



# The Washington Report

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

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April 14, 2014

## NAPO WASHINGTON REPORT

### Senator Klobuchar Introduces COPS Legislation

On April 10, 2014, **Senator Amy Klobuchar (D-MN)** introduced a bill to “amend the Omnibus Crime Control and Safe Streets Act of 1968 to enhance the COPS ON THE BEAT grant program” (S.2254). NAPO worked closely with Senator Klobuchar’s staff as the bill was drafted. NAPO’s letter of support is attached to the end of this report.

This legislation will:

- Affirm the Office of Community Oriented Policing Services (‘COPS office’) as a “separate and distinct” office with a Director with final authority over grants, cooperative agreements, and contracts awarded by the COPS office.
- Give the Attorney General the authority to award grants for the establishment of school-based partnerships to combat crime, drug use, and gangs; programs to reduce and prevent the manufacture, distribution, and use of illegal drugs; and for programs to address emerging law enforcement needs.
- Raise the current hiring cap from \$75,000 to \$125,000.
- Remove the provision in current law that requires funding allocations to be distributed with 50% to agencies having jurisdiction over areas with populations over 150,000 and 50% to agencies with populations under 150,000.

NAPO will continue to work closely with Senator Klobuchar and the House bill’s sponsor, **Congressman Dave Reichert (R-WA)**, to ensure this important legislation is passed.

#### Source:

United States. Cong. House. *Congressman David Reichert*. By Natalie Kamphaus. 113th Cong., 1st sess. H. Doc. N.p.: n.p., n.d. Print.

### NAPO Lobbies Capitol Hill to Push Important Potential Changes in IRS Rules for Retired Officers’ Health Care

On April 7, 2014, NAPO met with senior staff members for the following members of Congress: **Senate Majority Leader Harry Reid (D-NV)**, **Senator Dean Heller (R-NV)**, **Congresswoman Dina Titus (D-NV)**, **Congressman Joe Heck (R-NV)**, **Congressman Steven Horsford (D-NV)**, and **Congressman Mark Amodei (R-NV)**. NAPO used

the meetings to highlight an issue that is currently impacting retired public safety officers in Nevada. Specifically, the Pension Protection Act of 2006 (Pub. L. 109–280; 120 Stat. 780) provides for an exclusion from federal gross income of up to \$3000 per tax year of eligible retirement plan distributions on behalf of an eligible retired public safety officer when those distributions are used to pay for qualified health insurance premiums. This exclusion is codified at 26 U.S.C. §402 (l). Under current law, this exclusion only applies if “payment of the premiums is made directly to the provider of the [insurance] by deduction from a distribution from the eligible retirement plan.” (26 U.S.C. §402 (l)(5)(A)) Chris Collins, Executive Director of the Las Vegas Police Protective Association, accompanied NAPO staff to the Hill to press this issue.

Many eligible retired public safety officers who would otherwise be able to utilize this exclusion are prevented from doing so because the eligible retirement plan from which they draw distributions is unwilling or unable to deduct and forward to the insurance provider the premium payments from the distribution being paid to the retired officer. In some cases, the reason for the inability or refusal is unknown. In some cases it may be something as simple as a computer program that stands in the way. In every case, however, the reason and its remedy lie outside the control of the retired officer.

NAPO requested each of the staffers assist with amending the language of §402(l) to include a provision that in such circumstances, where the retired officer has requested of the retirement plan that payment for qualified premiums be deducted from his or her distributions, and such request has been denied or ignored by the retirement plan, the officer will nonetheless be entitled to the exclusion from gross income (up to the statutory amount of \$3000) of the portion of distributions he or she has received from a eligible retirement plan, and which he or she has actually and demonstrably used to pay for qualified health insurance premiums during the tax year.

Attached please find NAPO’s letter of concern regarding this issue, which has the potential to impact retired law enforcement officers across the country. NAPO will continue to push for our proposed remedies, and keep our members updated on the status of this initiative.

## **House Mark-Up Schedule: CJS Appropriations Bill**

The House Appropriations Committee plans to mark up the Commerce-Justice-Science Appropriations bill after the two-week recess, pressing its aggressive schedule on spending bills. **Pennsylvania Democrat Chaka Fattah**, ranking member of the House Commerce-Justice-Science Appropriations Subcommittee, said the subpanel tentatively plans to mark up the measure on May 8<sup>th</sup>. (The first Senate markup is expected around May 22<sup>nd</sup>).

NAPO will continue to advocate for funding of vital law enforcement programs, including the Community Oriented Policing Services (COPS) Program and the Byrne-Justice Assistance Grant (Byrne-JAG) Program. We will keep our members updated as the appropriations process moves forward.

### **Source:**

Hallerman, Tamar. "House Turning Next to Commerce-Justice-Science Appropriations." *Congressional Quarterly*. CQ, 10 Apr. 2014. Web. 11 Apr. 2014.

## **National Law Enforcement Museum Act Moves to Full House for Consideration**

On April 9, 2014, the House Natural Resources Committee voted to report H.R. 4120, “a bill to amend the National Law Enforcement Museum Act to extend the termination date,” favorably to the full House by unanimous consent. The bill is sponsored by **Congressman Steny Hoyer (D-MD)** and supported by four cosponsors. This bill would

extend the period of time within which the NLEOMF would be allowed to continue its efforts to construct a National Law Enforcement Museum.

NAPO's efforts contributed to raising nearly \$2 million for the proposed National Law Enforcement Museum and NAPO continues to serve on the Board of Directors for the Museum. We will keep our members updated on the status of the legislation as it moves forward.

## **National Law Enforcement Memorial Fund – Names Dedication**

Last year, 100 federal, state, local, tribal and territorial law enforcement officers lost their lives serving in communities across America. With the addition of those 100 names, along with the 186 recently discovered line-of-duty deaths from past years, 286 names will be dedicated on the National Law Enforcement Officers Memorial, during the 26th Annual Candlelight Vigil, which will be held on May 13, 2014.

NAPO is a founding member of the National Law Enforcement Officer Memorial Funding (NLEOMF). NAPO's efforts led to the successful passage of legislation to establish the Memorial, which is the nation's monument to law enforcement officers who have died in the line of duty. Dedicated on October 15, 1991, the Memorial honors federal, state, and local law enforcement officers who have made the ultimate sacrifice for the safety and protection of our nation and its people.

If you have any questions about the NLEOMF, please contact Melissa Nee at: [mnee@napo.org](mailto:mnee@napo.org).

### **Source:**

"National Journal." *www.nationaljournal.com*. N.p., n.d. Web. 05 Apr. 2014.

## **Mentally Ill Offender Treatment Crime & Reduction Act Grant Program Letters Receive Strong Bipartisan Support in the House and Senate**

Thanks to your support, 62 members of Congress signed the House FY15 letter in support of the Mentally Ill Offender Treatment and Crime Reduction Act (MIOTCRA) and 26 members signed the Senate letter. Both letters include strong bipartisan support.

People with mental health conditions disproportionately are arrested and incarcerated. According to a Department of Justice report, approximately 45 percent of federal inmates, 56 percent of state inmates, and 64 percent of jail inmates displayed symptoms of a mental health condition. Using our criminal justice system as a mental health system doesn't make sense. It doesn't make sense for law enforcement officers, who put their lives at risk every time they are called upon to intervene in a mental health crisis.

MIOTCRA supports innovative programs that bring together mental health and criminal justice agencies to address the unique needs of persons with mental health conditions. It funds crisis intervention teams, which give law enforcement officers the resources and training they need to identify and respond to mental health crises in their communities.

**We are thrilled that our efforts to garner support for this important program were successful again this year, and look forward to continuing to work with fellow stakeholders to ensure full funding of this vital program.**

If you have any questions about MIOTCRA, please contact Melissa Nee at: [mnee@napo.org](mailto:mnee@napo.org).

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**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) 540-0775 ~ (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

April 2, 2014

The Honorable Amy Klobuchar  
United States Senate  
302 Hart Senate Office Building  
Washington, D.C. 20510

Dear Senator Klobuchar:

On behalf of the National Association of Police Organizations (NAPO), representing over 241,000 sworn law enforcement officers and more than 1,000 police unions from across the United States, I am writing to you to express full support for the "COPS Improvements Act of 2014."

The Community Oriented Policing Services (COPS) Program provides state and local law enforcement departments with necessary funding to assist their efforts to keep communities safe. The COPS Program facilitates the development of cooperative relationships between officers and the communities they serve, which yields increased public safety.

Since its inception, the COPS Office has been extremely successful in implementing and carrying out its mission. The COPS Hiring Program has assisted over 13,000 jurisdictions with over \$13 billion in funding to hire more than 125,000 community police officers across the United States. This funding has contributed to continued success in combating crime, drug use, and gangs; reducing and preventing the manufacture, distribution, and use of illegal drugs; and addressing emerging law enforcement needs.

The COPS Program is an invaluable resource, which assists state and local law enforcement agencies in their efforts to keep communities safe. NAPO stands ready to support you to ensure this important legislation is passed.

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



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Benevolent Association

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

**WILLIAM J. JOHNSON**  
Executive Director

Hon. John A. Boehner  
Speaker of the House  
United States House of Representatives  
Washington, D.C. 20515

Hon. Harry Reid  
Senate Majority Leader  
United States Senate  
Washington, D.C. 20510

Hon. John Koskinen  
Commissioner  
Internal Revenue Service  
10<sup>th</sup> Street and Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Hon. Nancy Pelosi  
House Minority Leader  
United States House of Representatives  
Washington, D.C. 20515

Hon. Mitch McConnell  
Senate Minority Leader  
United States Senate  
Washington, D.C. 20510

Re: Proposed Amendment to 26 U.S.C. §402 (I)

Dear Speaker Boehner, Leader Pelosi, Leader Reid, Leader McConnell and  
Commissioner Koskinen,

I write to you to bring to your attention a matter of growing concern to America's  
retired law enforcement community, and to request your assistance in remedying the  
situation.

As you know, the Pension Protection Act of 2006 (Pub. L. 109-280; 120 Stat. 780)  
provides for an exclusion from federal gross income of up to \$3000 per tax year of  
eligible retirement plan distributions on behalf of an eligible retired public safety  
officer when those distributions are used to pay for qualified health insurance  
premiums. This exclusion is codified at 26 U.S.C. §402 (I). Under current law, this  
exclusion only applies if "payment of the premiums is made directly to the provider  
of the [insurance] by deduction from a distribution from the eligible retirement plan."  
(26 U.S.C. §402 (I)(5)(A))

It has recently come to our attention that many eligible retired public safety officers  
who would otherwise be able to utilize this exclusion are prevented from doing so  
because the eligible retirement plan from which they draw distributions is unwilling  
or unable to deduct and forward to the insurance provider the premium payments  
from the distribution being paid to the retired officer. In some cases, the reason for  
the inability or refusal is unknown. In some cases it may be something as simple as a  
computer program that stands in the way. In every case, however, the reason and its  
remedy lie outside the control of the retired officer.

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We therefore respectfully request that §402(l)'s language be amended to include a provision that in such circumstances, where the retired officer has requested of the retirement plan that payment for qualified premiums be deducted from his or her distributions, and such request has been denied or ignored by the retirement plan, the officer will nonetheless be entitled to the exclusion from gross income (up to the statutory amount of \$3000) of the portion of distributions he or she has received from a eligible retirement plan, and which he or she has actually and demonstrably used to pay for qualified health insurance premiums during the tax year.

Sincerely,



William J. Johnson  
Executive Director  
National Association of Police Organizations

# 2014 Legislative Update and Capitol Hill Lobbying

May 13, 2014

## Washington Marriott Marquis Hotel

Please join NAPO on May 13 for our Legislative Day on Capitol Hill. Use this opportunity to lobby Congressional Representatives and Senators on behalf of your members concerning the issues which affect law enforcement. Prior to lobbying Capitol Hill, plan to attend NAPO's Legislative Breakfast for an update on NAPO's legislative priorities, results to date from the 113<sup>th</sup> Congress, and to receive handouts to use during Hill visits. While on Capitol Hill, be sure to stop by NAPO's Congressional Luncheon in the Senate Caucus Room, where several Congressmen and Senators will be recognized for their continued support of Law Enforcement.

### Schedule of Events

NAPO Legislative Update Breakfast	Marriott Marquis Hotel	9:00a.m. – 10:30 p.m.
Capitol Hill Visits	Capitol Hill	10:30 a.m. –12:00 p.m.
NAPO Congressional Awards Luncheon	Cannon Caucus Room Cannon House Office Building	12:00 p.m. - 1:30 p.m.
Capitol Hill Visits	Capitol Hill	1:30 p.m. – 5:00 p.m.

**For assistance setting up your Capitol Hill appointments, please contact Melissa Nee, NAPO's Legislative Assistant, at (703) 549-0774 or [mnee@napo.org](mailto:mnee@napo.org).**

The registration fee of \$100.00 per person includes the Legislative Update Breakfast, Handouts, and Congressional Awards Luncheon. **Please contact Elizabeth Loranger, NAPO's Director of Events, at (800) 322-6278 or [eloranger@napo.org](mailto:eloranger@napo.org) if you have any questions regarding the seminar or hotel arrangements.**

NAPO has reserved a block of rooms at Marriott Marquis Hotel. Room rates are \$174 per night. To make your reservation, please call (800) 228-9290 and tell them you are with NAPO. In order to receive the reduced rate, reservations must be made by April 20. The hotel is expected to sell out, so please make your hotel reservations early.

**Please complete the registration form below and return to NAPO at [eloranger@napo.org](mailto:eloranger@napo.org) or fax to (703) 684-0515 by May 2.**

**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**

**Lobby Capitol Hill**

Marriott Marquis Hotel  
Washington, D.C.  
May 13, 2014

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recognized for their continued support of Law Enforcement. For assistance in setting up your appointments please contact Melissa Nee, NAPO's Legislative Assistant at mnee@napo.org.

Registration Fee of \$100.00 per person includes the Legislative Update Breakfast, Handouts & Congressional Awards Luncheon. Fax registration to Elizabeth Loranger at (703) 684-0515.

Registration/Payment Deadline is Friday, May 2nd

**Registration**

**Schedule of Events May 13**

Legislative Update Breakfast	Marriott Marquis Hotel	9:00 a.m.— 10:30 a.m.
Capitol Hill Visits	Capitol Hill	10:30 a.m.—12:00 p.m.
NAPO Congressional Awards Luncheon	Cannon Caucus Room, Cannon House Office Building	12:00 p.m.—1:30 p.m.
Capitol Hill Visits	Capitol Hill	2:00 p.m.—5:00 p.m.

Organization: \_\_\_\_\_

Address: \_\_\_\_\_

City, State, Zip Code: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Please provide name and title for individuals as they should appear on name badge:

Attendee 1: \_\_\_\_\_

Attendee 2: \_\_\_\_\_

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