



The Washington Report

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

March 5, 2018

NAPO Honors Rep. Vern Buchanan (R-FL) with Legislative Award



NAPO President Mick McHale with Rep. Buchanan and Sarasota, FL Police Chief Bernadette DiPino

On March 2, NAPO President Mick McHale recognized **Representative Vern Buchanan (R-FL)** for his longstanding support of law enforcement and for his leadership on increasing protections for state and local law enforcement as the sponsor of the Thin Blue Line Act (H.R. 115).

This bill would make the targeting of or the killing of a police officer, firefighter, or first responder an aggravating factor in death penalty determinations in federal court. This would be applicable whether they were targeted or murdered on duty, because of the performance of their duty, or because of their status as a public official.

Here is a perfect example of why this bill is so important: On January 18th, an assailant opened fire and killed Deputy U.S. Marshal Christopher Hill and wounded Harrisburg, Pennsylvania Police Officer Jeff Cook while they were executing an arrest warrant. Deputy Hill, Officer Cook and the other members of the U.S. Marshal's Task Force were shot at because they were law enforcement officers doing their jobs. The assailant made no distinction between federal and local officers when he opened fire. Anyone contemplating harming an officer must know that they will face serious punishment, regardless of which agency employs that officer. In the memory of Deputy Marshal Hill and those officers who have been killed due to the uniform they wear and the jobs they perform, NAPO joins Congressman Buchanan in his call for Congress to pass the Thin Blue Line Act now.

As a proven champion for officers, NAPO can count on Congressman Buchanan to fight the good fight and defend law enforcement even as our profession is continuously attacked. NAPO thanks Congressman Buchanan for his continued support of the law enforcement community.

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NAPO in the News

On February 27, NAPO Executive Director Bill Johnson was quoted in an article for *The Municipal*, entitled “Lessons learned from Las Vegas and other tragedies”. The article discusses what police departments across the nation are doing to protect their communities in the wake of the mass shootings and terrorist attacks this country has experienced over the past year. Johnson spoke on the need for departments to not only work to prevent such incidents, but also prepare their officers for when violent attacks do happen:

“‘All agencies and municipalities have to recognize (something),’ National Association of Police Organizations Executive Director Bill Johnson said. ‘As important as it is to try and do everything that we can to prevent an attack, we also have to try and prepare for the very real possibility that if someone is determined enough, they can still attack and hurt us.’”

Johnson applauds the efforts exhibited by several police departments in the wake of tragic events that took place in 2017 — particularly Las Vegas’ department, which responded immediately to the gunman’s attack in October.

‘I think it shows the kind of proactive desire to learn and thus to be better prepared. I think Las Vegas did a very good job in the midst of unthinkable carnage,’ Johnson said. ‘As horrific as it was, it would have been much, much worse if the officers had not gotten there as quickly as they did.’”

‘They demonstrated that their police department, like a lot of police departments, has learned a lot since the Columbine school shooting, where some departments were criticized for waiting before they went in.’”

The full article is available here: <http://www.themunicipal.com/2018/02/lessons-learned-from-las-vegas-and-other-tragedies/>

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.

NAPO on the Hill: National Police Week Priorities

NAPO, together with other law enforcement organizations, met with staff of **Senator Amy Klobuchar (D-MN)** and **Congressman John Ratcliffe (R-TX)**, members of the Senate and House Judiciary Committees, respectively, 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 the Judiciary Committee so that they can move quickly to the House and Senate floors.

We discussed the Children of Fallen Heroes Scholarship Act, the Protecting Lives Using Surplus (PLUS) Equipment Act, possible legislation to reform the delivery of the Public Safety Officers’ Benefits (PSOB) Program to disabled law enforcement officers, draft legislation to provide federal health benefits to officers severely disabled in the line of duty, and legislation to enhance officer safety by increasing penalties for the murder, attempted murder, or assault of federal, state, and local law enforcement officers:

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 ensure that no president is able to restrict 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 without Congressional action. This lifesaving equipment used in search and rescue operations, disaster response, and active shooter situations that they otherwise would not be able to afford. This legislation will stop surplus military equipment from being used as a political football every time a new administration is elected. Representative Ratcliffe is the sponsor of this vital legislation.

PSOB disability reform is necessary as the bar established by the Program to award a disability benefit is set too high and flies in the face of the intent of the Program. The current requirement is that the injury must be so severe that the officer is unable to perform any full- or part-time job that is compensated and that the officer must have no chance of getting better. This standard has led to many officers who are permanently and totally disabled being denied PSOB benefits because they are able to perform menial tasks that could qualify as "gainful work" under the definition, but not by societal standards.

DOJ regulations are still pending that may impact the threshold for qualifying for PSOB disability benefits, which is why we have not introduced legislation yet addressing this issue.

Legislation to provide federal health benefits to officers severely disabled in the line of duty is a priority for NAPO as many officers disabled in the line of duty and no longer employed by their public safety agency often find themselves without health coverage for themselves and their families. By providing these officers and their families access to discounted federal health benefits through the Federal Employee Health Benefits Program, it would help remove a great financial burden from the loved ones of those who sacrificed so much for the safety of our communities.

Increased penalties for the murder, attempted murder, or assault of a federal, state or local law enforcement officer because of their status as a public safety officer will deter such crimes and bring greater protections to officers and the communities they serve. The **Thin Blue Line Act** passed the House in May 2017 and we hope to pass it through the Senate this year. Additionally, we are working to introduced new legislation to add further protections for officers against violent crimes aimed at them.

Staff of Senator Klobuchar and Representative Ratcliffe expressed initial support for our National Police Week bill package and asked to be kept informed of the status of the various bills as we work to move them through the House and Senate. NAPO continues to meet with House and Senate leadership and Committee staff to ensure our ability to move these bills in the run up to National Police Week. If you have any questions about NAPO's meetings on the Hill or the issues addressed, please contact Andy Edmiston at aedmiston@napo.org.

NAPO on the Hill: School Safety

On March 1, NAPO participated in a roundtable discussion with Representative Steve Knight (R-CA) on how to prevent school shootings. Representative Knight pulled together this meeting with national law enforcement representatives in response to the tragic mass shooting at Marjory Stoneman Douglas High School in Parkland, Florida.

NAPO met with the Congressman's staff on this issue prior to the roundtable to provide feedback on the various proposals he is considering including in legislation that will focus on helping local law enforcement and school

officials better detect, stop and better respond to a school shooting threat. NAPO feels that the Congressman listened to our feedback and that of the other law enforcement representatives and that this will be a bill focused on the stated needs of local law enforcement to help protect schools and it will not be a free-wheeling, gut response to the school shooting.

NAPO appreciates Congressman Knight's efforts to address the issue of school safety and we look forward to continuing working with Congressman Knight and his staff on this important legislation.

NAPO Attends Coalition of Preserve Retirement Security Annual Meeting

The Coalition to Preserve Retirement Security (CPRS), of which NAPO is a member, held its annual meeting on February 26. CPRS was formed for the sole purpose of opposing mandatory Social Security participation for state and local government employees. The coalition is also a good source of information on retirement security issues and members often work together on Social Security issues affecting state and local government employees.

While there has been no push for mandatory Social Security participation for public employees in the Congress, varying proposals to amend the Windfall Elimination Provision (WEP) have been introduced in Congress. The meeting focused on the Equal Treatment of Public Servants Act, sponsored by House Ways and Means Committee Chairman Kevin Brady (R-TX), and Representative Richard Neal (D-MA), which NAPO and other members of CPRS support. This bill would repeal the WEP, replacing it with a new Social Security benefit formula designed to more accurately account for years a public employee paid into Social Security versus the years paid into a public pension system in a non-Social Security covered position. As a result of this change, the Social Security actuary has projected that the majority of current retirees impacted by WEP would see roughly one-third of their benefit restored.

While there is not timeline yet from Chairman Brady on when he wants to move this legislation, it is a top priority for him and he is dedicated to seeing it move this Congress. NAPO will continue to work with the Chairman and other CPRS members to ensure the Equal Treatment for Public Servants Act moves this Congress.

NAPO will keep our members informed on the status of this important legislation. If you have any questions, please contact Andy Edmiston aedmiston@napo.org.

NAPO Participates in NIOSH Meeting on Officer Struck-by Fatalities

On February 27, NAPO participated in a law enforcement stakeholder meeting led by the National Institute of Justice (NIJ) and the National Institute for Occupational Safety and Health (NIOSH) to discuss their Law Enforcement Officer Motor Vehicle Crash and Stuck-by Fatality Investigations Pilot Program. This pilot program investigates law enforcement officer line-of-duty deaths due to motor vehicle accidents with the purpose of helping the law enforcement community prevent similar officer line-of-duty deaths.

NIJ and NIOSH have a similar program investigating Fire Service crashes that has proven to be very helpful for the Fire community, but NIJ and NIOSH are having greater difficulty reaching the law enforcement community to ensure that these investigations are useful and not a waste of time and taxpayer funding. The directors of the NIJ and NIOSH pulled together members of the law enforcement stakeholder community who have worked with the Institutes in the past to get feedback on the investigations they have conducted to date and discuss if there is a way they could be useful to law enforcement.

The investigative reports include a description of the incident with all personal information removed, the factors that contributed to the fatal event, and recommendations to prevent similar deaths. The investigations do not investigate departments or agencies but are meant to learn more about the risks officers face on the job and identify ways to prevent motor vehicle crashes and struck-by deaths. Departments do not have to implement the recommendations and there is no penalty if the recommendations are not put into policy.

We reviewed several case studies during the meeting and while there were recommendations that officers wear their seatbelts at all times and agencies put in place caps on speeding during emergency response, the discussion focused on the need to ensure officers bought in on any safety precautions put in place. Training was also a major point of discussion – training on highway and roadside safety techniques as well as the need to increase the availability of training on Tactical Arousal Control Techniques. Researchers at NIJ and NIOSH believe that adrenaline played a role in many of the cases they looked at in the pilot and teaching officers techniques to better control adrenaline surges could help save lives.

There were also investigations into cases where there may have been more an officer could have done to secure his safety while responding to a vehicle crash or incident on a highway, but the main cause of the officer's death was a distracted driver not paying attention to the road. There was agreement within the stakeholder community that there needs to be more citizen education on the importance of state move over laws and what those law are and the dangers of distracted driving.

Officer safety is a top priority for NAPO and we will continue working with NIJ and NIOSH on helping this pilot program achieve its goals of preventing officer vehicular fatalities. The pilot program reports are available on the NIOSH website: www.cdc.gov/niosh/topics/leo

If you have any questions or concerns about the Law Enforcement Officer Motor Vehicle Crash and Stuck-by Fatality Investigations Pilot Program, contact Andy Edmiston at aedmiston@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.