



# The Washington Report

## The Newsletter of the National Association of Police Organizations

*Representing America's Finest*

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January 23, 2017

### President Trump Sworn in to Office

On January 20, 2017, Donald J. Trump was sworn in as our 45<sup>th</sup> President of the United States and NAPO's leadership was invited to witness and participate in the inauguration. NAPO President Mick McHale and Executive Director Bill Johnson were invited by Mr. Trump's Inaugural Committee to witness him being sworn in as President as well as attend other inaugural activities including the Freedom Ball, which was one of only three inaugural balls at which President Trump made an appearance.

NAPO's invitation to the inaugural events shows that the new Administration knows who NAPO is and recognizes our support for President Trump and the pro-law enforcement policies he has promised to move under his Administration. President Trump has made supporting America's law enforcement community one of the top issues of his Administration and has let the nation know this not only through his many speeches, but also through the new White House website, [www.whitehouse.gov](http://www.whitehouse.gov). Through our meeting and conversations with President Trump's transition team, NAPO is confident that the Administration knows and understands our priorities and we look forward to working with the President to support our nation's law enforcement.

Further, through our continued meetings with Congressional leadership and members of Congress, we are making certain that our nation's lawmakers know and understand NAPO's legislative and policy priorities. While there is certainly much work to be done by Congress this year to set up and start implementing President Trump's policy agenda, we are confident that law enforcement's priorities will not be shoved to the side.

Congress's first step in this direction is the confirmation of Senator Jeff Sessions (R-AL) as the next U.S. Attorney General. The Senate Judiciary Committee is scheduled to vote on his nomination on January 24<sup>th</sup>, with a vote in the full Senate soon after. NAPO is looking to meet with the new Attorney General as soon as he takes office to discuss our priorities for the Department of Justice, including the changes we would like to see to the Civil Rights Division and the COPS Office as well as adequate funding for state and local law enforcement grant programs.

### DOJ Issues Final NAPO-Supported PSOB Regulations

On January 17, 2017, the Department of Justice finalized the proposed regulatory changes for the Public Safety Officers' Benefits (PSOB) Program, just in time before all rulemaking was halted by the Trump Administration. The final regulations make significant changes to how the PSOB Program operates and determines claims. The first set of regulations is related to how the PSOB Office would process 9/11-related exposure death and disability claims. To date, the PSOB Office has only determined 60 of the approximately 150 9/11 exposure death and disability claims it has received; however, program leadership feels confident that with the final rules

in effect they will be able to move quickly on the rest of the death and disability cases. NAPO supports the new regulations as these changes are long overdue to ensuring 9/11 exposure cases are determined and approved.

The second set of regulations makes many changes to the program, including a significant change that will return the reasonable doubt standard to the program, moving it closer to being a presumptive benefit. Amongst other things, it changes from “clear and convincing” to “more likely than not” the standard of proof required to establish (1) an officer was injured because of his or her status as a public safety officer, (2) total and permanent disability, and (3) parent-child relationship for purposes of the education benefit. It expands the definitions of “line of duty activity or action” and “official capacity” to include a public safety officer’s actions to save human life in certain limited circumstances but without regard to jurisdiction as well as officers killed in retaliation or simply due to their standing as police officers. It expands the definition of “involvement” so that individuals going through official police or training academies (authorized by a department or agency) will be covered under the PSOB program. Further, it revises the definition of “totally disabled” and related provisions to address circumstances when a claimant performs work that is compensated but not substantial.

The changes these final rules make to the PSOB Program address several concerns NAPO has had with the program since the last major rulemaking in 2006 that implemented, among other changes, the Hometown Heroes Survivors Benefits Act of 2003. After years of frustration with the PSOB Program, we are glad to see several of our long-held concerns addressed in these final rules. We consider many of these changes big victories for NAPO and rank-and-file officers across the nation.

If you have any questions about the final PSOB regulations, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

## NAPO in the News

On January 17<sup>th</sup>, NAPO Executive Director Bill Johnson was extensively quoted in an article for *TheBlaze* entitled, “National police leader on Obama’s history of not backing cops: ‘No one is sorry to see this guy go’”. The article looked at Obama’s consistent lack of support for the law enforcement community throughout his administration, dating back to his divisive comments after the 2009 detention of Harvard professor Henry Louis Gates, Jr. at his home in Cambridge, Massachusetts.

“‘No one is sorry to see this guy go,’ William J. Johnson, executive director of the National Association of Police Organizations, told *TheBlaze*.

“Amid the spike in deadly violence against police during Obama’s presidency, Johnson said Obama’s public statements merely have given ‘lip service’ to the notion that such behavior is wrong. But coupled with such rhetoric has been Obama’s consistent support — often in the next sentence — for groups inclined to blame police for incidents involving minorities, which likely has kept the door open for more violence against officers.

“The disturbing result, Johnson told *TheBlaze*, has been a steep drop in morale among police and a marked decrease in officers’ willingness to engage communities for fear of being unjustly accused.

“‘He knows what he’s doing. He’s aware who his audience is,’ Johnson added regarding Obama. ‘In terms of violence against police, his audience was not police or survivors, his audience was leaders of Black Lives Matter, protesters and agitators. ... He sent a clear message: ‘I’m on your side.’

The article goes on to quote Johnson about how Obama's actions and words following the incident in Ferguson, Missouri and the subsequent federal investigation allowed for anti-police sentiment to grow and fester, which has led us to the tough environment in which police officers find themselves working today.

The full article is available at: <http://www.theblaze.com/news/2017/01/17/national-police-leader-on-obamas-history-of-not-backing-cops-no-one-is-sorry-to-see-this-guy-go/>

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).

## **NAPO Releases Statement on Obama Commuting Sentence of Domestic Terrorist Oscar Lopez Rivera**

On January 28<sup>th</sup>, NAPO released a statement condemning the commutation of convicted terrorist and would-be cop killer Oscar Lopez Rivera. Rivera was the bomb-making mastermind of the terrorist group FALN, who taught others how to make and use explosives. The FALN bombed the NYPD headquarters on New Year's Eve 1982, gravely wounding and maiming Officer Rocco Pascarella and two bomb squad detectives, Richard Pastorella and Anthony Senft.

Officer Pascarella lost part of his left leg below the knee and sustained serious injuries to his right leg and face, leaving him partially deaf and blind, in the bombing of NYPD headquarters. Detectives Pastorella and Senft were gravely wounded trying to disarm two bombs found across the street from headquarters. Detective Pastorella lost five fingers and was left blind and Detective Senft lost an eye and suffered severe wounds to his face and body. The bombings that shattered the lives of these three officers were the work of the FALN and Oscar Lopez Rivera, who has never renounced his terrorist acts or expressed contrition for his actions.

NAPO President Mick McHale stated, "This is just the latest demonstration of the utter contempt with which Barack Obama views police officers, their families, and the institutions that protect the public. It's no coincidence that Obama has unilaterally decreed that Lopez Rivera go free on May 17, during National Police Week. The heroic officers who lost their limbs and eyesight in the FALN attack mean nothing to him. Their families mean nothing to him. Instead of upholding the Constitution he swore to protect, he is using the waning hours of a failed presidency to set free convicted terrorists who have devoted themselves to destroying that same Constitution."

NAPO's Executive Director, Bill Johnson, added, "Barack Obama runs true to form. The budding politician who cozied up to unrepentant Weather Underground leaders Bill Ayers and Bernardine Dohrn is now doing everything he can to help let other violent terrorists loose on our streets. He's like the angry child kicked out of school, who's trying to break everything he can on the way out the door."

**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.**

# NAPO's 29TH ANNUAL PENSION & BENEFITS SEMINAR

Please join NAPO at our 29th Annual Police, Fire, EMS and Municipal Employee Pension & Benefits Seminar February 26 - 28, 2017 at Hyatt Regency Grand Cypress in Orlando, Florida.

Thanks to the assistance of our impressive advisory board, we are receiving overwhelming responses to our seminar. Our goal is to educate pension and union representatives, along with their providers, on the latest issues surrounding the pensions and benefits industry.

This year's key issues include: Economic and Political Updates, Asset Allocations, Alternative Investments, Department of Labor's New Fiduciary Rules, Rising Health Care Costs, The Imposition of the "Cadillac Tax" on Public Safety Plans, just to name a few.

Take an active role in improving the future of your fund by registering for this informative seminar. If you have any questions, please contact Elizabeth Loranger, NAPO's Director of Events, at (800) 322-6276 or email [eloranger@napo.org](mailto:eloranger@napo.org).