



# The Washington Report

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

---

August 11, 2014

## NAPO WASHINGTON REPORT

### NAPO Meetings on Capitol Hill

On August 5, 2014, NAPO met with senior staffers for **Congresswoman Eddie Bernice Johnson (D-TX)** and **Congressman Kenny Marchant (R-TX)** to outline our top legislative priorities, which include the following initiatives:

**Bulletproof Vest Partnership (BVP) Grant Act:** The BVP Grant Program provides Federal funds to state and local law enforcement departments to assist state and local law enforcement efforts to purchase bullet resistant vests. NAPO continues to expend all available efforts to garner additional cosponsors for the House and Senate versions of this bill.

**Community Oriented Policing Services (COPS) Improvement and Reauthorization Act:** This bill would reauthorize the COPS Program for five years and raise the current hiring cap from \$75,000 to \$125,000. The COPS Office has been extremely successful in implementing and carrying out its designated objectives. Since its creation, the COPS Office has assisted over 13,000 of the nation's 18,000 jurisdictions with over \$14 billion in funding to hire more than 125,000 additional officers. Reauthorizing this program will allow for the continuation of a highly successful program that keeps our communities safe.

**Justice and Mental Health Collaboration Act (JMHCA):** The Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA) created the Justice and Mental Health Collaboration Program (JMHCP) to help states and counties design and implement collaborative efforts between criminal justice and mental health systems. The JMHCA reauthorizes the successful MIOTCRA and extends the JMHCP for five years. The JMHCP can help law enforcement agencies across the United States in their responsibilities in assisting citizens with mental health issues.

**Social Security Fairness Act:** This bill would strike the Windfall Elimination Provision (WEP) and Government Pension Offset (GPO) formulas currently used to calculate Social Security benefits. Both formulas were enacted in the 1980s because Congress was concerned Social Security paid unintended benefits to workers who had spent most of their careers in "non-covered" jobs. However, the formulas go too far and penalize workers with split careers who contributed a great deal to Social Security, but retire under their "non-covered" pensions. By significantly scaling back and reducing Social Security benefits for law enforcement officers and their survivors, as GPO and WEP do, officers and their families are provided much less protection against financial difficulties.

**Driver's Privacy Protection Act Amendment:** NAPO has proposed modifications to the most recent amendment to the Driver's Privacy Protection Act (DPPA). The DPPA requires state motor vehicle departments to receive

permission from individuals before their personal motor vehicle record may be sold or released. The most recent DPPA amendment authorizes a private right of action for knowing violations, and a court may award damages in the amount of \$2,500 for each time a record was accessed, as well as attorney fees and other litigation costs. Law enforcement officers are subject to these stringent punishments, even if they did not review files with criminal intent.

NAPO's proposed language modifications to the DPPA amendment include adding a clause that explains that penalties will be applied only if persons access information with the specific intent to secure an economic benefit. NAPO also proposes removing the \$2,500 penalty for a violation of this act, as well as adding a statement that explains there must be repeated disregard of this law for action to be taken. If the language is not modified, law enforcement officers will be subject to large fines, and even the loss of their licenses for *de minimus* actions.

NAPO appreciated the opportunity to meet with both of the staffers, and looks forward to continuing to work with them in the future. If you have any questions about any of the issues summarized above, please contact Melissa Nee at: [mnee@napo.org](mailto:mnee@napo.org)

## **NAPO Supports the Fairness for Fallen Officers Act**

NAPO has sent the attached letter of support for the Fairness for Fallen Officers Act (S. 2332), which was introduced by **Senator Chris Coons (D-DE)** and **Senator Rob Portman (R-OH)** on May 14, 2014. This bipartisan legislation will close an unintended loophole in the Public Safety Officers' Benefits (PSOB) program, and ensure families of fallen officers receive the benefits they deserve.

Families of law enforcement officers, firefighters, and other first responders killed in the line of duty are entitled to death and education benefits through the PSOB program, but these benefits are often denied or delayed for the loved ones of officers who die due to heat stroke or over-exertion in the course of duty. The Fairness for Fallen Officers Act of 2014 would specify that fatal climate-related injuries, including hypothermia and hyperthermia resulting from official duties or training in extreme weather conditions, are deserving of full recognition under the law.

Due to an unintended loophole in the PSOB program, families of officers who die of climate-related injuries could potentially endure years of administrative and appeals processes in order to access death and education benefits. The Fairness for Fallen Officers Act would address this shortcoming by adding fatal climate-related injuries to the list of injuries eligible for benefits under the PSOB program. This simple fix will save families the heartache and stress of spending years fighting for the benefits they deserve.

NAPO looks forward to working with Senators Coons and Portman to pass this important bill. If you have any questions about this legislation, please contact Melissa Nee at: [mnee@napo.org](mailto:mnee@napo.org).

## **Customs and Border Protection Authorization Approved By House For First Time**

A House bill to authorize Customs and Border Protection (CBP) for the first time was approved last week. CBP had not received Congressional authorization for its operations since its creation within the Department of Homeland Security (DHS) in 2002.

The bipartisan CBP authorization legislation (H.R. 3846) would authorize border, maritime, and transportation security responsibilities and functions in DHS and the establishment of CBP. It would also clarify authorities of the CBP commissioner.

The bill was sponsored by Representatives **Candice Miller (R-MI)**, **Sheila Jackson Lee (D-TX)** and **Michael McCaul (R-TX)**. All three are members of the House Homeland Security Committee. Representative McCaul is chairman of the committee, and Representative Miller and Representative Jackson Lee are chair and ranking member, respectively, of the Border and Maritime Security Subcommittee.

“As an agency with more than 44,000 Federal law enforcement officers, it is critical that Congress provide greater transparency, accountability and oversight to CBP on a routine basis. Authorizing the Department and its components like CBP remains my top priority for the Homeland Security Committee. Next Congress, I intend to lead the first ever DHS authorization through regular order in partnership with my fellow chairmen,” said Chairman McCaul.

**Source:**

FedAgent. "Customs And Border Protection Authorization Approved By House For First Time." - *FEDagent.com/Free Weekly E-newsletter*. N.p., 7 Aug. 2014. Web. 08 Aug. 2014. <<http://www.fedagent.com/news/1294-customs-and-border-protection-authorization-approved-by-house-for-first-time>>.

## **NAPO Endorsements**

Last week, NAPO sent endorsement letters to candidates for upcoming elections across the United States. Many of the candidates have recognized and thanked NAPO for our support. We look forward to working with each of the candidates on their campaigns in the coming months.

If you have any questions about NAPO’s endorsements, please contact Bill Johnson at: [bjohnson@napo.org](mailto:bjohnson@napo.org).

**Please monitor NAPO’s website [www.napo.org](http://www.napo.org), and Facebook page: National Association of Police Organizations, and follow us on Twitter @NAPOpolice for breaking news and updates.**



## NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

*Representing America's Finest*

317 South Patrick Street ~ Alexandria, Virginia ~ 22314-3501  
(703) 549-0775 ~ (800) 322-NAPO ~ Fax: (703) 684-0515  
[www.napo.org](http://www.napo.org) ~ Email: [info@napo.org](mailto:info@napo.org)

### EXECUTIVE OFFICERS

THOMAS J. NEE  
**President**  
Boston Police  
Patrolmen's Association

MICHAEL MCHALE  
**Executive Vice President**  
Florida Police Benevolent  
Association

CHRIS COLLINS  
**Recording Secretary**  
Las Vegas Police  
Protective Association

SEAN M. SMOOT  
**Treasurer**  
Police Benevolent & Protective  
Association of Illinois

KEITH DUNN  
**Sergeant-at-Arms**  
New Jersey State Policemen's  
Benevolent Association

JOHN A. FLYNN  
**Executive Secretary**  
Patrolmen's Benevolent  
Association of New York City

### NATIONAL HEADQUARTERS

WILLIAM J. JOHNSON  
**Executive Director**

August 8, 2014

The Honorable Chris Coons  
United States Senate  
127A Russell Senate Office Building  
Washington, D.C. 20510

Dear Senator Coons:

On behalf of the National Association of Police Organizations (NAPO), representing 241,000 rank-and-file officers from across the United States, I am writing to you to express full support for the Fairness for Fallen Officers Act of 2014 (S.2332).

NAPO is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement through legislative and legal advocacy, political action, and education. Founded in 1978, NAPO now represents more than 1,000 police units and associations, 241,000 sworn law enforcement officers, and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement.

The Fairness for Fallen Officers Act will close an unintended loophole in the Public Safety Officers' Benefits (PSOB) Program by adding fatal climate-related injuries to the list of injuries for which there is a presumption in favor of the benefit. First responders put their lives on the line every day to protect our communities. This legislation will ensure that families of fallen officers receive the benefits that they deserve.

NAPO stands ready to support with any efforts necessary to pass this important legislation. If you have any questions, or if we can be of further assistance, please feel free to contact me at: (703) 549-0775.

Sincerely,

William J. Johnson  
Executive Director