



## NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

*Representing America's Finest*

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August 27, 2014

To The Editor

USA Today

Via email to [letters@usatoday.com](mailto:letters@usatoday.com)

Re: Glenn Reynolds column: Police Problem is Unaccountable Attitude

Dear Editor,

I write to you in regard to Glenn Reynolds's column in the August 26 edition of your paper.

It's difficult to know where to begin, Professor Reynolds is so wrong about so many things. Let's start with his theme, that police are "unaccountable" in today's society. Well, professor, even a little basic research by one of your students would have shown you that every state in the nation has a licensing body which oversees the training, employment, and certification (or decertification) of law enforcement officers. In addition, each agency has a professional standards or internal affairs branch responsible for holding officers accountable to the policies and standards of the department, as well as to the public they serve. In addition, instances of alleged misconduct are investigated by grand juries, state police agencies, prosecutors' offices, the federal government, private lawyers, and civilian review boards. That officers are "unaccountable" would come as a tremendous surprise to the men and women who actually serve.

Turning to the professor's recommendations, he throws out three "key actions" and whiffs on all three.

First, abolishing police unions (and all public employee unions). It seems strange that a professor at a public university should find it objectionable to earn a salary at the public expense. Or maybe law school professors, in his view, help society more than police officers. If you think that's true, try calling the local faculty club at 2:00 a.m. when a prowler is outside your window. But he also ignores the First Amendment's guarantee of the right of the people "to assemble, and to petition the Government for a redress of grievances." That's exactly what public employee unions, including police associations, do. This ability to represent the interests of officers in dialogue with their employers is all the more important for police, who legally cannot strike, and whose other rights to speech, even political speech, are significantly curtailed. A law professor should know better. After all, who do you think is harder to fire, a local police officer or a tenured university professor?

Second, he argues that we should equip police with body cameras "to record everything they do." Everything? Really? Eating a sandwich at Subway on lunch break? Going to the bathroom? Discussing with a colleague where they are hiding to try to keep out of the line of fire in an active shooting situation? Talking to an eleven year old rape victim? Telling a mom and dad their son was killed by a drunk driver? Professor, are you nuts? I hope you require a little more thought and differentiation from your students.

Third, getting rid of qualified immunity. The professor gets it wrong again. He asserts that this legal rule is a departure from the common law (understood to be the law of England at the time our predecessor colonies were being established), and also asserts that this legal protection for the rights of officers is an example of “judicial activism”. In fact, if he’d bother to check, the U.S. Supreme Court case which recognized this principal was careful to point out that, “**As recognized at common law,** public officers require this protection to shield them from undue interference with their duties and from potentially disabling threats of liability.” Harlow v. Fitzgerald, 457 U.S. 800, 806 (1982)

Three swings, three misses. You’ve struck out professor.

Sincerely,

A handwritten signature in dark ink, appearing to read 'William J. Johnson', followed by a long horizontal flourish.

William J. Johnson  
Executive Director  
National Association of Police Organizations  
Alexandria, Va.