



# The Washington Report

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

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**January 12, 2016**

## **NAPO on the Hill**

NAPO met with staff from **Senator Amy Klobuchar's (D-MN)** office to discuss the Community Oriented Policing Services Program (COPS) Reauthorization bill (S. 2401) that the Senator introduced in December. NAPO worked tirelessly with members of Congress and the Administration to enact the COPS program in 1994 and has supported it and its mission ever since. We shared our support for the Senator's efforts to reauthorize this important program, but the bill that was introduced makes changes to it with which NAPO has some concerns.

The COPS Hiring Program provides funding directly to state, local and tribal law enforcement agencies for the hiring and re-hiring of entry-level career law enforcement officers in an effort to promote community policing and law enforcement prevention efforts at the state and local level. Since its inception, the COPS Hiring Program has assisted over 13,000 jurisdictions with over \$14 billion in funding to hire more than 127,000 community police officers across the nation. This funding has contributed to the 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.

Senator Klobuchar's bill would add additional funding areas, including a community prosecutors program, grants to hire school resource officers, technology grants, and grants to help institute procedural justice, police legitimacy and collaborative reform programs. We believe that these proposals would move the COPS Program away from its original objective of helping state and local law enforcement agencies hire, retain and train police officers to perform community-oriented policing. Further, the COPS Program is authorized at over \$1 billion; however, it only received \$187 million in fiscal 2016. The program has continually been drastically underfunded and the additional program areas would only take resources away from much needed funding for the hiring, retention and training of officers. NAPO believes that the new funding areas proposed under the legislation do not belong under the COPS program.

The changes to the program made by the legislation reflect the current focus of the COPS Office. NAPO has spoken several times with COPS Office Director Ron Davis regarding our issues with the change in direction the Office has taken with the distribution of grants and has reiterated our belief that the COPS grants should focus on promoting officer safety through the hiring and retention of officers for two officer patrol units.

Senator Klobuchar's staff understood our concerns and indicated that the Senator is willing to work with us to address them. NAPO will keep its members updated on the status of the COPS Reauthorization bill. If you have any questions, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

# NAPO in the News

On January 1, 2016, NAPO's Executive Director Bill Johnson was quoted in a *Wall Street Journal* article, "Police Contracts Draw New Scrutiny After Shootings". The article is focused on Chicago's new collective bargaining agreement (CBA) for its police officers and its inclusion of protections for officers who are under investigation for misconduct, including rules for interrogations and video evidence. The CBA is being challenged by activists in the wake of the police shootings, who are calling for greater accountability. In his comments, Johnson addresses the need for due process language in police contracts:

"From the rank and file point of view, it's really important to us. Especially in the last 18 months with the scrutiny of police officers, we really have to do something in there that provides some minimal due process to say, 'Hey, is this a valid claim?'"

The full article can be found at: <http://www.wsj.com/articles/police-contracts-draw-new-scrutiny-after-shootings-1451696651>

**NAPO will continue to ensure our members' voices are heard loud and clear on the Hill, with the Administration, and in the media. If you have any questions about the publication cited above, please contact Bill Johnson at: [bjohnson@napo.org](mailto:bjohnson@napo.org).**

## Supreme Court Hears Arguments in Friedrichs Case

On January 11<sup>th</sup>, the United States Supreme Court heard oral arguments for the *Friedrichs v. California Teachers Association* case. This case threatens "fair share" fee payments to unions and collective bargaining agents by non-union member beneficiaries in the workplace.

Specifically, the Supreme Court will be deciding (1) whether *Abood v. Detroit Board of Education* (1977), which allows for public-sector unions to collect fair share fees from non-union members, should be overruled and public-sector "agency shops" invalidated under the First Amendment; and (2) whether it violates the First Amendment to require that public employees opt-out of subsidizing ideological speech by public-sector unions, rather than requiring that employees opt-in to subsidizing such speech.

A majority of the Supreme Court justices appeared ready to bar public sector unions from collecting "fair share" fees from non-union members. The conservative justices strongly disagreed that public sector unions would suffer harm if they were not able to collect "fair share" fees. Such a ruling would overthrow the 1977 *Abood* ruling and four decades of precedent in public-sector labor law. The Supreme Court is not expected to make a final ruling in the case for several months.

NAPO joined with several other large public safety labor organizations in filing an amicus brief to the Supreme Court in the *Friedrichs* case. NAPO's amicus brief can be read [here](#). We will keep our members up to date on this important case.

If you have any questions or need more information on the details and impact of *Friedrichs v. California Teachers Association* or NAPO's amicus brief, contact Bill Johnson at [bjohnson@napo.org](mailto:bjohnson@napo.org).

### Source:

Mahony, Brian, & Gerstein, Josh. (2016, January 11). SCOTUS Signals Support for Anti-Union Plaintiffs. *Politico*. <http://www.politico.com/story/2016/01/supreme-court-public-sector-unions-fees-217572>

# House Judiciary Committee to Markup Justice and Mental Health Bill

On January 12<sup>th</sup>, the House Judiciary Committee will mark up the Comprehensive Justice and Mental Health Act (CJMHA), H.R. 1854. This bipartisan bill, which was passed by the Senate on December 10, 2015, is expected to pass through the committee easily. This legislation is one of NAPO's top legislative priorities for the 114<sup>th</sup> Congress and we have worked hard to ensure that it does not meet opposition in Committee.

The CJMHA expands the bipartisan, proven initiatives in the Mentally Ill Offender Treatment and Crime Reduction Act of 2004, which provides training for law enforcement to identify and respond appropriately to individuals with mental illnesses; mental health courts and other collaborative responses individuals in custody for mental health and substance abuse treatment need.

The CJMHA ensures a comprehensive response to individuals with mental illness in the criminal justice system, including support for veterans treatment courts, reauthorization of mental health courts and law enforcement training through MIOTCRA, increased focus on resources and training for jails and prisons, implementation of best practices for federal law enforcement, and innovative training at police academies.

This important legislation will make certain that state and local governments can continue to design and implement sound initiatives that improve the criminal justice system, increase public safety, reduce state and local spending, and help individuals with mental disorders.

NAPO will continue to update our members on the progress of the CJMHA. If you have any questions, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@napo.org).

## Rep. Jolly Recognizes NAPO in Floor Speech

On the eve of National Law Enforcement Appreciation Day, January 9<sup>th</sup>, Representative David Jolly (R-FL), took to the House floor to speak about the importance of the Thin Blue Line Act (H.R. 814) and call on the House to show its support for our nation's law enforcement community by passing the legislation. In his floor speech, Representative Jolly stated "[t]his legislation simply says if you take the life of a law enforcement officer, be prepared to lose your own life".

The Representative quoted NAPO in the press release about his statement on the House floor:

"Calling the bill 'critical,' William J. Johnson, the executive director of the National Association of Police Organizations, Inc. wrote in a letter of support, 'Establishing stricter penalties for those who harm law enforcement officers will deter crime. Any persons contemplating harming an officer must know that they will face serious punishments. Increased penalties make important differences in the attitudes of criminals toward public safety officers, and ensure protection for the community.'"

The Thin Blue Line Act would make the murder of a police officer, firefighter, or first responder an aggravating factor in death penalty determinations and would be applicable whether the person is murdered on duty, because of the performance of their duty, or because of their status as a public official.

The legislation covers every police officer whether federal, state, or local as well as any firefighter or first responder. The only requirement is that the homicide provide federal jurisdiction. This includes the following:

- The interstate homicide of an officer
- A homicide of an officer who is serving on a joint federal/state/local taskforce, such as Organized Crime Task Forces, Drug Enforcement Task Forces, Human Trafficking Task Forces
- An officer, deputy, firefighter, first responder killed on federal land

NAPO thanks Representative Jolly and Senator Pat Toomey (R-PA), the sponsor of the Senate version of the bill (S. 2034), for their leadership on this issue. We look forward to working with them to make certain that this important legislation is enacted into law.

If you have any questions about the Thin Blue Line Act, please contact Andy Edmiston at [aedmiston@napo.org](mailto:aedmiston@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 at NAPOpolice for breaking news and updates.**