



The Washington Report

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

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NAPO Opposes FCC Nominee Due to Anti-Police Rhetoric

The Senate Committee on Commerce, Science, and Transportation is taking up for the third time President Biden's nominee to be a Federal Communication Commission (FCC) commissioner, Gigi Sohn. NAPO has serious concerns with her nomination as Ms. Sohn has a significant record of supporting anti-law enforcement statements on social media. We shared this concern in a February 8 letter to Committee Chair Maria Cantwell (D-WA) and Ranking Member Ted Cruz (R-TX).

In our letter, we offered a sampling of Ms. Sohn's many retweets of anti-law enforcement statements. In July of 2020, during the riots in Portland, Oregon, she retweeted a tweet criticizing federal law enforcement officers as "armed goons in riot gear with tear gas" while defending rioters who carried gas masks and shields. Further, over the past several years, she has retweeted tweets calling for the "defunding of police". NAPO believes that this shows an anti-police bias that should disqualify her as an official in the federal government.

As a private citizen, our Constitution affords Ms. Sohn the right to hold and express these views. However, it is profoundly concerning to us that a nominee for commissioner of the FCC has harbored such an openly hostile and defamatory view of police. If she is confirmed to this position, there is no way to assure those views will not be perpetuated.

We want to move forward with improving our relationship with our communities and enhance their trust in our profession, but if such sentiments are held by high-ranking members federal government, this will be difficult to do. The men and women of the law enforcement community put their lives on the line every day to serve and protect their communities and they deserve the support and respect of their government. NAPO implored the Committee to stand with us in opposition to the nomination of Ms. Sohn to be a FCC commissioner.

NAPO Meets with Attorney General, DOJ Leadership

On February 2, NAPO met with Attorney General Merrick Garland, Deputy Attorney General Lisa Monaco, and Associate Attorney General Vanita Gupta as well as the leaders of other major national law enforcement organizations for a standing quarterly meeting between the DOJ and national law enforcement leadership. These meetings have been set to discuss relevant issues facing officers in the streets and how the DOJ can best assist its state and local law enforcement partners. This meeting focused on rising violent crime rates

in our nation's cities as well as the recruitment and retention issues departments across the country are experiencing.

Following the meeting with the Attorney General, NAPO, together with the other law enforcement organizations, met with the Director of the Bureau of Justice Assistance, Karlhlon Moore, and the new Director of the Community Oriented Policing Services (COPS) Office, Colonel Hugh Clements Jr., to consider in more detail the issues law enforcement agencies are facing around recruitment and retention. This included a discussion of challenges, proposed solutions, and how DOJ can support our efforts in the field. This listening session was a precursor to a recruitment and retention summit the DOJ is looking to hold this spring, that would bring together best practices, resources and information for agencies and law enforcement representatives to use to support their recruitment and retention efforts. Both Director Moore and Director Clements stated that they want the summit to reflect the law enforcement community's priorities and needs.

While NAPO agrees there is a great deal the DOJ can do to support state and local law enforcement in the recruitment and retention of qualified officers, we noted in the meeting that one of the most important things is public support for our law enforcement officers by elected officials, starting with the President and the Attorney General. The Department cannot help with the recruitment and retention issue facing agencies across the country if it does not come out and state that it supports law enforcement and stands with our officers as they perform incredibly difficult jobs in challenging situations. Public support for law enforcement will make a difference in how communities view and treat their officers, which in turn will help with recruitment and retention.

NAPO appreciates the opportunity to participate in these leadership meetings as we believe they are important to DOJ's efforts to maintain better relationships with state and local law enforcement. We stand ready to work with the Department to address the recruitment and retention crisis facing the profession and support getting more officers on our streets.

NAPO Reacts to President's Call for Police Reform in State of the Union Address

President Biden had it right in his State of the Union address on February 7, when he said "I know most cops and their families are good, decent, honorable people. The vast majority. They risk their lives every time they put that shield on". The vast majority of the brave men and women who work tirelessly to serve and protect our communities every day do so honorably. And while NAPO supports improving policing practices, accountability with due process, and training in law enforcement, any policy must take into consideration the concerns and needs of both law enforcement and the communities they serve. The George Floyd Justice in Policing Act does not do that. It is a flawed bill rife with bad policies of which the entire premise is that all cops are bad.

The President cannot acknowledge that most cops are good cops and then urge Congress to pass the Justice in Policing Act. It is a contradiction. The partisan Justice in Policing Act was rejected twice by Congress, which recognized the harm it would do to public safety, officer safety, and the law enforcement profession. Our nation's law enforcement officers want to know and trust that their elected officials from the President to the mayor to the county supervisor will support them when enforcing our nation's laws. By supporting the Justice in Policing Act, it erases any and all support for the profession and the officers who serve in it.

NAPO is urging the President to recognize the Justice in Policing Act for the flawed policy it is and move forward to working with law enforcement organizations and representatives on policies that will not only

restore trust between law enforcement and the communities they serve but also restore the trust of our nation's officers that their rights will not be trampled on for political expediency.

Protect and Serve Act Reintroduced

NAPO priority legislation, the Protect and Serve Act, H.R. 743, was reintroduced by Representatives John Rutherford (R-FL), Josh Gottheimer (D-NJ), Elise Stefanik (R-NY), Jared Golden (D-ME), Pete Stauber (R-MN), and C. A. Dutch Ruppersberger (D-MD). NAPO once again pledged our strong support for this bipartisan legislation, which would provide for new criminal provisions for deliberate, 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 [May 2022 report from the Office of Community Oriented Policing Services \(COPS\)](#), 346 officers were shot in the line of duty in 2021, of which 64 officers died from their injuries and 287 survived. 133 of those officers were shot and 32 died in ambushes or premeditated, calculated assaults.

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

We thank Representatives Rutherford, Gottheimer, Stefanik, Golden, Stauber, and Ruppersberger for their support for the law enforcement community and we look forward to working with them to pass this important bill.

Justice and Mental Health Collaboration Program Grant Solicitations Now Available

Solicitations for the [FY 2023 Connect and Protect: Law Enforcement Behavioral Health Response Program](#) are now available. This program is part of the Justice and Mental Health Collaboration Program (JMHCP), which has long been a priority for NAPO as it supports crisis intervention teams and training programs for law enforcement and corrections personnel to identify and respond to incidents involving individuals with mental health conditions.

Description

This opportunity will support law enforcement-behavioral health cross-system collaboration to improve public health and safety as well as responses to and outcomes for individuals with mental health disorders (MHDs) or co-occurring mental health and substance use disorders (MHSUDs).

The objectives of Connect and Protect are for grantees to design and implement a crisis response program based on current best practice to assist law enforcement officers to improve encounters with individuals who have MHDs or cooccurring MHSUDs. These could include any of the following:

- Crisis Intervention Teams (CIT)
- Co-Responder Teams
- Law Enforcement-based Case Management Services
- Law Enforcement Assisted Diversion (LEAD)
- Mobile Crisis Teams
- Crisis Resolution and Home Treatment Teams

The funding can be used to plan and deliver a crisis response program, through coordination between law enforcement and a mental health agency, that includes services to improve or enhance the response; pay salaries, as well as expenses such as training (overtime) and coordination activities, to design and implement a police-mental health collaboration program (PMHC); engage residents through outreach and education to improve public health and public safety; enhance officer knowledge and skills in responding to community members with MHDs or co-occurring MHSUDs; or increase public safety and public health agencies' capacity to develop and sustain the program by collecting data to inform practices, create stakeholder groups, develop policy, and encourage ongoing professional development.

For justice system-focused projects aimed to help individuals with MHDs or MHSUDs who have come into contact with the criminal justice system, are booked into jail, or are leaving a custodial setting, see the [FY 2023 Justice and Mental Health Collaboration Program](#) solicitation.

NAPO Weighs in Against Revised D.C. Criminal Code

NAPO has significant concerns with the Revised Criminal Code Act of 2022 (D.C. Act 24–789) that was enacted by the Council of the District of Columbia on January 17, 2023. This Act, which revamps Washington, D.C.'s entire criminal code, is now being reviewed by Congress, which has the right to veto any law passed by the D.C. Council. NAPO is supporting H.J. Res. 26, which disapproves of the Revised Criminal Code Act. If H.J. Res. 26 is passed by Congress and signed into law, the new criminal code will be revoked. Unfortunately, this measure is not expected to go anywhere in the Democratic run Senate and President Biden has promised to veto it.

According to the Metropolitan Police Department's crime data, from this time last year, D.C. has experienced an increase in homicides, carjackings, and theft. Particularly, D.C. is amid a rise in gun violence and homicide rates among the city's youth. Yet, the Council still voted to enact the revised criminal code that lowers penalties for the crimes most impacting the city and its residents, including carjacking, illegal firearm possession, and robbery, and it will eliminate almost all mandatory minimum sentences.

Proponents of the Revised Code believe that it will ensure that sentences better fit their crimes and will give nonviolent, low risk offenders a chance to become productive members of society. While NAPO agrees that these are laudable goals – to ensure the punishment fits the crime – we disagree on how this law accomplishes those goals. We continue to believe that mandatory minimums are a strong deterrent for criminals and an important tool in helping law enforcement keep our communities safe from violent crime.

In addition, the Revised Code significantly changes the law of self-defense for law enforcement officers that would considerably constrain an officer's ability to protect themselves and the public when confronted with imminent death. Under the Revised Code, the considerations the officer must make when faced with the need to use deadly force are not only unrealistic in the rapidly unfolding scenario of an attack upon an officer, they also create the perverse situation where a suspect who escalates his/her dangerous behavior toward an officer, to the point of deadly force being an option, is more likely to be let go than a less-violent suspect.

NAPO is concerned that the Revised Criminal Code Act, if allowed to be enacted into law, will decrease public safety and leave crime victims in a continual search for justice. D.C. Mayor Muriel Bowser shares these concerns and vetoed the Act, but the Council overrode her veto. Congress should enact H.J. Res. 26, disapproving of the Revised Criminal Code Act of 2022, so that the D.C. Council can work with Mayor Muriel Bowser to modify the criminal code in a way that will not benefit violent criminals over victims and will make the city safer.

Public Safety Healthcare Retirees Act Introduced

With the enactment of the **Police and Fire Healthcare Protection Act** as part of the Fiscal 2023 Consolidated Appropriations Act at the end of last year, the HELPS Retirees provision of the Pension Protection Act of 2006 will now be easier for pension plans to implement, and more public safety retirees will be able to take advantage of this important benefit. NAPO is now working to increase that benefit from \$3,000 to \$6,000 and worked with Representative Abigail Spanberger (D-VA) to introduce the Public Safety Healthcare Retirees Act.

Under the HELPS Retirees provision, qualified, retired public safety officers can use up to \$3,000 annually from their pension funds tax-free, including defined benefit plans and defined contribution plans, to pay for qualified health insurance and long-term care insurance premiums. Unfortunately, health care costs have gone up dramatically since 2006 and the \$3,000 per year permitted to be utilized from the retiree's pension under the provision is no longer adequate to cover even half a year's worth of health insurance premiums. The Public Safety Healthcare Retirees Act would increase that amount to \$6,000, which would help preserve the retirement security and the health of those public servants who selflessly serve and protect our communities.

Representatives Brian Fitzpatrick (R-PA), Dan Kildee (D-MI), and Don Bacon (R-NE) joined Representative Spanberger in introducing this bipartisan bill and we look forward to working with them to ensure our retired public safety officers have access to more affordable healthcare options.

NAPO on the Hill: NAPO Priorities for the 118th Congress

As it is the start of a new Congress, NAPO continues to work on getting our priority legislation reintroduced and meet with Congressional offices to discuss our priorities for the new Congress.

We met with Senator Ted Cruz's (R-TX) judiciary staff regarding NAPO's priorities for the Committee this Congress. These priorities include, but are not limited to, increased protections for officers, the Fighting PTSD Act, the Invest to Protect Act, and policies to combat the effects of bail reform, including the SERVE Our Communities Act and the Prosecutors Need to Prosecute Act. Senator Cruz will be the lead Senate sponsor of the Thin Blue Line Act, a NAPO priority bill that would increase penalties on those who harm or target for harm public safety officers by making the murder or attempted murder of a local police officer, firefighter, or first responder an aggravating factor in death penalty determinations in federal court.

We also met with Congressman John Rutherford's (R-FL) staff to discuss the Protect and Serve Act, of which Congressman Rutherford is the lead sponsor and long-time champion, and the HELPER Act. The HELPER Act would create a new home loan program for public safety officers through the Federal Housing Administration (FHA) that aims to remove the biggest financial barriers for buying a house – the down payment requirement and a monthly insurance premium requirement – providing public safety officers with access to affordable homeownership.

As our priority legislation continues to be introduced, NAPO is reaching out to Senators and Representatives to ask them to cosponsor these important bills and support our priorities this Congress.

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.