



The Washington Report

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

July 29, 2019

NAPO Attends Presidential Signing of the Permanent Reauthorization of the 9/11 Victim Compensation Fund



NAPO members at President Signing Ceremony in the Rose Garden at the White House

President Donald Trump signed the Never Forget the Heroes: James Zadroga, Ray Pfeifer, and Luis Alvarez Permanent Reauthorization of the September 11th Victim Compensation Fund Act into law on July 29. NAPO members and elected officers were on hand for the ceremony, and as 9/11 first responders, were invited by the President to join him on stage to witness the signing of this vital legislation into law.



NAPO Elected Officers Marc Kovar (NJSPBA), John Flynn (NYC PBA), and Scott Hovsepian (Mass COP)

The enactment of this legislation is a significant victory for the 9/11 first responder and survivor community. NAPO had over 20 members in the Senate chamber for the final vote to pass the bill and send it to the President's desk.

NAPO gives a special thanks to our members who spent two intense days of lobbying on July 16 and 17 from the following organizations: the Police Benevolent Association of the City of New York, the NYPD Detectives Endowment Association, Lieutenants Benevolent Association, and Captains Endowment Association, the Port Authority of New York and New Jersey Police Benevolent Association, Detectives Endowment Association, Lieutenants Benevolent Association, and Sergeants Benevolent Association, the Nassau County Police Benevolent Association, the Massachusetts Coalition of Police, and the Fort Worth Police Officers Association. If it were not for their efforts a week ago, we may not have seen such swift and strong action on this legislation.

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. We are so proud to stand with our members, many 9/11 first responders themselves, to see the 9/11 VCF permanently reauthorized.

NAPO Victory! House Passes Cadillac Tax Repeal

On July 17, the House overwhelmingly passed the Middle Class Health Benefits Tax Repeal Act (H.R. 748) by a vote of 419-6. This is an incredible step forward for our efforts to repeal the 40 percent excise tax (“Cadillac Tax”) on employer-sponsored health plans.

While the bill passed the House with resounding support, the repeal of the “Cadillac Tax” has a \$193 billion 10-year price tag attached to it that will make its passage an uphill battle in the Senate. This price tag is based on the revenue the tax is estimated to bring in through an increase in federal payroll taxes due to employers using the health care savings gained from offering cheaper plans to increase worker wages. NAPO believes this number is highly inaccurate as studies have shown that a majority of employers planning to reduce their plan values have indicated they most likely would not provide a corresponding wage increase. Further, there is little evidence that employer who have already reduced their plan values have used those savings to provide higher wages. Without wage increases, there is no revenue to lose.

The Cadillac Tax is not just a tax on health plans; it is a loss of earned wages and benefits. Over the years, law enforcement officers through collective bargaining have often given up pay increases in order to secure better health care coverage. Under the excise tax, they are being penalized for entering into those good faith agreements with their employing jurisdictions. If the Cadillac Tax is allowed to be implemented, it will force public safety employees to pay the tax in the form of wage cuts, higher premiums, increased out-of-pocket costs, and lower benefits.

NAPO thanks Rep. Joe Courtney (D-CT) for his steadfast efforts to repeal the Cadillac Tax and we thank House leadership and Ways and Means Chairman Richard Neal (D-MA) for working with Rep. Courtney to support and allow this important vote. We now turn our efforts to moving it in the Senate.

House Passes Bill to Bolster Multiemployer Pensions

On July 24, the House passed the NAPO-endorsed H.R. 397, the Rehabilitation for Multiemployer Pensions Act by a vote of 234-195. This bill, introduced by House Ways and Means Committee Chairman Richard Neal (D-MA), would help our fellow workers in the private sector who are facing the nightmare of having their hard-earned pensions possibly taken from them.

NAPO considers protecting and preserving public pension plans one of our top priorities. While we do not support federal interference into state and local public pension plans, which are already subject to substantial regulation and transparency requirements, we believe federal intervention is necessary to boost financially troubled multiemployer private pensions so they do not fail.

Nearly 300 multiemployer plans across the country are in danger of failing, which would impact millions of American workers and retirees who have worked their entire lives earning their pensions. They do not deserve to have their retirements ripped out from underneath them. This would not only impact their lives, but the wellbeing of the community around them.

NAPO supports the Rehabilitation of Multiemployer Pensions Act as way for multiemployer pension plans to remain solvent and ensure that retirees receive 100 percent of their earned benefits. Without the financial assistance provided through this legislation, millions of Americans will find themselves struggling, relying on Social Security and federal and state welfare programs to survive. We believe it is incumbent upon Congress to step up and protect the earned pensions of the millions of retirees and workers in these failing multiemployer pension plans.

Court Rules in Favor of DOJ; Lifts Injunction on COPS Hiring Funds

The COPS Office announced on July 16 that it will soon be opening applications for both the 2018 and 2019 COPS Hiring Program (CHP) and the Community Policing Development Microgrant Initiative. On July 12, the Ninth Circuit Court of Appeals ruled in favor of the Department of Justice (DOJ) in the *City of Los Angeles v. William P. Barr, Attorney General*, case lifting the nationwide injunction on CHP and the Microgrants. This is a significant victory for law enforcement. In this case, the City of Los Angeles sued the DOJ because it was prioritizing grant applicants who chose to focus on illegal immigration as well as to those applicants who agreed to comply with Department of Homeland Security immigration detainers.

The COPS Office plans to open solicitations for both the fiscal 2018 and 2019 funding in the coming days. Once the solicitations are open and they are ready to receive applications, the COPS Office will send an additional notice with links to all the appropriate materials.

The solicitations will be open for approximately 60 days and the COPS Office expects to announce awards in December. NAPO will send out notices of the grant solicitations to all of our members as soon as they are released from the COPS Office.

NAPO Participates in Officer Safety & Wellness Group Meeting

NAPO participated in a meeting of the National Officer Safety and Wellness (OSW) Group, which is comprised of federal, state and local law enforcement associations, 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.

The past few meetings have been focused on the issues of mental wellness and resiliency as well as suicide prevention. In this meeting, the Group looked at the range of risky behaviors law enforcement officers may engage in as part of their efforts to cope with their job stresses, how best to recognize risky behaviors, and what are the opportunities to promote positive coping strategies. Specifically, the Group delved into alcohol and substance abuse in the law enforcement community and their impact on families and colleagues.

In each discussion, participants kept going back to what departments are doing to ensuring mental health and substance abuse services are accessible to officers. Several participants brought up supporting state laws to allow PTSD to be covered under workers compensation for first responders. This is an issue NAPO President Mick McHale continues to champion as part of the OSW Group. Two-thirds of states cover PTSD under their workers compensation programs, leaving hundreds of thousands of law enforcement officers and first responders to foot the bill for their own mental health services – a big obstacle to ensuring officers get the mental health and wellness help they need.

In addition to the accessibility of services – accessible so that officers actually use them – the Group talked about the importance of maintaining officer confidentiality, both internally and externally. An officer will not use mental health or substance abuse services if it will automatically get back to their supervisor or Chief and especially if the officer’s care may be discoverable on the public record or be used in court proceedings. The recent COPS Office [Report to Congress on the Law Enforcement Mental Health and Wellness Act](#) highlights this issue and specifically recommends strict privacy protections at the local, state and federal levels (pp. 35-36 of the Report).

Other issues discussed included the importance of peer mentoring programs, supporting families of officers, regulating stress, and maintaining heart and physical health. The result of this meeting will be a report from the COPS Office outlining best practices, lessons learned and guidelines on ensuring officer safety on the job and mental health resources.

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. If you have any questions about the National Officer Safety and Wellness Group, please contact Andy Edmiston at aedmiston@napo.org.

NAPO Supports Bill Exempting Police Officers from GPO & WEP

NAPO pledged our support for the Social Security Fairness for Firefighters and Police Officers Act (S. 710), introduced by Senator Patrick Toomey (R-PA), which would exempt firefighters and police officers with at least five years of service from the Government Pension Offset (GPO) and the Windfall Elimination Provision (WEP).

Though most police officers must retire after specific time served, usually in their early to mid-fifties, many look for new opportunities to serve their community. Yet, when they retire from a non-Social Security paying job and move to one that does pay into Social Security, they are penalized by the Windfall Elimination Provision (WEP). Instead of receiving full support from their rightfully earned Social Security retirement benefit, their pension heavily offsets it, thus vastly reducing the amount they receive.

More troubling is the effect of Government Pension Offset (GPO) on a police officer’s retirement. If a spouse who paid into Social Security dies, the surviving public safety officer should be eligible for half of the deceased’s benefit. However, GPO requires that this amount be offset by two-thirds of the survivor’s pension, eliminating most or all of the payment. By professional need, many police officers are outside of Social Security but if they had not served at all, they would receive the full allotment of the spouse’s benefit.

GPO and WEP were meant as a “leveling” response but only serve to hurt public safety officers. By exempting police officers from both GPO and WEP, the Social Security Fairness for Firefighters and Police Officers Act would preserve the retirement security of those who selflessly serve and protect our communities.

NAPO looks forward to working with Senator Toomey to pass this important legislation.

NAPO in the News

On July 1, 2019, NAPO Executive Director Bill Johnson was interviewed by *WJLA* for an article entitled “‘You’re the cause’: NYPD unions blame ‘anti-cop’ politicians for water dousing incidents”. The article discusses the viral videos of New York City police officers being soaked and harassed with buckets of water, water bottles and squirt guns. In the article, Johnson joins Pat Lynch, President of the Police Benevolent

Association of New York City (a NAPO member), in condemning the current environment created by anti-police lawmakers that has allowed for such disrespectful behavior against cops:

“Whether it's Gov. [Andrew] Cuomo or Mayor de Blasio, their consistent drumbeat of distrust of the police—that the police are violent or racist or don't deserve to be respected and so on—absolutely helps engender this type of attack.”

NAPO strongly condemns these attacks on officers and supports the calls for stronger laws and penalties for anyone who harasses officers or interferes with a police officer's official duties. It is not enough for NYPD leadership to condemn the actions of the culprits who threw water on the officers; they must push for their arrests and have officers' backs when they take actions to defend themselves against such harassment.

The full article can be viewed [here](#).

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.

DOJ Announces It will Revive Federal Death Penalty After Nearly 20 Years

On July 25, Attorney General William Barr directed the Bureau of Prisons (BOP) to adopt a new execution protocol, clearing the way for the Department of Justice to resume the death penalty after a nearly twenty-year relapse. He also directed the Acting Director of the BOP, Hugh Hurwitz, to schedule the execution of five death row inmates convicted of murdering, and in some cases torturing and raping, women and children for December and January. The new protocol would kill the inmates with an injection of a single lethal drug called pentobarbital.

“Under Administrations of both parties, the Department of Justice as sought the death penalty against the worst criminal, including these five murderers, each of whom was convicted by a jury of his peers after a full and fair proceeding,” Attorney General Barr stated in a press release. “The Justice Department upholds the rule of law – and we owe it to the victims and their families to carry forward the sentence imposed by our justice system.”

The American Civil Liberties Union has already announced that it will challenge this policy.

If you have any questions about the issues or legislation discussed in this issue of the Washington Report, contact Andy Edmiston at aedmiston@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 at NAPOpolice for breaking news and updates.