



The Washington Report

The Newsletter of the National Association of Police Organizations

Representing America's Finest

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NAPO Urges Congress to Support COPS Hiring and Byrne JAG Funding

Congress is beginning the Fiscal 2018 appropriations process and NAPO is once again urging the House and Senate Appropriations Committees to support and sufficiently fund the Community Oriented Policing Services (COPS) Hiring Program and the Byrne Justice Assistance Grant (Byrne JAG) Program. NAPO sent a [letter](#) to leadership of the House and Senate Appropriations Subcommittees responsible for funding the Department of Justice calling on them to support and fund these two important state and local law enforcement assistance programs.

Byrne JAG supports the federal government's crucial role in spurring innovation as well as testing and replicating evidence-based practices. States, territories, cities and counties all across this nation use Byrne JAG funding to test emerging and evidence-based approaches to the public safety challenges facing their jurisdictions. It allows for a system-wide approach that enables communities to target resources to their most pressing local needs. This important program funds state and local law enforcement, including multijurisdictional drug and gang task forces, information sharing and technology, county jails, prosecutors, drug courts, and juvenile delinquency and drug treatment programs.

The COPS Hiring Program has assisted more than 13,000 jurisdictions with over \$14 billion in funding to hire more than 127,000 community police officers across the United States. A big part of the success of the original program was its reliance on local police agencies in defining what their communities needed. In recent years, however, the COPS Hiring Program shifted away from its original intent and became a tool to move a distinct political agenda. The COPS Office adopted a top-down, one-size-fits all approach that discounted local input in favor of controversial political theories regarding department composition, reeducation, and policies. NAPO believes that now is the time to for Congress to refocus COPS Hiring funding on the hiring and retention of officers.

As major cities across the country are facing an increase in violent crime for the first time in years and community-police relations are strained, this is not the moment to put additional stresses on state and local police forces by leaving them short-handed. NAPO strongly believes it is vital that the COPS Program and the Byrne JAG be adequately funded.

NAPO is working with the House Law Enforcement Caucus Co-Chairs, Representatives Dave Reichert (R-WA) and Bill Pascrell, Jr. (D-NJ), to get as many members of Congress to join us in requesting continued support for these important programs.

Representatives Reichert and Pascrell are circulating a [Dear Colleague Letter](#) to their colleagues in Congress and we want as many representatives as possible to sign on to their [letter requesting funding for the COPS Hiring Program and Byrne JAG](#). **Join NAPO's efforts and reach out to your representatives in Congress and request that they sign on to Representatives Reichert and Pascrell's letter.**

The deadline for members of Congress to sign on to the letter is March 23rd. Instructions for signing on are included in the Dear Colleague. If you need any assistance making the request to your representatives or have any questions, please contact Andy Edmiston at aedmiston@napo.org.

President Releases FY18 Budget Blueprint

President Trump released his [budget blueprint for fiscal year 2018](#), which outlines the major spending priorities that will be included in his proposed 2018 Budget request that is expected to be released in May. As it is just an outline, the blueprint is fairly vague on what programs the President wants to cut or keep, offering only little snippets of his priorities within various departments, agencies and programs.

For the Department of Justice, the President wants to eliminate \$700 million in spending on “outdated programs that have either met their goals or have exceeded their usefulness”. That being said, the budget blueprint specifies that the President’s 2018 Budget will safeguard federal state and local law enforcement and victims of crime grants. Further, it expressly states that “[c]ritical programs aimed at protecting the life and safety of State and local law enforcement personnel, including Preventing Violence Against Law Enforcement Officer Resilience and Survivability [VALOR] and the Bulletproof Vest Partnership, are protected.” The blueprint does not mention NAPO’s other top priority grant programs, COPS Hiring and Byrne JAG. Given the unanimous support for these programs by the law enforcement and criminal justice community, NAPO is hopeful that they will be protected in the President’s 2018 Budget.

For the Department of Homeland Security, the blueprint slashes FEMA state and local grant programs by \$667 million and makes grants like the State Homeland Security Grant Program (SHSGP) a matching program, adding a 25% non-federal match. It proposes doing this to all non-matching FEMA grant programs.

The President’s 2018 Budget represents the President’s fiscal priorities, but it is Congress that decides the final appropriations for fiscal 2018. While we can expect Congress to take the lead from the President’s Budget, we know there is strong bipartisan support for funding vital state and local law enforcement programs. NAPO continues to work with Congress to ensure adequate funding for our priority grant programs and we will work with the Administration to ensure they understand the importance of these programs to ensuring state and local law enforcement have the resources and equipment they need to effectively protect our communities.

If you have any questions about the Budget Blueprint, please contact Andy Edmiston at aedmiston@napo.org.

Supreme Court Nominee Confirmation Hearing Begins March 20

The confirmation hearing for President Trump’s Supreme Court nominee Judge Neil Gorsuch began on March 20 and is expected to last three to four days. This will be a much contested confirmation given that Republicans stymied President Obama’s nominee to fill the open seat, Merrick Garland, and many Democrats are calling for retribution.

Republicans have a 52 seat majority in the Senate, falling 8 seats short of the 60 votes needed to overcome a Democratic filibuster. Judge Gorsuch and the Administration are lobbying Democratic senators from conservative states in order to pull enough Democratic votes to avoid a filibuster. There is talk that Senate

Majority Leader Mitch McConnell (R-KY) may change the Senate rules to get rid of the filibuster if necessary in order to confirm Judge Gorsuch. The filibuster has been used in the Senate since the 1850s to prevent votes on controversial bills and nominations.

Judge Gorsuch currently sits on the 10th Circuit Court of Appeals in Denver and in his rulings has shown a conservative approach to labor rights, often siding with business on labor issues. He mirrors former Justice Antonin Scalia's views on labor and is expected to be the tie-breaking vote on any case brought before the Court similar to *Friedrichs v California Teachers Association*. This case threatened "fair share" fee payments to unions and collective bargaining agents by non-union member beneficiaries in the workplace. It came before the Supreme Court after Justice Scalia's death at the beginning of 2016, and with the Court down one justice, resulted in a 4-4 tie that upheld the lower court's ruling that "fair share" fees were legal. It is almost certain that the issues of "fair share" fees and public sector "agency shops" will come before the Court again once the vacancy has been filled.

Judge Gorsuch's confirmation vote by the full Senate would not be any earlier than April. NAPO will continue to monitor this situation and keep our members updated on Judge Gorsuch's confirmation.

NAPO on the Hill: Meetings House Law Enforcement Caucus and Senate Judiciary Staff

NAPO, together with other major national law enforcement organizations, continued to make the rounds last week, meeting with key House and Senate staff to discuss our priority legislation for this Congress, in particular, pro-law enforcement legislation we want to see moved leading up to or during National Police Week. Given the timeframe, the legislation we want to move during Police Week are those bills that are bipartisan and have the support of their committees of jurisdiction so that they can move quickly to the House and Senate floors.

We had meetings with senior staff from the offices of **House Law Enforcement Caucus Co-Chairs Congressmen Dave Reichert (R-WA) and Bill Pascrell, Jr. (D-NJ) and Senate Judiciary Committee Ranking Member Dianne Feinstein (D-CA)**. Specifically, we discussed the Public Safety Officers' Benefits (PSOB) Improvement Act, the Back the Blue Act, the Children of Fallen Heroes Scholarship Act, the Protecting Lives Using Surplus (PLUS) Equipment Act, and the Honoring Hometown Heroes Act.

The Public Safety Officers' Benefits (PSOB) Improvement Act would return the PSOB Program to a presumptive benefit and restore the "substantial weight" standard that requires PSOB to give substantial weight to the findings of federal, state, and local agencies as to the cause of the public safety officer's death or disability. It would ensure that children of fallen or disabled public safety officers would still be eligible for education benefits if an adjudication delay causes them to age out of benefit eligibility before their claim is approved. It would increase transparency through weekly and biannual public reports on the status of claims.

The Back the Blue Act would help stop senseless violence against our nation's law enforcement community by adding new criminal provisions to address the assault and murder of federal and federally-funded law enforcement officers and those who flee to avoid prosecution for such crimes. It would increase penalties on those who harm or target for harm public safety officers by making the murder or attempted murder of a local police officer, firefighter, or first responder an aggravating factor in death penalty determinations.

The Children of Fallen Heroes Scholarship Act would eliminate the expected family contribution (EFC) used to determine financial need in the case of a Pell Grant-eligible student whose parent or guardian died in the line of duty. Additionally, children of public safety officers who died in the line of duty would qualify for the

maximum Pell Grant award (\$5,815 for FY16-17) if he or she was less than 24 years old or enrolled at an institution of higher education at the time of the parent or guardian's death.

The PLUS Equipment Act would nullify President Obama's Executive Order 13688 that restricted state and local law enforcement's access to surplus military equipment through the Department of Defense 1033 Program and other equipment acquisition programs through the Departments of Justice and Homeland Security. This lifesaving equipment used in search and rescue operations, disaster response, and active shooter situations that they otherwise would not be able to afford. NAPO believes that President Trump will rescind this executive order and we support the PLUW Equipment Act to ensure that no future president can again prohibit state and local law enforcement from accessing such equipment.

The Honoring Hometown Heroes Act would authorize the governors or the Mayor of the District of Columbia to proclaim that the U.S. flag shall be flown at half-staff in the event of the death of a first responder (public safety officer) working in such jurisdiction who dies while serving in the line of duty. Currently, governors and the Mayor of D.C. are only authorized to lower the flag to half-staff for the active duty death of a member of our nation's armed forces.

Congressmen Reichert's and Pascrell's staff and Senator Feinstein's staff were generally supportive of our efforts to move this package of priority bills, with varying levels of concern about how easy it will be to move a few of the bills, particularly those which have proven more controversial, like the PLUS Equipment Act and the Back the Blue Act. We are urging Congressmen Reichert and Pascrell to cosponsor all of the bills in our legislative package, given they are law enforcement priorities. As for Senator Feinstein's staff, they indicated the same timing concerns Chairman Grassley's staff did given that the Senate Judiciary Committee is tied up with work surrounding the confirmation of Judge Neil Gorsuch, President Trump's Supreme Court nominee. We have a lot of work to do to ensure these bills have significant bipartisan support and move through Committee in the next couple of months, but we are confident we will have leaderships' support when they reach the House and Senate floors for a vote.

NAPO will now turn our focus on meeting with members of the House and Senate to gain bipartisan support for these bills to help ensure their quick movement through committee. If you have any questions about NAPO's meetings on the Hill or the bills addressed, please contact Andy Edmiston at aedmiston@napo.org.

NAPO Supports American Law Enforcement Heroes Act

NAPO has pledged its support for the American Law Enforcement Heroes Act (H.R. 1428 / S. 583), sponsored by Congressman Will Hurd (R-TX) and Senator John Cornyn (R-TX), which would encourage state and local law enforcement agencies to hire American veterans as new law enforcement officers. It would create a preference within the COPS Hiring Program for those agencies and departments who hire veterans. There have been successful initiatives in the past within the COPS Hiring Program – Troops to COPS most notably – that incentivized the hiring of veterans. The Troops to COPS initiative benefited nearly 1,000 veterans.

NAPO supports the American Law Enforcement Heroes Act because it stays true to the original intent of the COPS Program – the hiring and retention of community police officers. Many officers who serve our communities are veterans, and due to their military experience, came to the profession with exceptional training and qualifications. This program will not only help veterans who are facing high unemployment rates, but it will also help the many law enforcement agencies and departments that have serious shortfalls in manpower. It also underscores the importance of supporting and funding the COPS Hiring Program.

NAPO looks forward to working with Congressman Hurd and Senator Cornyn to pass this important legislation.

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