



# The Washington Report

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

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June 1, 2015

## **NAPO Victory!**

### **President Signs the Justice for Victims of Trafficking Act Into Law**

**On May 29, 2015, President Obama signed the Justice for Victims of Trafficking Act into law.**

The Justice for Victims of Trafficking Act will provide much needed services to domestic trafficking victims and help to ensure that child victims ensnared in the sex trade are no longer arrested and treated as criminals.

The Justice for Victims of Trafficking Act will also boost support for and protection of victims of human trafficking by increasing law enforcement resources, enhancing victims' services, and increasing penalties in an effort to combat child sex trafficking, child pornography, sexual exploitation, and human trafficking.

NAPO expended all available efforts to ensure this legislation passed. We worked closely with senior staffers for the legislation's Senate and House sponsors, **Senator John Cornyn (R-TX)** and **Congressman Ted Poe (R-TX)**, to pass this bill.

We are thrilled to report that our efforts were successful. Thank you for all of your support in moving this bill forward.

If you have any questions about the Justice for Victims of Trafficking Act, please contact Melissa Nee ([mnee@napo.org](mailto:mnee@napo.org)).

### **NAPO Meetings on Capitol Hill: James Zadroga 9/11 Health and Compensation Reauthorization Act**

Last week, NAPO joined fellow stakeholders in meetings with staffers for the Ranking Member of the Senate Health, Education, Labor, and Pensions Committee, (**Senator Patty Murray (D-WA)**), **Congressman Curt Clawson (R-FL)**, **Congressman Dennis Ross (R-FL)**, **Congressman Richard Nugent (R-FL)**, and **Congressman Gus Bilirakis (R-FL)**. The meetings focused on the James Zadroga 9/11 Health and Compensation Reauthorization Act.

The Zadroga bill's two critical programs providing medical treatment and compensation for 9/11 heroes – the World Trade Center Health Program and the September 11th Victim Compensation Fund – are set to expire in October 2015 and October 2016 respectively. This legislation would permanently reauthorize these programs.

9/11 responders and survivors are still battling serious health crises resulting from exposure to the toxins at Ground Zero. More than 30,000 9/11 responders and survivors have an illness or injury caused by the attacks or their aftermath,

and over two-thirds of those have more than one illness. Many are disabled and can no longer work. They are suffering from a host of chronic diseases: asthma, obstructive pulmonary disease and gastroesophageal reflux disease, and many more.

Medical research has identified more than 60 types of cancer caused by 9/11 toxins. More than 2,900 people have been diagnosed with cancers caused or made worse by the aftermath of the attacks - more than 800 New York Fire Department members and more than 550 New York Police Department personnel are struggling with serious 9/11-related illnesses, not including the more than 70 firefighters and 60 NYPD officers who have died from their 9/11-related illnesses.

Responders came from all over the country to aid in the response to the attacks. And some area residents, workers, and survivors have since moved and are currently receiving care in cities and states across the country. Participants enrolled in the World Trade Center Health Program for treatment currently reside in all 50 states and in 429 of the 435 Congressional districts in the country.

These heroes put their lives on the line to serve us, and must be afforded every resource available as they cope with chronic health conditions caused by exposure to toxic chemicals at the World Trade Center.

This legislation also honors those who made the ultimate sacrifice to protect our nation. James Zadroga, a New York City Police Department Detective and member of NAPO, died of respiratory disease caused by his exposure to toxic chemicals at Ground Zero. It is our obligation and duty to remember these heroes and ensure that survivors who risked their lives to protect us continue to receive the treatment and compensation that they deserve.

The staffers were very receptive to our proposal. NAPO will continue to work with fellow stakeholders to garner support for the James Zadroga 9/11 Health and Compensation Reauthorization Act. If you have any questions about this legislation, please contact Bill Johnson at: [bjohnson@napo.org](mailto:bjohnson@napo.org) or Melissa Nee at: [mnee@napo.org](mailto:mnee@napo.org).

## **NAPO Supports the Middle Class Health Benefits Tax Repeal Act**

Shortly before it was introduced on April 28, 2015, NAPO pledged our support for the Middle Class Health Benefits Tax Repeal Act. This legislation, sponsored by **Congressman Joe Courtney (D-CT)**, would repeal the excise tax on high-cost health insurance plans scheduled to go into effect in 2018. The excise tax was established in a later version of the Affordable Care Act, (“Obamacare”), but its scheduled implementation was delayed five years by an effort led by Congressman Courtney with 191 House colleagues in 2010. (NAPO’s letter of support is attached to this report for your convenience and review).

NAPO is very concerned that beginning in 2018, the Patient Protection and Affordable Care Act imposes a new 40% annual excise tax on taxpayers who are covered by high cost health insurance plans, so-called “Cadillac” health insurance plans. This tax would apply to plans with premiums at or above \$10,200 for an individual or \$27,500 for a family, including worker and employer contributions to flexible spending or healthcare savings accounts.

Although higher thresholds are set for workers in high risk professions, such as public safety officers (\$11,850 for an individual and \$30,950 for a family), to qualify for the higher threshold amounts, the majority of members in the healthcare plan must work in high risk professions. Many public safety officers would not qualify for the higher threshold amounts, as they participate in general healthcare plans where the majority of participants do not work in high risk professions.

This bill would completely repeal the “Cadillac” health insurance plan tax, and ensure that our public safety officers and their families are not unduly burdened.

NAPO will continue to work with members of Congress to repeal the “Cadillac” tax. If you have any questions about this bill, please contact Melissa Nee at: [mnee@napo.org](mailto:mnee@napo.org).

**Source:**

"Congressman Joe Courtney : Press Releases : Courtney Announces New Legislation to Repeal Excise Tax, Protect Workers' Health Benefits."Congressman Joe Courtney : Press Releases : Courtney Announces New Legislation to Repeal Excise Tax, Protect Workers' Health Benefits. N.p., 28 May 2015. Web. 03 May 2015.

## **NAPO Briefing on Capitol Hill – Congressman Barletta’s Staff**

Last week, NAPO met with a senior staffer for **Congressman Lou Barletta (R-PA)**. In addition to discussing the James Zadroga 9/11 Health and Compensation Reauthorization Act and Middle Class Health Benefits Tax Repeal Act (see above for additional information), NAPO outlined our 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 DPPA amendment authorizes a private right of action for knowing violations, and a court may award automatic “damages” in the amount of \$2,500 for each time a record was accessed, even if no actual damages were proved, 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 briefed the staffer on our proposed language modifications to the DPPA amendment, which 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. Also, NAPO proposes removing the automatic imposition of the \$2,500 penalty for violations of this act, as well as adding a statement that explains there must be repeated disregard of this law for sanctions to take effect. 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 will continue to aggressively lobby members of Congress to gain support for our proposed language changes to the DPPA. We will keep our members updated on the status of these initiatives. If you have any questions about our efforts, please contact Melissa Nee ([mnee@napo.org](mailto:mnee@napo.org)) or Bill Johnson ([bjohnson@napo.org](mailto:bjohnson@napo.org)).**

## **NAPO Opposes Excessive Use of Force Prevention Act**

NAPO has sent a letter of opposition to the Excessive Use of Force Prevention Act, which was introduced by **Congressman Hakeem Jeffries (D-NY)**. (The letter is attached for your convenience and review).

The Excessive Use of Force Prevention Act would make the use of police chokeholds illegal under federal law. NAPO opposes this legislation, as the blanket prohibition does not take into account situations where an officer would be justified in using force, even deadly force, to protect himself or herself from death or bodily harm, to protect a third party, or to stop a crime.

NAPO will continue to voice our concerns with the legislation, and we will keep our members updated on its status. If you have any questions about this legislation, please contact Bill Johnson ([bjohnson@napo.org](mailto:bjohnson@napo.org)) or Melissa Nee ([mnee@napo.org](mailto:mnee@napo.org)).

# NAPO Urges Congressman Conyers to Consider Recommendations to the Shield Our Streets Act

NAPO has sent a letter to **Congressman John Conyers (D-MI)** to express concerns with the Shield Our Streets Act. (The letter is attached for your convenience and review).

The Shield our Streets Act would authorize the Attorney General to carry out a program, through the Office of Community Oriented Policing Services, to award grants to assist eligible local law enforcement agencies with hiring and training new law enforcement officers and with rehiring career law enforcement officers who have been laid off as a result of budget reductions.

While NAPO has long been the strongest single supporter of hiring and rehiring law enforcement officers, we have concerns about the legislation's provision of using Department of Justice funding to hire Public Defenders.

NAPO will continue to work to ensure our recommendations are considered. If you have any questions about this legislation, please contact Bill Johnson ([bjohnson@napo.org](mailto:bjohnson@napo.org)) or Melissa Nee ([mnee@napo.org](mailto:mnee@napo.org)).

## NAPO Opposes National Statistics on Deadly Force Transparency Act

NAPO has sent a letter of opposition to the National Statistics on Deadly Force Transparency Act, which was introduced by **Congressman Steve Cohen (D-TN)**. (The letter is attached for your convenience and review).

The National Statistics on Deadly Force Transparency Act would incentivize states, through Byrne-JAG penalties, to require local law enforcement agencies to provide the following data to the Attorney General on use of force incidents: the date of each instance when deadly force was used; identifying characteristics of the victim and officer involved; any alleged criminal behavior by the victim; explanation by the relevant law enforcement agency of why deadly force was used; copy of any use of deadly force guidelines in effect at the time at the law enforcement agency; nature of the deadly force used; and a description of any non-lethal efforts that were taken before deadly force was used.

NAPO opposes this bill. Despite all of the requirements included in the bill, the language is vague, and does not appropriately address all scenarios. Most importantly, it does not provide a comprehensive definition of "deadly force."

NAPO will continue to voice our concerns as the legislation is considered. If you have any questions about this legislation, please contact Bill Johnson ([bjohnson@napo.org](mailto:bjohnson@napo.org)) or Melissa Nee ([mnee@napo.org](mailto:mnee@napo.org)).

## NAPO Opposes National Criminal Justice Commission Act

NAPO has sent a letter of opposition to the National Criminal Justice Commission Act, which was introduced by **Senator Gary Peters (D-MI)** and **Congressman Ted Deutch (D-FL)**. (The letter is attached for your convenience and review).

NAPO agrees with the legislation's underlying intent to examine our nation's criminal justice system. However, NAPO is concerned that rank-and-file officers are not specifically identified to be appointed to the National Criminal Justice Commission. It is essential that these officers be represented by a secured seat on the Commission.

A comprehensive examination of the state of law enforcement and criminal justice in the United States will be incomplete and inaccurate if it fails to include the rank-and-file perspective. Failing to secure a seat for rank-and-file law enforcement officers, the very people who know the most, suffer the most, and have the most to gain from recommendations of a National Criminal Justice Commission, will lead to inaccurate findings and poor recommendations. Moreover, additional details regarding Commission membership must be specifically outlined in the bill.

A secondary concern with the legislation is the restrictive timeframe within which the Commission is to complete its findings. The 18-month timeframe is not sufficient to conduct a comprehensive examination of criminal justice issues impacting our nation, nor is it sufficient time to develop appropriate recommendations.

NAPO is dedicated to pursuing efforts to advance and improve our criminal justice system, but this legislation will fall short of its objectives if it fails to include the rank-and-file perspective. Additionally, it is not feasible to develop meaningful recommendations during the specified timeframe.

NAPO will continue to work to ensure our concerns are heard as the legislation is considered. If you have any questions about our efforts, please contact Bill Johnson ([bjohnson@napo.org](mailto:bjohnson@napo.org)) or Melissa Nee ([mnee@napo.org](mailto:mnee@napo.org)).

## **NAPO Opposes CADET Act**

NAPO has sent a letter of opposition to the Collection and Analysis of Data to Educate and Train Law Enforcement Officers Act (CADET Act), which was introduced by **Congresswoman Sheila Jackson Lee (D-TX)**. (The letter is attached for your convenience and review).

The CADET Act would direct the Director of the Federal Bureau of Investigation to revise the Uniform Crime Reports and National Incident-Based Reporting System to include information in those reports pertaining to uses of force resulting in death or injury by or against law enforcement officers. If a state or unit of local government failed to provide the required information, the Attorney General would reduce grant awards to that entity.

NAPO opposes this legislation, as we have serious concerns that this bill will negatively impact the availability of resources for officers to use to keep our communities safe.

Moreover, the bill text indicates a strong bias against police officers, as those offenders shot by police are defined as “victims” in the bill’s language.

NAPO will continue to work to ensure our concerns are heard as the legislation is considered. If you have any questions about our efforts, please contact Bill Johnson ([bjohnson@napo.org](mailto:bjohnson@napo.org)) or Melissa Nee ([mnee@napo.org](mailto:mnee@napo.org)).

## **NAPO Opposes Police Training and Independent Review Act**

NAPO has sent a letter of opposition to the Police Training and Independent Review Act, which was introduced by **Congressman Steve Cohen (D-TN)**. (The letter is attached for your convenience and review).

This legislation has the potential to jeopardize public safety through Byrne JAG penalties. The Byrne JAG Program provides resources for multi-jurisdictional drug and gang task forces, information sharing and technology, county jails, prosecutors, drug courts, and juvenile delinquency and drug treatment courts. Losing access to a percentage of this funding will undermine law enforcement’s mission to keep the public safe.

Additionally, NAPO is concerned with a provision in the bill that would incentivize states (through Byrne JAG penalties) to adopt laws requiring independent investigations and prosecutions of law enforcement officers in cases where one or more of the alleged offenses involves an officer's use of deadly force in the course of carrying out his or her official duties. NAPO fears that an independent prosecutor would be under a great deal of pressure to justify his/her work. There is a risk that decisions to prosecute would be made based on politics, not on the law and admissible evidence. NAPO is concerned that an officer would be indicted, even if he/she did nothing wrong.

NAPO will continue to work to ensure our concerns are heard as the legislation is considered. If you have any questions about our efforts, please contact Bill Johnson ([bjohnson@napo.org](mailto:bjohnson@napo.org)) or Melissa Nee ([mnee@napo.org](mailto:mnee@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.**



## NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

*Representing America's Finest*

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Parliamentarian  
Police Officers Labor Council  
of Michigan

**WILLIAM J. JOHNSON**  
Executive Director and  
General Counsel

May 28, 2015

The Honorable Joe Courtney  
United States House of Representatives  
2348 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Courtney:

On behalf of the National Association of Police Organizations (NAPO), I am writing to you to express our full support of the Middle Class Health Benefits Tax Repeal Act of 2015 (H.R. 2050).

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 Middle Class Health Benefits Tax Repeal Act will repeal the excise tax on high-cost, or "Cadillac" health insurance plans, scheduled to go into effect in 2018. NAPO continues to fight against the impending "Cadillac" health insurance plan tax, as the new tax will negatively impact public safety officers across the nation. This critical legislation will repeal the "Cadillac" health insurance plan tax, and ensure public safety officers and their families are not unduly burdened.

NAPO stands ready to assist with any efforts necessary to pass this important legislation. If we can provide any additional information, please do not hesitate to contact me at: (703) 549-0775.

Sincerely,

William J. Johnson  
Executive Director



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**Parliamentarian**  
Police Officers Labor Council  
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WILLIAM J. JOHNSON  
**Executive Director and  
General Counsel**

May 28, 2015

The Honorable Hakeem Jeffries  
United States House of Representatives  
1607 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Jeffries:

On behalf of the National Association of Police Organizations (NAPO), I am writing to you to express our opposition to the Excessive Use of Force Prevention Act (H.R. 2052).

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 Excessive Use of Force Prevention Act would make the use of police chokeholds illegal under federal law. NAPO opposes this legislation, as the blanket prohibition does not take into account situations where an officer would be justified in using force, even deadly force, to protect himself or herself from death or bodily harm, to protect a third party, or to stop a crime.

NAPO urges you strongly consider our concerns with this legislation. If you would like to discuss this issue further, please feel free to contact me at: (703) 549-0775.

Sincerely,

William J. Johnson  
Executive Director



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Executive Director and  
General Counsel

May 28, 2015

The Honorable John Conyers  
United States House of Representatives  
2426 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Conyers:

On behalf of the National Association of Police Organizations (NAPO), I am writing to you to express concerns with the Shield Our Streets Act (H.R. 103), which we urge you to consider.

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 Shield our Streets Act would authorize the Attorney General to carry out a program, through the Office of Community Oriented Policing Services, to award grants to assist eligible local law enforcement agencies with hiring and training new law enforcement officers and with rehiring career law enforcement officers who have been laid off as a result of budget reductions.

While NAPO has long been the strongest single supporter of hiring and rehiring law enforcement officers, we have concerns about the legislation's provision of using Department of Justice funding to hire Public Defenders, but not Prosecutors. We feel strongly that the bill should be amended to also fund state and local Prosecutors.

NAPO urges you to consider the aforementioned recommendation. If you would like to discuss our recommendation further, please feel free to contact me at: (703) 549-0775.

Sincerely,

William J. Johnson  
Executive Director



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May 28, 2015

The Honorable Steve Cohen  
United States House of Representatives  
2404 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Cohen:

On behalf of the National Association of Police Organizations (NAPO), I am writing to you to express our opposition to the National Statistics on Deadly Force Transparency Act (H.R. 306).

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 National Statistics on Deadly Force Transparency Act would require local law enforcement agencies to provide data to the Attorney General on use of force incidents. NAPO has significant concerns with this legislation. Despite all of the requirements included in the bill, the language is vague, and does not appropriately address all scenarios. Most importantly, the legislation does not provide a comprehensive definition of "deadly force."

NAPO urges you to strongly consider our concerns with this legislation. If you would like to discuss this issue further, please feel free to contact me at: (703) 549-0775.

Sincerely,

William J. Johnson  
Executive Director



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The Honorable Gary Peters  
United States Senate  
SRC-2 Russell Senate Office Building  
Washington, D.C. 20510

The Honorable Ted Deutch  
United States House of Representatives  
2447 Rayburn House Office Building  
Washington, D.C. 20515

Dear Senator Peters and Congressman Deutch:

On behalf of the National Association of Police Organizations (NAPo), I am writing to you to express our opposition to the National Criminal Justice Commission Act of 2015 (S. 1119 & H.R. 2330).

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.

NAPo agrees with the legislation's underlying intent to examine our nation's criminal justice system. However, NAPo is concerned that rank-and-file officers are not specifically identified to be appointed to the Commission. It is essential that these officers be represented by a secured seat on the Commission.

A comprehensive examination of the state of law enforcement and criminal justice in the United States will be incomplete and inaccurate if it fails to include the rank-and-file perspective. Failing to secure a seat for rank-and-file law enforcement officers, the very people who know the most, suffer the most, and have the most to gain from recommendations of a National Criminal Justice Commission, will lead to inaccurate findings and poor recommendations. Moreover, additional details regarding Commission membership must be specifically outlined in the bill.

A secondary concern with the legislation is the restrictive timeframe within which the Commission is to complete its findings. The 18-month timeframe is not sufficient to conduct a comprehensive examination of criminal justice issues impacting our nation, nor is it sufficient time to develop appropriate recommendations.

NAPo's members continue to work tirelessly to build relationships with the communities they serve and develop strategies to improve policing across the country. NAPo is dedicated to pursuing efforts to advance and improve our criminal justice system, but this legislation will fall short of its objectives if it fails to include the

rank-and-file perspective. Additionally, it is not feasible to develop meaningful recommendations during the specified timeframe.

NAPO urges you to strongly consider our concerns with this legislation. If you would like to discuss this issue further, please feel free to contact me at: (703) 549-0775.

Sincerely,

A handwritten signature in black ink, appearing to read "William J. Johnson", with a long horizontal flourish extending to the right.

William J. Johnson  
Executive Director



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The Honorable Sheila Jackson Lee  
United States House of Representatives  
2252 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congresswoman Jackson Lee:

On behalf of the National Association of Police Organizations (NAPO), I am writing to you to express our opposition to the Collection and Analysis of Data to Educate and Train Law Enforcement Officers Act (CADET Act) (H.R. 1810).

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 CADET Act would direct the Director of the Federal Bureau of Investigation to revise the Uniform Crime Reports and National Incident-Based Reporting System to include information in those reports pertaining to uses of force resulting in death or injury by or against law enforcement officers. If a state or unit of local government failed to provide the required information, the Attorney General would reduce grant awards to that entity.

NAPO opposes this legislation, as we have serious concerns that this bill will negatively impact the availability of resources for officers to use to keep our communities safe.

Moreover, the bill text indicates a strong bias against police officers, as those offenders shot by police are defined as "victims" in the bill's language.

NAPO urges you to strongly consider our concerns with this legislation. If you would like to discuss this issue further, please feel free to contact me at: (703) 549-0775.

Sincerely,

William J. Johnson  
Executive Director



## NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

*Representing America's Finest*

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**WILLIAM J. JOHNSON**  
Executive Director and  
General Counsel

May 28, 2015

The Honorable Steve Cohen  
United States House of Representatives  
2404 Rayburn House Office Building  
Washington, D.C. 20515

Dear Congressman Cohen:

On behalf of the National Association of Police Organizations (NAPO), I am writing to you to express our opposition to the Police Training and Independent Review Act (H.R. 2302).

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.

NAPO is concerned that the Police Training and Independent Review Act pursues its goals through penalties to the Edward Byrne Memorial Justice Assistance Grant (Byrne JAG) Program - a critical resource for law enforcement.

This legislation has the potential to jeopardize public safety through Byrne JAG penalties. The Byrne JAG Program provides resources for multi-jurisdictional drug and gang task forces, information sharing and technology, county jails, prosecutors, drug courts, and juvenile delinquency and drug treatment courts. Losing access to a percentage of this funding will undermine law enforcement's mission to keep the public safe.

Additionally, NAPO is concerned with a provision in the bill that would incentivize states (through Byrne JAG penalties) to adopt laws requiring independent investigations and prosecutions of law enforcement officers in cases where one or more of the alleged offenses involves an officer's use of deadly force in the course of carrying out his or her official duties. NAPO fears that an independent prosecutor would be under a great deal of pressure to justify his/her work. There is a risk that decisions to prosecute would be made based on politics, not on the law and admissible evidence. NAPO is concerned that an officer would be indicted, even if he/she did nothing wrong.

NAPO urges you to strongly consider our concerns with this legislation. If you would like to discuss this issue further, please feel free to contact me at: (703) 549-0775.

Sincerely,

William J. Johnson  
Executive Director