



ADDITIONAL ISSUES OF INTEREST TO LAW ENFORCEMENT

Protection of Law Enforcement Officers' Privacy

- **Law Enforcement Officers Personnel Records Privacy**

We are urging a federal statute or rule similar to the California code that would protect law enforcement officers from overly intrusive discovery in federal court (civil and criminal) by allowing a judge to order that truly relevant information be made available only after review or redaction by the court. Allowing officers' personnel records to be viewed publicly not only violates the rights of officers involved in inquiries, but also makes them subject to prejudiced judgment that can unfairly ruin their good reputation. It can also expose officers and their families to real and threatened assaults and attacks. This issue is of growing concern to NAPO members.

- **Internet Police Officers Protection Act**

In 2004, the New York Daily News reported a website listing law enforcement officer addresses and other personal information. NAPO believes there is a compelling state interest in ensuring that law enforcement officers are protected on and off the job. There is legitimate concern that the posting of personal information about officers could easily be used to intimidate the officers and endanger their families. Free speech does not include the ability to terrorize officers.

On July 10, 2007, Congressman Anthony Weiner (D-NY) re-introduced the "Internet Police Protection Act," which will prohibit the posting of such material, and empower law enforcement agencies to compel internet service providers to prohibit access to such sites – in case the information is posted on a foreign server. On July 10, 2007, a similar, but narrower provision was passed by the House as part of the "Court Security Improvement Act," H.R. 660, that would protect the personal information of public safety officers who work for agencies that receive federal funding.

NAPO is currently working with Congressman Weiner to ensure that the private information of *all* law enforcement officers and their families is protected from unfair and dangerous public disclosure.

States' Rights and the Second and Tenth Amendments

- **Repeal of the "Lautenberg Amendment"**

Many federal laws contain different prohibitions on the possession or ownership of firearms and ammunition, but traditionally they have been subject to exemptions when such equipment is used and possessed by law enforcement officers in the course of their official governmental duties. In the closing hours of the 1996 fiscal year (104th Congress), as Congress rushed to complete a spending bill that would allow the federal government to remain in operation, Representative Bob Barr (R-GA) quietly added an amendment to Senator Frank Lautenberg's (D-NJ) spending measure. The amendment, which passed as part of the larger bill without notice or public discussion, stripped all law enforcement officers in the nation of their ability to carry a firearm even while on duty if they had ever been convicted of any misdemeanor domestic violence offense. The law was also imposed retroactively, causing officers to lose their jobs without notice, and even when their agencies wanted to keep them.

While any domestic violence act is to be deplored, Barr's 1996 amendment improperly segregated one level of one offense from all others concerning official use exemptions for firearms and should be repealed. The decision as to who is eligible to enforce state and local laws from state and local agencies should be made by those same state and local agencies, not the federal government.

*For information on the legislative history of these issues please contact
the NAPO office at (800) 322-NAPO (6276).*