



The Washington Report

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

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Presidential Executive Order on Police Reform Imminent

After a leaked copy of a draft Presidential Executive Order on police reform was circulated early this month, we sent [a letter to the White House Domestic Policy Advisor](#), Ambassador Susan Rice, and the Domestic Policy Council highlighting a few of our biggest concerns with the draft and expressing our dismay that we, as one of the biggest voices for rank-and-file law enforcement, were not at the table for its drafting. We asked for the opportunity to engage in a robust discussion of our concerns, specific provisions the Administration is considering including in the final Executive Order, and the goals of the Administration on the issue of police reform.

We met with White House staff for what we hoped would be an informative and constructive meeting in which they shared what would be in the coming Executive Order and we shared our feedback. Unfortunately, the meeting was less than ideal, with us sharing our concerns and recommendations based only off the leaked copy of the draft Order and nothing more substantial. White House staff listened to our concerns and seemed appreciative of our feedback but would not give us any further information of what will be in the final Order or when we can expect it to be enacted.

NAPO is still working under the assumption that the leaked draft Order is the basis for the final Executive Order. Thus, we remain concerned because through its various provisions, the leaked draft Order would, in effect, set up a situation where the Department of Justice will be managing the hiring, training, deployment, and policy, including use of force and equipment, for every state and local agency. It would make law enforcement more dangerous and difficult for officers and it would exacerbate the already dire recruitment and retention issues facing state and local agencies.

News reports state that we can expect the Executive Order to be implemented sometime during February, prior to the President's State of the Union address on March 1.

We continue to stand ready to work with the Administration on constructive and effective police reform policies. We will update you on the status of this Executive order and any Executive Order that threatens to harm law enforcement.

NAPO Leadership Meets with Top DOJ Officials

On January 27, NAPO Executive Director Bill Johnson participated in a virtual meeting with Attorney General Merrick Garland, Deputy Attorney General Lisa Monaco, Associate Attorney General Vanita Gupta and Assistant Attorney General for Civil Rights Kristen Clarke and the leaders of other major national law

enforcement organizations. NAPO was just one of two rank-and-file organizations that participated in the meeting.

The meeting focused mainly on the issues of criminal justice and police reforms and the rise in violent crime that has swept across the country. The focus of the law enforcement participants was on the need to get violent crime under control and that this represents the most pressing issue facing departments and communities. There was much frustration regarding bail reforms and progressive prosecutors releasing criminals out of prison, many of whom quickly recidivate and are rearrested, and the impact that is having on violent crime. Johnson made the point that officials cannot keep letting criminals out of prison, refuse to hold violent offenders without bail, and refuse to prosecute certain crimes, and then act surprised that violent crime rates are skyrocketing. Officers are frustrated and demoralized when they continue to put themselves in harm's way to arrest the same criminals over and over.

Johnson went on to make the point that the Department of Justice can support state and local law enforcement who are struggling with progressive prosecutors who decline to prosecute violent crimes to the fullest extent of the law, referencing the murder of Los Angeles Police Officer Fernando Arroyos by four gang members. Los Angeles District Attorney George Gascon refused to fully prosecute the cop-killers, so Los Angeles County Sheriff Alex Villanueva went straight to the U.S. Attorney's Office in Los Angeles asking them to prosecute the gang members, who are now facing serious federal charges. The Attorney General can set the tone for the Department and let U.S. Attorneys across the country know that the Department will prioritize protecting state and local law enforcement by aggressively prosecuting violent crimes against officers.

Johnson also mentioned the concern that many of the individuals being placed or nominated as U.S. Attorneys do not have law enforcement backgrounds and that this impacts their relationship with law enforcement as they try to work together to address violent crime in our communities. State and local law enforcement must be seen as partners, with collaboration and cooperation in the fight against crime.

NAPO appreciates the opportunity to meet with the Attorney General and Department leadership on these pressing issues and the open lines of communication that we have with the Department. We stand ready to work with the Department to address the violent crime scourging our communities, improve policing practices, and support our officers on the streets.

NAPO Continues Push to Keep Police Reform Out of Appropriations

House and Senate appropriations leadership are amid discussions around a final appropriations package for Fiscal 2022. Currently, the federal government and all its programs are funded at Fiscal 2021 levels under a continuing resolution that ends on February 18. With three weeks left until funding runs out, appropriators do not have much time to come to an agreement on a final omnibus spending package that funds all sectors of the government through the end of the fiscal year.

The House has passed nine of the twelve annual appropriations bills, not including the Commerce, Justice, Science and Related Agencies (CJS) spending bill, while the Senate has not passed any of the annual appropriations bills. Republican and Democrat appropriators in the House and Senate have not agreed upon a final topline number for FY 22 appropriations, but negotiators say they are close to an agreement. Once a topline number is agreed upon, lawmakers can fill in the allocations for the various federal departments, agencies, and programs. Policy riders, or policy changes that are not pertinent to the underlying appropriations package, are also under discussion, with Republican leaders calling for no policy riders to be included in a final omnibus.

For our part, NAPO is working to ensure that the policing reform provisions included in the House version of the FY 22 CJS bill, H.R. 4505, are not included in the final FY 22 spending bill. H.R. 4505 included provisions of the George Floyd Justice in Policing Act as well as seriously concerning preconditions and requirements that state and local agencies must comply with to receive grant funding. We lobbied hard against the inclusion of those provisions when the House tried to move the bill back in July. Our endeavors were successful as House Democrats did not have the votes to take pass the appropriations bill.

Despite the lack of support for the inclusion of such policing reform provisions in the CJS appropriations measure, they are still very much on the table for Democrats. NAPO joined the Major County Sheriffs of America, the Major Cities Chiefs Association, the National Sheriffs Association, the Federal Law Enforcement Officers Association and the National District Attorneys Association in [a letter sent to the leadership of the House and Senate Appropriations Committees](#) on January 24 making the argument that many of the police reform proposals included would make countless communities ineligible for desperately needed grant funds at a time when many are struggling to address rising violent crime.

NAPO continues to work with Congressional appropriators to ensure that police reform measures included in H.R. 4505 are not included in the final FY 22 CJS appropriations package.

NAPO on the Hill: PTSD; Postal Police Reform

Covering PTSD under the Public Safety Officer's Benefits Program

NAPO is working with Senator Tammy Duckworth (D-IL) to introduce the Senate version of the Public Safety Officer Support Act, which would make post-traumatic stress disorder (PTSD) a line of duty injury under the Public Safety Officers' Benefits (PSOB) Program and ensure that officers who suffer from PTSD and those who take or attempt to take their own life as a result of on-duty trauma will be eligible under the program. NAPO worked closely with Representative David Trone (D-MD) on the House version of this legislation, H.R. 3071.

According to [Blue H.E.L.P.](#), 152 current or active-duty officers died by suicide in 2021, and in 2020, there were 177 officer suicides. 8 officers have taken their own lives so far this year. These are just the numbers that are reported and tracked. Additionally, according to the National Study of Police Suicides, officers are 2.5 times more likely to die from suicides than from homicides, a sobering statistic.

State and local law enforcement officers are our nation's first responders. They respond to our country's greatest tragedies as well as violent and abhorrent crimes that unfortunately occur with some frequency in our neighborhoods. They have seen and experienced horrors that they cannot forget, yet they still put their lives on the line every day to protect and serve our communities. These stresses and strains of the job have a direct impact on an officers' mental wellbeing, and agencies are only now working to ensure officers have access to the resources they need to address their emotional and mental health.

As we, as a country, have so far largely failed to provide officers with the mental health services necessary to protect their mental wellbeing, it is only right that we make certain their families are taken care of after such a tragic loss.

Ensuring this legislation has broad bipartisan support is key to its movement this Congress. Senator John Cornyn (R-TX) has agreed to introduce this bill with Senator Duckworth and NAPO is reaching out to Senate Republicans to garner as many original bipartisan cosponsors as we can.

Postal Police Reform

NAPO worked with our member organization, the Postal Police Officers Association (PPOA), and Representatives Andrew Garbarino (R-NY) and Bill Pascrell (D-NJ) to introduce the Postal Police Reform Act (H.R. 5587). NAPO and PPOA President Frank Albergo met with staff of Representatives Garbarino and Pascrell to discuss next steps for moving this legislation forward.

As the uniformed members of the U.S. Postal Inspection Service (USPIS), postal police officers (PPOs) are authorized under law to enforce postal laws and regulations, carry firearms, and make arrests on and off postal property. PPOs are trained in the constraints of the use of force, the laws of search and seizure, civil rights of civilians, and receive advanced tactical training at an accredited federal law enforcement training academy. Until recently, postal police officers were deployed to various neighborhoods throughout their jurisdictions to protect letter carriers, mailboxes, and postal vehicles from criminal attack—including increasing assaults of carriers and the epidemic of mail and package theft.

On August 25, 2020, however, the USPIS inexplicably ceased all off-property authorities of uniformed PPOs to proactively patrol and respond to reports of mail theft and attacks on letter carriers and the mail system away from postal controlled real estate. PPOs have been relegated to being overqualified security guards for U.S. Post Offices and facilities. The USPIS effectively neutered and defunded its own postal police force, while increasingly seeking the assistance of local law enforcement to assume duties previously performed by Postal Police.

The Postal Police Reform Act would reverse the August 2020 directive and restore PPOs to their full, authorized duties to protect our nation's mail system. NAPO and the PPOA will be reaching out to Members of Congress to educate them on this situation and garner support and cosponsors for this important bipartisan bill.

NAPO Supports the Invest to Protect Act

NAPO pledged our support for the Invest to Protect Act, H.R. 6448, sponsored by Representatives Josh Gottheimer (D-NJ) and John Rutherford (R-FL) and introduced with the support of 36 bipartisan original cosponsors. This legislation creates a broad grant program through the Department of Justice (DOJ) specifically for small state, local or tribal law enforcement agencies that will give them resources to help them train their officers, implement or expand body-worn camera programs, provide mental health resources for their officers, and retain and hire officers. A small agency is defined as one that employs fewer than 200 law enforcement officers.

The law enforcement assistance grant programs through the DOJ provide invaluable resources, training, and technical assistance to state and local law enforcement agencies, keeping our communities safe. However, small agencies across the country find themselves getting left behind due to their size and lack of resources for participating in the onerous Federal grant solicitation process. We thank Representatives Gottheimer and Rutherford for their leadership and we look forward to working with them to ensure all law enforcement agencies have the support and resources necessary to serve and protect our communities.

NAPO's Legislative Positions & Sponsor/Cosponsor Updates

NAPO's updated "Sponsor/Cosponsor" spreadsheet is available on [NAPO's website](#). The spreadsheet accompanies the latest "[Legislative Positions](#)" document, which is also available on the NAPO website.

NAPO's Legislative Positions is a document that highlights all the legislation that we have taken an official position on or are monitoring during the 117th Congress. It is continually updated to reflect the work we are doing on Capitol Hill.

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 updates this spreadsheet regularly and continues to ensure our voice is heard on Capitol Hill.

Register Now for NAPO's Pension & Benefits Seminar

February 27 – March 1, 2022 (NEW DATES)

Caesars Palace Hotel & Casino ~ Las Vegas, Nevada

Please join us at [NAPO's 33rd Annual Police, Fire, EMS, & Municipal Employee Pension & Benefits Seminar](#), February 27 – March 1, 2022 at the Caesars Palace Hotel in Las Vegas, Nevada, and learn from industry experts the latest information on pensions and benefits.

The seminar will focus on the brittleness and potential causes for concern in today's pension and benefits environment. While stock markets continue to set new records, individual investment confidence is faltering. Inflation and stagflation are rearing their heads, and the market run-up, while high, is also narrow, and confined to a relatively few areas. Politically, both parties are already looking ahead to the midterm elections, and economic policies are a major dividing line between them. Global corporate taxation, the long-term impact of extraordinary governmental stimulus spending, mounting national debt, and expansion of IRS taxation and reporting powers are just some of the issues being debated. We will examine these areas and more as we evaluate the effect of these trends on public employment benefits and security, and the overall economic situation for the near- and mid-term.

Take an active role in improving the future of your fund by registering today. You will find information regarding registration, hotel reservations and the full agenda on NAPO's website: www.napo.org/PB22 or complete [the brochure](#) and fax it to NAPO at (703) 684-0515.

NAPO's Executive Board Meeting will be held in conjunction with the Pension & Benefits Seminar on February 27, 3:30 p.m. – 5:15 p.m. If you have any questions or need additional information, please do not hesitate to contact NAPO's Director of Events, Elizabeth Loranger, at 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.