



# The Washington Report

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

---

May 23, 2016

## NAPO in the News

On May 17th, NAPO's Executive Director Bill Johnson was quoted in a *Huffington Post* article, "FBI Confirms 2015 Was One Of The Safest Years Ever for Cops". The article focused on the preliminary Uniform Crime Report (UCR) statistics released by the FBI before the report's full release this fall. According to the FBI data, the number of police officers that were intentionally killed in 2015 (41 officers) was almost 20 percent less than the number of officer killed in 2014 (51 officers). The article uses this data to argue that police are not under attack and anyone who disagrees with that is peddling a false narrative.

Johnson took issue with that assertion:

"Despite those numbers, William J. Johnson, executive director of the National Association of Police Organizations, had a different take. He told HuffPost that officers on the street feel 'much less safe,' and claimed they are 'more likely to be attacked without warning' than in previous years. Johnson said the FBI's data is obsolete, and pointed instead toward 2016 data on the first few months of the year.

'Attacks, including murder by gunfire, are up sharply in 2016,' Johnson said."

The article goes on to make an incredible case that while the number of police officers intentionally killed in the line of duty in 2016 is on pace to be greater than the number of those killed in 2015, officer deaths are at an historic low when compared to the 1970s or the prohibition era.

The full article is available at: [http://www.huffingtonpost.com/entry/fbi-police-deaths\\_us\\_573b53aae4b0646cbeeb02b8](http://www.huffingtonpost.com/entry/fbi-police-deaths_us_573b53aae4b0646cbeeb02b8)

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).

## House Subcommittee Approves Fiscal 2017 DOJ Spending Measure

On May 18<sup>th</sup>, the House Appropriations Subcommittee on Commerce, Justice, Science and Related Agencies (CJS) approved the fiscal year 2017 CJS Appropriations measure, which determines how much funding Department of Justice (DOJ) state and local law enforcement grant programs, including the COPS Hiring Program and the Byrne Justice Assistance Grant (Byrne JAG) Program, will receive in fiscal 2017.

Prior to the Subcommittee taking up the bill, NAPO met with Chairman Culberson's staff regarding our funding priorities for the fiscal 2017 CJS appropriations bill: the COPS Hiring Program, the Byrne JAG program, the Bulletproof Vest Partnership (BVP) Grant Program, and the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA). *(For more information about NAPO's funding priorities, please see our Legislative Priorities booklet for the 114<sup>th</sup> Congress: [http://www.napo.org/files/8614/2652/0101/Legislative\\_Priorities\\_Booklet\\_-\\_114th\\_Congress\\_-\\_Website.pdf](http://www.napo.org/files/8614/2652/0101/Legislative_Priorities_Booklet_-_114th_Congress_-_Website.pdf))*

While the bill approved by the Subcommittee adequately funds many of NAPO's priority grant programs, it does not include any funding for the COPS Hiring Program. Subcommittee leadership believes that the program is duplicative since state and local agencies can use Byrne-JAG funding to hire and retain officers, and therefore it is unnecessary. This is unacceptable to NAPO and prior to the Subcommittee taking up the bill, we sent [this letter](#) to Chairman Culberson and Ranking Member Mike Honda (D-CA) urging them to adequately fund this important program.

Unfortunately, this move was not unexpected. The House provided no funding for the COPS Hiring Program in the fiscal 2016 CJS Appropriations measure for the same reasons. We worked with Representatives Dave Reichert (R-WA) and Bill Pascrell, chairs of the House Law Enforcement Caucus, to successfully amend the final House bill to add \$100 million to Byrne-JAG specifically for the hiring and retention of officers. Through this work and the Senate's support for the COPS Hiring Program, the program was funded at \$187 million in fiscal 2016. We are again working with Representatives Reichert and Pascrell on a similar strategy.

While the Subcommittee was not generous to the COPS Hiring Program, it did look more favorably on NAPO's other priority grant programs. The Byrne JAG Program is authorized at \$476 million, BVP Grant Program at \$22.5 million, and the MIOTCRA at \$12 million.

The bill also includes \$103 million for programs to help address opioid abuse and fund newly established DOJ grants to help state and local governments expand programs for the prevention and treatment of drug abuse and train first responders to administer overdose-reversal drugs, among other things.

The full House Appropriations Committee will markup the spending bill on May 24<sup>th</sup> and it is expected to be approved and move quickly to the House floor. NAPO will continue to work with House and Senate appropriators to ensure the COPS Hiring Program and our other priority programs are supported and get adequately funded. We will keep our members up to date as Congress moves through the appropriations process.

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

## **Senate Judiciary Committee Approves Justice for All Reauthorization Act and Rapid DNA Act**

In another victory for NAPO, the Senate Judiciary Committee approved two NAPO-endorsed bills - the Justice for All Reauthorization Act (JFAA) of 2016 (S. 2577) and the Rapid DNA Act (S. 2348) on May 14<sup>th</sup>. The JFAA, sponsored by Senators John Cornyn (R-TX) and Patrick Leahy (D-VT) reauthorizes the bipartisan Justice for All Act of 2004, which increased resources devoted to DNA and other forensic technology, established safeguards to prevent wrongful convictions, and enhanced protections for crime victims. The bill also improves services for crime victims and provides support to state and local governments to use DNA evidence to convict guilty offenders and exonerate the innocent. NAPO supported the original Justice for All Act in 2004 and we are proud to support its reauthorization.

The Rapid DNA Act, sponsored by Senator Orrin Hatch (R-UT), would give law enforcement agencies greater ability to use technology to process DNA evidence in the field. Science and technology has allowed state and local law enforcement to use DNA evidence to convict guilty offenders and exonerate the innocent. However, the processing of DNA evidence under current law can take weeks or even months due to backlogs at crime labs. This significantly delays a perpetrator being brought to justice or an innocent victim being safe-guarded from further harm. Rapid DNA technologies allow an officer to know within hours whether an individual is wanted for an outstanding crime or has a connection to evidence from a crime scene. This bill would ensure that law enforcement agencies that use rapid DNA technology can access the FBI's Combined DNA Index System (CODIS) in the field, rather than having to go through an accredited crime lab.

NAPO looks forward to continue working with Senators Cornyn, Leahy and Hatch to move these important bills through the Senate. If you have any questions about the JFAA or the Rapid DNA Act, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

## **Senate Judiciary Committee to Take Up ECPA Amendments**

The Senate Judiciary Committee is scheduled to markup the Senate version of Email Privacy Act, S. 356, on May 26<sup>th</sup>. In preparation for the markup, NAPO and other law enforcement organizations held a staff briefing on May 19<sup>th</sup> and have been meeting with members of the Committee to make our concerns known and to gain support for proposed amendments to the bill.

While NAPO does not object to the requirement for law enforcement to obtain a warrant for the contents of stored communications, the Email Privacy Act would do much more than that. NAPO believes that several other provisions of the bill would place an undue burden on law enforcement's ability to gather evidence that can help solve crimes. Furthermore, the bill does not address the real and growing challenges faced by investigators and prosecutors in obtaining electronic evidence when they attain the required legal process.

After several meetings with staff and Committee members, we believe the Committee will take up the House-passed bill during the markup. The House bill, H.R. 699, which passed overwhelmingly last month, addressed at least one of our concerns with the original bill, removing the unprecedented requirement for law enforcement to serve a warrant for electronic evidence directly on a customer or subscriber who is under investigation and describe details of the investigation.

The other remaining serious concerns we have is that the bill does not contain sufficient exceptions to the warrant requirement for urgent situations like an imminent threat of physical harm, likely destruction of evidence, consent by a victim or a witness, or public safety emergencies that are not necessarily part of a criminal investigation (missing child, missing elderly adult) and it does not adequately address the lack of standards for service provider response to law enforcement legal demands. We hope that the Committee will address these important issues during the markup.

NAPO will keep our members up to date on the outcome of the Committee markup and the status of this legislation. If you have any questions about S. 356 / H.R. 699 or NAPO's efforts, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

# **NAPO Thanks Our Corporate and Law Enforcement TOP COPS® Sponsors**

NAPO would like to give a special thank you to all of our corporate and law enforcement sponsors of the TOP COPS Awards®, which were held on May 14<sup>th</sup>. Without their generosity, we would not be able to honor the brave men and women who have gone above and beyond the call of duty.

## **Corporate Sponsors**

### GOLD LEVEL

Adapt Pharma  
Lincoln Financial Group  
MassMutual Financial Group  
Nationwide Retirement Solutions

### SILVER LEVEL

Freedom Mortgage

### BRONZE LEVEL

California Casualty  
Huntsinger and Jeffer, Inc.

## **Law Enforcement Sponsors**

Boston Police Patrolmen's Association  
Combined Law Enforcement Associations of Texas  
Detectives' Endowment Association, Inc. of New York City  
Detroit Police Officers Association  
Fort Worth Police Officers Association  
Las Vegas Police Protective Association  
Los Angeles Police Protective League  
New Jersey State Policemen's Benevolent Association  
Patrolmen's Benevolent Association of The City of New York  
New York State Troopers Police Benevolent Association  
Ohio Patrolmen's Benevolent Association  
Palm Beach County Police Benevolent Association  
Phoenix Law Enforcement Association  
Police Benevolent & Protective Association of Illinois  
Police Officers Labor Council of Michigan  
Port Authority Police Benevolent Association  
Wisconsin Professional Police Association

**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.**