



# The Washington Report

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

---

October 2, 2020

## **Senator Tillis Introduces Protect & Serve Act**

Senator Thom Tillis (R-NC) introduced the Senate version of the Protect and Serve Act (S. 4605), which would provide for new criminal provisions for deliberate, violent targeted attacks on officers. This bill is critical, as there is a serious and growing trend of armed attacks on law enforcement officers. According to a report from the Office of Community Oriented Policing Services (COPS), 87 officers were shot and 14 died in ambushes or premeditated, calculated assaults in 2019. This trend appears to be only increasing in 2020.

NAPO has long been fighting to establish stricter penalties for those who harm law enforcement officers. Any persons contemplating harming an officer must know that they will face serious punishments. The increased penalties provided under this bill will make important differences in the attitudes of criminals toward public safety officers and ensure protection for the community.

NAPO thanks Senator Tillis for standing up for law enforcement and speaking out on the need for this legislation. We continue to press Congress to pass increased penalties for violence against officers through legislation like the Protect and Serve Act. We are also working with the Attorney General and the Department of Justice to increase federal prosecutions of violence against state and local law enforcement.

## **Legislation Introduced to Penalize the Prevention of Law Enforcement Officers Accessing EMS**

NAPO threw our support behind two bills that would create new federal offenses for impeding access to emergency services. The first bill, the Penalizing Radicals and Others who Thwart Emergency Care and Transportation for (PROTECT) Law Enforcement Officers Act of 2020 (S. 4662), was introduced by Senate Judiciary Committee Chairman Lindsey Graham (R-SC). This legislation would penalize anyone who knowingly prevents a law enforcement officer from accessing emergency medical services for any injury suffered in the line of duty or from a criminal act.

The second legislation NAPO supports, the Stop Blocking Hospitals Act (S. 4602), introduced by Senator John Kennedy (R-LA), would make it a federal offense to obstruct any ambulance, fire department vehicle, law enforcement vehicle, or other emergency vehicles or personnel from responding to an emergency.

After the attempted murder of Los Angeles Deputy Sheriffs in an ambush attack on September 12, we witnessed protesters blocking the emergency entrances and exits of the hospital to which the deputies were

rushed. While this has been the most blatant attempt to disrupt emergency medical services, officers have been subject to violent, and often coordinated, attacks at protests and during riots that have hampered their ability to get quick medical attention.

Chairman Graham and Senator Kennedy are also original cosponsors of the Protect and Serve Act and we thank them for standing up for the law enforcement community and the need to protect officers.

## **NAPO Participates in PSOB Stakeholder Meeting**

On September 22, NAPO participated in the Public Safety Officer's Benefits (PSOB) Program stakeholder advisory group meeting, which was chaired by PSOB Director Hope Janke. The meeting focused on the implementation of the Safeguarding America's First Responders Act, which established a presumption under the PSOB Program that an officer's death or disability due to contracting COVID-19 is in the line of duty. Director Janke stated that the presumption has greatly helped speed up their approvals of COVID-related death claims and they have not yet had to deny a claim. There have been no COVID-related disability claims.

To qualify for the presumption, the officer must have:

- Engaged in a line of duty action or activity between January 1, 2020 and December 31, 2021; and
- Received a diagnosis of COVID-19 (or evidence indicates that the officer had COVID-19) during the 45-day period beginning on the last day of duty of the officer. For death benefits, evidence must indicate that the officer had COVID-19 or complications from COVID-19 at the time of death.

PSOB has approved 17 COVID related death benefit claims and has another 12 claims being reviewed that are expected to be approved. With over 240 officers having died in the line of duty due to COVID-19 to date, it is evident there is significant need for education to let the families of fallen officers know of these benefits and the COVID presumption. Applications for benefits can be submitted online at [www.psob.gov](http://www.psob.gov).

NAPO will continue working with the PSOB Office as they work to approve COVID-19 related cases under the new presumption. It is vital that the families of every officer who has died from this virus and meet the requirements above know they will qualify for PSOB benefits and submit claims as soon as possible.

If you have any questions about the PSOB Program and benefit eligibility, please contact the NAPO Office at (703) 549-0775.

## **Federal Judge Halts Work of Commission on Law Enforcement and the Administration of Justice**

On October 1, U.S. District Judge John Bates found that the President's Commission on Law Enforcement and the Administration of Justice violated the Federal Advisory Committee Act (FACA) by appointing only law enforcement as Commissioners and by holding closed meetings without advance public notice. The Judge ordered the Commission to halt its work until it comes into compliance with FACA.

NAPO has testified several times before the Commission over the past year for panels on the Rule of Law, Officer Safety, Health and Wellness, Community Trust and Respect for Law Enforcement, and Law Enforcement Retention. The Commission was in the final stages of preparing its report to Attorney General

Barr, due at the end of this month, when the Judge ordered it to stop. Judge Bates stated that no recommendations can be submitted until the Commission resolves the legal violations.

NAPO appreciated the opportunity to share our insights and recommendations with the Commission and we hope that all the work the Commission has done to promote and protect our nation's law enforcement officers is not lost as the Commission complies with FACA.

## **Appropriations and COVID Relief Update**

Just after midnight on September 30, the President signed into law a continuing resolution that will fund the federal government and all its departments, agencies and programs through December 11, 2020, averting a government shutdown. With that out of the way, House Speaker Nancy Pelosi and Treasury Secretary Steven Mnuchin held last minute talks this week in an effort to revive a bipartisan COVID relief package before Congress adjourns for recess until after the November elections.

In the midst of negotiations, Speaker Pelosi dropped a revised, scaled-back version of the CARES Act, which the House passed back in May, as a place marker for negotiations. The new bill would cost \$2.2 trillion, down \$1.2 trillion from the original CARES Act and closer to the \$1.5 trillion bill Senate Republicans supported. With funding to state and local governments the main sticking point, Democrats cut the amount of aid nearly in half down to \$436 billion. On October 1, Speaker Pelosi and Secretary Mnuchin were still not close to an agreement and Democratic leadership decided to vote on their revised bill in an attempt to pressure Republicans to make a deal before the elections. The bill passed by a party line vote.

Lawmakers on both sides of the aisle are getting anxious that Congress will not pass another COVID relief bill prior to the election and are calling on Republican and Democrat leadership to come to a deal. After the vote on the Democrats' bill, Speaker Pelosi did not rule out an agreement on a bipartisan aid package but sounded pessimistic given the outstanding differences between the two parties. The House is expected to adjourn for recess until after the election this week, but they could be called back for a vote if a deal is reached.

We will keep our members updated on the latest as these negotiations continue.

## **Senate Moves on Supreme Court Nominee**

On September 26, President Trump nominated Judge Amy Coney Barrett to the United States Supreme Court to replace Justice Ruth Bader Ginsburg who died on September 18, 2020. Judge Barrett currently serves on the U.S. Court of Appeals for the Seventh Circuit. The death of Justice Ginsburg and the subsequent nomination of Judge Barrett to replace her has heightened an already tense pre-election political environment on Capitol Hill.

President Trump, Senate Majority Mitch McConnell (R-KY) and Senate Judiciary Committee Chairman Lindsey Graham (R-SC) are moving forward at full speed to hold hearings and confirm Judge Barrett before the November 3 elections. Chairman Graham announced that the Judiciary Committee will begin the hearing to consider Judge Barrett's nomination to the Supreme Court on October 12. The Republicans have the votes to confirm her, so it is just a matter of when it will happen. Senate Democrats are calling on Republicans to not take up the nomination saying that voters must have the right to decide who will choose

the next Supreme Court Justice. Democrats have already made procedural moves to try to delay the confirmation vote until after the November elections.

With the Senate having passed the continuing resolution, it is expected to adjourn by the end of next week until after the elections, only to come back to vote on the confirmation of Judge Barrett. With Congress on recess for the month of October and the Judiciary Committee consumed with the Supreme Court nomination hearing, NAPO's priority legislation is likely to remain static at least through the elections. We continue to work with Senators, leadership, and staff to build support for our priority bills, such as the Protect and Serve Act, in the hopes that we will be able to move them during the lame duck session.

*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.*

**NAPO's 42<sup>nd</sup> Annual Convention**  
**Hilton Marco Island Beach Resort**  
**October 19 – 21, 2020**  
**REGISTER TODAY**

NAPO's 42nd Annual Convention at the Marco Island Hilton Beach Resort is quickly approaching. This year's convention is not only an opportunity to conduct the business of the Association, but also to reconnect and support each other in the midst of all the challenges and difficulties facing our profession. The Hilton Marco Island Beach Resort is located just off the southwest coast of Florida, directly on the beach, and minutes from attractions, watersports and world-class golf. Enjoy a brand new heated outdoor pool and stunning views. The Resort is just 50 minutes from the Southwest Florida International Airport in Fort Myers, Florida. Information regarding convention registration, transportation options & discounts are attached OR....

**[Click Here](#)** for online registration, hotel reservations and information on discounted airfare & car services. You will also find an updated list of events.

*To receive NAPO's special group rate hotel reservations must be made by October 3.*