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

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NAPO Victory! House Passes Legislation on PSOB COVID-19 Presumption and Officer Suicides

In a victory for NAPO, the House passed H.R. 6509, the Public Safety Officers Pandemic Response Act, and S. 2746, the Law Enforcement Suicide Data Collection Act, on May 27.

The Public Safety Officer Pandemic Response Act, sponsored by House Judiciary Committee Chairman Jerrold Nadler (D-NY), would establish that COVID-19 shall be presumed to have been contracted as a result of the officer's service for the purposes of PSOB death and disability benefits. It would create a specific standard for COVID-19-related disability that is based on whether a PSOB claimant is permanently prevented from performing any gainful work as a public safety officer due to their COVID-19 diagnosis. Finally, it would recognize the physical toll 9/11 related illnesses have had on first responders by covering under the PSOB Program those public safety officers whose 9/11 related illness are compounded by a COVID-19 diagnosis and lead to their death or disability.

As the House and Senate passed different versions of a COVID-19 PSOB presumption (the Senate passed S. 3607, the Safeguarding America's First Responders Act on May 14), NAPO is working with both Chairman Nadler's staff and Senator Grassley's staff to push for a quick compromise on a PSOB presumption bill that the chambers can agree on. Both bills establish the same presumption for death benefits and create a presumption for disability benefits, but H.R. 6509 also extends benefits to public safety officers who suffer from a 9/11 related illness and contract COVID-19 and has a more generous disability benefit threshold. NAPO will keep our members updated on these efforts. Over 110 officers have died in the line of duty due to COVID-19 exposure and we must ensure their families get the benefits they deserve through the PSOB Program.

S. 2746, the Law Enforcement Suicide Data Collection Act requires the Department of Justice to establish a program to collect data on law enforcement and former law enforcement suicides at the local, State, and Federal level. This bill passed the Senate on May 14 and is on its way to the President's desk to be signed into law. This data will be vital to getting a true picture of the crisis and recognize and understand the stress factors that lead to officers committing or attempting to commit suicide so that we can prevent such tragic outcomes.

Congress to Hold Police Reform Hearings in Wake of George Floyd's Death

Over the coming weeks, the House and Senate will be considering police reform policies and legislation in response to the killing of George Floyd. The House Judiciary Committee will be holding a hearing on “police reform” on June 10 in which law enforcement, at this moment, will be represented by the National Organization of Black Law Enforcement Executives (NOBLE) and the Major City Chiefs Association. NAPO has reached out to both Chairman Jerrold Nadler’s (D-NY) staff and Ranking Member Jim Jordan’s (R-OH) staff to ensure they have heard NAPO’s voice on what policies are being proposed. Unfortunately, it seems this hearing will only be a repeat of the September police reform hearing, which starred the Rev. Al Sharpton, illustrating that Democratic lawmakers are not serious about having a real conversation about policing. Chairman Nadler indicated that after the hearing, the goal is for the Committee to markup reform legislation, which will be unveiled on June 8, and bring it to the House floor for a vote by the end of June.

What happened to George Floyd was egregious. There is no legal justification, self-defense justification, or moral justification for the actions of the officer. However, some the proposals being put forth by House Democrats would put officers and the public at greater risk of harm as they are currently written. The leading proposals include banning vascular neck restraints, data collection on use of force, severely curbing law enforcement’s access to surplus military equipment, and eliminating qualified immunity for officers. NAPO has submitted our concerns on these proposals and indicated that we want to work with law makers on meaningful changes to policing policies and practices. Further, we are closely watching for legislative text on the qualified immunity proposal, which has not previously been introduced. As you know, NAPO has successfully argued for qualified immunity on behalf of our officers in the U.S. Supreme Court more than any other law enforcement organization.

Senators Kamala Harris (D-CA) and Cory Booker (D-NJ) have introduced a resolution, which is non-binding, calling on the Senate to support eliminating qualified immunity for officers altogether and they are working with the House Judiciary Committee on its proposed legislation.

The Senate Judiciary Committee will be holding a hearing on policing on June 16. NAPO has been in contact with Chairman Lindsey Graham’s (R-SC) his staff regarding the hearing and any legislation that might be considered. We feel that the Senate is where law enforcement officers will have the greatest chance of having our voices heard.

NAPO continues to talk with relevant House and Senate staff about the policies being put forward, what concerns us and what we can support. We will keep our members updated on these hearings and any legislation or policies that move forward.

NAPO Endorses SMART Act to Give Direct Aid to States and Localities

NAPO pledged its support for the SMART Act, H.R. 6954 / S. 3752, a bipartisan bill that would provide state, county, and municipal governments with \$500 billion in targeted financial aid. H.R. 6954 currently has 12 cosponsors and S. 3752 has 6 cosponsors.

State and local governments big and small are struggling with budget holes and significant revenue losses due to the pandemic and the steps that had to be taken to protect the public. As a result, police departments across the country have told their officers that hiring and wage freezes are going into effect, department civilian staff are being furloughed and laid off, and that they will be next for furlough and layoffs. Law enforcement and public safety will be negatively impacted if direct, flexible funding is not given to state and local governments to help them offset budget and revenue shortfalls created by the crisis. Further, NAPO strongly believes that every state, city and department that receives this funding must maintain pre-COVID staffing levels in their departments. We must avoid creating a public safety crisis on top of the public health and economic crisis this country is experiencing.

The SMART Act funding is composed of three equal tranches of aid:

- **1. Population Size.** This tranche of funding will be allocated to all 50 states, D.C. and U.S. territories in proportion to each respective state or territory's percentage of the U.S. population. Counties and municipalities will each receive one-sixth of their state's allocation for a combined total of one-third of their state's allocation from this tranche.
- **2. Infection Rates.** This tranche of funding will be allocated based on each state's relative share of the nation's infection rate. Funding will be distributed to counties and municipalities based on each county or municipality's proportion of the state's population for this tranche.
- **3. Revenue Losses.** This tranche of funding will be allocated based on each state's revenue loss in proportion to the combined revenue loss of all the states from January 1, 2020 through December 31, 2020.

This legislation is vital, particularly at this time of civil unrest. To simultaneously deal with the threat of furloughs and possible layoffs while trying to keep the peace and serve during a pandemic only adds unnecessary further stress to officers.

While urgency to pass another coronavirus aid package is growing in the Senate, it has been put off due to the social unrest that arose in the wake of George Floyd's death. More Republicans are becoming open to giving financial assistance to state and local governments and NAPO continues to press Senators that this is an immediate need.

NAPO is tracking data related to threatened or actual furloughs and layoffs of officer in response to the economic crisis created by the coronavirus epidemic. This information is important for our continued fight for increased, flexible funding for state and local governments to help offset budget and revenue holes to stave off or end the furloughing of officers.

NAPO in the News

NAPO President Mick McHale was interviewed by Brett Baier on *Fox News* on May 31 during a special report on the protests and riots in response to the death of George Floyd:

<https://www.facebook.com/109628202436088/videos/718931108870114/>

On June 2, NAPO Executive Director Bill Johnson was interviewed for a *Fox News* article entitled, "[Police groups criticize Biden suggestion that cops be trained to shoot knife-wielding attackers 'in the leg'](#)". The article discusses former Vice President Biden's comments during an address to black community leaders

in Wilmington, Delaware in which he said that when facing a knife-wielding attacker, officers should be trained to “shoot ‘em in the leg instead of the heart”.

“Former VP Biden's remark is not just indecipherable (‘an unarmed person coming at 'em with a knife’?!), it's also misleading to the point of being deceitful”, Johnson told *Fox News*.

He went on to say that “[o]fficers are not trained to ‘shoot somebody in the heart’ as Biden says, but rather to aim for the biggest part of the body, so as to be most likely to hit the person presenting the threat and not hit anybody else. This always includes the condition that the officer or somebody else is in peril of death or great bodily harm, and certainly someone charging at you with a knife satisfies that requirement.”

Johnson also mentioned that “Biden had missed an opportunity to communicate the difficult situations officers can find themselves in, and don’t want to be in in the first place.”

“The same officer who fires his weapon is also the officer who then calls for EMT to come to the scene and save the attacker. Officers don't want the attacker dead, they want him stopped,” Johnson said. “Biden knows this, and for him to publicly state otherwise is the worst kind of cynical pandering. He squandered an opportunity to present a difficult truth.”

On June 2, Johnson was quoted in a *Washington Post* article entitled, “[As protests grip cities, violence against police raises fears of harsher crackdown](#)”. As riots and protests continue across the country, law enforcement officers are facing increased threats of harm. An officer in Las Vegas, Nevada was shot in the back of the head, officers were shot and injured in St. Louis, Missouri, and officers in cities across the country have been hit with cars, bricks and stones, and lit charcoal bricks. A New York City Police Officer assigned to prevent looting was stabbed in the neck and two responding officers were shot. However, officers are being criticized for using force against demonstrators. Johnson address the violence against officers:

“It’s an extraordinarily difficult time for officers — for their physical safety and the conditions under which they’re being forced to work. The attacks are quite literally becoming murderous.”

While the article mentions the violence that has been perpetrated against officers, it does not condemn those who are committing the violence. Instead, it raises the fear that increased clashes between protestors and police will only bring more violence on protestors. Violence against officers must be considered unacceptable, just like the death of George Floyd was unacceptable.

NAPO will continue to ensure our members’ voices are heard loud and clear on the Hill, with the Administration, and in the media.

National Faith and Blue Weekend

The Department of Justice Office of Community Oriented Policing Services (COPS) and MovementForward, Inc.’s One Congregation One Precinct (OneCOP) initiative are co-convening the first annual National Faith and Blue Weekend, to be co-hosted by NAPO, the FOP, the International Association of Chiefs of Police, the National Sheriffs’ Association and other national police associations.

NAPO Executive Director Bill Johnson is participating in the working group organizing the weekend, which will be launched in October 2020 to coincide with National Community Policing Week.

The goal of the Weekend is to create a national movement where law enforcement professionals and citizens build connections that break down divides. By partnering with faith-based organizations, we will hopefully touch the lives of millions of citizens of diverse backgrounds in each town, city, and neighborhood in the nation.

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.