



The Washington Report

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

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NAPO WASHINGTON REPORT

NAPO's Meetings on Capitol Hill

Over the past week, NAPO met with staffers for the following members of Congress: **Congressman Ron Barber (D-AZ)**, **Congressman David Schweikert (R-AZ)**, **Congressman Raúl Grijalva (D-AZ)**, and **Congresswoman Kyrsten Sinema (D-AZ)**. In addition to discussing NAPO's mission, the following topics were discussed with each of the staffers:

Justice and Mental Health Collaboration Act (JMHC) of 2013: NAPO expressed our strong support of the JMHC, which reauthorizes the successful Mentally Ill Offender Treatment and Crime Reduction Act and extends the life of the Justice and Mental Health Collaboration Program (JMHC) for five years. Individuals with mental illnesses are significantly overrepresented in the prison and jail population. The JMHC helps criminal justice and mental health agencies work collaboratively towards better outcomes. The JMHC will provide training for law enforcement to identify and respond appropriately to individuals with mental illness. (NAPO took the opportunity to thank Congressman Barber's staff as the Congressman is a cosponsor of both the JMHC and the Excellence in Mental Health Act).

Community Oriented Policing Services (COPS) Program and Byrne-Justice Assistance Grant (Byrne-JAG) Program: NAPO highlighted the importance of the COPS Program and the Byrne-JAG Grant Program. COPS, together with Byrne-JAG, provide state and local law enforcement with necessary funding to assist their efforts to keep communities safe. NAPO also took the opportunity to request support for the COPS Improvement and Reauthorization Act of 2013.

Bulletproof Vest Partnership (BVP) Grant Program Reauthorization Act: NAPO explained the importance of the BVP Grant Program, which provides federal funds to state and local law enforcement departments to assist state and local law enforcement efforts to purchase bullet resistant vests. NAPO continues to expend all available efforts to garner additional cosponsors for the House and Senate versions of this bill.

Officer Sean Collier Campus Police Recognition Act: NAPO provided background on the Officer Sean Collier Campus Police Recognition Act, which amends the Omnibus Crime Control and Safe Streets Act of 1968 by adding campus police officers to the Department of Justice's Public Safety Officers' Benefits Program. This bill defines a "campus police officer" as a police officer who is authorized to enforce the criminal laws and is employed by an institution of higher education.

Each of the staffers was extremely receptive to the above proposals, and we look forward to working with them on these legislative initiatives.

In addition to discussing the above bills, NAPO expressed strong support for the Social Security Fairness Act of 2013 during our meeting with Congressman Grijalva, as the Congressman is a cosponsor of the legislation. This bill strikes the Windfall Elimination Provision (WEP) and Government Pension Offset (GPO) formulas currently used to calculate Social Security benefits. Both GPO and WEP were enacted in the 1980s because Congress was concerned that Social Security paid unintended benefits to workers who had spent most of their careers in “non-covered” jobs. However, the formulas go too far and penalize workers with split careers who contributed a great deal to Social Security, but retire under their “non-covered” pensions. By significantly scaling back and reducing Social Security benefits for law enforcement officers and their survivors, as GPO and WEP do, officers and their families are provided much less protection against financial difficulties. NAPO looks forward to working with Congressman Grijalva to pass this important piece of legislation.

Finally, NAPO discussed our proposal to modify the recent amendment to the Driver’s Privacy Protection Act (DPPA) with Congressman Sinema’s staff. The DPPA requires state motor vehicle departments to receive permission from individuals before their personal motor vehicle record may be sold or released. The most recent DPPA amendment authorizes a private right of action for knowing violations, and a court may award damages in the amount of \$2,500 for each time a record was accessed, 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’s proposed language modifications to the DPPA amendment 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 \$2,500 penalty for a violation of this act, as well as adding a statement that explains there must be repeated disregard of this law for action to be taken. 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.

If you have examples of law enforcement departments that have been negatively impacted by the most recent DPPA amendment, please contact Melissa Nee at: mnee@napo.org.

NAPO’s Legislative Positions Update

Attached please find NAPO’s updated “Legislative Positions” document for your review. The table denotes all status updates in yellow. Also attached is the updated sponsor/cosponsor list for the major pieces of legislation NAPO is currently tracking in the House and the Senate.

TRACKING NEW LEGISLATION

As you will see, since the “Legislative Positions” document was last updated in December 2013, NAPO has pledged its support for the Justice of Victims of Trafficking Act. This comprehensive anti-human trafficking bill focuses on rescuing domestic victims, tracking down their exploiters, and prosecuting modern day slavery.

The Justice for Victims of Trafficking Act would create a deficit neutral “Domestic Trafficking Victims Fund” financed entirely through increased fines on persons convicted of federal crimes of human trafficking, child pornography, sexual exploitation, and human smuggling. This Fund would supplement the appropriations for existing domestic human trafficking deterrence and victim support with tens of millions of dollars of much-needed funding. The legislation would also increase access to services for American citizen victims of human trafficking by allowing them to obtain official recognition of their status from the Department of Health and Human Services. Finally, the bill

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would create a series of new tools and authorities that will enhance law enforcement's ability to dismantle the vast criminal networks and cartels involved in human trafficking.

Additionally, NAPO continues to review the Universal Racial Profiling Elimination Standards and Procedures for Effective Constitutional Rights Training (Universal RESPECT) Act, and stands ready to oppose the bill should it gain more traction. NAPO has discussed this legislation in length with Congressman Horsford and his staff. NAPO is concerned that the breadth of the legislation is too great. Also, the definitions of racial profiling and law enforcement activity are very broad and the scope of intrusion by the Department of Homeland Security (DHS) into state and local police departments, enforceable by subpoena and federal lawsuits, is extremely cumbersome.

The legislation includes a "one size fits all" approach that would be overseen by DHS and does not recognize differing law enforcement challenges and community relationships between police and citizens in various states and localities across the country. Moreover, federal and state civil rights actions are already in place and very frequently used by any person who feels their civil rights have been violated by law enforcement officers. Individual officers are already subject to discipline, removal, lawsuit, and even prison, for civil rights abuses. Supervisors and agencies are also already subject to federal and state civil rights standards.

NAPO will continue to provide status updates on our top legislative priorities. If you have any questions about any of the legislation NAPO is currently tracking, please contact Melissa Nee at: mnee@napo.org.

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.