



The Washington Report

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

September 5, 2017

PLEASE HELP OUR BROTHER AND SISTER OFFICERS AFFECTED BY HURRICANE HARVEY

As all of us in law enforcement are aware, Hurricane Harvey left a path of destruction in Texas and other areas of the Gulf Coast United States. Many homes flooded, were wiped out or burned to the ground. Many residents are still living in temporary housing.

Our brothers and sisters in law enforcement are working tirelessly to aid in the relief efforts, but they need relief as well. Many of them do not have homes to go back to anymore, and yet they will continue working to try and help others affected by the catastrophe. In order to help our brothers and sisters, please [consider making a donation to NAPO's Relief Fund](#), a fully licensed and independently audited 501(c)(3) charity, to help these officers in their time of need. All donations are fully tax deductible, the federal EIN is 161619872 for your tax purposes, but, more importantly, you will be lending a hand to our fellow officers who sorely need it.

All donations raised through this appeal will be used to help ease the suffering in areas affected by Hurricane Harvey, and assistance from our fund is open to all law enforcement officers and their families. You do not have to be a NAPO member to get help; you just must be part of the law enforcement family.

You can donate [online](#) or if the link does not work, please go to our website, www.napo.org, and click on Hurricane Harvey Relief Fund.

Checks should be made out to: **NAPO Relief Fund**
c/o National Association of Police Organizations
317 South Patrick Street
Alexandria, Virginia 22314
(800) 322-6276

Or Fax the attached form with credit card donation to (703) 684-0515.

Thank you in advance for your support and generosity for all our brother and sister officers and their families affected by Hurricane Harvey.

Michael "Mick" McHale, President

Bill Johnson, Executive Director

NAPO Victory! President Trump Restores Law Enforcement's Access to Surplus Military Equipment

On August 28, President Trump issued an Executive Order, "Restoring State, Tribal, and Local Law Enforcement's Access to Life-Saving Equipment and Resources", which fully repeals President Obama's Executive Order 13688 and any policies and recommendations that were created pursuant to that Executive Order. This is a huge victory for NAPO as we have fought to reinstate state and local law enforcement's unfettered access to this vital equipment since President Obama restricted it in May of 2015.

President Trump's Executive Order restores the full scope of the Department of Defense's 1033 Program and removes any strings related to grants used to purchase this type of equipment from other federal departments and agencies, such as the Departments of Justice and Homeland Security. It directs federal agencies and departments to immediately cease implementing the recommendations of the Executive Order and to promptly rescind any rules, regulations, guidelines, or policies implementing them.

Programs like the 1033 Program and grant programs at the Departments of Justice and Homeland Security have been vital resources in allowing state and local law enforcement to acquire items used in search and rescue operations, disaster response, and active shooter situations that they otherwise would not be able to afford. This equipment has not led to the "militarization" of police, but rather has proven to be essential in protecting communities against violent criminals with increasing access to sophisticated weaponry, IEDs, body armor and sometimes even armored vehicles. Currently, this equipment is crucial to the ongoing response and rescue operations for Hurricane Harvey in Texas and Louisiana.

Since it was issued in 2015, NAPO has called for the repeal of Executive Order 13688 in numerous letters, communications and meetings with the Obama Administration and now with the Trump Administration, including at our first meeting with the Presidential Transition Team in December 2016. We thank the President for listening to the voice of rank-and-file officers and for working with us to restore state and local law enforcement's access to this lifesaving gear.

We would also like to recognize the leadership of Senator Pat Toomey (R-PA) and Congressman John Ratcliffe (R-TX), who sponsored legislation to rescind Executive Order 13688 (the Lifesaving Gear for Police Act, S. 1087, and the Protecting Lives Using Surplus (PLUS) Equipment Act, H.R. 426). Their efforts were essential to our work to repeal the harmful Executive Order and we thank them for their continued support of the law enforcement community.

View the full Executive Order here: <https://www.whitehouse.gov/the-press-office/2017/08/28/presidential-executive-order-restoring-state-tribal-and-local-law>

If you have any questions, please contact Andy Edmiston at aedmiston@napo.org or (703) 549-0775.

PSOB Updates Stakeholders on Program Improvements

On August 16, NAPO participated in the Public Safety Officer's Benefits (PSOB) Program stakeholder meeting, which was led by Alan Hanson, Acting Assistant Attorney General for the Office of Justice Programs, Tracey Trautman, Acting Director of the Bureau of Justice Assistance, and the leadership of the PSOB Office. Stakeholders were updated on the status of claims and the current claims backlog, the new online claims system, and the programmatic changes made by the PSOB Improvement Act (S. 419).

The status of claims - number of pending death, disability and educational claims, where the claims are in the review and determination process, the date they were submitted and the state of residence of the claimant – are now being posted weekly on the PSOB website (www.psob.gov) under “PSOB Data”. The PSOB Office has a backlog of nearly 900 claims, of which more than 600 are death claims, 200 are disability and 50 are education. Of the 600 death claims, approximately 200 are heart attack/stroke related claims and 140 are 9/11 exposure related claims. There are 15 pending 9/11 related disability claims and PSOB leadership stated that it has determined 80 9/11 related death and 35 disability claims to date. Many 9/11 exposure related disability claims are being denied because they do not meet the strict disability standard set for PSOB benefits that require the officer to be completely and totally disabled and unable to perform *any* meaningful work.

We are glad that the PSOB Office is finally making significant movement on 9/11 exposure related claims and we look forward to seeing the final regulations published that will allow the program to determine the remaining cases. Justice Department leadership stated that those final regulations should be enacted in November of this year.

Additionally, the PSOB Office is finalizing the new online claims system, which they expect to roll out by the end of the year. With this new system, claimants will file their entire claim online and their claims will be assigned to one claims management officer who will manage their claim throughout the entire process. Claimants will also be able to list persons or organizations helping them with their claim and authorize them to receive information regarding the claim. This new system will make it easier for families and officers to know where their claim is in the process and allow for better communication between all parties.

Finally, we were updated on how the PSOB Improvement Act is changing how the PSOB Program works. NAPO fought hard for the passage of this important bill and we are gratified with how it is changing the program for the better. For example, the law returns the benefit back into a presumptive benefit and the PSOB Office can only deny a claim if there is clear and convincing evidence that the officer’s death or disability was not in the line of duty or was due to gross negligence. With this presumption in place, minor violations of law (such as speeding) that have previously held up claims will no longer be taken into consideration because it does not meet the clear and convincing evidentiary standard of clear and convincing that it played a significant role in the officer’s death or disability. This is a huge victory for NAPO, as we have long fought the PSOB Office on such claims where speeding or a minor traffic violation has stopped a claim from being rightfully approved.

PSOB leadership made clear to stakeholders that the new law would speed up the claims approval process by removing many of the legal reviews that were part of the process. NAPO looks forward to seeing the new law improving the program and ensuring officers and their families who have suffered a death or disability receive the benefits they deserve.

We will keep our members updated on the status of these and any future changes to the PSOB Program and what they mean for officers and their families. If you have any questions, please contact Andy Edmiston at aedmiston@napo.org.

NAPO on the Hill: Thin Blue Line & 1033 Program

NAPO meet with Senator Pat Toomey’s (R-PA) new general counsel who is handling law enforcement issues, including the Thin Blue Line Act (S. 1085) and the Lifesaving Gear for Police Act (S. 1087), which the Senator sponsored. Senator Toomey is dedicated to passing the Thin Blue Line Act and to doing it in any way possible. We are working closely with the Senator’s staff on conversations with the Senate Judiciary Committee, which has jurisdiction over the bill, to pressure them to take it up. The Committee is currently focused on moving through Trump Administration nominations and then criminal justice reform, so the Senator is considering

working with Senate leadership to try to go around the Committee process to move this bill. NAPO has pledged to do whatever it takes to help get this bill passed.

While the meeting also included a discussion on moving the Lifesaving Gear for Police Act, which would repeal President Obama's Executive Order that restricted state and local law enforcement's access to surplus military equipment, that has become less of a priority since President Trump issued his Executive Order repealing it. NAPO still believes this legislation is important as it would prevent future presidents from implementing such restrictions again; however, now that it has been repealed, the bill will be a magnet for lawmakers looking to restore restrictions to law enforcement's access to this vital equipment. We will continue to work with Senator Toomey to ensure law enforcement retains full access to this equipment.

Senator Toomey has been a strong supporter of law enforcement and a true friend to NAPO and we look forward to working with his new staff on our priority issues.

NAPO Participates in White House Information-Sharing Calls

NAPO has been invited to participate, and has been participating, in weekly off-the-record, information-sharing calls held by the White House covering a variety of topics. This week's call was with White House Homeland Security Advisor Tom Bossert regarding the federal government's response to Hurricane Harvey and updates on the situation in Louisiana and Texas. It was clear from the call that the Administration holds the law enforcement and public safety officers who have responded to the rescue and recovery efforts in the highest regard.

These calls present an opportunity to hear from top White House officials about current priority policies of the Trump Administration and ask questions or make comments. NAPO will continue to participate on these calls to stay up-to-date on the work of the Administration and to ensure that rank-and-file officers are heard on the issues most affecting them.

NAPO in the News

On August 18, NAPO Executive Director Bill Johnson was quoted in a *USA Today* article entitled, "'Thin Blue Line': What does an American flag with a blue line mean?". The article focused on the use of the flag representing the "Thin Blue Line" – a black and white American flag with a blue line across the center – by white supremacists and neo-Nazis during the protests in Charlottesville, Virginia. Johnson addressed the question of what the flag means and whether it was a sign that police supported the protesters.

Bill Johnson, executive director of the National Association of Police Organizations, said the thin blue line "holds us together" and "protects us."

The organization represents about 241,000 rank-and-file law enforcement officers across the United States.

"No police department, no official police group would ever go in there and raise their flag for that type of demonstration," Johnson said.

The full article is available at: <https://www.usatoday.com/story/news/nation-now/2017/08/18/thin-blue-line-what-does-american-flag-wit-flag-maker-condemns-use-white-supremacists-charlottesvill/580694001/>

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's Latest Legislative Positions & Sponsor/Cosponsor Updates

NAPO's updated "Sponsor/Cosponsor" spreadsheet is available at the following link: <http://www.napo.org/washington-report/sponsor-cosponsor-spreadsheet/>. The spreadsheet accompanies the latest "Legislative Positions" document, which is available at the following link: <http://www.napo.org/washington-report/legislative-priorities/>

The "Sponsor/Cosponsor" spreadsheet is a useful tool to check if your members of Congress have supported pieces of legislation that will impact our members. NAPO will update this spreadsheet regularly, and continue to ensure our voice is heard on Capitol Hill.

If you have any questions about any of the legislation that NAPO is currently working, please contact Andy Edmiston at: aedmiston@napo.org.

Join NAPO for Our Annual Fall Seminar: *Navigating the New Union Environment*

**November 5 – 7, 2017 ~ Loews Chicago O'Hare Hotel
Rosemont, Illinois**

Learn from experts in the field how to effectively advocate for officer safety, respond to legal threats to union dues, how to preserve & grow membership in the changing labor environment, and legislative updates and Trump Administration changes.

REGISTER & MAKE HOTEL RESERVATIONS BY OCTOBER 13!

[Click here to Register Online](#)

Seminar Registration is also attached. If you have any questions or need additional information please do not hesitate to contact NAPO's Director of Events, Elizabeth Loranger, eloranger@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.