



The Washington Report

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

September 14, 2015

Congress Back in Session

On September 8th, Congress returned to a packed agenda of unfinished business, including funding the government and raising the federal government's debt limit. Congress has until September 30th to pass appropriations to fund the government or face a government shutdown. Congress will most likely pass a temporary Continuing Resolution (CR) to fund the government while lawmakers continue to debate funding levels for government programs, but there is a question of when and how it will get done. One of the biggest issues at hand for Republican leadership is whether to include language to cut federal funding for Planned Parenthood in the CR. This is a highly contentious issue and President Obama has promised to veto any bill that cuts funding for Planned Parenthood. Lawmakers have not yet unveiled any spending measure, but are expected to start discussions this week.

Between the ongoing debate on the Iran nuclear deal, the Jewish holidays, and the papal address to a joint session of Congress, there are only eight scheduled legislative days for House Speaker John Boehner (R-OH), to build enough support to get any spending bill through the House and send it to the Senate for final passage.

NAPO is monitoring the debate around the CR to ensure that law enforcement programs receive the funding they need to effectively support the efforts of federal, state and local law enforcement.

Source: Ryan McCrimmon and Tamar Hallerman, "No Stopgap Bill in Sight, Republicans Face Tight Timeline," CQ.com, September 14, 2015

NAPO Meets with COPS Office Director Ron Davis

On September 8, 2015, NAPO's Executive Director, Bill Johnson, and Director of Governmental Affairs, Andy Edmiston, met with Ron Davis, Director of the Community Oriented Policing Services (COPS) Office, Department of Justice. Director Davis requested the meeting at NAPO in response to our September 2nd letter calling on the COPS Office to address the ongoing ambush murders of law enforcement officers and focus its grants on protecting officers' lives. NAPO strongly believes that the COPS Office should prioritize for funding recipients who will institute a policy of two person units for all patrol shifts and patrol assignments rather than focusing its grants "procedural justice", "police legitimacy" and "collaborative reform" programs.

While putting two officers in each patrol car, on each beat, etc., will not prevent all attacks, as the assassination of Officers Ramos and Liu in New York City makes clear, it will deter many and thwart others that might still be attempted. Johnson made clear to Director Davis that the federal funds earmarked for state and local police use cannot be put to any better use than this immediate and practical way of ensuring greater officer safety and survivability in the face of an escalating war on police.

While it is too late to change the requirements of the 2015 COPS grants as they will be announced in the next couple of weeks, NAPO will work with Director Davis and his team to ensure that the 2016 COPS grants will focus on the need to protect the lives of police officers.

NAPO will continue to engage the Administration and members of Congress to ensure our officers' voices are heard loud and clear, and they receive the protection they need.

If you have any questions about these meetings, please contact Bill Johnson at: bjohnson@napo.org.

NAPO Supports the Walter Patterson and Werner Foerster Justice and Extradition Act

NAPO has pledged its support for the Walter Patterson and Werner Foerster Justice and Extradition Act (H.R.2189), introduced by Congressmen Christopher Smith (R-NJ) and Albio Sires (D-NJ). This bill addresses the growing issue of the United States Government's inability to extradite violent criminals who flee to other countries. It will implement powerful reporting requirements that will enable Congress to act more decisively on strengthening the extradition system and ensuring the return of fugitives who have fled to Mexico and elsewhere.

Under this bill, the Administration will be required to report to Congress annually on several factors, including:

- Information on the fugitives residing in other countries for whom the U.S. is seeking extradition or rendition and a list of those countries
- U.S. diplomatic and other efforts to secure such fugitives' return
- Average length of time these cases have been outstanding; and
- Factors that have been barriers to case resolution.

The bill is named after the innocent victims of two of the most egregious killers in modern U.S. history – both of whom live openly abroad. Werner Foerster was a New Jersey state trooper shot during a routine traffic stop by terrorist Joanne Chesimard, who was convicted of murder, escaped prison, and made her way to Cuba, where she resides today. Walter Patterson was brutally killed in the course of a robbery by George Wright, who was convicted of murder, escaped prison, allegedly hijacked a commercial jetliner, and disappeared, only to be found living openly in Portugal.

NAPO strongly believes that the U.S. Government should do everything in its power to ensure the extradition of violent criminals and cop-killers and we will continue to work to ensure that they are returned and brought to justice. The numerous wanted criminals living abroad are an affront to the men and women who have dedicated their lives to protecting our community as law enforcement officers—above all to the family and friends of police officers who have made the ultimate sacrifice.

NAPO looks forward to working with Congressmen Smith and Sires to pursue the passage of this important legislation. If you have any questions about this legislation, please contact Andrea Edmiston at: aedmiston@napo.org.

Source: Congressman Christopher S. Smith: Dear Colleague Letter, August 11, 2015.

NAPO Opposes the SAFE Justice Reinvestment Act

NAPO, together with other law enforcement organizations, has come out in opposition to the Safe, Accountable, Fair, and Effective (SAFE) Justice Reinvestment Act of 2015 (H.R. 2944), introduced by Congressmen Jim Sensenbrenner (R-WI) and Bobby Scott (D-VA). The bill contains many provisions that undermine law enforcement and threaten public safety under the guise of reform.

While NAPO supports reforms and appreciates aspects of the legislation, there are a number of provisions of the bill that are concerning to us because they promote sentencing and correctional reform at the expense of public safety. Specifically, several sections of the bill seem to incentivize cost savings and financial considerations over public safety while other provisions attack current law enforcement tactics which have proven useful tools in protecting public safety, including mandatory minimum sentencing, undercover operations, and enforcement of federal drug laws.

Cost savings cannot and should not happen at the expense of crime prevention and law enforcement. Any system reform must have a foundation of protecting public safety and the prevention of crime and violence. NAPO has expressed to Congressmen Sensenbrenner and Scott that this bill in its current form will result in increased crime and drug trafficking and until our concerns are addressed we must oppose it.

In addition to submitting our own letter of opposition, NAPO joined with Major City Chiefs, Major County Sheriffs Association, and the National Sheriffs Association in a letter Congressmen Sensenbrenner and Scott expressing our opposition to the bill. Please find copies of both NAPO's letter and the joint letter below.

If you have any questions about this legislation, please contact Andrea Edmiston at: aedmiston@napo.org

NAPO in the News

On September 9, 2015, NAPO's Executive Director, Bill Johnson, was quoted in *Christian Science Monitor* article regarding the large, \$6.4 million settlement Baltimore has agreed to pay the family of Freddie Gray. The article states that cities, many with some of the nation's largest police forces, are increasingly paying out large settlements in order to head off civil lawsuits rather than implement significant reform. In response, Johnson explained: "You could have Mother Teresa running a police department and you're still going to have lawyers out there saying she's not to be trusted and we're going to sue".

The full article is available at the following site: <http://www.csmonitor.com/USA/Justice/2015/0909/The-Freddie-Gray-6.4-million-settlement-is-big-but-will-it-send-right-message>

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.

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.



NAPO's Fall Seminar, *Dealing with the Hostile Media*, is quickly approaching!

October 22 – 23, 2015 ~ Grand Hyatt San Antonio
San Antonio, Texas

Learn from experts in the field how to effectively communicate your message when responding to the media on uses of force & other controversial issues.

DON'T FORGET TO REGISTER & MAKE HOTEL RESERVATIONS BY OCTOBER 1st!

[Click here for Registration information](#)

NAPO's Annual Roundtable Discussion will be held in conjunction with the Media Seminar at the Grand Hyatt. The Roundtable will take place October 23, 1:30 – 5:30 p.m.

If you have any questions or need additional information please do not hesitate to contact NAPO's Director of Events, Elizabeth Loranger, at eloranger@napo.org or (703) 549 -0775.



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

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WILLIAM J. JOHNSON
Executive Director and
General Counsel

September 14, 2015

The Honorable Christopher H. Smith
United States House of Representatives
2373 Rayburn House Office Building
Washington, D.C. 20515

Dear Congressman Smith:

On behalf of the National Association of Police Organizations (NAPO), I am writing to you to express our strong support of the Walter Patterson and Werner Foerster Justice and Extradition act (H.R. 2189).

NAPO is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement through legislative and legal advocacy, political action, and education. Founded in 1978, NAPO now represents more than 1,000 police units and associations, 241,000 sworn law enforcement officers, and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement.

The United States Government's inability to extradite violent criminals who flee to other countries is a growing issue. By implementing the Walter Patterson and Werner Foerster Justice and Extradition Act, Congress will take an important step toward improving U.S. international extradition policy, and create a consolidated collection of information that will enable state and federal agencies, as well as courts, to strengthen U.S. international extradition efforts.

NAPO strongly believes that the U.S. Government should do everything in its power to ensure the extradition of violent criminals and cop-killers, such as Joanne Chesimard, who murdered New Jersey State Trooper Werner Foerster in cold blood, in order that they can be brought to justice. The numerous wanted criminals living abroad are an affront to the men and women who have dedicated their lives to protecting our community as law enforcement officers—above all to the family and friends of police officers who have made the ultimate sacrifice.

Please let us know how we can be of further assistance, and feel free to contact me at (703) 549-0775. We look forward to working with you to pass this important legislation.

Sincerely,

William J. Johnson
Executive Director



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WILLIAM J. JOHNSON
Executive Director and
General Counsel

The Honorable Jim Sensenbrenner
U.S. House of Representatives
2449 Rayburn House Office Building
Washington, D.C. 20515

The Honorable Bobby Scott
U.S. House of Representatives
1201 Longworth House Office Building
Washington, D.C. 20515

Dear Congressmen Sensenbrenner and Scott:

On behalf of the National Association of Police Organizations (NAPO), I am writing to you to express our opposition to the Safe, Accountable, Fair, and Effective (SAFE) Justice Reinvestment Act of 2015 (H.R. 2944).

NAPO is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement through legislative and legal advocacy, political action, and education. Founded in 1978, NAPO now represents more than 1,000 police units and associations, 241,000 sworn law enforcement officers, and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement.

While we support reforms and appreciate aspects of the legislation, there are a number of provisions of the bill that are concerning to us because they promote sentencing and correctional reform at the expense of public safety. Specifically, in Sections 103, 541, 542, and 552, the bill seems to incentivize cost savings and financial considerations over public safety. Cost savings cannot and should not happen at the expense of crime prevention and law enforcement.

Furthermore, there are several provisions that attack current law enforcement tactics which have proven useful tools in protecting public safety, including mandatory minimum sentencing, undercover operations, and enforcement of federal drug laws. There will be unintended consequences from these provisions that are meant to reform the system, but will result in increased crime and drug trafficking.

NAPO would be happy to work with you to address our concerns with this bill. Please feel free to contact me at (703) 549-0775 if you have any questions or need more information.

Sincerely,

William J. Johnson
Executive Director



September 11, 2015

The Honorable Jim Sensenbrenner
2449 Rayburn H.O.B.
Washington, DC 20515

The Honorable Bobby Scott
1201 Longworth H.O.B.
Washington, DC 20515

Dear Chairman Sensenbrenner and Ranking Member Scott:

The undersigned public safety organizations oppose H.R. 2944, the Safe, Accountable, Fair, and Effective (SAFE) Act of 2015. In its present form, this bill contains many provisions that undermine law enforcement and threaten public safety. While we support reforms and appreciate aspects of the propose legislation, the bill contains a number of features that are harmful.

Law enforcement was not consulted during the drafting of the bill nor were we asked to participate in an event described as “Law Enforcement Support” for the proposed legislation. We are aware of widespread opposition to the bill by law enforcement, not support.

It is critical that Congress address sentencing reform, recidivism reduction, and ensuring cost-reductions for American taxpayers. But such measures must be guided and subordinated by public safety and the prevention of crime and violence. We have serious concerns about certain provisions of this bill because they fail to achieve an appropriate balance between sentencing reform and public safety. These include:

- **Section 101:** This sweeping language effectively repeals all previous legislation granting regulatory powers with criminal penalties to Federal agencies such as the DEA. Without further review of impact, law enforcement cannot support a reversal of authorities granted by countless previous Acts of Congress.
- **Section 105:** This measure directs judges to disregard criminal behavior if it is not explicitly charged, thus ignoring plea bargains and disregarding the facts in a case at the time of sentencing. It further seeks to legislate certain law enforcement tactics that have heretofore been the purview of the Attorney General and the Courts.
- **Section 106:** This provision bars Federal law enforcement from enforcing Federal drug possession laws, except on Federal property. A dangerous precedent that contradicts any number of Federal drug laws, this section would have devastating impact on joint task forces in high crime drug trafficking areas.
- **Section 301:** Without any clear definition of “low level”, this section explicitly provides for probation only in cases of repeat offenders with multiple convictions for dealing drugs.

- **Section 402:** In addition to current early releases, this section creates a second and third “safety valve” to release drug offenders, including repeat dealers with up to three criminal history points.
- **Section 405:** While the bill professes concern about the Federal budget, this section permits *all previously convicted defendants* to petition the courts for a reduced sentence and apply its provisions retroactively. The volume of petitions to be generated by this section would be enormous and costly.
- **Sections 532, 541 and 542:** These sections seek to restrict the Courts power to revoke probation and establish a quota system for judicial districts with financial rewards for districts that send fewer persons to prison. Paying judicial districts for their sentences is not in the interests of justice and use of prison must be based on the facts of each case, not financial incentives.

While we commend the authors for their work to reform Federal sentencing, we cannot endorse measures that may lead to increased crime and drug trafficking. Should these concerns be addressed we would be happy to work with you on a path forward.

Please accept our thanks for your leadership and know that we stand ready to work with you on comprehensive criminal justice reforms.

Respectfully,

The Major Cities Chiefs Association
The Major County Sheriffs Association
The National Sheriffs Association
The National Association of Police Organizations