



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

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Executive Director

April 5, 2013

The Honorable Amy Klobuchar
United States Senate
302 Hart Senate Office Building
Washington, D.C. 20510

Dear Senator Klobuchar:

On behalf of the National Association of Police Organizations (NAPO), representing 241,000 rank-and-file officers from across the United States, I write to you to express concerns about the Metal Theft Prevention Act of 2013 (S.394). NAPO is concerned that the bill's confidentiality provision will prevent law enforcement officers from accessing information needed to solve metal theft cases.

The confidentiality provision, contained in Section 5, Subsection A, will hinder electronic reporting and criminal investigations. As written, the provision will require law enforcement officers to acquire a court order to gain any information from metal recycling agents outside of their immediate jurisdictions or whenever a recycling agent questions the officer's authority.

As Congress reviews this legislation, NAPO proposes a solution by changing the wording of the confidentiality provision; "A recycling agent cannot be required to provide any information collected or retained under this subsection to any person other than a law enforcement agency with jurisdiction over the recycling agent, unless acting pursuant to a court order" to "Any such information collected or retained may be disclosed to duly authorized law enforcement authorities responsible for investigating or regulating commerce in such metals, or as otherwise directed by a court of law."

We strongly believe the above change will remedy the concerns voiced by numerous law enforcement agencies across the country, and allow law enforcement officers to access the information needed to solve metal theft cases.

We sincerely appreciate your consideration. I will reach out to you in the next ten days to schedule a meeting to discuss this issue further.

Sincerely,

William J. Johnson
Executive Director