fully repealed, many law enforcement officers could find themselves on the wrong end of a tax hike.

The deduction for state and local taxes has been in place since the original tax code that was enacted in 1913. Since then, first responders in communities throughout our country have known that they could count on the ability of state and local governments to support their work, while having an assurance from the federal government that their own hard-earned income wouldn't be taxed twice. First responders are used to working under threat of danger; they shouldn't also be expected to do their jobs and support their families under threat from the federal government, who, in eliminating the SALT deduction, would be putting their livelihoods at risk.

The Senate and House will go into conference committee this week to resolve the differences between their two bills before voting on the final version. Congressional leadership expect the conference negotiations to take a week, with the hopes of both chambers voting on the final tax reform bill next week. House Majority Leader Kevin McCarthy (R-CA) is working on a possible SALT compromise for the conference committee to consider in order to win back the votes of the 12 Republicans who voted against H.R. 1 due to the partial elimination of the SALT deduction. He is considering a partial revival of the state and local income tax deduction in that taxpayers could choose either to deduct up to a certain amount of their state and local income taxes *or* deduct their property taxes up to \$10,000. Many of the Republicans who voted no stated they would support allowing both deductions, even if capped, but were against making it an "either or" situation.

NAPO will continue to lobby against the elimination of the SALT deduction and will keep our members up to date on the status of the Tax Cuts and Jobs Act. If you have any questions, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

# **NAPO Victory! Senate Passes Honoring Hometown Heroes Act**

In another victory for NAPO, the Senate passed the Honoring Hometown Heroes Act (H.R. 1892 / S. 1108) by unanimous consent on November 28. The House passed the bill back in May by a vote of 411-1. The Senate had to make a technical amendment to the bill to update a code reference, which means the bill is headed back to the House for a final vote before it can be signed into law. We are working with House leadership to ensure that the bill goes straight to the House floor for a vote.

The Honoring Hometown Heroes Act will permit the Governor of a state or territory to lower the American flag to half-staff in the tragic event that a law enforcement officer, firefighter or public safety officer from that jurisdiction dies in the line of duty. Currently, a Governor can only make this tribute for the death of a present or former government official or a member of the Armed Forces who dies in combat. This bill will ensure that first responders who make the ultimate sacrifice while protecting their communities will also have the simple, but meaningful honor of having the flag flown at half-staff.

We are hopeful the bill will clear Congress prior to lawmakers adjourning for Christmas recess. NAPO thanks Senators Jon Tester (D-MT), Jerry Moran (R-KS) and John Boozman (R-AR) for their support of the public safety community.

## **NAPO Supports Creation of National Endangered Missing Advisory Communications Network**

NAPO has pledged its support for the Safe Keeping Youth through Localized Alerts and Response (SKYLAR) Act of 2017, sponsored by Senator Joe Manchin (D-WV). This legislation also has the support of the National Center for Missing and Exploited Children, an organization with which NAPO has long partnered.

NAPO was a key player in the passage of the National Amber Alert Act, which established the AMBER Alert Program. While the AMBER Alert Program has proven successful in quickly mobilizing entire communities in the search and safe recovery of a missing child, strict criteria must be met for an Alert to be issued, including evidence of abduction. Not all missing children cases start with an abduction – some begin as a missing children or runaway report. According to the National Center for Missing and Exploited Children, 465,676 missing children reports were made to law enforcement in 2016.

In order to notify and activate law enforcement and the public around a missing child case that does not meet AMBER Alert requirements, many states have created Endangered Missing Advisory (EMA) networks. Much like AMBER Alerts, these instant notifications are essential to law enforcement's ability to search for and rescue missing children at serious risk of harm. These networks, however, are not consistent and are not in every state. The SKYLAR Act would establish a volunteer national EMA communications network, modeled after current state networks, to encourage, enhance and integrate EMA plans throughout the country.

NAPO strongly believes that a functioning national EMA communications network will help prevent tragedies like the case of Skylar Neese, who was killed before an AMBER Alert was even issued, by giving law enforcement a jump-start on their missing children investigations.

We thank Senator Manchin for his leadership on this important issue and we look forward to working with him to get this bill signed into law.

# **NAPO on the Hill: Steven Losquadro for U.S. Attorney, Eastern District of NY**

NAPO joined the Patrolmen's Benevolent Association of the City of New York and the Nassau County Police Benevolent Association in a meeting with key staff of Senate Minority Leader Charles Schumer (D-NY) to discuss the New York law enforcement community's unanimous support for Steven Losquadro to be nominated for United States Attorney for the Eastern District of New York. While Senator Schumer may not be in the right political party to have President Trump's ear, as Minority Leader he does have the power to help veto or support candidates put forward by the President.

Mr. Losquadro has 28 years of criminal law experience at the local, state and federal levels, both in the public sector as a prosecutor for the New York County District Attorney's Office and the private sector as the principle of his own law firm. He has worked closely with law enforcement at all levels of government and has earned the respect and trust of all of those with whom he has worked. This is evident by the extensive support Mr. Losquadro has within the New York law enforcement community, including some of the biggest law enforcement organizations in the state: the Patrolmen's Benevolent Association of the City of New York, the Nassau County Police Benevolent Association, the New York Association of Police Benevolent Associations, and the Police Conference of New York. NAPO stands with our members and our fellow law enforcement organizations in endorsing Mr. Losquadro, a highly regarded former prosecutor and criminal litigator, for United States Attorney for the Eastern District of New York.

NAPO has sent letters of support to the President, White House staff, the Attorney General and relevant Justice Department officials and we are working to ensure we promote Mr. Losquadro as the best and most qualified candidate for this position.

## **NAPO in the News**

On December 2, NAPO Executive Director Bill Johnson was quoted in a *Connectstatesboro.com* article entitled, "How the Supreme Court could redefine privacy in the digital age". On November 29, the Supreme Court heard the case *Carpenter v. United States*, which asks whether law enforcement can seize and search cell phone records that reveal the user's location – in this case a suspected armed robber – over 127 days under the Fourth Amendment. The article discusses the details of the case and its possible implications for privacy rights and law enforcements' ability to access important cell phone data without a warrant.

Johnson was interviewed to give his thoughts on current police protocol and how the case will impact it.

"In general, the standard to get a warrant is probable cause — [meaning an officer has a reasonable basis to believe a crime has occurred]. From there, he or she can get a warrant for an arrest or search.

A lesser standard is reasonable suspicion, where the officer, based on his or her experience and training, is concerned and can point to activity or behavior that looks suspicious. They can ask someone to stop and wait for a minute while they check things out, says Bill Johnson, executive director for the National Association of Police Organizations.

An even lesser standard is an administrative warrant, or a subpoena, where based on laws and statues, officers or even the gas company can do a routine inspection or get some general information without a warrant.

'The safeguard for society is not so much the level (of proof) as the fact that the warrant itself has to be

issued by a neutral ... judge or magistrate — someone who's not part of the police department,' says Johnson. 'It's an outside party looking at it and applying the standard.'

While cell tower data is helpful in investigations, how often it's used by police departments is more a question of resources than of legal ability to get it, said Johnson.

Most cases are solved by an eye-witness or gas station surveillance camera videos, he said, because many police departments lack time or resources to get cell tower data.

Should the court's ruling require officers to get a warrant each time they need cellphone location data, it might 'chill' officers' inclination to seek those warrants, says Johnson, though it might still be used for the most serious cases — missing persons, abducted child, a victim's location, etc.

'I don't think there's a question that ... prosecutors followed the law as it existed,' Johnson said. 'I think the question is what Carpenter's attorney is saying ... 'even so, the law was unconstitutional.'"

The full article is available at: <http://www.connectstatesboro.com/news/article/13933/>

NAPO will continue to ensure our members' voices are heard loud and clear on the Hill, with the Administration, and in the media. If you have any questions about the publication cited above, please contact Bill Johnson at: [bjohnson@napo.org](mailto:bjohnson@napo.org).

## **Join NAPO for our 30<sup>th</sup> Annual Pension & Benefits Seminar** **Caesars Palace Hotel & Casino – Las Vegas, NV – January 28-30, 2018**

We invite you to join the National Association of Police Organizations (NAPO) for our 30<sup>th</sup> Annual Police, Fire, EMS & Municipal Employee Pension & Benefits Seminar to be held at Caesars Palace Hotel and Casino in Las Vegas, Nevada, January 28-30, 2018. Participate in discussions on the pressing topics that are affecting your pension fund and benefits.

Topics will include: Pension Threats & Reforms, The U.S. Supreme Court Case that may Gut Unions Across the Country, Plan Fund & Design, The Pension Crisis that started in Kentucky and Why it May Be Coming to Your State Soon, Tax Reform and the Loss of State and Local Tax Deductions, The Death of the 401(k) Plan, Medicare Options and Security Breaches just to name a few!

For the most up to date agenda check NAPO's website at [www.napo.org](http://www.napo.org)

Take an active role in improving your fund by registering for this informative seminar. Registration and Hotel information is attached. Registration Information is also found on the NAPO's website event page.

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](mailto:eloranger@napo.org) or (703) 549-0775. We look forward to seeing you in Las Vegas!



**25th Annual TOP COP AWARDS® Dinner**  
**May 14, 2018**  
**Omni Shoreham Hotel, Washington D.C.**

*Don't let your TOP COPS nominations get lost in the holiday shuffle! The January 12<sup>th</sup> 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. Attached, please find the nomination form which must be postmarked or faxed to (703) 684-0515 by **January 12, 2018**. If you have any questions please do not hesitate to contact NAPO's Director of Events, Elizabeth Loranger, at [elorange@napo.org](mailto:elorange@napo.org) or (703)549-0775.

2018 will mark the twenty-fifth year that NAPO has hosted the TOP COPS Awards®. The TOP COP Awards® Dinner will take place Monday, May 14 at the Omni Shoreham Hotel, again coinciding with National Police Week. We look forward to seeing you in Washington, D.C. this spring.

With your help and partnership, the TOP COPS Awards® will continue to be a tremendous success!

Handwritten signature of Michael McHale in black ink.

Michael McHale  
President, NAPO

Handwritten signature of Bill Johnson in black ink.

Bill Johnson  
Executive Director, NAPO

**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.**