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Representing America's Finest

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BILL TO IMPROVE H.R. 218 INTRODUCED IN SENATE

On May 21, 2009, Senator Patrick Leahy (D-VT) introduced the “Law Enforcement Officers Safety Act Improvements Act of 2009,” S. 1132. If enacted, this important legislation will help ensure that H.R. 218, the Right to Carry Act, will be easily, fairly and broadly implemented. S. 1132 seeks to particularly address the difficulties retired law enforcement officers are facing when trying to obtain the necessary credentials to qualify for the national right to carry.

The “Law Enforcement Officers Safety Act Improvements Act of 2009” will reduce the number of years a retired or separated law enforcement officer has had to serve in order to qualify to carry, from 15 years to an aggregate of 10 years or more. The legislation also designates new qualification procedures that will make the process easier for a retired or separated law enforcement officer to meet the requirements of firearms training.

NAPO was actively involved in fighting for the passage of the original “Law Enforcement Officers’ Safety Act” (H.R. 218). We firmly believe that the changes S. 1132 makes to the Act will ensure that all qualified off-duty and retired or separated officers across the nation will be able to carry firearms for the protection of themselves, their families and our nation’s communities, as it is stated in current law.

For more information on S. 1132, please contact NAPO’s Director of Governmental Affairs, Andy Mournighan, at (703) 549-0775.

FISCAL 2010 APPROPRIATIONS SEASON BEGINS WITH COMMERCE, JUSTICE, SCIENCE APPROPRIATIONS ACT

On June 9, 2009, the House Appropriations Committee approved the first of the twelve fiscal year 2010 spending measures, the Commerce, Justice, Science (C-J-S) Appropriations Act, H.R. 2847. The House Appropriations Committee followed the President’s priorities closely in drafting the bill and focused on providing federal support and resources to state and local law enforcement to help in its fight against crime. In total, the C-J-S Appropriations bill provides just over \$3.4 billion for state and local law enforcement.

The \$3.4 billion appropriated to state and local law enforcement in the C-J-S spending bill provides significant funding to the following key programs:

- \$802 million for the COPS Program, including \$298 million for the COPS hiring program for the hiring, re-hiring and retention of officers, \$123 million for the COPS technology grants, and \$32 million for the COPS Meth Hot Spots program;

- \$529 million for the Byrne Memorial Justice Assistance Grants (Byrne-JAG);
- \$151 million for DNA and forensic programs;
- \$15 million to combat gangs and gun crimes; and
- \$25 million for the Bulletproof Vest Partnership (BVP) Grant program

In addition to the \$3.4 billion for state and local law enforcement programs, H.R. 2847 appropriates \$1.5 billion for federal, state and local law enforcement initiatives along the Southwest Border. This funding is slated for activities to combat violence, stop the flow of illegal weapons and drug trafficking, bring dangerous criminals to justice, and improve law enforcement capabilities along the Southwest Border. The \$1.5 billion is in addition to the funding the legislation provides specifically to the Drug Enforcement Administration and the Bureau of Alcohol, Tobacco, Firearms and Explosives to increase their capacity along the border.

The House began debating H.R. 2847 on June 16, 2009. After the House adopted two amendments, one which would increase funding for the State Criminal Alien Assistance Program (SCAAP) from \$300 million to \$400 million, debate quickly dissolved into a partisan battle. With such a rocky start, it is uncertain whether Congress will be able to reach their goal of passing each of the twelve appropriations measures by September 30, 2009.

UPDATE: On June 18, 2009, the House passed H.R. 2847 by a vote of 259-157.

House Appropriations Committee Approves Fiscal 2010 Homeland Security Bill

The House Appropriations Committee continued moving through the twelve fiscal 2010 appropriations bills with the passage of the Department of Homeland Security Appropriations Act, H.R. 2892, on June 12, 2009. As with the C-J-S Appropriations measure, the Committee kept close to the President's budget request and provided significant funding to support state and local law enforcement counterterrorism and homeland security efforts.

For the major state and local first responder grant programs, the Homeland Security spending bill would provide: \$950 million for the State Homeland Security Grant program (SHSGP) to assist states plan, equip and train local first responders to respond to terrorist attacks and catastrophic incidents; \$887 million for the Urban Area Security Initiative (UASI) to help high-risk urban communities prevent, respond to, and recover from terrorist attacks; approximately \$459 million for the Law Enforcement Terrorism Prevention Program (LETPP); and \$250 million for Transit grants to protect critical transit infrastructure in high-threat areas.

Additionally, the Homeland Security spending measure continues the Secure Communities Program under Immigration and Customs Enforcement (ICE), providing it with \$200 million in funding. Secure Communities is a pilot program that allows local law enforcement to check fingerprints of people booked on criminal charges for immigration and criminal records. It is deploying across the nation, currently focusing on sites that represent the highest concentrations of the most dangerous criminal aliens. At this time, the programs are concentrated along the Southwest Border, Arizona, California, and Florida, with additional sites scattered across the country.

The C-J-S and the Homeland Security Appropriations measures recognize the important role state and local law enforcement play in the national strategy to combat crime and protect the homeland. NAPO is working to ensure that Congress maintains the significant funding levels in these bills for vital DOJ

and DHS state and local law enforcement grant programs as lawmakers move forward in passing the fiscal 2010 appropriations bills.

NAPO ENDORSES SOTOMAYOR FOR U.S. SUPREME COURT

On June 5, 2009, NAPO endorsed Judge Sonia Sotomayor for the United States Supreme Court. After carefully reviewing her record both as a prosecutor and as a judge, NAPO came to the conclusion that Judge Sotomayor will be an ally to our nation's law enforcement community as a justice on the Supreme Court.

Throughout her distinguished career spanning three decades, Judge Sotomayor has worked at almost every level of our judicial system, giving her a depth of experience and knowledge that will be valuable on our nation's highest court. After five years as the Assistant District Attorney in Manhattan, she went into private practice in 1984 to become a corporate litigator. In 1991, she began her career as a federal judge with her nomination to the United States District Court by President Bush. In 1992, she was promoted to the United States Appeals Court for the Second Circuit by President Clinton, where she has served for the past eleven years.

Through her years of trial experience as an Assistant District Attorney, Judge Sotomayor gained an understanding of what law enforcement officers go through day to day in their jobs. Her familiarity with criminal procedure and qualified immunity are evident in the rulings and findings she has issued during her seventeen year career as a federal judge. Judge Sotomayor has shown that as a jurist she has a keen awareness of the real-world implications of judicial rulings, an important aspect when it comes to evaluating the actions of law enforcement officers and to keeping officers and the communities they serve safe.

On June 9, 2009, NAPO participated in a press conference with Vice President Biden and representatives of the nation's leading law enforcement and criminal justice organizations to endorse Judge Sotomayor's nomination. NAPO stands up in support of Judge Sonia Sotomayor because we believe she is a jurist who decides cases based on fact and who is well aware of the issues and challenges faced by our nation's law enforcement officers.

Judge Sotomayor's confirmation hearing is scheduled to begin on July 13, 2009.

LEGISLATION INTRODUCED TO ESTABLISH COMMISSION TO OVERHAUL NATION'S CRIMINAL JUSTICE SYSTEM

Senator Jim Webb (D-VA) introduced legislation, the "National Criminal Justice Commission Act of 2009," S. 714, which would create a national commission to examine the nation's criminal justice system and work to ensure that the law enforcement and criminal justice communities are functioning under policies that efficiently and effectively serve and protect our nation's communities.

Over the past 15 years, state and local law enforcement officers and the agencies they serve have made tremendous strides in reducing the level of crime and violence in our communities. This success was in large part because of the generous assistance and support given to them by the federal government. S. 714 aims to ensure that the law enforcement and criminal justice systems remain on this path of national crime reduction. By creating a commission, comprised of practitioners from the various criminal justice fields, to look closely at all of the elements of the system, from prevention to

enforcement to rehabilitation, this legislation will help determine the best practices and policies to reduce crime in our communities.

NAPO continues to work closely with Senator Webb and his staff on the development of this legislation to ensure that state and local law enforcement has a strong voice on the Commission, as the recommendations of the Commission will undoubtedly affect the future of policing.

NATIONAL SCIENTIFIC RESEARCH AGENDA FOR PUBLIC SAFETY PUBLISHED

On April 14, 2009, the National Occupational Research Agenda (NORA) Public Safety Sub-Council released the National Public Safety Agenda. NAPO had a leadership position in the development of this agenda through its Executive Director, Bill Johnson, who served as co-chair of the Sub-Council. This project set the national scientific research agenda for public safety for the next ten years. NAPO made sure that the interests of rank-and-file law enforcement were both protected and advanced in this program.

To review the National Public Safety Agenda, please visit NAPO's website, www.napo.org.