



The Washington Report

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

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SENATE TO VOTE ON PUBLIC SAFETY COLLECTIVE BARGAINING BILL

Since our thwarted efforts to attach the Collective Bargaining bill to the Farm, Nutrition and Bioenergy Act in the Senate at the end of last year, NAPO has been working closely with the Senate Health, Education, Labor and Pensions Committee, as well as Senate leadership, to secure a vote on the Public Safety Employer-Employee Cooperation Act, S.2123. NAPO has been told by Senate leadership that **the Senate will vote on the bill the week of May 12, Police Week.**

The Public Safety Employer-Employee Cooperation Act is a bipartisan bill that will guarantee that law enforcement officers, firefighters, and emergency medical service workers in all 50 states have the right to discuss workplace issues with their employers. It will provide a framework for such discussions, while respecting the right and flexibility of states to write their own laws for public sector workers. Importantly, the Public Safety Employer-Employee Cooperation Act prohibits strikes and does not call for mandatory arbitration. States that offer equal or greater collective bargaining rights will be exempt from this federal statute. This legislation will not overturn current collective bargaining laws – it will only provide basic collective bargaining rights to those who currently do not have them.

The public safety is best protected through effective partnerships between first responders on the front lines and the agencies that employ them. This legislation will ensure that all public safety officers have the opportunity to meet with local officials to discuss how they do their jobs and how best to protect the public.

In July of last year, NAPO finally got this bill passed by the House - the first time in the 13 years we've been fighting for its passage that the House has passed the bill. Now we have the opportunity to get the Public Safety Collective Bargaining bill passed by the Senate. Although we feel our chances are strong, it will be a tough vote and we need to ensure that it has the support of the majority of the Senate.

It is imperative that law enforcement officers - who want the basic American right of collective bargaining for wages, hours and working conditions - reach out to their Senators and urge them to vote for S. 2123, as it was introduced by Senators Judd Gregg (R-NH) and Edward Kennedy (D-MA). There will be many attempts to significantly change and derail this bill through amendments offered during debate, much like Senators Jim DeMint (R-SC) and Michael Enzi (R-WY) did during deliberation on our amendment to the Farm bill. It is important that Senators who support the Public Safety Collective Bargaining bill stand with Senators Gregg and Kennedy and follow their lead. Through their work with NAPO over the years, Senators Gregg and Kennedy understand the needs of the law enforcement community in regards to collective bargaining. We must ensure that the Senate passes *our* Collective Bargaining bill.

If you have any questions or need more information, please contact Andy Mournighan, NAPO's Government Affairs Director, at (703) 549-0775. With your help, we can give all public safety officers the right to collectively bargain and end this 13-year fight.

NAPO URGES APPROPRIATORS TO RESTORE FUNDING TO BYRNE-JAG FOR FISCAL 2008

As Congress prepares to take up an emergency supplemental bill to fund the wars in Iraq and Afghanistan, NAPO is calling on lawmakers to include in that bill funding for domestic efforts in the war on crime and terrorism. NAPO is urging Senate and House appropriators to provide approximately a half million dollars for the Edward Byrne Justice Assistance Grant (Byrne-JAG) program. This additional funding would restore the program to the level previously approved by the House and Senate of approximately \$600 million in the Commerce, Justice, Science Appropriations bill for fiscal 2008.

The Byrne-JAG program is the only comprehensive federal crime-fighting program. It allows for a true system-wide approach, enabling communities to target resources to their most pressing local needs. This important program funds state and local law enforcement, including multi-jurisdictional drug and gang task forces, information sharing and technology, county jails, prosecutors, drug courts, juvenile delinquency and drug treatment programs. In fact, it is the only source of federal funding for multi-jurisdictional task forces and prosecutors.

NAPO is exceedingly concerned about the consequences being faced by America's law enforcement and the communities they serve due to the steep cut in funding to the Byrne-JAG program in the Consolidated Appropriations Act, 2008. The \$170 million appropriated by Congress for fiscal year 2008 is insufficient to meet the growing needs of our nation's law enforcement. This deep cut in funding has resulted in the closing of drug and gang task forces in California, Nevada, and Texas and throughout the Mid-West, at a time when those forces were making tremendous strides in the fight against crime. States and municipalities are being forced to contemplate laying-off law enforcement officers because of tightened budgets due to the lack of Byrne-JAG money. Additionally, cold case units, identity theft investigations, school violence prevention programs, and victims and witness protection services are all now feeling the strain of this cut.

However, this is not only a law enforcement issue; it is also a homeland security issue. Since the September 11, 2001, terrorist attacks law enforcement officers have taken on additional duties to protect our nation from another attack. As a result, today, local police departments, already understaffed due to the lack of resources to hire new officers, must place officers into Drug, Gang and Terrorism Task Forces, as well as protect critical infrastructure during periods of heightened national threat advisory levels, often at the expense of street patrols. Additionally, many cities and municipalities, because of tight budget constraints, are forcing officers to take on counterterrorism duties on top of their community policing duties, adding to their responsibilities while patrolling the streets.

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 with the aid of federal assistance and support given to them through the Byrne-JAG program. Additionally, NAPO is proud to report that there has not been a major attack on our homeland since September 11, 2001. This is due in no small part to the tools given to state and local law enforcement through this program. These resources have improved information sharing, cooperation between departments and agencies, equipment, and training, which, in turn, has led to more effective and efficient law enforcement, better protected communities, and thus a safer nation.

However, the severe cut in funding suffered by the Byrne-JAG program in fiscal year 2008 is already beginning to dismantle the progress law enforcement has made in the fight against crime. Appropriating additional funding for this vital program will help law enforcement sustain and build upon the tremendous strides they have made in keeping our communities safe.

NAPO will continue to lobby Congress to restore the funding cut from the Byrne-JAG program in fiscal 2008 until lawmakers act and truly support their state and local law enforcement.

CONGRESS WORKING TO REAUTHORIZE BULLETPROOF VEST GRANT

Congressmen Peter Visclosky (D-IN) and Frank LoBiondo (R-NJ) and Senator Patrick Leahy (D-VT) will be introducing the "Bulletproof Vest Partnership Grant Act of 2008" at the beginning of May. This bill will reauthorize the Bulletproof Vest Partnership (BVP) Grant program within the Department of Justice through 2012 and continue vital federal support that will make certain all of America's law enforcement officers are provided the life-saving security of bulletproof vests.

Congress established the Bulletproof Vest Partnership Grant Program in 1998 to help state and local law enforcement agencies obtain the protective equipment necessary to safeguard the lives or their officers. Since 1999, the grant program has supported over 11,900 jurisdictions in purchasing an estimated 450,000 vests.

Over the past decade, this important program has helped protect the lives of nearly a half million law enforcement officers. NAPO has supported this program since its inception and this is the third time we have had to work to get the BVP Program reauthorized. NAPO supports the efforts of Congressmen Visclosky and LoBiondo and Senator Leahy and hopes that in addition to reauthorizing the program, Congress will decide to fully fund it at its authorized level of \$50 million dollars. Furthermore, NAPO will continue to call on lawmakers to make this a permanent program within the Department of Justice.

The BVP funds up to 50 percent of the cost of each vest purchased or replaced by law enforcement applicants. Only vest models that comply with the requirements of the Justice Department's Office of Justice Program's National Institute of Justice (NIJ) may be purchased with BVP Program funds. For more information on this important grant program, please visit <http://www.ojp.usdoj.gov/bvpbasi/> or call the NAPO office at (703) 549-0775.

CONGRESS, WHITE HOUSE CONTINUE WORKING ON FISA COMPROMISE

Democrat and Republican Congressional staff met with administration officials on April 21, to restart stalled discussions on the controversial electronic surveillance bill that would overhaul the Foreign Intelligence Surveillance Act (FISA). The biggest issue under dispute would grant retroactive legal immunity to telecommunications companies being sued for their cooperation in the federal government's warrantless surveillance program after the 9/11 terrorist attacks. Discussions had stopped in February because House Democrats were unwilling to accept the immunity provision as part of the bill and Senate Republicans vowed to block any bill that does not protect telecommunications companies from prosecution.

After the tragedies of September 11, 2001, telecommunications firms fulfilled what they perceived to be their patriotic duty in responding to the government's request for assistance in gathering intelligence. While we do not wish to discuss the legality of the administration's warrantless surveillance program, we do feel that these firms should not come under legal action for responding to requests authorized by the President and the

Attorney General. It is unfair to subject these companies to costly civil lawsuits and damaged reputations merely for cooperating with their government.

Additionally, granting retroactive immunity to telecommunications companies is necessary to avoid establishing a very dangerous precedent that would act as a strong disincentive for individual companies and even entire industries to assist law enforcement at any level of government. We believe granting immunity is an essential step that must be taken to preserve the cooperative relationship between the government and private industry.

The federal government alone cannot fight the war on terror. It depends on state and local governments, as well as the private sector, to help prevent the next terrorist attack. We need to strengthen, not weaken, these established partnerships.

NAPO supports this provision, which is included in the FISA Amendments Act of 2008, which was passed by the Senate on February 12. We believe that providing retroactive immunity for companies' that cooperated in the government's war on terror is an important step toward keeping our nation safe.

NAPO PARTICIPATES IN DOJ C.O.P.S. ROUNDTABLE

On April 8 and 9, NAPO participated in a Roundtable Discussion convened by the Office of Community Oriented Policing Services (COPS) on *Building Partnerships to Advance Effective Policing*. The goal of the meeting was to examine the impact of community policing on communities across the country and to further define changes that may be needed to support the expansion of community policing. NAPO was the only organization representing the needs of rank-and-file state and local law enforcement officers at the roundtable discussion.