



The Washington Report

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

November 6, 2020

Attorney General Issues Guidelines for Implementing Executive Order on Safe Policing for Safe Communities

In response to the death of George Floyd, President Trump issued Executive Order 13929, Safe Policing for Safe Communities, on June 19, 2020, directing the Attorney General to incentivize transparency, accountability and training for state and local law enforcement. NAPO was consulted on the Executive Order and we endorsed it because it recognizes the needs and legitimate rights of law enforcement officers, while implementing new standards that will improve policing practices and policies.

We continued to work with the White House and the Department of Justice (DOJ) on the implementation of the Executive Order and offered input into the Attorney General's guidelines for executing the order, the [*Standards for Certification on Safe Policing for Communities*](#), which were released on October 28. The *Standards* require agencies to be certified by an independent credentialing body in order to qualify for DOJ grant funding. Agencies need meet two standards to be successfully credentialed: 1) the agency's use of force policies must prohibit chokeholds, except in situations where the use of deadly force is allowed by law; and 2) the agency's use of force policies must adhere to all applicable federal, state, and local laws.

In certifying an agency, the *Standards* encourage – but do not require – independent credentialing bodies to also consider whether the agency has in place policies and procedures on:

- Adherence to Constitutional standards regarding the use of force
- Termination of the use of force
- Duty to intervene
- Training on use of force & de-escalation
- Appropriate medical care
- Community engagement
- Warning shots
- Warn before shooting
- Shooting from a moving vehicle
- No-knock warrants
- Early intervention programs
- Hiring Standards

The DOJ expects approximately 3,000 agencies to be certified under these standards in the next 90 days. The Office of Community Oriented Policing Services (COPS) has launched a [website](#) that includes the *Standards*, a list of credentialing bodies by state, and a fact sheet.

NAPO believes these *Standards* represent a vital contribution towards the betterment of American policing. Because they take into consideration the concerns and needs of both law enforcement managers

and street officers, as well as the communities we are called to serve, the *Standards* bode well to enjoy wide acceptance and implementation by agencies across the country.

On October 23, NAPO participated in a roundtable discussion with Attorney General Barr, White House representatives, and national law enforcement leadership prior to the release of the *Standards* to discuss the importance of the guidelines and how we can all work together to implement the President's Executive Order. NAPO believes the *Standards* will be useful in pushing back against dangerous, anti-police reform policies at the state and local levels as law enforcement agencies actively work to be certified under these guidelines.

We appreciate the Attorney General's willingness to work with us and consider our views on police reform.

NAPO Webinar: Retirement and Social Security

NAPO is partnering with our longtime sponsor **Nationwide** to offer NAPO members an informative webinar on Social Security.

Take Control of Your Retirement Planning and Understand Social Security Impacts

Wednesday, November 18 at 1:00 p.m. EDT

This session provides education on Social Security and how to make informed filing decisions even if you opt out of Social Security. You will learn about the impact of the governmental pension offset, the windfall elimination provision, and spouse/ex-spouse Social Security eligibility could have on your Social Security benefits. Attendees will be able to get a free, personalized Social Security income analysis to help them maximize social security benefits following the session.

Click [here](#) to register

Please feel free to distribute the attached [flier](#) to your membership. If you have any questions or need additional information please contact Elizabeth Loranger at eloranger@napo.org

Bipartisan Retirement Package Includes Provision Keeping First Responder Disability Compensation Tax Free

On October 27, House Ways and Means Committee Chairman Richard Neal (D-MA) and Ranking Member Kevin Brady (R-TX) introduced the Securing a Strong Retirement Act (H.R. 8696), bipartisan legislation to help Americans successfully save for a secure retirement. The bill builds on the Setting Every Community Up for Retirement Enhancement (SECURE) Act of 2019 to further improve workers' long-term financial wellbeing. The Securing a Strong Retirement Act includes NAPO priority legislation, the Putting First Responders First Act, which would codify existing IRS regulations making service-

connected disability compensation exempt from Federal income taxes. NAPO has worked with Committee staff all year to move the Putting First Responders First Act and supports its inclusion in this important legislation.

In 1985, the IRS clarified in the IRS Revenue Ruling 85-105 that service-connected disability compensation for first responders is tax-exempt. Unfortunately, many auditors and first responders are not aware of this tax benefit and the first responders, who gave up so much in the line of duty, end up paying the tax unnecessarily or being audited for taking advantage of the tax exemption. By codifying the Revenue Ruling, the Putting Our First Responders First Act would clarify the ruling and help ensure first responders' injury-related compensation is tax-exempt.

Importantly, this legislation makes the tax-exempt status of the compensation permanent. Currently, injury-related compensation becomes taxable once the first responder reaches their original retirement age, which places a large financial burden on officers who have been living on a limited income. Providing permanent tax relief for those who were disabled serving their country and communities is the right thing to do to honor their sacrifice.

NAPO looks forward to working with Chairman Neal and Ranking Member Neal to pass the Securing a Strong Retirement Act.

NAPO in the News

On October 24, NAPO was featured in a *New York Times* article entitled, [“Joe Biden Had Close Ties With Police Leaders. Will They Help Him Now?”](#) The article discusses whether Vice President Biden, if elected president, would be able to rebuild his relationship with law enforcement – particularly police unions – and bring the groups to the table in order to move all sides forward on police reform. It highlights NAPO's relationship with Mr. Biden and how it has been damaged.

Bill Johnson knew, before he reached out to Joseph R. Biden Jr.'s campaign last spring, that things had changed between the former vice president and the nation's police unions. A once-close alliance had frayed amid clashes over police brutality and racism in the justice system. Still, Mr. Johnson, the executive director of the National Association of Police Organizations, invited Mr. Biden to address the group as it weighed its 2020 endorsement.

For weeks, the campaign was politely noncommittal, Mr. Johnson said. Finally, he recalled, on the day NAPO was deciding its endorsement, he heard from a campaign aide asking if there was still time to send a message. “Not to be a jerk, but we were literally starting the meeting,” Mr. Johnson said. “It's kind of a little late.”

The police federation, which twice endorsed the Obama-Biden ticket and stayed neutral in 2016, backed President Trump in July. Soon after, its president told the Republican convention that Mr. Biden and Senator Kamala Harris were “the most radical anti-police ticket in history.”

The article spoke to when the Vice President's relationship with police unions and associations hit its lowest, after five Dallas police officers were gunned down while protecting a peaceful protest. After two years of anti-police rhetoric following the death of Michael Brown in Ferguson, Missouri, Mr. Biden tried to assure leaders that the Administration still had their back, an assurance that felt hollow to those leaders.

In the summer of 2016, Mr. Biden sat with Mr. Obama in the Roosevelt Room at the White House, an array of police leaders before them. Five police officers had been gunned down in Dallas by a man driven by animus against law enforcement. The president and vice president both pleaded with union leaders to temper their rhetoric about a nationwide “war on cops.”

The vice president, Mr. Johnson recalled, made a personal appeal to the police groups, to the effect of: “You know me, you can trust me, I’ve always been there for you.”

“I think it fell flat,” Mr. Johnson said. “For the representatives around the table of various law-enforcement groups, our perception was, things were very bad out there.”

NAPO will continue to ensure our members’ voices are heard loud and clear on the Hill, with the Administration, and in the media.

FBI Replaces UCR Data Tool

The Federal Bureau of Investigation (FBI) has replaced the Uniform Crime Reporting (UCR) data tool with the Crime Data Explorer (CDE). Since 1930, the FBI has collected statistics on violent crime (murder and nonnegligent manslaughter, rape, robbery, and aggravated assault) and property crime (burglary, larceny-theft, and motor vehicle theft) from law enforcement agencies across the nation that have voluntarily participated in the UCR.

Effective November 6, the UCR data tool will no longer be available and visitors will be automatically forwarded to the CDE. The CDE is an interactive tool that presents charts and graphs that break down crime data in a variety of ways and aims to provide transparency, make access to this data easier, and expand data sharing capabilities among law enforcement. UCR data will continue to be found in the Crime in the United States publications.

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