

Withdrawal/Redaction Sheet

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DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	Prospective Invite List for Drug Czar Announcement (partial) (3 pages)	nd	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Deanne Benos (Subject File)
OA/Box Number: 21328

FOLDER TITLE:

Law Enforcement Information Binder #2, Steven Hilton [Binder] [4]

2012-0726-S

kc901

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]



NAPO News Service

Representing America's Finest

National Association of Police Organizations, Inc.

1920 L Street, N. W. • Washington, D.C. 20036
(202) 223-6515 • Facsimile: (202) 296-7220

August 21, 1992

NAPO ENDORSES CLINTON-GORE TICKET

The National Association of Police Organizations ("NAPO"), representing more than 135,000 law enforcement officers, has voted to endorse the Clinton-Gore ticket in the November election.

Upon learning of NAPO's endorsement, Arkansas Governor Bill Clinton spoke by phone on Tuesday, August 18 with NAPO President Robert Scully, who was attending NAPO's Annual Convention in Tampa, Florida. Clinton expressed his appreciation to Scully for NAPO's support.

NAPO's formal endorsement of the Democratic Presidential and Vice-Presidential candidates came on August 20 at a ceremony in Oakland, Michigan, in which both Clinton and Scully participated.

In connection with NAPO's endorsement, President Scully issued the following statement:

NAPO's Executive Board after a full and frank discussion, upon my recommendation, voted to endorse the Clinton-Gore ticket in the November election. As representatives of more than 135,000 law enforcement officers, we concluded that it is time for a change in America, and that the Clinton-Gore ticket offers the best choice for returning our great country to economic well-being and a reduction in crime and social disorganization.

As law enforcement officers we are presently suffering severe pay and benefit reductions, reduced manpower and other impediments to protecting the public from the rising tide of crime. It is only with a healthy and growing economy that we can generate the funding needed to provide the public with the police protection it deserves. We believe that a victorious Clinton-Gore ticket will move our country in a positive direction.

It is NAPO's intention to work hard to achieve Governor Clinton's and Senator Gore's election.

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NAPO WASHINGTON REPORT

September 10, 1992

NAPO CONVENTION DELEGATES SET LEGISLATIVE GOALS AND MAKE ELECTION YEAR ENDORSEMENTS

Delegates to the 14th Annual Convention of the National Association of Police Organizations deliberated and reached consensus over a substantial number of policy and legislative issues and made endorsements of congressional candidates in the November elections. In addition, after the delegates were unable to achieve the required two-thirds vote on a presidential endorsement, the NAPO Executive Board exercised its constitutional authority and voted to endorse the Clinton-Gore ticket.

Among other actions taken by the delegates were the following:

- Urged the Bush Administration and Democratic leaders to reach agreement on pending crime legislation before the 102nd Congress adjourns in early October.
- Opposed proposed amendments to the Fair Labor Standards Act which would deprive thousands of superior officers of overtime compensation.
- Favored immediate enactment of the Brady Bill (waiting period for the purchase of a handgun) either as part of a crime bill or as a free standing measure.
- Supported pending tax legislation that would strengthen and improve public employee pension and fringe benefit programs.
- Questioned the propriety and motivation of the Federal civil rights indictment of the four Los Angeles officers involved in the Rodney King incident in light of their acquittal of State criminal charges.

Speakers who addressed the delegates included Deputy Attorney General George Terwilliger and Georgia Governor Zel Miller. Miller spoke on behalf of the Clinton-Gore campaign.

The NAPO Convention was held from August 13 to 16 in Wesley Chapel, Florida, which is outside of Tampa.

NAPO President Robert Scully presented the NAPO endorsement personally to Arkansas Governor Bill Clinton at a ceremony in Oakland, Michigan on August 20.

The resolutions adopted by the Convention are attached.

**NAPO PRESIDENT SCULLY ASKS FOR CONTRIBUTIONS
TO AID FLORIDA LAW ENFORCEMENT OFFICERS
VICTIMIZED BY HURRICANE ANDREW**

NAPO President Robert Scully has called upon all law enforcement officers and their organizations to contribute to a fund to aid approximately two thousand law enforcement officers who have either been left homeless or whose homes have suffered extensive damage as a result of Hurricane Andrew. These officers, despite their personal losses, continue to work extensive hours assisting other victims of the devastating hurricane and performing other law enforcement functions.

Contributions can be made to the **DADE COUNTY PBA LOVE FUND** and sent to 10680 NW 25th Street, Miami, Florida 33172. **THE DADE COUNTY PBA LOVE FUND** is a tax exempt charitable organization so that all donations are tax deductible.

A number of police associations belonging to NAPO have already made contributions to the Fund.

Questions concerning the Fund may be addressed to Tony Loizzo at the Dade County PBA at (305) 593-0044.

Jules Bernstein
Linda Lipsett
Legislative Counsel

1992 ANNUAL CONVENTION
NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS
TAMPA, FLORIDA
AUGUST 13-19, 1992

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ANTI-CAR THEFT ACT OF 1992

WHEREAS, legislation has been introduced by Congressman Chuch Schumer (D-NY) and Jim Sensenbrenner (D-Wis), who respectfully are the Chair and senior minority member of the House Crime Subcommittee, which would improve anti-car jacking law enforcement; and

WHEREAS, Title I of the bill would stiffen the federal penalties for auto theft and would create a new crime for armed carjacking, and would also provide Federal assistance to State and local anti-car theft committees; and

WHEREAS, Title II would assist State departments of motor vehicles ("DMV") in preventing motor vehicle title fraud by establishing a clearinghouse which would enable DMVs to detect fraudulent proof-of-ownership documents before issuing new titles based on such documents; and

WHEREAS, Title III would seek to stamp out "chop shops" and the illicit trade in stolen replacement parts by extending the current parts marking program to all automobiles, including passenger vans and light trucks, and

WHEREAS, Title IV of the bill would strengthen law enforcement against the export of stolen motor vehicles;

NOW THEREFORE NAPO hereby goes on record in support of the enactment of H.R. 4542.

ASSAULT WEAPONS

WHEREAS assault weapons, increasingly have become the weapons of choice for drug gangs, hate groups and other lawless elements in our society; and

WHEREAS the Bush Administration has banned permanently the importation into, and sale in, the United States of certain foreign-made assault weapons; and

WHEREAS legislation has been introduced in both the House and Senate to ban the sale of imported and domestically-produced assault weapons for other than police or military use; and

WHEREAS the Senate has passed a ban on assault weapons sponsored by Senator DeConcini of Arizona; and

WHEREAS, such assault weapons have continued to be a source of the killing and maiming of citizens of all ages including many police officers;

WHEREAS, a statutory ban on assault weapons will not interfere with the legitimate rights of hunters and other gun lobbyists;

NOW THEREFORE BE IT RESOLVED that the National Association of Police Organizations (NAPO) once again goes on record as supporting a strong and comprehensive legislative ban on the sale of imported and domestically-produced assault weapons; and urges that the Congress and the Administration promptly enact and sign such legislation into law.

BE IT FURTHER RESOLVED that NAPO commends such leaders in Congress as Senators DeConcini and Metzenbaum, and Congressmen Hughes, Stark and Gibbons for their courage and leadership in sponsoring legislation banning assault weapons.

CRIME BILL

WHEREAS, an omnibus crime bill was reported out of Conference on November 24, 1991, which was passed by the House of Representatives on November 27, 1991; and

WHEREAS, all of the major national law enforcement organizations have endorsed the Conference Crime Bill as a reasonable compromise of conflicting congressional views; and

WHEREAS, the Conference Crime Bill contains many provisions which would significantly improve law enforcement and the conditions that face law enforcement officers; and

WHEREAS, the Conference Crime Bill includes provisions that provide tougher penalties for violent crimes, money for prison construction, anti-gang programs, a 5-day waiting period for handgun purchases (Brady Bill), victims compensation, anti-terrorism programs, new death penalty provisions, money for new Federal criminal investigators, \$1 billion for state/local law enforcement programs, establishment of a National Commission to Support Law Enforcement, police officer scholarship funds and a program to combat police officer stress; and

WHEREAS, the Conference Crime Bill is being blocked in the Senate by a filibuster so that the possibility of achieving any Crime Bill in this Congress becomes more remote each day; and

WHEREAS, efforts to reach a compromise over disputed issues have been undertaken between the Administration and Senate Democratic leaders;

NOW THEREFORE BE IT RESOLVED that NAPO goes on record as urging Congress and the Administration to put aside partisan and political differences over enactment of a Crime Bill in this session of Congress and promptly achieve a compromise and enact the badly needed provisions of a Crime Bill so that the public may be better protected against crime and be better served by law enforcement.

EMPLOYER-PAID EDUCATION BENEFITS

WHEREAS proposals have been advanced in Congress which would eliminate the tax-exempt status of employer-paid education benefits for employees; and

WHEREAS Congress is again considering whether to retain this benefit; and

WHEREAS such benefit is of great value to police officers, and also enhances our national policy in favor of improving employee skills and knowledge;

NOW THEREFORE BE IT RESOLVED that the National Association of Police Organizations (NAPO) urges Congress to retain and make permanent the tax-exempt status of employer-paid education benefits.

FAIR LABOR STANDARDS ACT

WHEREAS, Congress in 1974 made the Fair Labor Standards Act of 1938 applicable to State and local employees, thus eliminating a major inequity in American labor laws; and

WHEREAS, Public employees succeeded in 1976 in having the 1974 FLSA Amendments struck down by the United States Supreme Court in the National League of Cities case; and

WHEREAS, in 1985 the United States Supreme Court in the Garcia case reversed National League of Cities, thereby restoring the FLSA in the non-Federal public sector; and

WHEREAS, in 1986, Congress enacted legislation amending the Fair Labor Standards Act to permit longer work cycles than 40 hours for police officers to begin earning FLSA overtime, and to permit public employers to substitute "comp time" for overtime pay for police officers in certain circumstances; and

WHEREAS, notwithstanding the foregoing special treatment for public employers, a number of Governors have been pressuring the Secretary of Labor to grant States and localities additional concessions under the Fair Labor Standards Act; and

WHEREAS, the Secretary of Labor has issued proposed regulations which would grant such concessions to public employers;

AND WHEREAS, Senator Seymour of California has introduced S. 1670, and Senator Kassebaum of Kansas has introduced S. 3059, a Congressman Lowery of California has introduced H.R. 5112, all of which would eliminate FLSA coverage for tens of thousands of public employees

as well as wipe out all back pay liability;

NOW THEREFORE BE IT RESOLVED, that NAPO urges Secretary of Labor Martin to refuse to grant any regulatory changes under the Fair Labor Standards Act to public employers since such concessions would seriously disadvantage police officers and other public employees; and

BE IT FURTHER RESOLVED, that the Senate and House Labor Committees should refuse to consider the enactment of statutory changes that would deprive public employees of their FLSA coverage.

FAMILY AND MEDICAL LEAVE ACT

WHEREAS, Congress is presently considering humanitarian legislation (S. 5), which would permit public and private sector employees up to 12 weeks of unpaid leave in connection with the birth or adoption of a child, or in connection with the serious illness of the worker or an immediate family member; and

WHEREAS, such legislation would be beneficial to law enforcement officers; and

WHEREAS, such legislation has been agreed upon in Conference and is expected to be presented to the President for signature this year;

NOW THEREFORE NAPO hereby goes on record in support of the Family and Medical Leave Act and urges President Bush to sign such legislation if presented to him by Congress.

INTERSTATE CARRYING OF WEAPONS BY LAW ENFORCEMENT OFFICERS

WHEREAS, a need exists to establish greater national uniformity concerning the entitlement of active and retired law enforcement officers to carry weapons across state lines; and

WHEREAS, legislation has been introduced in Congress which would deprive states of Federal grants under Title I of the Omnibus Crime Control Act of 1968 unless they permit active and retired law enforcement officers from any jurisdiction within the United States to carry concealed firearms within their borders; and

WHEREAS, NAPO does not believe that States should be coerced to enact legislation based upon a possible loss of Federal grants to law enforcement; and

WHEREAS, NAPO believes that training and other standards would have to be established in connection with any national legislation

dealing with the interstate transportation of weapons by law enforcement officers.

NOW THEREFORE NAPO resolves that its Executive Board should proceed to develop appropriate legislation to deal with this issue.

LAW ENFORCEMENT LABOR-MANAGEMENT RELATIONS ACT

WHEREAS collective bargaining has been demonstrated by experience to be the most effective and democratic means by which labor and management in both the private and public sectors in the United States have achieved cooperation, advancement and improved employment conditions as well as improved productivity; and

WHEREAS the denial of the right to collective bargaining has caused poor morale, work stoppages, unfair and inadequate working conditions and low productivity; and

WHEREAS for these reasons Congress has granted collective bargaining rights to such public employees as letter carriers, postal clerks, public transit employees and other public employees; and

WHEREAS under existing State and federal laws too few police officers in the United States enjoy the rights and benefits of collective bargaining; and

WHEREAS because of the strenuous, stressful and ultra-hazardous nature of their employment police officers are particularly needful of the benefits of collective bargaining; and

WHEREAS on January 29, 1991, Congressman William Clay of Missouri introduced H.R. 678 - the Law Enforcement Labor-Management Relations Act; and

WHEREAS such legislation would provide collective bargaining to Federal, state and local law enforcement officers; and

WHEREAS such legislation would provide for final and binding arbitration in exchange for a no-strike requirement;

NOW THEREFORE BE IT RESOLVED that NAPO (1) commends Congressman Clay for having introduced H.R. 678; (2) goes on record favoring its prompt enactment; (3) urges every member of Congress to co-sponsor this piece of legislation and vote for its enactment; (4) asks that similar legislation be introduced and enacted in the Senate; and (5) urges support for such legislation from President Bush.

LAW ENFORCEMENT OFFICERS BILL OF RIGHTS

WHEREAS police officers throughout the United States do not uniformly enjoy fundamental rights of citizenship and of public employment, such as the right to fully engage in political activity while off duty; the right to remain silent in connection with an internal investigation; the right to be advised of the nature of an internal investigation involving the officer; and the right to full and fair representation; and

WHEREAS S. 1043 was introduced by Senator Biden of Delaware entitled the Law Enforcement Officers Bill of Rights, which provides many of the foregoing rights and others to law enforcement officers; and

WHEREAS such legislation was incorporated into the Senate Crime Bill, S. 1241, and enacted by the Senate; and

WHEREAS H.R. 2946, the Police Officers' Bill of Rights was not endorsed by the House Judiciary Committee and was not included by the Conferees in the pending Crime Bill;

NOW THEREFORE BE IT RESOLVED that the National Association of Police Organizations (NAPO) strongly endorses the Law Enforcement Bill of Rights and urges its support and adoption by the House of Representatives, and support for this badly-needed legislation by the Bush Administration.

LOS ANGELES PROSECUTIONS

WHEREAS, NAPO has always supported the highest standards of professionalism in policing including treating all citizens equally, fairly and consistently with law; and has opposed the excessive use of force and any form of brutality by police; and

WHEREAS, in the recently concluded Simi Valley criminal trial of the four Los Angeles officers, none of the officers was convicted; and

WHEREAS, as police officers we are obliged to accept and abide by jury verdicts even though we may disagree with their results; and

WHEREAS, the Simi Valley verdicts became an excuse for massive and unprecedented civil disorders, murders, arson, rioting and looting in Los Angeles; and

WHEREAS, the Federal Government recently saw fit to indict the four Los Angeles officers under Federal Criminal Civil Rights statutes; and

WHEREAS, such indictments will subject these officers to lengthy public trials in which the jury will be faced with the impossible dilemma of finding the defendants guilty, or else, in the event of another acquittal, becoming responsible for further threatened violence or rioting; and

WHEREAS, civil rights prosecutions such as are being conducted in Los Angeles should only be employed in circumstances in which related state prosecutions were a sham, which was not the case in the Simi Valley trial; and

WHEREAS, the Federal prosecution of these cases will only serve to further prejudice the public against police officers and law enforcement and create a national atmosphere of mistrust, hostility and vigilantism;

NOW THEREFORE BE IT RESOLVED that NAPO urges the Attorney General of the United States of the trial judge to terminate the prosecution of this case on the ground that its prosecution would be contrary to fundamental principles of justice since under the circumstances it would be impossible for the defendants to receive a fair trial and since they have already been acquitted of identical charges by a jury of their peers in a fair trial.

MANDATORY MEDICARE

WHEREAS in 1986, in the Consolidated Omnibus Budget Reconciliation Act of 1986 ("COBRA"), Congress adopted a compromise whereby all newly-hired public employees would be required to participate in the Medicare system but public employees hired prior to April 1, 1986, who were not then under Medicare, were exempted therefrom; and

WHEREAS a proposal has been included in the Bush Administration's fiscal year 1993 budget to impose Medicare coverage and taxes upon public employees who are exempt therefrom; and

WHEREAS such coverage would impose upon millions of public workers a new tax of approximately \$365 each annually; and would jeopardize existing State and local health benefit programs;

NOW THEREFORE BE IT RESOLVED that the National Association of Police Organizations (NAPO) reaffirms its continuing opposition to mandatory Medicare coverage and urges Congress and the Administration to live up to the compromise agreement reached in 1986 whereby Medicare coverage is limited to newly hired public employees.

JOSEPH OCCHIPINTI CASE

WHEREAS, Joseph Occhipinti, a highly decorated 24 year federal law enforcement special agent employed by the Immigration and Naturalization Service was indicted, convicted and incarcerated by the Federal Court in New York City for non-violent criminal civil rights violations, and is presently serving a 37 month sentence; and

WHEREAS, a number of responsible public officials including Staten Island Borough President Guy V. Molinari have concluded that Joseph Occhipinti is innocent of all of the charges brought against him; and

WHEREAS, numerous law enforcement officers both from within and outside of NAPO have rallied to Joseph Occhipinti's cause and have vouched for his innocence;

AND THEREFORE BE IT RESOLVED that NAPO urges President bush and Attorney General Barr to reopen the Occhipinti case and conduct an intensive and thoroughgoing review thereof and hear from knowledgeable persons concerning Joseph Occhipinti's case as to why such a review is required.

OCCUPATIONAL SAFETY AND HEALTH

WHEREAS, Congress enacted the Occupational Safety and Health Act of 1970 to protect private sector employees, and

WHEREAS, public employees are subject to the same occupational safety and health hazards as are private sector employees; and

WHEREAS, the safety and health hazards of police work are greater than most, if not any other, occupation; and

WHEREAS, public employers typically have been less than zealous in protecting the safety and health of police officers; and

WHEREAS, Senators Edward Kennedy and Howard Metzenbaum, and Representative William Ford have introduced, respectively, S. 1622 and H.R. 3160, entitled the OSHA Reform Act of 1991, which would extend OSHA coverage to Federal, State and local government employees; and

WHEREAS, such coverage is needed in order to remedy the seriously deteriorating safety and health conditions that exist throughout the entire public sector which continuously threaten the physical well-being of public employees;

NOW THEREFORE BE IT RESOLVED, that NAPO goes on record in support of S. 1622 and H.R. 3160, the OSHA Reform Act, and commends

Senators Kennedy and Metzenbaum and Representative Ford for having introduced and pursued this badly needed legislation.

BE IT FURTHER RESOLVED, that NAPO urges President Bush to support and sign such legislation if its passed by Congress.

POLICE BODY ARMOR

WHEREAS body armor has served as an important protection for police officers against assailants; and

WHEREAS a dispute has developed between the United States Department of Justice's Technology Assessment Program Information Center (TAPIC) (which establishes recommended performance standards for police equipment) and manufacturers of police body armor over appropriate performance standards; and

WHEREAS at the urging of NAPO and other police groups, legislation was introduced on May 16, 1990, in both the Senate and House that would establish mandatory Federal regulatory standards for bullet proof vests; and

WHEREAS the Senate bill (S. 2639), was introduced by Senator DeConcini (D-Ariz), and was co-sponsored by Senators Kennedy (D-Mass), Harkin (D-Iowa), Metzenbaum (D-Ohio) and Kohl (D-Wisc), and the House bill (H.R. 4830), was introduced by Congressman Edward F. Feighan (D-Ohio), and co-sponsored by Congressman Joe Moakley (D-Mass), and were both known as the Police Protection Act of 1990; and

WHEREAS the bills would establish Federal standards for body armor to the general public, police departments and other law enforcement agencies; and

WHEREAS, at the request of members of Congress, the Office of Technology Assessment (OTA) conducted a study of the body armor controversy and issued a report on August 12, 1992, discussing various policy and legislative alternatives concerning the body armor controversy;

NOW THEREFORE BE IT RESOLVED that NAPO, other police organizations, industry, interested members of Congress, the Justice Department, the Labor Department and the Federal Trade Commission establish a committee to study the OTA report and make recommendations to Congress for dealings with body armor issues.

POLICE COMMISSION

WHEREAS Congress has not considered or studied the condition of State and local law enforcement in over 25 years; and

WHEREAS the incidence of crime, drug abuse and violence in American society have increased dramatically in the last decade as well as in the last 25 years; and

WHEREAS the problems for law enforcement which the worsening crime situation creates make law enforcement an increasingly complex, hazardous and stressful occupation; and

WHEREAS Congresswoman Louise Slaughter of New York and Senators Dennis DeConcini of Arizona and Carl Levin of Michigan and others have introduced legislation (H.R. 5288 and S. 2782), which would establish a National Commission of Support for Law Enforcement which would conduct an eighteen (18) month study of the condition of law enforcement in America and then report to the American people;

NOW THEREFORE BE IT RESOLVED that NAPO expresses its support for H.R. 5288 and S. S2782 and urge their prompt passage in this Session of Congress,

AND BE IT FURTHER RESOLVED that NAPO expresses its appreciation to Congresswoman Slaughter, Senators Deconcini and Levin and the other sponsors for having introduced this valuable legislation.

POLICE CORPS

WHEREAS legislation has been introduced in Congress which has been included in the Senate passed Crime Bill which would provide high school graduates with \$40,000 in college scholarships if they complete four years as a police officer after college graduation; and

WHEREAS NAPO believes that this program, known as the Police Corps, fails to address the need for additional well-educated career police officers but instead seeks to make policing a short-term casual occupation; and

WHEREAS both police labor and management organizations and representatives have expressed their opposition to the police corps concept; and

WHEREAS Senator Bob Graham of Florida has introduced S. 658, "The Law Enforcement Scholarship Act of 1990," which would provide educational assistance to police officers seeking associate, bachelors or graduate degrees; and

WHEREAS S. 658 has been incorporated into the Conferees' Crime Bill;

NOW THEREFORE BE IT RESOLVED that the National Association of Police Organizations opposes the funding of the Police Corps Act provisions of the Conferees' Crime Bill but supports the funding of the Police Education provisions of the Crime Bill introduced by Senator Bob Graham of Florida.

PREPAID LEGAL SERVICES

WHEREAS prepaid legal services has proven itself to be an effective means of assuring to working people adequate and effective legal representation through collectively-bargained employer contributions; and

WHEREAS the availability of such legal services has had a positive impact upon employee productivity; and

WHEREAS since the early 1970's prepaid legal service contributions and benefits have been exempt from Federal income taxation; and

WHEREAS under the pending tax bills the tax exempt status of prepaid legal services will be continued until December 31, 1993;

NOW THEREFORE BE IT RESOLVED that the National Association of Police Organizations (NAPO) goes on record in support of making permanent the tax exempt status of prepaid legal services.

PUBLIC EMPLOYEE PENSIONS

WHEREAS, the reduction in Federal programs and a reduction in Federal assistance to the States, as well as the current economic recession, have placed a tremendous strain upon State and local financial and budgetary resources; and

WHEREAS, State and local governments, in attempting to deal with their financial shortfalls focused on public employee pension funds as a source of State and local revenue or savings; and

WHEREAS, efforts have been made (1) to divert public employee pension resources to other State and local purposes, (2) to "adjust" actuarial assumptions to reduce current and future employer pension liabilities, and (3) to otherwise manipulate public employee pension plans to the detriment of retirees and future beneficiaries;

NOW THEREFORE BE IT RESOLVED,

1. that NAPO go on record as opposing all efforts to divert and manipulate police and other public employee pension plans to the disadvantage of beneficiaries;

2. that NAPO commends Congressman Edward R. Roybal of California, and Congressman Pete Stark of California, for commencing an investigation concerning the possible misuse of public employee pension plans; and

3. that NAPO urge Congress promptly to enact a Public Employee Retirement Income Security Act (PERISA), which would protect and insure public employee pensions in a manner similar to the protections that are enjoyed by private sector employees under the Employee Retirement Income Security Act, (ERISA).

RADAR

WHEREAS, increased concern has been expressed across the country regarding a high incidence of cancer related to the use of hand held radar units by police officers; and

WHEREAS, the State of Connecticut recently enacted legislation which bans hand held radar units and requires that antennas of two piece radar units must be mounted outside of police vehicles; and

WHEREAS, Connecticut Senator Lieberman has conducted hearings on the radar issue; and

WHEREAS, NAPO believes that the continued use of such radar equipment threatens the health and well-being of thousands of police officers; and

WHEREAS, additional health concerns have been expressed regarding the use of portable x-ray units by law enforcement officers;

NOW THEREFORE BE IT RESOLVED that NAPO urges Federal agencies such as the National Institute on Occupational Safety and Health (NIOSH) and that the National Institute of Justice to undertake appropriate studies on the relationship between traffic radar units and cancer, and the use of such units be suspended pending the results of such studies; and that Congress take appropriate action to facilitate such studies and ban; and further that similar studies should be conducted by these agencies concerning possible health hazards related to portable x-ray units.

**RESOLUTION IN SUPPORT OF THE RIVERSIDE COUNTY,
CALIFORNIA FAIR PAY FOR LAW ENFORCEMENT ORDINANCE**

WHEREAS, the Riverside County, California Sheriffs' Association after a long, arduous and expensive legal struggle has succeeded in having placed on the ballot in the November, 1992 election, the Riverside County Fair Pay For Law Enforcement Ordinance; and

WHEREAS, under this ordinance compensation and benefits of Riverside County Sheriffs' would be placed under a fair system that would determine the base salaries and benefits of the Sheriffs under a comparability formula to other similarly situated law enforcement agencies; and

WHEREAS, the population of Riverside County has almost doubled during the past decade and crime in the County has increased dramatically; and

WHEREAS, the pay and benefits of sheriffs have lagged woefully behind where they deserve to be so that the County has been losing qualified sheriffs to other jurisdictions;

NOW THEREFORE BE IT RESOLVED; that the National Association of Police organizations goes on record in support of the Riverside County Fair Pay For Law Enforcement Ordinance and urges the citizens of Riverside County to enact the ordinance in the November election.

SECTION 415 OF THE INTERNAL REVENUE CODE

WHEREAS under Section 415 of the Internal Revenue Code the tax exempt status of State and local employee pension plans may be lost if a single participant exceeds the statutory benefit limits; and

WHEREAS H.R. 1348, the Public Pension Equity Restoration Act of 1991, has been introduced by Congressman Robert Matsui of California and other representatives to remedy this unfair situation;

NOW THEREFORE the National Association of Police Organizations (NAPO) goes on record as strongly favoring H.R. 1348, and urging all members of Congress to co-sponsor and support it.

STATE TAXATION OF NON-RESIDENTS' PENSIONS

WHEREAS it has come to the attention of the National Association of Police Organizations (NAPO) that certain States which impose tax upon the pension payments of retirees, have been taxing the

pension payments of non-residents thus subjecting such non-residents to taxation without representation ("source tax"); and

WHEREAS legislation has been introduced by Senators Reid and Bryan (S. 267) and Representative Vucanovich of Nevada (H.R. 431), to remedy this unfairness;

WHEREAS such legislation has been incorporated into the Senate Finance Committee tax bill;

NOW THEREFORE BE IT RESOLVED that NAPO urges Congress to enact the Senate Finance Committee tax bill so as to ban the source tax.

STOP ARMING FELONS ACT

WHEREAS, legislation has been introduced in Congress entitled the Stop Arming Felons Act of 1992 (S. 2304) which would end the process whereby the Bureau of Alcohol, Tobacco and Firearms must investigate to determine whether certain convicted felons should have their gun ownership rights restored; and

WHEREAS, on behalf of NAPO, Richard Wells, Co-Chairman of NAPO's Legislative Committee testified in favor of this legislation before the Senate Subcommittee on the Constitution on May 5, 1992; and

WHEREAS, NAPO believes that the funds being spent to conduct these investigations could be put to better governmental law enforcement use; and

WHEREAS, NAPO believes that a felony conviction should be the basis for a permanent deprivation of gun-ownership rights;

NOW THEREFORE NAPO goes on record in support of the enactment of S. 2304.

SUPPORT FOR SAN DIEGO LAW ENFORCEMENT

WHEREAS, public protection and service to citizens is the primary function of law enforcement; and

WHEREAS, adequate manpower is critical to the performance of that function; and

WHEREAS, the manpower to population ratio for the unincorporated area of San Diego County is one of the lowest in the United States; and

WHEREAS, the citizens of San Diego County have expressed their support for increased manpower by signing petitions to qualify a minimum staffing initiative for the November election; and

WHEREAS, the issue of minimum staffing is a safety issue with application to every law enforcement organization in the country;

THEREFORE BE IT RESOLVED that the National Association of Police Organizations, at its 14th Annual Convention, strongly supports and urges passage of the staffing initiative setting out a minimum level of protection for the people of San Diego County.

THE POLICE ACCOUNTABILITY ACT OF 1991 (H.R. 2972)

WHEREAS, legislation was introduced in the House of Representatives on July 23, 1991, entitled "The Police Accountability Act of 1991" (H.R. 2972), which "is intended to strengthen the Federal response to police misconduct," and

WHEREAS, such legislation proposes the following:

1. To authorize the Attorney General of the United States and/or injured private individuals to seek injunction and declaratory relief against police departments and/or police officers who are engaging in a pattern or practice of conduct that would constitute the use of excessive force, or other police practices deemed by the Federal court to deprive individuals of their constitutional rights;

2. Make it a Federal felony for a law enforcement officer to subject anyone "to force exceeding that which is reasonably necessary to carry out a law enforcement duty," for which, depending upon the outcome of the use of such force, penalties up to life imprisonment may be imposed; and

3. Require the Attorney General of the United States to collect and publish annually data concerning "complaints to criminal justice authorities about the use of excessive force by law enforcement officers;"

AND WHEREAS, existing Federal, State and local law is fully adequate to deal with the problem of the use of excessive force by police; and

WHEREAS, the proposed criminal provisions of H.R. 2972 impose criminal penalties upon police officers based upon a theory of strict liability, and without any willfulness requirement, so that such provisions probably are unconstitutional; and

WHEREAS, statistics concerning unsworn bare allegations of police misconduct are totally useless in determining the extent of such misconduct in light of the tendency of many arrestees to make such claim falsely in an effort to avoid prosecution and detention;

NOW THEREFORE BE IT RESOLVED, that the National Association of Police Organizations (NAPO), goes on record in opposition to H.R. 2972, for the reasons set forth above;

At the same time however NAPO wishes it to be clearly understood by all concerned that it is firmly and vigorously opposed to the use of excessive force by police officers; that it supports efforts to improve community-police relations designed to reduce antagonisms and hostilities; and that in addition, it believes that in some cases the use of excessive force is the result of the extreme job stress and pressure that police officers experience, and that the right to collective bargaining and improvements in employment conditions of police officers are essential elements in dealing with the problems of the use of excessive force, and that studies should be undertaken to determine the relationship between the use of excessive force, police stress and adverse working conditions.

THE WAR ON DRUGS

WHEREAS the drug problem in the United States has reached enormous proportions particularly because it is linked to large scale international drug traffic and operations; and

WHEREAS NAPO has expressed its concern over the drug problem for sometime having testified before the United States Senate Caucus on International Narcotics Control, and prepared a report entitled, "The War on Drugs: What is Needed," which has been widely distributed; and

WHEREAS legislation was passed in the 100th Congress to deal comprehensively with the drug problem in America but such legislation had not been adequately funded; and

WHEREAS at the 1989 NAPO Convention a meeting of street narcotics officers from across the country revealed serious deficiencies and inadequacies in the nation's court and prison systems in dealing with drug offenders, such as inexperienced and overloaded prosecutors and overcrowded courts and prisons;

NOW THEREFORE BE IT RESOLVED that NAPO urges Congress to promptly enact, and the Bush Administration support, strong and effective legislation to cope with the expanding menace of drugs, including increased federal funding, and that the role of local law enforcement in the war against drugs be supported and enhanced by the provision of adequate Federal funding.

WAITING PERIOD FOR THE PURCHASE OF A HANDGUN

WHEREAS in States such as Maryland, California, New York and New Jersey, which have enacted legislation establishing a waiting period for law enforcement to perform a background check on prospective handgun purchasers, such background checks have proved to be an effective method of apprehending felons seeking to purchase handguns and curbing improper access to such weapons; and

WHEREAS traffic in handguns from States without such legislation to States having such legislation has been substantial, accounting for a vast percentage of confiscated handguns; and

WHEREAS legislation has been introduced in the House and in the Senate which provide for a national minimum five working-day waiting period in which local law enforcement may conduct a background check on purchases of handguns from dealers; and

WHEREAS this legislation, known as the Brady Bill, named after Presidential Press Secretary Jim Brady, has been included in the Conferees' pending Crime Bill;

NOW THEREFORE BE IT RESOLVED that the National Association of Police Organizations (NAPO) reaffirms its support for the Brady Bill providing for a national minimum five working-day waiting period for handgun purchases and urges every member of Congress to vote in favor of such legislation whether presented as separate legislation or as part of the Conferees' Crime Bill.

102D CONGRESS
1ST SESSION

H. R. 2946

To amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to encourage States to enact Police Officers' Bills of Rights, to provide standards and protections for the conduct of internal police investigations, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 18, 1991

Mr. CAMPBELL of California (for himself, Mr. JACOBS, Mr. CARDIN, Mr. COBLE, Mr. FEIGHAN, Mrs. MORELLA, Mr. RAMSTAD, Mr. SCHIFF, Mr. STAGGERS, and Mr. STEARNS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend title I of the Omnibus Crime Control and Safe Streets Act of 1968 to encourage States to enact Police Officers' Bills of Rights, to provide standards and protections for the conduct of internal police investigations, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 SECTION 1. SHORT TITLE.

4 This Act may be cited as the "Police Officers' Bill
5 of Rights Act of 1991".

1 SEC. 2. RIGHTS OF LAW ENFORCEMENT OFFICERS.

2 Part H of title I of the Omnibus Crime Control and
3 Safe Streets Act of 1968 (42 U.S.C. 3781 et seq.) is
4 amended by adding at the end thereof the following new
5 section:

6 "RIGHTS OF LAW ENFORCEMENT OFFICERS

7 "SEC. 819. (a) POLITICAL ACTIVITY.—Except when
8 on duty or acting in an official capacity, no law enforce-
9 ment officer shall be prohibited from engaging in politi-
10 cal activity or be denied the right to refrain from engaging
11 in such activity.

12 "(b) RIGHTS OF LAW ENFORCEMENT OFFICERS
13 WHILE UNDER INVESTIGATION.—When a law enforce-
14 ment officer is under investigation or is subjected to ques-
15 tioning for any reason, other than in connection with an
16 investigation or action described in subsection (h), under
17 circumstances that could lead to disciplinary action, the
18 following minimum standards shall apply:

19 "(1) Questioning of the law enforcement officer
20 shall be conducted at a reasonable hour, preferably
21 when the law enforcement officer is on duty, unless
22 exigent circumstances otherwise require.

23 "(2) Questioning of the law enforcement officer
24 shall take place at the offices of those conducting
25 the investigation or the place where such law en-

1 enforcement officer reports for duty unless the officer
2 consents in writing to being questioned elsewhere.

3 “(3) The law enforcement officer under investi-
4 gation shall be informed, at the commencement of
5 any questioning, of the name, rank, and command of
6 the officer conducting the questioning.

7 “(4) During any single period of questioning of
8 the law enforcement officer, all questions shall be
9 asked by or through a single investigator.

10 “(5) The law enforcement officer under investi-
11 gation shall be informed in writing of the nature of
12 the investigation prior to any questioning.

13 “(6) Any questioning of a law enforcement offi-
14 cer in connection with an investigation shall be for
15 a reasonable period of time and shall allow for rea-
16 sonable periods for the rest and personal necessities
17 of the law enforcement officer.

18 “(7) No threat against, harassment of, or
19 promise or reward (except an offer of immunity from
20 prosecution) to any law enforcement officer shall be
21 made in connection with an investigation to induce
22 the answering of any question.

23 “(8) All questioning of any law enforcement of-
24 ficer in connection with the investigation shall be re-
25 corded in full in writing or by electronic device, and

1 a copy of the transcript shall be made available to
2 the officer under investigation.

3 "(9) The law enforcement officer under investi-
4 gation shall be entitled to the presence of counsel (or
5 any other one person of the officer's choice) at any
6 questioning of the officer, unless the officer consents
7 in writing to being questioned outside the presence
8 of counsel.

9 "(10) At the conclusion of the investigation, the
10 person in charge of the investigation shall inform the
11 law enforcement officer under investigation, in writ-
12 ing, of the investigative findings and any recommen-
13 dation for disciplinary action that the person intends
14 to make.

15 "(11) A law enforcement officer who is brought
16 before a disciplinary hearing shall be provided access
17 to all transcripts, records, written statements, writ-
18 ten reports and analyses and video tapes pertinent
19 to the case that—

20 "(A) contain exculpatory information;

21 "(B) are intended to support any discipli-
22 nary action; or

23 "(C) are to be introduced in the discipli-
24 nary hearing.

1 “(c) OPPORTUNITY FOR A HEARING.—(1) Except in
2 a case of summary punishment or emergency suspension
3 described in subsection (d), if an investigation of a law
4 enforcement officer results in a recommendation of disci-
5 plinary action, the law enforcement agency shall notify the
6 law enforcement officer that the officer is entitled to a
7 hearing on the issues by a hearing officer or board.

8 “(2)(A) Subject to subparagraph (B), a State shall
9 determine the composition of a disciplinary hearing board
10 and the procedures for a disciplinary hearing.

11 “(B) A disciplinary hearing board that includes em-
12 ployees of the law enforcement agency of which the officer
13 who is the subject of the hearing is a member shall include
14 at least one law enforcement officer of equal or lesser rank
15 to the officer who is the subject of the hearing.

16 “(3) A disciplinary hearing board shall not have
17 power to impose disciplinary action against a law enforce-
18 ment officer that is more severe than the action recom-
19 mended by the person in charge of the investigation of
20 the officer.

21 “(d) SUMMARY PUNISHMENT AND EMERGENCY SUS-
22 PENSION.—(1) This section does not preclude a State
23 from providing for summary punishment or emergency
24 suspension for misconduct by a law enforcement officer.

1 “(2) An emergency suspension shall not affect or in-
2 fringe on the health benefits of a law enforcement officer.

3 “(e) NOTICE OF DISCIPLINARY ACTION.—When dis-
4 ciplinary action is to be taken against a law enforcement
5 officer, the officer shall be notified of the action and the
6 reasons therefor a reasonable time before the action takes
7 effect.

8 “(f) RETALIATION FOR EXERCISING RIGHTS.—There
9 shall be no penalty or threat of penalty against a law en-
10 forcement officer for the exercise of the officer’s rights
11 under this section.

12 “(g) OTHER REMEDIES NOT IMPAIRED.—(1) Noth-
13 ing in this section shall be construed to impair any other
14 legal remedy that a law enforcement officer has with re-
15 spect to any rights under this section.

16 “(2) A law enforcement officer may waive any of the
17 rights guaranteed by this section.

18 “(h) APPLICATION OF SECTION.—This section does
19 not apply in the case of—

20 “(1) an investigation of criminal conduct by a
21 law enforcement officer; or

22 “(2) a nondisciplinary action taken in good
23 faith on the basis of a law enforcement officer’s em-
24 ployment-related performance.

1 “(i) DEFINITIONS.—For the purposes of this
2 section—

3 “(1) the term ‘disciplinary action’ means the
4 suspension, demotion, reduction in pay or any other
5 employment benefit, dismissal, transfer, or similar
6 action taken against a law enforcement officer as
7 punishment for misconduct;

8 “(2) the term ‘emergency suspension’ means
9 temporary action imposed by the head of the law en-
10 forcement agency when that official determines that
11 the action is in the best interests of the public;

12 “(3) the term ‘summary punishment’ means
13 punishment imposed for a minor violation of a law
14 enforcement agency’s rules and regulations that does
15 not result in disciplinary action;

16 “(4) the term ‘law enforcement agency’ means
17 a public agency charged by law with the duty to in-
18 vestigate crimes or apprehend or hold in custody
19 persons charged with or convicted of crimes; and

20 “(5) the term ‘law enforcement officer’ means
21 a full-time police officer, sheriff, or correctional offi-
22 cer of a law enforcement agency.

23 “(j) PROHIBITION OF ADVERSE MATERIAL IN OFFI-
24 CER’S FILE.—A law enforcement agency shall not insert
25 any adverse material into the file of any law enforcement

1 officer unless the officer has had an opportunity to review
2 and comment in writing on the adverse material.

3 “(k) DISCLOSURE OF PERSONAL ASSETS.—A law en-
4 forcement officer shall not be required or requested to dis-
5 close any item of the officer’s personal property, income,
6 assets, sources of income, debts, personal or domestic ex-
7 penditures (including those of any member of the officer’s
8 household), unless

9 “(1) the information is necessary in investigat-
10 ing a violation of any Federal, State, or local law,
11 rule, or regulation with respect to the performance
12 of official duties; or

13 “(2) such disclosure is required by Federal,
14 State, or local law.

15 “(l) ENFORCEMENT OF PROTECTIONS FOR LAW EN-
16 FORCEMENT OFFICERS.—(1) A State shall have not more
17 than 2 legislative sessions to enact a Law Enforcement
18 Officers’ Bill of Rights that provides rights for law en-
19 forcement officers that are substantially similar to the
20 rights afforded under this section.

21 “(2) After the expiration of the time limit described
22 in paragraph (1), a law enforcement officer shall have a
23 cause of action in State court for the recovery of pecuniary
24 and other damages and full reinstatement against a law

1 enforcement agency that materially violates the rights af-
2 forced by this section.

3 “(3) The sovereign immunity of a State shall not
4 apply in the case of a violation of the rights afforded by
5 this section.

6 “(m) STATES’ RIGHTS.—This section does not pre-
7 empt State law or collective bargaining agreements or dis-
8 cussions during the collective bargaining process that pro-
9 vide rights for law enforcement officers that are substan-
10 tially similar to the rights afforded by this section.”.

○

11/30/92 15:12

202 842 4396

NAPO

001/003

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Fax Transmittal Memo 7672

To *Steve Higgins*

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11-30-92

Robert Scully

N.A.P.O.

Washington, DC

Dept Charge

Telephone #

*Please send invitations to the following
people, per our conversation this
morning.*

NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS

ROBERT T. SCULLY
National Association of Police Organizations, Inc.
750 First Street, N.E., Suite 935
Washington, DC 20002
(202) 842-4420

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Detective Endowment Association of New York City
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TREASURER:

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(305)593-0044

-3-

CHARLES SHINE
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Detroit Lieutenants and Sergeants
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West Palm Beach, Florida 33402
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AREA VICE PRESIDENTS
1991

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Portland, Oregon 97214
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Ron DeLond
CLEAT
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(512) 495-9301

MONICA SMITH
Dallas Police Association
2108 Jackson Street
Dallas, Texas 75201
(214)747-6839

*Chris***FACT SHEET FOR JOE VELASQUEZ ON THE 415 ISSUE**

On June 24, at approximately 1:00, the President met with the Board of Directors of the National Association of Police Organizations (NAPO). While most of the meeting was devoted to the Crime Bill, the final question of the meeting sought the President's views on some pension issues that were included in the two tax bills vetoed by President Bush in 1992. The President responded that he was unaware of the issues, but added that the NAPO position sounded reasonable to him. He promised to look into the issues.

The President was accompanied by several aides who took notes during the conversation. NAPO does not have the names of those individuals, but indicated that at least one aide was from the Domestic Policy Council and one was from the Office of Public Liaison.

One of the pension issues raised at the meeting is known as "Section 415" in reference to the relevant section of the Internal Revenue Code. Section 415 caps the size of pension benefits that may be paid by a qualified pension plan. The problem is the manner in which the cap is calculated for public sector employees. Because Section 415 does not take into account certain unique aspects of public sector compensation, almost all public pension plans are technically in violation of Section 415 and could lose their tax-exempt status.

Legislation to change the Section 415 calculation for public sector employees was introduced in the last session of Congress and garnered over 200 cosponsors. The provision was included in both tax bills passed Congress, but vetoed by the President. The provision was included, along with other Pension Simplification proposals, in HR 13 introduced earlier this year by Chairman Rostenkowski.

Most significantly, the Section 415 proposal is **revenue neutral** and completely **non-controversial**. It is the **top priority for a broad coalition** of organizations concerned about the security of public sector pension plans, and is enthusiastically supported by both labor and management. The proposal has no known opposition, and the only obstacle to enactment was been finding a legislative vehicle.

(202) 737-8484
OFFICE



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FAX

FREDERICK H. NESBITT
LEGISLATIVE AND POLITICAL
DIRECTOR

INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS
AFL-CIO-CLC

1750 NEW YORK AVE., N.W. WASHINGTON, D.C. 20006

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NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

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May 19, 1993

Executive Director
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Legislative Counsel
JULES BERNSTEIN
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President
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President, Detective
Endowment Association
of New York City
New York, NY

Executive Vice President
MIKE PETCHEL

President, Phoenix
Law Enforcement
Association
Phoenix, AZ

Recording Secretary
C. J. HOLT
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ROBERT SHEEHAN
President, Hillsborough
County PBA
Tampa, FL

Sergeant-at-Arms
MARTIN McKEAN
Executive Secretary,
Ohio PBA
Berea, OH

**The Honorable Joseph R. Biden, Jr.
Chairman, Committee on the Judiciary
224 Dirksen Senate Office Building
Washington, DC 20510-6275**

Dear Senator Biden:

I am writing this letter in my capacity as the Executive Director for the National Association of Police Organizations (NAPO). NAPO represents over 140,000 sworn law enforcement officers in more than 2000 police associations throughout the United States. I am advising you and the other members of the Senate Judiciary Committee that NAPO wholeheartedly and unreservedly endorses and supports the nomination and confirmation of Lee P. Brown for the position of Director, Office Of National Drug Control Policy.

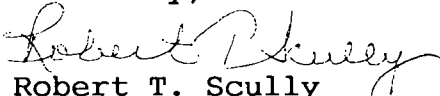
As the Past President of NAPO and its current Executive Director, I have had the privilege of knowing and working with Mr. Brown when he served as President of the International Association of Chief's of Police (IACP). Mr. Thomas J. Scotto, President of the Detectives Endowment Association of New York City and President of NAPO worked very closely with Mr. Brown when he was the Commissioner of Police for the city of New York. In 1991 the Detectives Endowment Association of New York City named Lee P. Brown its "Man of the Year" for his outstanding contributions to law enforcement in the city of New York.

Accordingly, NAPO looks forward to Mr. Brown's prompt confirmation by the Senate so that we can begin working with him in developing strategy on how to effectively deal with the drug problem that our great nation currently faces.

I would appreciate you circulating copies of this letter to all of the members in the Senate Judiciary Committee.

Should you have any questions, please feel free to contact me at (202)842-4420.

Sincerely,


Robert T. Scully
Executive Director

NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

750 First Street, N.E., Suite 935 • Washington, D.C. 20002-4241

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June 24, 1993

Executive Director
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LUNDA LIPSETT

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Endowment Association
of New York City
New York, NY

Executive Vice President
MIKE PETCHEL
President, Phoenix
Law Enforcement
Association
Phoenix, AZ

Recording Secretary
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MARTIN McKEAN
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The President
The White House
Washington, DC 20500

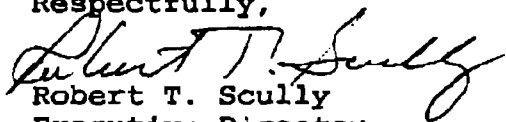
Dear Mr. President:

I am writing in my capacity as Executive Director of the National Association of Police Organizations ("NAPO"), which represents approximately 140,000 law enforcement officers throughout the United States to advise that NAPO would wholeheartedly support the nomination of Eduardo Gonzalez to be U.S. Marshall. Chief Gonzalez has worked with two of NAPO's member organizations, the Dade County Police Benevolent Association in Miami, Florida and the Hillsborough County Police Benevolent Association in Tampa, Florida. The leadership of both these organizations wish you to be aware of their unreserved support for Chief Gonzalez.

The Florida Police Benevolent Association representing 26,000 law enforcement officers also supports Chief Gonzalez and hopes you will make this nomination.

Accordingly, NAPO supports the nomination of Eduardo Gonzalez and is hopeful you will nominate him to the Office of U.S. Marshall and that he will be promptly confirmed by the Senate.

Respectfully,

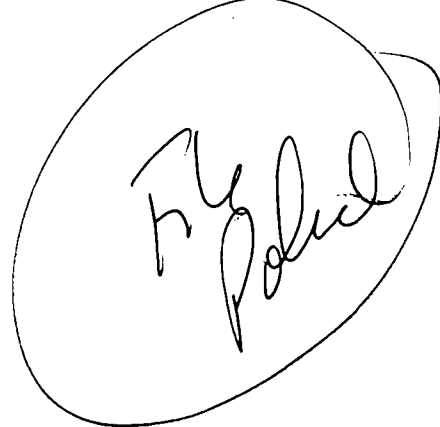

Robert T. Scully
Executive Director

RTS/jj

Post-It™ brand fax transmittal memo 7671		# of pages	1
To	Steve Hilton	From	Bob Scully
For	Public Liaison	Co.	NAPO
Dept.		Phone #	202-842-4420
Fax #	456-6218	Fax #	202-842-4396

MEMORANDUM

TO: STEVE
FROM: DANNY
SUBJECT: NAPO MEETING
DATE: JUNE 22, 1993



As I mentioned, the time for the NAPO meeting is 1:00 pm. It is possible that could change to 1:30 pm. When I requested 15 minutes prior to the meeting for briefing time, Stephanie Street suggested moving the meeting back to accomodate the briefing. There was no final conclusion so they will get back to me.

I would propose the following sequence.

1:00 pm	The President meets briefly with Bob Scully in holding room.
1:05 pm	Mr. Scully and The President enter the room. (Scully would act as sort of the master of ceremonies. When they enter the room Mr. Scully should begin with some brief remarks and introduce the President. A seat in the front would be reserved for Mr. Scully and following the introduction he would take a seat. The President would have a stool available or he could stand. Next to the stool we would have a mike available).
1:08 pm	The President would make brief remarks. At this time the press pool would be in the room. Following the President's remarks, the press pool would leave.
1:12 pm	Informal meeting.
1:30 pm	Bob Scully either by cue or pre-set time would end the meeting.

These times are just put in for illustrations purposes.

A couple of other things we need to consider:

- 1) Who is doing the briefing paper?
- 2) Who is writing the talking points? The speechwriters office asked me if they needed to worry about these remarks, based on our last conversation I told they we were doing them. If we want their assistance we need to tell them soon. One of the issues that would should consider for the remarks is the Supplemental.
- 3) Should we invite Janet Reno?
- 4) It was asked in the scheduling meeting if they will be wearing uniforms, if not could we ask them to.

There are 65 people on Scully's list. So I think we need to set up the Indian Treaty Room theater style. I will also work with advance on this.

JUL 13 1993

13 1993

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President
THOMAS J. SCOTTO
President, Detective
Endowment Association
of New York City
New York, NY

NAPO WASHINGTON REPORT

Executive Director
ROBERT T. SCULLY

Legislative Counsel
JULES BERNSTEIN
LINDA LIPSETT

February 22, 1993

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Law Enforcement
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Phoenix, AZ

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President, Central
Coast Chapter, PORAC
San Jose, CA

Treasurer
ROBERT SHEEHAN
President, Hillsborough
County PBA
Tampa, FL

Sergeant-at-Arms
MARTIN McKEAN
Executive Secretary,
Ohio PBA
Berea, OH

In November 1992, the American public sent a clear message that the legislative "gridlock" in Washington, DC would no longer be tolerated. They elected a new President and the largest number of new Members to Congress since 1948. NAPO's attention, along with that of the American public, will now be focused on whether the new Democratic Administration can work with a Democratic Congress to turn campaign promises into effective programs. There are 126 new Members Of Congress! That's right, nearly one fourth of the members of Congress are brand new and will play a key part in the success or failure of avoiding "gridlock" in the 103rd Congress.

FAMILY AND MEDICAL LEAVE LEGISLATION SIGNED INTO LAW

President Clinton on February 5th signed into law the Family and Medical Leave Legislation that will require employers, including state, local and federal governments to provide their workers with unpaid leave for illness and family matters. The law takes effect six months from the date of signing.

The law requires employers with 50 or more workers to provide up to 12 weeks of unpaid, job-protected leave a year to take care of a new born or newly adopted child, to take care of a sick child, spouse or parent: or when the employee can not work because of a serious health condition.

Employers will be required to provide health insurance coverage to employees during the leave periods, and the workers will be entitled to reinstatement to the same or equivalent positions when they return to work.

This legislation had the support of almost all employee organizations including NAPO, and was similar to the legislation that was passed in the 102nd Congress and vetoed by President Bush.

*Storck
See Pg 2.
457
for info.
Bob*

TAX SIMPLIFICATION ACT OF 1993

Congressman Dan Rostenkowski (D-IL), Chairman of the House Committee on Ways and Means, introduced H.R. 13, the Tax Simplification Act of 1993. NAPO is pleased to report that two proposals we supported in last year's tax bill, which was vetoed by President Bush, are included in the Pension Simplification title of H.R. 13. These proposals provide relief for qualified retirement plans by amending Section 415, and providing flexibility and administrative relief to state and local government deferred compensation plans by amending Section 457. The language on Section 415, follows closely the provisions which were included in the legislation originally introduced by Congressman Robert Matsui (D-CA) in the 102nd Congress which was ultimately co-sponsored by over 200 members of the House of Representatives. The provisions affecting Section 457 will eliminate most of the problems that the qualified plans in the public sector community have been experiencing under the limitation on benefits rules. It eliminates the 100 per cent compensation limit rule for public plans and provides that public plans may establish an excess plan to handle those benefits to which some public employees may be entitled because of long term employment or uniformed benefit formulas contained in their plan. The provisions also eliminate disability and joint survivor annuities from the Section 415 rules and re-defined uniform compensation to allow inclusion of amounts deferred under Section 457 rules to be counted as compensation.

15
The provisions to amend Section 457 which governed deferred compensation programs for state and local government employees would index the current \$7500 limit allowing those limits to be increased in accordance with the changes in the consumer price index in order to adjust limitations for inflation. The provisions would also allow a participant to make a one time change in the distribution date following separation of service after the original distribution date has been selected. This would be permitted as long as the new date for distribution occurs at a later time than original distribution date. The provisions would also allow a participant or plan to initiate the closing or distribution of small diminimus accounts as long as those accounts have amounts less than \$3500 and have been inactive for a period of two years prior to the closing. These proposals follow closely the provisions originally introduced by Congressman Jim Moody in the 102nd Congress. One change in H.R. 13 that differs from the Moody Proposal is the elimination of the **catch up rule** which would have allowed Section 457 plan limits to catch up with the limits of Section 401 K plans (currently \$8,994 for 1993).

SOURCE TAXES

Another one of NAPO's legislative priorities in the 102nd

NAPO will be taking action on. These include:

- 1) H.R. 127, a bill to amend the Internal Revenue Code of 1986 to restore and make permanent the exclusion for employer-educational assistance.
- 2) H.R. 199, a bill to establish a Commission On Retirement Income Policy
- 3) H.R. 302, a bill to provide that the flag of the United States should be displayed at half-staff on all government buildings on Peace Officers Memorial Day, and for other purposes.
- 4) H.R. 326, a bill to amend the Internal Revenue Code of 1986 to make exclusion for amounts received under group legal services plans permanent.
- 5) H.R. 358, a bill to create a national commission to support law enforcement.
- 6) H.R. 225, a bill to clarify certain tax law provisions concerning police officers and firefighters in Connecticut.

There are also numerous pieces of legislation that have been or will be introduced dealing directly with crime and law and order which will go into one bill which will make up the Omnibus Crime Control Act of 1993.

NAPO MEMBERSHIP RESPONSE TO CALL FOR HELP

In a recent conversation with Tony Loizzo, Senior Vice President of the Dade County PBA and NAPO Area Vice President, he informed me that their plea for help for the law enforcement officers victims of Hurricane Andrew was answered with an out pouring of love and support from NAPO member organizations throughout the country.

The Dade County PBA received over a quarter of a million dollars to support and assist officers and support personnel who lost their homes as a result of Hurricane Andrew, over \$150,000.00 of this money came from NAPO member organizations.

Vice President Loizzo was quoted as saying, "The out pouring of love and support from our fellow law enforcement brothers and sisters and their friends throughout the United States was overwhelming." The money they received is being used to assist officers who lost their homes in the storm in a variety of ways such as providing building materials and housing. The funds are also being used in many other ways to support those who have endured losses, such as providing counselling for small children and adults who are suffering from post traumatic stress due to the storm's fury.

Congress was the passage of legislation to eliminate "Source Taxes" on pensions of retirees. Thus far in the 103rd Congress three bills have been introduced to accomplish this, Congresswoman Unsoeld (D-WA) introduced H.R. 546, Congresswoman Vucanovich (R-NV) introduced H.R. 702 and Senator Reid (D-NV) introduced S. 235.

What is it? A source tax arises when a state tries to tax the pension income of those who once worked in that state but then chose to retire elsewhere. In other words, the state is attempting to "source" that income back to the state.

Who imposes it? According to the Congressional Research Service, at least five (5) states aggressively look to impose these taxes. As many as thirteen (13) states require companies to report annual payments to pension plans. And without federal legislation, any state may look to assess these taxes.

Who's affected? Demographers estimate that 12,360 people over age 60 moved from California to Washington in 1985-1990 alone. At the southern end of Unsoeld's 3rd District, which borders Oregon, 40,000 Clark County residents travel across the Columbia River to work each day and could be affected if nothing is done. Unsoeld also emphasized that this tax could be imposed on anyone -- during the years in which they are trying to live on fixed incomes.

What's so unfair about source taxes? The retirees who are asked to pay these taxes are no longer living in the state that attempts to impose income tax upon them. Thus they are asked to pay taxes to a state that provides them with no government services, and they have absolutely no recourse at the ballot box to determine how their tax money is used. Also, these people are being double taxed because they pay taxes to the state in which they currently reside. And in Washington and other non-income-tax states, there is no way for them to credit source taxes paid on a tax return.

Are there any laws on the books to stop this? Washington State passed a law in 1991 to prohibit source taxes, but that still does not stop other states from attempting to impose them. Only federal legislation would emphatically do so. Legal experts have determined that Congress has the authority to limit these source taxes -- and past efforts by Unsoeld and others have narrowly failed.

What does the Source Tax Bill do? Stipulates that "No State may impose an income tax ... on the qualified pension income of any individual who is not a resident or domiciliary of such State."

OTHER LEGISLATION

There are also numerous other pieces of legislation that have been introduced that have a direct impact on law enforcement that

Demery
June 24th
6/3/93

Schedule Proposal

6/3/93

93 JUN 3 P3:05

____ ACCEPT

____ REJECT

____ PENDING

TO:

Marcia L. Hale
Assistant to the President and Director
of Scheduling and Advance

FROM:

LEXIS
Alexis Herman
Assistant to the President for
Public Liaison

JUN - 4 1993

REQUEST:

Meeting with the National Association of
Police Organizations.

PURPOSE:

To meet with a base constituency and to
continue a dialogue with the law
enforcement community.

BACKGROUND:

This meeting was originally scheduled
for March 16, but was cancelled due the
the blizzard. The request comes from
the NAPO Executive Director, Robert
Scully. NAPO was the largest law
enforcement agency to endorse the
President in the campaign. This is the
second largest rank and file police
organization (after the Fraternal Order
of Police who did not endorse the
President). NAPO has 140,000 members
nationwide.

PREVIOUS PARTICIPATION:

The President and Mr. Scully met several
times during the campaign. They were
also part of the Rose Garden event we
had on April 17.

DATE AND TIME:

Thursday June 24, in the morning.

DURATION:

30 minutes

LOCATION:

Room 474 OEOB

PARTICIPANTS:

Approximately 50 people

OUTLINE OF EVENTS:

The President is introduced and then
speaks to the group.

time to be determined

REMARKS REQUIRED:

Speech to be prepared by Communications,
additional briefing to be prepared by
Public Liaison.

MEDIA COVERAGE:

Pool Press during the President's
remarks only.

Alvis —
if Health
Care were to
happen this!
would need
to be cancelled.
M.

NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

750 First Street, N.E., Suite 935 • Washington, D.C. 20002-4241

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June 4, 1993

Executive Director
ROBERT T. SCULLY

Legislative Counsel
JULES BERNSTEIN
LINDA LIPSETT

President
THOMAS J. SCOTTO
President, Detective
Endowment Association
of New York City
New York, NY

Executive Vice President
MIKE PETCHEL
President, Phoenix
Law Enforcement
Association
Phoenix, AZ

Recording Secretary
O. J. HOLT
President, Central
Coast Chapter, PORAC
San Jose, CA

Treasurer
ROBERT SHEEHAN
President, Hillsborough
County PBA
Tampa, FL

Sergeant-at-Arms
MARTIN McKEAN
Executive Secretary,
Ohio PBA
Berea, OH

The President
The White House
1600 Pennsylvania Avenue, NW
Washington, D.C. 20500

Dear Mr. President:

As the Executive Director of the National Association of Police Organizations, (NAPO), representing over 140,000 sworn law enforcement officers in more than 2000 police associations throughout the United States, I am sending you this letter because it is a matter of great urgency and importance to my entire membership and the millions of public employees, retirees and beneficiaries that make up a coalition of 30 national organizations whose retirement security is provided by thousands of different qualified pension systems through qualified pension systems throughout the United States. NAPO and the other members of The National Coalition Supporting the IRC Section 415 Public Pension Plan Amendments seek your help in preserving the tax qualified status of state and local government retirement systems.

The Section 415 Public Pension Plan Amendments are a revenue-neutral package developed in close consultation with the Congress which passed them twice last year, but unfortunately fell victim to a veto by President Bush.

NAPO and the other members of the coalition are convinced that with your help, these much needed changes can become law this year. Please let the members of the House Ways and Means Committee and the Senate Finance Committee know that you support the Section 415 Public Pension Plan Amendments and would not object to their inclusion in Budget Reconciliation.

Respectfully,

Robert T. Scully
Executive Director

RTS/jj

Enclosures

Fact Sheet

State and Local Government

Section 415 Remedy

Internal Revenue Code Section 415

Section 415 of the Internal Revenue Code (IRC) limits the annual pension contribution or benefit level a public or private employer may fund. It was added to the IRC in 1974 (effective in 1976), with passage of ERISA. Pension plans must comply with these limits in order to receive or maintain their tax-qualified status. Under the 1986 Tax Act the maximum annual benefit payable from a governmental defined benefit plan is the lesser of (1) 100 percent of the participant's average compensation for the highest three years or (2) \$90,000 (indexed to \$115,641 in 1993). These ceilings are actuarially reduced for retirement that takes place before age 62. Police and fire fighters with 15 years or more of service are not subject to actuarial reductions for early retirement.

State and local government retirement systems have been frustrated in their attempts to comply with Section 415 by definitional differences and plan design aspects distinctive to public plans.

Legislative Action:

Congressman Robert Matsui has reintroduced corrective legislation H.R. 2030. Also, identical provisions in H.R. 13 introduced by House Ways and Means Chairman, Dan Rostenkowski (D-IL), and S. 762 sponsored by Senator David Pryor (D-AR) will facilitate state and local government compliance with Section 415. The original House bill, H.R. 1348, was sponsored by Congressman Robert Matsui (D-CA) in the last Congress. H.R. 2030, section 238 of H.R. 13 and section 408 of S. 762 would:

1. Establish a uniform definition of compensation--this change will establish parity between state and local government compensation definitions and the federal compensation definition used to determine retirement benefits by allowing deferrals to be included in compensation for Section 415 testing purposes.
2. Exempt governmental plans from the 100 percent of compensation test--this exception will assist lower-paid, long-term employees that exceed 100 percent of final pay at retirement due to step-rate formulas or after retirement due to benefit increases that exceed the cost-of-living index.
3. Exempt survivor and disability benefits--this exclusion is necessary because unlike the private sector, state and local governments typically provide these benefits through the retirement system thereby making them subject to Section 415 limitations. Under Section 415, benefits must be actuarially reduced from age 62 to the present age of the beneficiary at the time of

injury or death. In the case of younger workers or their survivors the resulting benefit allowed under Section 415 is often considerably below the amount authorized under the public plan.

4. Authorize excess plans--this provision allows state and local governments to establish excess plans, which are used in the private sector, to pay amounts in "excess" of the dollar limits. These plans will enable public plans to pay the benefits guaranteed under the plan without violating Section 415. Plans that decided to fund these plans would be required to tax vested participants on a current basis for future benefits.

Corrective Legislation Is Necessary

Pension plans are required to comply with the Section 415 limits to receive or maintain tax-qualified status. If a plan is found to be in violation of these limits it can be disqualified by the IRS. Such action would result in both current and future employees being taxed annually on the value of benefits earned each year and the earnings of the trust would be subject to federal taxation. The proposed changes to the existing Section 415 requirements will simplify compliance for state and local government pension plans and enable them to pay the level of benefits promised without jeopardizing the tax-status of the trust.

The following organizations support these simplification measures:

American Federation of State, County
and Municipal Employees
International Association of Fire Fighters
National Education Association
American Federation of Teachers
National Public Employer Labor
Relations Association
International Personnel Management
Association
Service Employees International Union
National Association of Government
Employees
National Governors' Association
National League of Cities
United State Council of Mayors
National Conference of State Legislatures
National Association of Counties
National Association of State Treasurers
National Conference on Public
Employee Retirement Systems

Government Finance Officers Association
National Association of State Retirement
Administrators
National Association of State Budget Officers
League of California Cities
National Association of Government Deferred
Compensation Administrators
National Council on Teacher Retirement
Municipal Treasurers Association
National School Boards Association
American Association of Classified
School Employees
National Association of Police Organizations
Fraternal Order of Police
International Union of Police Associations
International Brotherhood of Police Officers
Engineers and Architects Association
National Center for State Courts

**SELECTED BILLS OF INTEREST TO LAW ENFORCEMENT
INTRODUCED IN THE 103RD CONGRESS, 1ST SESSION**

BENEFITS

HOUSE

RANGEL, D-N.Y. -- HR 326, A bill to amend the Internal Revenue Code of 1986 to make the exclusion for amounts received under group legal services plans permanent. (Ways and Means) 1/6/93

SWIFT, D-Wash. -- HR 1034, A bill to amend chapter 83 of title 5, U.S. Code, to extend the civil service retirement provisions of such chapter that are applicable to law enforcement officers to inspectors of the Immigration and Naturalization Service, inspectors and canine enforcement officers of the U.S. Customs Service, and revenue officers of the Internal Revenue Service. (Post Office) 2/23/93

SENATE

LEVIN, D-Mich -- HR 127, A bill to amend the Internal Revenue Code of 1986 to restore and make permanent the exclusion for employer-provided educational assistance. (Ways & Means) 1/6/93

RIEGLE, D-Mich -- S. 347, A bill to amend the Internal Revenue Code of 1986 to provide long-term investment and economic growth in the manufacturing sector, restore capital gains incentives, encourage research and experimentation, restore and make permanent the exclusion for employer-provided educational assistance, and for other purposes. Short title: Manufacturing Revitalization Incentives Act of 1993. (Finance) 2/4/93

CRIME

HOUSE

SLAUGHTER, D-N.Y. -- HR 358, A bill to create a national commission to support law enforcement. (Judiciary) 1/6/93

SOLOMON, R-N.Y. -- HR 386, A bill to amend title 18, U.S. Code, to provide the penalty of death for certain murders of state and local correctional officers by incarcerated persons, and for other purposes. (Judiciary) 1/6/93

SOLOMON, R-N.Y. -- HR 388, A bill to impose mandatory sentences for violent felonies committed against individuals if age sixty-five or over, and for other purposes. (Judiciary) 1/6/93

TOWNS, D-N.Y. -- HR 422, A bill to provide grants to reduce the number of homicides and the incidents of violence by students, ages 13 to 21, and for other purposes. (Education & Labor, Judiciary) 1/6/93

RAMSTAD, R-Minn. -- HR 1120, A bill to amend title 18, U.S. Code, to strengthen the federal prohibitions against assaulting children. (Judiciary) 2/24/93

SCHUMER, D-NY -- HR 1152, A bill to direct the United States Sentencing Commission to make sentencing guidelines for federal criminal cases that provide sentencing enhancements for hate crimes. (Judiciary) 3/1/93

SENATE

HATCH, R-Utah -- S 8, A bill to control and prevent crime. Short title: Crime Control Act of 1993. (Judiciary) 1/21/93

THURMOND, R-SC -- S 45, A bill to establish constitutional procedures for the imposition of the death penalty for terrorist murders and for other purposes. Short title: Protection Against Terrorism Act of 1993. (Judiciary) 1/21/93

THURMOND, R-SC -- S 47, A bill to amend title 28, U.S. Code, to provide special habeas corpus procedures in capital cases. (Judiciary) 1/21/93

THURMOND, R-SC -- S 49, A bill to establish constitutional procedures for the imposition of the sentence of death, and for other purposes. Short title: Federal Death Penalty Act of 1993 (Judiciary) 1/21/93

THURMOND, R-SC -- S 77, A bill to amend title 18 to limit the application of the exclusionary rule. Short title: Exclusionary Rule Limitation Act of 1993. (Judiciary) 1/21/93

ROTH, R-Del -- S 205, A bill to establish research, development and dissemination programs to assist state and local agencies in preventing crime against the elderly, and for other purposes. Short title: National Triad Program Act. (Judiciary) 1/26/93

METZENBAUM, D-OHIO -- S 221, A bill to allow a prisoner under sentence of death to obtain judicial review of newly discovered evidence showing that he is probably innocent. (Judiciary) 1/27/93

SPECTER, R-PA -- S 246, A bill to provide expedited procedures for the consideration of habeas corpus petitions in capital cases. (Judiciary) 1/27/93

SPECTER, R-PA -- S 247, A bill to establish constitutional procedures for the imposition of the death penalty for certain federal offenses. Short title: Death Penalty Act of 1993. (Judiciary) 1/27/93

SPECTER, R-PA -- S 248, A bill to establish constitutional procedures for the imposition of the death penalty for terrorist murders. Short title: Terrorist Death Penalty Act of 1993. (Judiciary) (See also S 45) 1/27/93

BOREN, D-Okla. -- S 415, A bill to require the attorney general to establish ten military-style boot camp prisons. Short title: Bott Camp Prison Act of 1993. (Judiciary) 2/24/93

THURMOND, R-S.C. -- S 468, A bill to amend provisions of title 18, U.S. Code, relating to terms of imprisonment and supervised release following revocation of a term of probation or supervised release. (Judiciary) 2/25/93

DRUGS

HOUSE

H Res 20 - Resolution to establish the Select Committee on Narcotics Abuse and Control. 1/26/93

Measures placed on the calendar:

H Res 52, A resolution to establish the Select Committee on Narcotics Abuse & Control, The Select Committee on Aging, the Select Committee on Hunger, and the Select Committee on Children, Youth & Families. 1/27/93

SOLOMON, R-N.Y. -- HR 696, A bill entitled the "Drug Kingpin Death Penalty Act." (Judiciary) 1/27/93

RAMSTAD, R-Minn. -- HR 913, A bill to amend the Internal Revenue Code of 1986 to allow taxpayers to designate \$1 of their income tax liability and some or all of their income tax refunds, and to contribute additional amounts, to be used for financing drug abuse education programs. (Ways & Means) 2/16/93

SENATE

MOYNIHAN, D-NY -- S 107, A bill to mandate a study of the effectiveness of a national drug strategy and to provide for an accounting of funds devoted to its implementation and for other purposes. (Labor & Human Resources) 1/21/93

GUNS

HOUSE

MAZZOLI, D-Ky -- HR 277, A bill to amend title 18, U.S. Code, to require a waiting period before the purchase of a handgun. (Judiciary) 1/6/93

TORRICELLI, D-N.J. -- HR 544, A bill to amend title 18, U.S. Code, to prohibit the transfer of 2 or more handguns to an individual in any 30-day period. (Judiciary) 1/21/93

COLLINS, D-Ill. -- HR 661, A bill to provide for the manufacture, importer or dealer of a handgun or an assault weapon to be held strictly liable for damages that result from the use of the handgun or assault weapon. (Judiciary) 1/27/93

GONZALEZ, D-Texas -- HR 711, A bill to amend title 18, U.S. Code, to ensure that handguns are available only to persons with demonstrated knowledge and skill in their safe use, maintenance and storage. (Judiciary) 1/29/93

REYNOLDS, D-Ill. -- HR 737, A bill to provide for the manufacture or importer of a handgun or an assault weapon to be held strictly liable for damages that result from the use of the handgun or assault weapon, and to amend the Internal Revenue Code of 1986 to increase the excise tax on firearms and use a portion of the revenues from such tax to assist hospitals in urban areas to provide medical care to gunshot victims who are not covered under any health plan. (Judiciary, Ways & Means) 1/29/93

GUTIERREZ, D-Ill. -- HR 893, A bill to amend title 18, U.S. Code, to prohibit the possession or transfer of assault weapons. (Judiciary) 2/16/93

SCHUMER, D-NY -- HR 1025, A bill to provide for a waiting period before the purchase of a handgun, and for the establishment of a national instant criminal background check system to be contacted by firearms dealers before the transfer of any firearm. (Judiciary) 2/22/93

SENATE

MOYNIHAN, D-NY -- S 32, A bill to provide for the collection and dissemination of information on injuries, death and family dissolution due to bullet-related violence, to require the keeping of records with respect to dispositions of ammunition, and to require that persons comply with state and local firearms licensing laws before receiving a federal license to deal in firearms. Short title: Violent Crime Control Act of 1993. (Finance) 1/21/93

MOYNIHAN, D-NY -- S 108, A bill to prohibit the importation of semiautomatic assault weapons, large capacity ammunition feeding devices and certain accessories. (Finance) 1/21/93

MOYNIHAN, D-NY -- S 109, A bill to amend section 923 of title 18, U.S. Code, to require the keepings of records with respect to dispositions of ammunition, and to require a study of the use and the possible regulation of sales of ammunition. (Judiciary) 1/21/93

MOYNIHAN, D-NY -- S 113, A bill to amend title 18, U.S. Code, to require that persons comply with state and local firearms licensing laws before receiving a federal license to deal in firearms. (Judiciary) 1/21/93

MOYNIHAN, D-NY -- S 178, A bill to amend chapter 44 of title 18, U.S. Code, to prohibit the manufacture, transfer, or importation of .25 caliber and .32 caliber and 9 millimeter ammunition. Short title: Violent Crime Prevention Act. (Judiciary) 1/21/93

MOYNIHAN, D-NY -- S 179, A bill to tax 9 millimeter, .25 caliber, and .32 caliber bullets. Short title: Real Cost of Ammunition Act. (Finance) 1/21/93

LAUTENBERG, D-NJ -- S 376, A bill to prohibit the transfer of two or more handguns to an individual in any 30-day period. Short title: Multiple Handgun Transfer Prohibition Act of 1993. (Judiciary) 2/16/93

METZENBAUM, D-Ohio -- S 414, A bill to amend title 18, U.S. Code, to require a waiting period before the purchase of a handgun. Short title: Brady Handgun Violence Prevention Act. (See also HR 277) 2/24/93

CAMPBELL, D-Colo. -- S 441, A bill to amend title 18, U.S. Code, to provide a mandatory minimum sentence for the unlawful possession of a firearm by a convicted felon, a fugitive from justice, a person who is addicted to, or an unlawful user of, a controlled substance, or a transferor or receiver of a stolen firearm; to increase the general penalty for a violation of federal firearms laws; and to increase the enhanced penalties provided for the possession of a firearm in connection with a crime of violence or drug trafficking crime, and for other purposes. (Judiciary) 2/25/93

SOURCE TAX

HOUSE

STUMP, R-Ariz -- HR 411, A bill to prohibit a state from imposing an income tax on pension income of individuals who are not residents or domiciliaries of that state. (Judiciary) 1/6/93

UNSOELD, D-Wash -- HR 546, A bill to limit state taxation of certain pension income, and for other purposes. (Judiciary) 1/21/93

VUCANOVICH, R-Nev. -- HR 702, A bill to limit state taxation of certain pension income, and for other purposes. (Judiciary) 1/27/93

SENATE

REID, D-Nev. -- S 235, A bill to limit state taxation of certain pension income, and for other purposes. (Finance) 1/27/93

TAX

HOUSE

KENNELLY, D-Conn -- Introduces legislation to clarify certain tax law provisions concerning police officers and firefighters in Connecticut. 1/5/93

ROSTENKOWSKI, D-Ill -- Introduces the Tax Simplification Act of 1993. (HR 13) 1/5/93

FRANK, D-Mass. -- HR 1155, A bill to amend title 5, U.S. Code, to restore, the three-year basis recovery rule with respect to annuities under chapters 83 and 84 of such title for federal income tax purposes. (Post Office, Ways & Means) 3/1/93

WOMEN

HOUSE

MORELLA, R-Md -- H Con Res 20, Concurrent resolution expressing the sense of Congress that expert testimony concerning the nature and effect of domestic violence, including descriptions of the experiences of battered women, should be admissible when offered in a state court by a defendant in a criminal case. (Judiciary) 1/21/93

MOLINARI, R-N.Y. -- HR 688, A bill to prevent and punish sexual violence and domestic violence, to assist and protect the victims of such crimes, to assist state and local efforts, and for other purposes. (Judiciary) 1/27/93

SCHROEDER, D-Colo. -- HR 1133, A bill to combat violence and crimes against women. (Judiciary) 2/24/93

SENATE

DOLE, R-Kan. -- S 6, A bill to prevent and punish sexual violence and domestic violence, to assist and protect the victims of such crimes, to assist state and local effects, and for other purposes. (Judiciary) 1/21/93

BIDEN, D-Del. -- S 11, A bill to combat violence and crimes against women on the streets and in homes. Short title: Violence Against Women Act of 1993. (Judiciary) 1/21/93

MISCELLANEOUS

HOUSE

FIELDS, R-Texas -- HR 715, A bill to amend title 18, U.S. Code, to extend the prohibitions against assaulting certain federal officers and employees to state or local officials assisting in the enforcement of federal criminal law at the request of a federal agency. (Judiciary) 1/29/93

*Biden
nm*
MORAN, D-Va. -- HR 1148, A bill to provide financial assistance to law enforcement officers for continuing education classes and to develop minimum standards for effective and responsible policing. (Judiciary) 2/25/93

DORNAN, R-Calif -- HR 333, A bill to provide educational assistance to law enforcement personnel and to increase the number of police officers. (Judiciary) 1/6/93

PORTER, R-Ill -- HR 302, A bill to provide that the flag of the United States should be displayed at half-staff on all government buildings on Peace Officers Memorial Day, and for other purposes. (Judiciary) 1/6/93

SENATE

DECONCINI, D-Ariz -- S 359, A bill to require the Secretary of Treasury to mint coins in commemoration of the National Law Enforcement Officers Memorial, and for other purposes. Short title: National Law Enforcement Officers Memorial Coin Act. (Banking) 2/16/93

TO: Bruce
FR: Jose
RE: Follow-up on Your Suggestion for Crime Events
DA: March 5, 1993

Bruce, you recently suggested that the assault pistols executive order might be accompanied by a series of crime-related events...and that got me thinking. Here are two substantive opportunities to address the crime issue:

1. National Victim Rights Week

By one name or another, a "Victims' Rights Week" has been commemorated since 1975. In 1981, former President Reagan elevated this commemoration to the national level by being the first president to proclaim "National Victim Rights Week". Reagan followed up in 1982 by establishing a Presidential Task Force on the Victims of Crime, and by initiating the practice of honoring victims and their advocates at a White House ceremony in conjunction with the week each year. Victims rights groups expect to see Victims' Rights Week honored, and they would like to see a new federal level task force.

We could also use this opportunity to name a director for the Office for Victims of Crime. During the Detroit crime event, the President pledged: "I will put an advocate for the victims of crime of the United States in the [Office for Victims of Crime]...That's something Ronald Reagan did that I like -- and we ought to do it again."

2. The Law Enforcement Officers Memorial Candlelight Vigil

As I mentioned in my proposed memo to Marcia Hale, there is no law enforcement as meaningful as the Candlelight Vigil to commemorate the deaths of officers who have fallen in the line of duty. Families and friends of the more than 13,000 slain officers turnout to read their names, and new names are added to the wall. The ceremony is both beautiful and powerful. As in the past, the Vigil is scheduled to take place during National Police Week on May 13th.

Packaging these events with our assault pistol EO -- and maybe other assorted crime goodies -- would make for a great series of crime "hits". Please advise.

STEVE,
I THOUGHT YOU MIGHT BE INTERESTED IN THESE
2 IDEAS. I KNOW THE MEMORIAL EVENT SHOULD ALREADY
BE IN THE WORKS, BUT THE VICTIMS EVENT IS AN
EQUALLY STRONG OPPORTUNITY TO SPEAK OUT ON
CRIME-RELATED ISSUES.
JOSE CERDA, Domestic Policy
x2564

Police

TO: Steve
FROM: Danny
SUBJECT: NAPO
DATE: June 21, 1993

I spoke with Bob Scully. There will be about 65 people here so we will do it in the Indian Treaty Room. From my conversation with Bob I would suggest we set up the room theater style with a microphone on a stool in front of the room. The President should make some remarks that would include among other things, thanking them for their support, highlights of issues in the Crime Bill such as money for hiring laid off police officers or for increasing the number of police. The President should be prepared to comment on an armor piercing bullet that DOD is testing.

Following the remarks he would take questions.

Let me know what you think.

Withdrawal/Redaction Marker

Clinton Library

DOCUMENT NO. AND TYPE	SUBJECT/TITLE	DATE	RESTRICTION
001. list	Prospective Invite List for Drug Czar Announcement (partial) (3 pages)	nd	P6/b(6)

COLLECTION:

Clinton Presidential Records
Domestic Policy Council
Deanne Benos (Subject File)
OA/Box Number: 21328

FOLDER TITLE:

Law Enforcement Information Binder #2, Steven Hilton [Binder] [4]

2012-0726-S
kc901

RESTRICTION CODES

Presidential Records Act - [44 U.S.C. 2204(a)]

- P1 National Security Classified Information [(a)(1) of the PRA]
- P2 Relating to the appointment to Federal office [(a)(2) of the PRA]
- P3 Release would violate a Federal statute [(a)(3) of the PRA]
- P4 Release would disclose trade secrets or confidential commercial or financial information [(a)(4) of the PRA]
- P5 Release would disclose confidential advice between the President and his advisors, or between such advisors [(a)(5) of the PRA]
- P6 Release would constitute a clearly unwarranted invasion of personal privacy [(a)(6) of the PRA]

C. Closed in accordance with restrictions contained in donor's deed of gift.

PRM. Personal record misfile defined in accordance with 44 U.S.C. 2201(3).

RR. Document will be reviewed upon request.

Freedom of Information Act - [5 U.S.C. 552(b)]

- b(1) National security classified information [(b)(1) of the FOIA]
- b(2) Release would disclose internal personnel rules and practices of an agency [(b)(2) of the FOIA]
- b(3) Release would violate a Federal statute [(b)(3) of the FOIA]
- b(4) Release would disclose trade secrets or confidential or financial information [(b)(4) of the FOIA]
- b(6) Release would constitute a clearly unwarranted invasion of personal privacy [(b)(6) of the FOIA]
- b(7) Release would disclose information compiled for law enforcement purposes [(b)(7) of the FOIA]
- b(8) Release would disclose information concerning the regulation of financial institutions [(b)(8) of the FOIA]
- b(9) Release would disclose geological or geophysical information concerning wells [(b)(9) of the FOIA]

Security Information

[001]

Prospective Invite List for Drug Czar Announcement

Victor Oboyski (o) 718-330-7682
Federal Law enforcement Officers Association (o) 212-264-5112

P6/(b)(6)

John Pitta, Executive Vice President (o) 516-264-4657
Federal Law Enforcement Officers Assoc.

P6/(b)(6)

Dan Rosenblatt, Executive Director (o) 703-836-67670
International Assoc. of Chiefs of Police

P6/(b)(6)

Edward V. Woods (o) 410-396-2020
Major Cities Chiefs

P6/(b)(6)

Joseph M. Wright, Executive Director (o) 202-546-8811
National Organization of Black Law Enforcement Executives

Charles (Bud) Meeks, Executive Director (o) 703-836-7827
National Sheriffs Assoc.

P6/(b)(6)

Cliff Karchmer, Associate Director (o) 202-466-7820
Police Executive Research Forum

P6/(b)(6)

Sherwin B. Wexler, President (o) 202-466-7820
Police Executive Research Forum

P6/(b)(6)

[001]

Robert Scully, President
National Assoc. of Police Organizations

P6/(b)(6)

(o) 202-842-4420

P6/(b)(6)

Mary Malina
Police Foundation

P6/(b)(6)

(o) 202-833-1460

Dewey Stokes, President
FOP

P6/(b)(6)

(o) 614-221-0180

P6/(b)(6)

Stephen Brown, Lawyer/Lobbyist
FOP

P6/(b)(6)

(o) 202-467-8803

P6/(b)(6)

Chris Sullivan, Legislative Director
IBPO

P6/(b)(6)

(o) 703-979-0290

P6/(b)(6)

Robert Kliesmet, President
IUPA

P6/(b)(6)

(o) 703-549-7473

Sam Cabral, Secretary-Treasurer
IUPA

P6/(b)(6)

Ron Delord, President
CLEAT

(o) 512-495-9111

P6/(b)(6)

[001]

Cathleen Mahon
Federal Law Enforcement Officer's Assoc.

P6/(b)(6)

Don Cahill
FOP

P6/(b)(6)

MEMORANDUM

Police
COPY

March 12, 1993

TO: Jeff Eller
Media Affairs

cc: Alexis Herman
✓ Steve Hilton

FROM: Flo McAfee 
OPL

RE: NAPO EXECUTIVE BOARD

Attached is a list of the National Association of Police Organizations' executive board members. They are tentatively scheduled to meet with the President next Tuesday, March 16 in the Indian Treaty Room.

NAPO EXECUTIVE BOARD MEETING

MARCH 13-16, 1993

ATTENDEES

WASHINGTON, DC

**NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.
ROBERT T. SCULLY NAPO Executive Director**

JULES BERNSTEIN NAPO Legislative Counselor

LINDA LIPSETT NAPO Legislative Counselor

NEW YORK

**DETECTIVES ENDOWMENT ASSOC, NYC
TOM SCOTTO President & NAPO President**

GENE CRIMMINS Legislative Chairman

**NYC TRANSIT PBA
JAY LYNCH ~~President~~ VICE PRESIDENT**

**POLICE CONFERENCE OF NEW YORK
ED GUZDEK ~~Executive Director~~ PRESIDENT**

**SUFFOLK COUNTY POLICE CONFERENCE
JOHN J. CHARTERS, III President**

**PBA OF SOUTHAMPTON TOWN
TED STAFFORD President**

FRAN STAFFORD

**NASSAU COUNTY DETECTIVES ASSOCIATION, INC
ROBERT HOWELL President**

STEVE ALLEN Vice President

Page 2
New York Cont'd

PBA OF HEMPSTEAD
RICHARD WELLS President

NASSAU COUNTY PBA
GARY DELARABA President
KEN LONG Vice President

MICHIGAN

POA OF MICHIGAN
BILL POWELL Chairman of the Board

BILL BIRDSEYE Treasurer

LYNN PAIELLI Controller

KEN GRABOWSKI Legislative Chairman

STEVE WHITACKER Assistant General Counsel

FRANK GUIDO General Counsel

EMMA RICH

GERALD RADOVIC Executive Board Member

DSA OF MICHIGAN
MIKE ROEHLS President

MIKE McCAB Legislative Chairman

THOMAS NEWSHAM Area Vice President

LARRY ORLOWSKI Area Vice President

WILLIAM MYERS District Representative

JAMES BLANTON District Representative

DETROIT POA
TOM SCHNEIDER President

JOHN BARR Grievance Committee Member

CALIFORNIA

PORAC

SKIP MURPHY President

BUD STONE Past President

O.J. HOLT President Central Chapter

MONTEREY DEPUTY SHERRIFS' ASSOCIATION

MIKE DERBYSHIRE President

RETIRED POAC

ALAN GARCIA President

BARBARA J. KARDYS

LOS ANGELES PPL

FRANK GRIMES ~~Secretary~~ *VICE PRESIDENT*

KEN STAGGS Executive Board Member

ARIZONA

PHOENIX LAW ENFORCEMENT ASSOC

MIKE PETCHEL President & NAPO Vice President

RON SNODGRASS Treasurer

FLORIDA

HILLSBOROUGH COUNTY PBA

BOB SHEEHAN President & NAPO Treasurer

PALM BEACH COUNTY PBA

ERNIE GEORGE President

DADE COUNTY PBA

TONY LOIZZO Senior Vice President

Page 4

TEXAS

DALLAS PA
MONICA SMITH President
GLEN WHITE Vice President

OHIO

OHIO PBA
NICK LAWER President
MARTY McKEAN Vice President

OREGON

PORTLAND PA
ROGER MORSE President

MASSACHUSETTS

NEW BEDFORD POLICE UNION
SANDRA GRACE Secretary

MISSOURI

ST LOUIS POA
CHARLES SHINE Vice President

WISCONSIN

WISCONSIN PROFESSIONAL POLICE ASSOC
JEFF WOODRUFF Executive Board Member

ROBERT PECHANACH Leer Business Agent

LOUISIANA

POA OF NEW ORLEANS
RON CANNATELLA President

COLORADO

COLORADO POLICE PROTECTIVE ASSOC
RON ADAMS President

SKIP ARMS 1st Vice President

RICHARD LANS Secretary

DAVID NEIL 2nd Vice President

RICHARD BACHER Trustee

KIRK MILLER Lobbyist

WILLIAM CLAYTON Benefit Chairman



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NAPO WASHINGTON REPORT

Executive Director
ROBERT T. SCULLY

Legislative Counsel
JULES BERNSTEIN
LINDA LIPSETT

June 7, 1993

President
THOMAS J. SCOTTO
President, Detective
Endowment Association
of New York City
New York, NY

Executive Vice President
MIKE PETCHEL
President, Phoenix
Law Enforcement
Association
Phoenix, AZ

Recording Secretary
O.J. HOLT
President, Central
Coast Chapter, PORAC
San Jose, CA

Treasurer
ROBERT SHEEHAN
President, Hillsborough
County PBA
Tampa, FL

Sergeant-at-Arms
MARTIN McKEAN
Executive Secretary,
Ohio PBA
Berea, OH

On Thursday, May 13, 1993, the National Law Enforcement Officers Memorial Fund (NLEOMF), of which NAPO is a charter member and actively serves on the Board of Directors, sponsored its 5th Annual Candlelight Ceremony. NAPO President Tom Scotto and Executive Director Bob Scully had the honor of sitting on the dais and assist in the reading of the names during the Roll Call of Fallen Officers.

The names of 328 officers were recently etched into the marble walls. There were 146 killed in 1992 and the remainder were killed in prior years but were not added and recognized until this year.

The Candlelight Ceremony drew thousands of law enforcement officers and survivors from all points of the United States and Canada. The law enforcement community was honored to have President Clinton give the keynote address. The President's remarks (see attachment #1) and those of Attorney General Reno were well received.

On the following morning, NAPO had the honor of sponsoring the breakfast for the Survivors Seminar hosted by the Concerns of Police Survivors. Mr. Scotto and Mr. Scully opened the seminar and officially welcomed the nearly 1000 survivors in attendance.

IRC SECTION 415 AND 401 (a) (17) UPDATE

On May 6, 1993, Congressman Robert Matsui (D-CA) introduced H.R. 2023, co-sponsored by 28 other members of the House Ways and Means Committee, to provide relief to state and local government retirement plans from the pension distribution rules of Internal Revenue Code section 415. The IRC section 415 provision was not included in the tax bill reported out by the Ways and Means Committee on May 13, 1993.

The IRC section 415 language of H.R. 2023 is identical to that in H.R. 13 and S. 762 sponsored earlier this year by Congressman Rostenkowski (D-IL) and Senator David Pryor (D-AR) respectively.

House Ways and Means Action:

IRC section 415 distribution limit --- Under an unusual procedure, the House Ways and Means Committee used the Administration's tax proposals as its drafting document. Generally, the Committee would begin the tax process by "marking-up" the chairman's proposal referred to as the "chairman's mark", for all intent and purposes H.R. 13. The IRC section 415 remedy is contained in H.R. 13, but was not included in the Administration's package; therefore it is not in the tax bill (H.R. 1960) reported out of the House Ways and Means Committee on May 13.

IRC section 401 (a) (17) compensation cap --- H.R. 1960 does include a provision to limit the maximum amount of compensation that can be used when calculating retirement benefits to \$150,000 (indexed for inflation). An amendment to grant a two-part grandfathering rule for state and local governments was offered but not adopted during the House Ways and Means deliberations on H.R. 1960. The amendment would have grandfathered existing plan participants and formulas and applied the limit only to new hires.

Currently, under IRC section 401(a) (17), compensation is capped at \$200,000. Although the reduction to \$150,000 would not affect may public employees it could create significant problems for governmental employers who are prohibited under state or local law from retroactively reducing existing employees benefits.

H.R. 1960 is on its way to the House floor where passage is expected before the Memorial Day recess. It then goes to the Senate Finance Committee for consideration during the month of June.

Problem: Under both these provisions state and local government retirement systems are faced with the untenable choice of either inviting employee litigation because of reducing benefits to comply with federal benefit limits or exceeding the federal limits and chancing the loss of their tax-exempt standing. The loss of tax-qualified status would result in the taxation of the plan's income and employees' contributions.

Next Step: Pressure must be brought to bear in the Senate and the House to include both the IRC section 415 remedy and IRC section 401 (a) (17) compensation cap grandfather rules.

FIRST --- CALL your Senators and Representatives and request that the IRC section 415 provision contained in H.R. 2023, H.R. 13 and S. 762 be included in the tax bill and the compensation cap grandfather provision be modified for state and local governments. All members can be reached through the Capitol Switchboard (202) 225-3121. Ask to speak to the member's tax aide. Follow-up your phone call with a letter. To assist you a sample letter and fact sheets are enclosed (see attachment #2 & #3).

Please send me copies of your correspondence or information that you gather during phone conversations.

**FLSA COMPENSATORY TIME AGREEMENTS MAY BE NEGOTIATED
ONLY WHERE STATE LAW AUTHORIZES COLLECTIVE BARGAINING**

In a significant ruling applying the 1985 amendments to the Fair Labor Standards Act, the Supreme Court declared in Moreau v. Klevenhagen (5/3/93), that it is only where State law authorizes police officers to bargain collectively that a compensatory time agreement may be negotiated with the officers' recognized representative. In so holding the Court rejected a claim by 400 deputy sheriffs in Harris County, Texas, that the County was obligated to negotiate with their union over the method of compensating overtime. While public sector collective bargaining is prohibited in Harris County, the deputy sheriffs' union represents deputy sheriffs on matters involving workers' compensation and grievance adjustments. The union contended that under the FLSA the employer was obligated to negotiate a compensatory time agreement with the union even though it did not enjoy exclusive collective bargaining status.

The FLSA provision at issue in the case, Section 7(o)(2)(a), was enacted in 1985 after the Supreme Court ruled in the Garcia case that the FLSA was applicable to State and local governments. Section 7(o)(2)(a) creates a limited exception from the FLSA's overtime pay requirements. It declares that public agencies may provide limited compensatory time in lieu of overtime only under the applicable provisions of a collective bargaining agreement . . . between the public agency and representatives of such employees." Where employees are not covered by such agreements the amendment declares that compensatory time may be provided pursuant to "an agreement or understanding arrived at between the employer and the employee."

The result of the decision is that unless employees are entitled under State law to bargain collectively, their union may not negotiate a compensatory time agreement with their employer, and such employees are subject to almost unilateral employer adoption of compensatory time policies.

BILL INTENDED TO ELIMINATE FLSA "DOCKING RULE" INTRODUCED

In an effort to limit both public and private sector employer obligations to pay employees FLSA overtime, Congressmen Robert Andrews (D-NJ) and Thomas Petri (R-WI), have introduced legislation (H.R. 1309) that would allow public and private sector employers to dock their employees for a partial day of leave without the employees losing their exempt status under the Fair Labor Standards Act. The bill would also wipe out past back pay liability for those employers who have had such a policy.

Under section 213 of the FLSA employees who perform executive administrative or professional work are exempt from the overtime provisions of the Act. However such employees are entitled to FLSA overtime if they are not paid on a salaried basis. One of the Labor Department tests to determine whether employees are salaried is whether

they are subject to docking for absences of less than a day.

The Labor Department recently issued regulations exempting public employers from the partial day docking rule under certain conditions, but did not eliminate back pay liability for such employees.

In the 102nd Congress, which concluded in 1992, public employers sought legislation similar to that being proposed by Congressmen Andrews and Petri but were unable to get their bills out of committee. A hearing was held on September 16, 1992 by the House Subcommittee on Labor Standards at which public employee groups, including NAPO, opposed such legislation on the ground that it would deprive tens of thousands of public employees of their FLSA right to overtime compensation.

CONGRESSMAN HUGHES LAUNCHES REVIEW OF U.S. CORRECTION POLICY

Congressman Bill Hughes (D-NJ) on May 12, 1993 called for a reevaluation of our nation's correction policies, in view of the explosive growth of the federal prison population and the many problems it is causing.

Speaking at a hearing of the House Subcommittee on Intellectual Property and Judicial Administration, which he chairs, Hughes said the U.S. must continue to expand the prisons systems to house dangerous criminals.

However, he said, we must also give a greater priority to developing alternatives for those who commit less serious crimes, to better utilize our limited criminal justice resources and plan for the future.

"Incarceration is certainly an essential component of any criminal justice policy," Hughes said. "I am not talking about arbitrarily releasing inmates simply to reduce the prison budget, nor am I suggesting that violent criminals, drug traffickers and others not be incarcerated."

"However, if alternatives to incarceration can achieve the same goal for non-violent offenders, and reduce costs at the same time, these should be considered. A continued reliance on building more and more traditional prisons is prohibitively expensive, and is probably not the most effective and efficient correctional policy," Hughes said.

The Congressman pointed out that the federal prison population has been growing at a staggering rate over the last decade. Indeed, he said, since 1891 the inmate population has more than tripled to 76,000. The U.S. Bureau of Prisons is now seeking to increase prison capacity by another 50,000 beds over the next three years.

While this additional capacity is needed, Hughes said, these prisons are expensive to build and even more costly to operate. In fact, the Bureau of Prisons' operating budget will have to double to \$3.6 billion by fiscal 1997 to keep up with this growth.

Hughes said one alternative which he intends to pursue is the possible deportation of illegal aliens -- who make up some 26% of the

federal prison population --- under agreements which require their incarceration in their native countries.

In addition, he noted that many States, including New Jersey, have developed effective alternative correctional options which are less costly and equally effective in punishing non-violent offenders. These alternatives include intensive supervision, boot camps for young offenders, community corrections, home confinement, halfway houses, treatment programs, extensive fines and community service programs.

Hughes said his Subcommittee intends to take a closer look at these correctional options, as well as related concerns such as mandatory sentencing guidelines, as part of a series of hearings he will hold this session to examine present and future trends in the federal prison population.

CUSTOMS INSPECTOR BENEFIT ACT OF 1993

Customs Inspectors and Canine Enforcement Officers form the front line of this nation's war on drugs. They are the people who serve at our borders and ports of entry, whose job it is to search for narcotics, the unreported currency of money launderers, illegal arms and munitions, and freight imported and exported in contravention of law. These officers arrest smugglers and other felons, process internal narcotics couriers and serve on joint task forces along side DEA, FBI and State and local law enforcement officers. Yet they do not enjoy the same law enforcement benefits as the officers with whom they work shoulder to shoulder.

For more than eighty years the Customs Service's 1911 overtime system has been used to compensate these officers for their law enforcement duties and for their long hours on rotating shifts, in lieu of enhanced pay, grades and benefits.

There was a proposal in the Administration's budget to eliminate the 1911 system and replace it with one that would have devastated these dedicated officers. The House passed an alternative measure which has some positive elements, although its net result will still be a loss of income.

Senator DeConcini has introduced S. 317, which is very similar to the current budget proposal. However, Senator DeConcini's bill provides enhancements that are more in keeping with these officers vital law enforcement role, and which eases the burden of overtime income loss.

The enclosed letter (see attachment #4) has been sent to every member of the Senate urging them to support the provisions in S. 317 and NAPO member organizations are requested to send a similar letter to their Senators.

ROBERT T. SCULLY
EXECUTIVE DIRECTOR

UPCOMING NAPO EVENTS FOR 1993

June 22-24, 1993: **1993 ANNUAL NAPO LEGISLATIVE CONFERENCE**
Hyatt Regency Hotel on Capitol Hill
400 New Jersey Avenue, NW
Washington, DC
(202)737-1234

August 21-27, 1993: **15th ANNUAL NAPO CONVENTION**
Hyatt Regency Hotel on the Bay
One Market Place
San Diego, CA
(800)233-1234
(619)232-1234

* Rooms are going very quickly!
If you are unable to make reservations at the Hyatt, please
contact Jackl at the NAPO office in Washington, D.C. for
information on possible alternate hotels in the immediate area.

November 3-7, 1993: **5th ANNUAL NAPO LAW ENFORCEMENT**
PENSION & BENEFITS SEMINAR
Sheraton El Conquistador
Golf & Tennis Resort
Tucson, AZ
(800)325-7832

THE WHITE HOUSE

Office of the Press Secretary

For Immediate Release

May 13, 1993

REMARKS BY THE PRESIDENT
AT LAW ENFORCEMENT OFFICERS CANDLELIGHT VIGIL

Judiciary Square

8:40 P.M. EDT

THE PRESIDENT: Thank you very much. Senator DeConcini, Chairman Floyd, President Young, law enforcement officers and survivors of our fallen brothers and sisters. America has more than half a million law enforcement officers who serve proudly and bravely. And every day they carry out their sworn duties, risk is a constant companion.

No one knows that better than those of you who are here tonight and your families. But I can say that there are very few Americans who owe more to law enforcement officers than do I. I'm proud to be joined here tonight by three people who have a very important role in the protection of the American people and who have an important role in my administration and my life. I'd like to acknowledge them if I might.

The Director of the United States Secret Service, whose members put their lives on the line for the President every day, Mr. John McGaw. (Applause.) The Director of the Office of National Drug Policy and formerly the Police Chief of the cities of Atlanta, Houston, and New York, Mr. Lee Brown. (Applause.) And Senator DeConcini just mentioned the Attorney General, formerly the Prosecutor of Dade County, Florida, Ms. Janet Reno, who just came in. She's somewhere here. (Applause.) I like introducing these people.

I'd also like to thank very much the survivors from Arkansas who came here with me tonight; as well as the law enforcement officials; in particular, the two members of the Arkansas State Police, who for a dozen years worked with me and protected me and my family and stood up to unbelievable pressures from radical fringe groups, from organized rioters, from serious organized criminal efforts and the day-to-day hazards of law enforcement. I owe them all a great deal and I'm glad they're here tonight.

More than 13,000 law enforcement officials have fallen in the line of duty. This memorial was dedicated to them a year and a half ago. Tonight we note the names of 328 more who will be newly etched on these marble stones. But our tribute will ring hollow tonight unless we recommit ourselves to do whatever we can to keep the remainder of these stones as smooth as possible; to support the men and women who keep our society more lawful and our lives more secure; to help them as enforcers and to keep them from becoming victims.

Collectively, we call them our Thin Blue Line. That line is nothing less than our buffer against chaos, against the worst impulses of this society. A shield we may not always think about until it is raised in our own defense. The safety of our citizens in their homes, where they work, where they play -- it all depends on that Thin Blue Line.

And so it behooves us all to reinforce that line to make it as strong as we can. Let us be honest with one another. We know

MORE

that nothing we do will remove all risk from law enforcement, but we can take steps that will make the profession safer and make ourselves safer as well. We could do that by passing the Brady Bill. The American people want it, law enforcement officers have called for it for years. (Applause.) It will save lives and it would be a tribute to those we honor here tonight.

We can also do that by increasing the number of law enforcement officers on the street. Just a generation ago there were three officers for every serious crime in this country. Today there are three crimes for every officer. It makes police work more dangerous. It makes it more difficult to implement strategies that work like community policing. It makes society less safe. Let us do more to do more to put police officers on the street and that will be a tribute to those whom we come here to honor tonight. (Applause.)

Last year federal, state and law enforcement officers were killed in substantial numbers, but they say that fewer were killed than at any year since the mid-1960s. Still one is too many. And statistics -- the numbers like 120 people being killed in the line of duty by violent means -- they belie the real human stories.

In my state, a 74-year-old sheriff's deputy was beaten to death -- that's more than an assault on a law enforcement officer; it's an affront to our common humanity. That officer, R.D. Purifoy, was from a little county next to the one where I was born in Arkansas. He was so dedicated that any time day or night for 26 years, he was always there to answer the call. And on the day he died, last November, he was simply trying to settle a domestic quarrel.

Then there was Jerry Stallings, a police officer from Barling, Arkansas, in the western part of my state, whose family is here tonight. He was investigating an auto accident when he was struck by a drunk driver. It should have been a routine investigation, but as every law enforcement officer knows, there's no such thing as a routine investigation.

Tonight we honor these men and their families. We honor all those who have fallen throughout our nation as they carried out their duties to make our lives better and safer. From the officers on the beat and the street, to the patrols on the highways, to the federal agents in all fields. Tonight we light the darkness with the memories and glories of those who died in the service of their neighbors, their communities, and our nation. Their brave souls are among us; they are carried brightly in our hearts in gratitude, in joy, in sorrow, yes, but also in the certainty that God looks after those who give such a full measure of their devotion.

We honor these valiant men and women not for dying because death comes to us all eventually. We honor them for how they died and how they lived. In life they gave us aid when we were helpless, shielded us when we were vulnerable, lifted us when we had fallen, gave us comfort when we were afraid. In rooting out our lawless they preserved our order. They were our fathers and sons, our brothers and sisters, our mothers and daughters. They were our friends.

Their contribution cannot be measured, nor properly honored by their President or any other citizen except to say a simple thank you and to give a prayer to God for their souls. They will be remembered as all of you knew them -- standing tall and ready, the sentinels of our liberty. Let us live in ways that will honor their ultimate contribution to our lives.

Thank you and God bless you all. (Applause.)

END

8:15 P.M. EDT

Sample Letter to Send to Members of Congress

Dear Senator/Representative _____:

State and local government retirement plans are interested in the modification of two pension plan provisions that jeopardize their federal tax-qualified status. The remedies to these issues will not effect federal revenues. The first, a current law requirement under IRC section 415, limits employer-paid retirement benefit distributions. The second, contained in the Administration's budget package, would reduce the maximum amount of compensation that can be used when calculating a retirement benefit under IRC section 401(a)(17). Modifications to these provisions should be included in the tax bill soon to be considered by Congress.

Distribution Limit (IRC section 415): The compliance remedies contained H.R. 2023, H.R. 13 and S. 762 sponsored by Congressmen Matsui and Rostenkowski, and Senator Pryor, respectively, have been co-sponsored by over 200 members of Congress. This package of revenue-neutral amendments, which has been twice passed and twice vetoed, clarifies the application of the distribution limits to public plans. State and localities have been waiting for relief for over three years while having their federal tax-qualified status hang in the balance.

Compensation Cap (IRC section 401(a)(17)): Although lowering the compensation cap to \$150,000 from its present \$200,000 level, would not affect many public employees, it could create significant problems for governmental employers. This is because governmental employers are typically prohibited, either by constitutional or statutory restrictions, from retroactively reducing the pension benefits of existing employees. This proposal should be amended to grandfather existing public retirement system participants and formulas, and to apply the reduced cap on a going-forward basis for new plan members.

Under both these provisions state and local governments are faced with an untenable choice. Either they can comply with federally-mandated lowering of benefits and invite impairment of benefit litigation from employees or pay the benefits they have promised and chance losing their federal tax-exempt status. If tax qualification is lost all the participants would be taxed on their accrued retirement savings and the plan taxed on its investment earnings.

The cost of the IRC section 415 provision has been estimated by the Joint Tax Committee to be revenue-negligible and the IRC section 401(a)(17) grandfather would also be negligible since very few public employees earn salaries in excess of the existing cap and new plan participants would be subject to the new cap.

Please support the inclusion of these revenue-neutral provisions that will protect the benefits of state and local government employees and the tax qualification of governmental pension plans in the tax bill.

Sincerely,

Section 415 RemedyInternal Revenue Code Section 415

Section 415 of the Internal Revenue Code (IRC) limits the annual pension contribution or benefit level a public or private employer may fund. It was added to the IRC in 1974 (effective in 1976), with passage of ERISA. Pension plans must comply with these limits in order to receive or maintain their tax-qualified status. Under the 1986 Tax Act the maximum annual benefit payable from a governmental defined benefit plan is the lesser of (1) 100 percent of the participant's average compensation for the highest three years or (2) \$90,000 (indexed to \$115,641 in 1993). These ceilings are actuarially reduced for retirement that takes place before age 62. Police and fire fighters with 15 years or more of service are not subject to actuarial reductions for early retirement.

State and local government retirement systems have been frustrated in their attempts to comply with Section 415 by definitional differences and plan design aspects distinctive to public plans.

Legislative Action:

Congressman Robert Matsui has reintroduced corrective legislation H.R. 2030. Also, identical provisions in H.R. 13 introduced by House Ways and Means Chairman, Dan Rostenkowski (D-IL), and S. 762 sponsored by Senator David Pryor (D-AR) will facilitate state and local government compliance with Section 415. The original House bill, H.R. 1348, was sponsored by Congressman Robert Matsui (D-CA) in the last Congress. H.R. 2030, section 238 of H.R. 13 and section 408 of S. 762 would:

1. Establish a uniform definition of compensation--this change will establish parity between state and local government compensation definitions and the federal compensation definition used to determine retirement benefits by allowing deferrals to be included in compensation for Section 415 testing purposes.
2. Exempt governmental plans from the 100 percent of compensation test--this exception will assist lower-paid, long-term employees that exceed 100 percent of final pay at retirement due to step-rate formulas or after retirement due to benefit increases that exceed the cost-of-living index.
3. Exempt survivor and disability benefits--this exclusion is necessary because unlike the private sector, state and local governments typically provide these benefits through the retirement system thereby making them subject to Section 415 limitations. Under Section 415, benefits must be actuarially reduced from age 62 to the present age of the beneficiary at the time of injury or death. In the case of younger workers or their survivors the resulting benefit allowed under Section 415 is often considerably below the amount authorized under the public plan.
4. Authorize excess plans--this provision allows state and local governments to establish excess plans, which are used in the private sector, to pay amounts in "excess" of the dollar limits. These plans will enable public plans to pay the benefits guaranteed under the plan without violating Section 415. Plans that decided to fund these plans would be required to tax vested participants on a current basis for future benefits.

Corrective Legislation Is Necessary

Pension plans are required to comply with the Section 415 limits to receive or maintain tax-qualified status. If a plan is found to be in violation of these limits it can be disqualified by the IRS. Such action would result in both current and future employees being taxed annually on the value of benefits earned each year and the earnings of the trust would be subject to federal taxation. The proposed changes to the existing Section 415 requirements will simplify compliance for state and local government pension plans and enable them to pay the level of benefits promised without jeopardizing the tax-status of the trust.

Impact on State and Local Government Retirement Systems
of the Compensation Limit of IRC section 401(a)(17)

May 1993

State and local government retirement systems are prohibited from reducing the pension benefits of existing employees and accordingly need transition relief from the proposed reduction of the compensation cap under IRC section 401(a)(17).

Internal Revenue Code section 401 (a) (17)

IRC section 401(a)(17) limits the maximum amount of compensation that can be taken into account by retirement plans when calculating retirement benefits. Currently, the maximum that pension plans must comply with is \$200,000 (\$235,840 as indexed for 1993) if they are to retain tax-qualified status. The intent of this provision is to control benefit differentials, in the private-sector, between the highly-paid and the non-highly compensated.

State and Local Government Retirement Systems

Public employee retirement systems (PERS), are maintained by a state or locality through its own constitutional, statutory and regulatory framework. The terms of these plans generally are set by statute, adopted and subject to the continuing oversight of a legislative body. Typically, all the participants in the plan are eligible for benefits derived from a single formula. There is no differential between the highly-paid and rank-and-file workers in the same plan. Moreover, most government employers are not permitted, under anti-cutback provisions, to reduce retirement benefits for existing workers.

Legislative Action: Compensation Cap Reduction Proposal

The Administration has proposed a provision that would reduce the present \$200,000 cap to \$150,000 in plan years beginning in 1994. The House Ways and Means Committee tax bill which will become part of the budget reconciliation package includes the cap.

Public Employee Retirement Systems Need Transition Relief

Although the reduction of the compensation cap to \$150,000 would not affect many public employees it could create significant problems for governmental employers. This is because most governments are prohibited, either by constitutional or statutory guarantees, from reducing benefit formulas, once promised, to existing employees. Thus the guarantee also runs to future benefits derived from existing benefit formulas for active employees.

The compensation cap presents state and local government retirement systems with the untenable choice of either inviting employee litigation based on reduction of benefits if they comply with the federal limits or exceeding the federal cap and chancing the loss of their tax-exempt standing. The loss of tax-qualified status results in the taxation of the plan's income and the employee's contributions and vested benefits. In other words, all the participants in the plan are penalized.

Grandfather Proposal

To avoid the loss of tax-qualified status and still be able to pay benefits already promised to existing employees a two-part grandfather has been developed. Under the proposed amendment, to avoid "anti-cutback" problems, the new \$150,000 compensation cap is applied on a going forward basis to new participants in the governmental plan. (See attached legislative amendment).

1. Existing Employee Rule: In the case of existing participants, the amount of compensation that may be taken into account for any year is limited to the greater of: (1) the new \$150,000 cap; or (2) the amount of compensation allowable to be taken into account under the governmental plan as in effect on December 31, 1993.

2. New Plan Member Rule: In the case of new plan members the cap would be effective the earlier of (1) the first plan year beginning after the governmental plan has been amended by state law or other necessary governmental action to implement the new \$150,000 cap or (2) the first plan year beginning after December 31, 1995. State and local governments will need time to pass enabling legislation to include the compensation cap in their plan documents. Some legislatures meet on a bi-annual schedule and have already adjourned for this year.

Action Needed

The unique "anti-cutback" problem faced by governmental plans requires a grandfather for current participants and benefit formulas so that states and localities can comply with the cap without jeopardizing their pension plans' tax-qualified status.

NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

750 First Street, N.E., Suite 935 • Washington, D.C. 20002-4241

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June 1, 1993

Executive Director
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Legislative Counsel
JULES BERNSTEIN
LINDA LIPSETT

President
THOMAS J. SCOTTO
*President, Detective
Endowment Association
of New York City
New York, NY*

Honorable Carl Levin
459 Senate Russell Office Building
Washington, DC 20510

Dear Senator Levin:

As the Executive Director of the National Association of Police Organizations (NAPO), representing over 140,000 law enforcement officers in more than 2000 law enforcement organizations throughout the United States, I am extremely alarmed by recent budgetary proposals in Washington that have the potential to drastically impact this nation's ability to enforce narcotics and trade laws at the place where these laws can be most effectively and most economically enforced -- our country's ports of entry. Customs Inspectors and Customs Canine Enforcement Officers form the vanguard of the United States' war on drugs and the battle to protect America's trade interests. These officers work long hours on rotating shifts. They are required to work mandatory overtime and be "on call" at the expense of their family lives. These Customs officers search out drugs, arrest and detain felons and work shoulder to shoulder with DEA, FBI and state and local law enforcement officers on joint task forces. They carry guns, and on many occasions have been forced to use them. They put their lives on the line every day in defense of our borders, and may have given their lives to that effort. Yet these same officers have consistently been denied the law enforcement pay/benefits status their job functions merit -- that, inspite of the fact that two years ago, a bill calling for twenty year retirement for them had over three hundred co-sponsors in the House.

Included in the administration's budget is a measure calling for the elimination of the Custom Service's 1911 Overtime System which is used to pay Inspectors and Canine Enforcement Officers for those long hours of mandatory overtime. That proposal, although providing some long overdue benefits, such as inclusion of a portion of overtime earning in the pension, still will have a net effect of significantly decreasing the take home pay of these officers. That decrease in addition to salary freezes, benefit cuts, postponement of pay reform, increased taxes and other proposals that will negatively impact the entire federal work force if implemented. This revision of the overtime system would cost these officers several hundred dollars per month in overtime income. That, taken in

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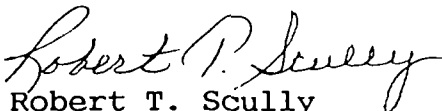
Page 2
Regarding S. 317
Custom Inspectors

concert with the other deficit reducing measures has the potential to devastate this "vanguard in the war on drugs."

Currently there is a bill in the Senate sponsored by Dennis DeConcini, S. 317, which is similar to the budget proposal, however, it lends several enhancements which would provide these dedicated men and women at least partial comparability with other federal, state and local officers who performs similar functions. It would at the same time mitigate the loss of overtime income that will result from passage of the current budget proposal.

I urge you to lend your support to these NAPO members whose unselfish service has long been overlooked. I ask that you do everything in you power to favorably amend this budget measure with the S. 317 provisions.

Respectfully,



Robert T. Scully
Executive Director
National Association of Police Organizations, Inc.

THE WHITE HOUSE
WASHINGTON

Police

InterOffice Memo

To: Jose Cerda
From: Steven M. Hilton, Office of Public Liaison
Date: March 31, 1993
Sub: Letter from Bob Scully

Jose, I attach for your review a letter from Bob Scully regarding the Department of the Army's effort to adopt armor piercing bullets for its 9mm sidearm. Bob evidently is representing the law enforcement community in his request that we direct the Secretary of Defense to disapprove the Army's effort to adopt a new 9mm round.

I am forwarding this to you for follow up but I am happy to help out if I can.

To: Gene
NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

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THOMAS J. SCOTTO

*President, Detective
Endowment Association
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New York, NY*

March 25, 1993

Executive Director

ROBERT T. SCULLY

Legislative Counsel

JULES BERNSTEIN

LINDA LIPSETT

The Honorable William J. Clinton
The White House
Washington, DC 20500

Dear President Clinton:

On Thursday, March 18, 1993, the leadership of national law enforcement organizations were invited to the FBI Training Academy, to attend a conference on the FFV Swedish 9mm armor piercing cartridge "M39B".

The Department of the Army is seeking to adopt armor piercing FFV Swedish Ordnance 9mm handgun ammunition for general use by all military personnel issued semiautomatic pistols. This ammunition will defeat all levels of soft body armor worn by law enforcement in America. The current military M882 9MM ammunition will not defeat the above armor systems.

This ammunition, designated M39B, is currently undergoing the second stage of testing and the Department of Defense intends to make decisions as to the extent of fielding this ammunition by June of 1993.

Because of the serious consequences this ammunition would have on the law enforcement community, I am requesting that you inform the Secretary of Defense and the Joint Chiefs of Staff of the concern of the law enforcement community and urge them not to approve the M39B for general distribution to the armed forces.

Soft body armor worn by law enforcement officers is constructed of 16-18 plies of Kevlar or 50 sheets of Spectra Shield. Tests conducted at the FBI Academy prove that the M39B is capable of penetrating 48 plies of Kevlar or 70 sheets of Spectra Shield at a distance of 10 feet.

There has been a great deal of time, effort and money spent on equipping the law enforcement community in this country with soft body armor and the distribution of the M39B would certainly put every law enforcement officer in this country at risk.

Respectfully,

Robert T. Scully
Robert T. Scully
Executive Director

Recording Secretary

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Coast Chapter, PORAC
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May 25, 1993

Executive Director
ROBERT T. SCULLY

Legislative Counsel
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LINDA LIPSETT

**The President
The White House
Washington, DC 20500**

Dear Mr. President:

The National Association of Police Organizations (NAPO) had its annual executive board meeting scheduled in Washington, DC on March 13-16, 1993. Unfortunately, in the early morning hours of March 13, 1993, the Washington D.C. area was hit with the "Blizzard of 93" and forced NAPO to cancel its meeting. On March 16, 1993, NAPO executive board members were scheduled to meet with you in the Old Executive Office Building, and this meeting also had to be cancelled because of the blizzard.

NAPO executive board meeting has recently been rescheduled for June 23 and 24, 1993, in Washington, D.C. I am requesting that the meeting we had scheduled with you on March 16, 1993, be rescheduled for the morning of Thursday, June 24, 1993. I anticipate there will be approximately 50 members in attendance at this executive board meeting.

I have also enclosed an agenda for the 15th Annual Convention of the National Association of Police Organizations which will take place in San Diego, California at the new Hyatt Regency San Diego on the Bay. We generally attract approximately 250 to 300 delegates at our annual convention, these are individuals who are the elected leaders of the police associations NAPO represents throughout the country.

As you know, NAPO was the largest law enforcement organization to endorse you and Vice President Gore in the 1992 Presidential election. I would personally be honored if you could find time in your busy schedule to meet with my executive board on June 24, 1993 and to speak at my 15th Annual Convention in August of 1993.

Sincerely,

Robert T. Scully
Robert T. Scully
Executive Director

cc: Marsha Hale, Assistant to the President &
Director of Scheduling and Advance

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Please send invitations to the following
people, per our conversation this
morning.

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-3-

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-2-

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**ANNUAL CONVENTION
NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS
SAN DIEGO, CA AUGUST 21-25, 1993**

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AGE DISCRIMINATION IN EMPLOYMENT ACT

WHEREAS in 1986 Congress debated and passed an amendment to the Age Discrimination and Employment Act of 1967 (ADEA) which bars most employers from setting mandatory retirement ages, but included a seven year exemption for State and local governments allowing them to set mandatory retirement ages for law enforcement officers and firefighters; and

WHEREAS the foregoing exemption is due to expire on December 31, 1993; and

WHEREAS the foregoing exemption has served the American public well by insuring that law enforcement agencies may continue to impose mandatory retirement upon law enforcement officers so that a physically competent staff of police officers maybe maintained; and

WHEREAS Congressman Murphy of Pennsylvania, who was the original sponsor of the exemption for law enforcement officers and firefighters in 1986 has introduced H.R.2554 which would make permanent the foregoing exemption; and

WHEREAS Congressman Owens of New York has introduced H.R.2722 which would similarly prevent the repeal of the exemption for police officers and firefighters from the ADEA; and

WHEREAS it is essential to the public that such an exemption be continued in effect;

NOW THEREFORE BE IT RESOLVED that NAPO go on record in support of legislation which would continue in effect the exemption of police officers and firefighters from the Age Discrimination in Employment Act.

ASSAULT WEAPONS

WHEREAS assault weapons, increasingly have become the weapons of choice for drug gangs, hate groups and other lawless elements in our society; and

WHEREAS legislation has been introduced in both the House and Senate (H.R.1421, H.R.1472, H.R.1568, S.639, S.653) to ban the sale of imported and domestically-produced assault weapons for other than police or military use; and

WHEREAS the Senate previously has passed a ban on assault weapons sponsored by Senator DeConcini of Arizona; and

WHEREAS, such assault weapons have continued to be a source

of the killing and maiming of citizens of all ages including many police officers; and

WHEREAS, a statutory ban on assault weapons will not interfere with the legitimate rights of hunters and other gun lobbyists;

NOW THEREFORE BE IT RESOLVED that the National Association of Police Organizations (NAPO) once again goes on record as supporting a strong and comprehensive legislative ban on the sale of imported and domestically-produced assault weapons; and urges that the Congress and the Clinton Administration promptly enact and sign such legislation into law.

BE IT FURTHER RESOLVED that NAPO commends such leaders in Congress as Senators DeConcini and Metzenbaum, and Congressmen Stark and Gibbons for their courage and leadership in sponsoring legislation banning assault weapons.

CLARIFICATION OF THE TAX TREATMENT OF
CERTAIN DISABILITY BENEFITS RECEIVED BY
FORMER CONNECTICUT POLICE OFFICERS AND FIREFIGHTERS

WHEREAS under prior law in Connecticut police officers and firefighters who suffered heart disease or hypertension were conclusively presumed to have incurred such diseases in the course of employment; and

WHEREAS the foregoing circumstances caused the Internal Revenue Service to deem the disability benefits of such police officers and firefighters to be subject to Federal income taxes as worker's compensation payments; and

WHEREAS such action by the Internal Revenue Service has caused a severe hardship on the part of such police and fire employees and their families in that the Internal Revenue Service is seeking back taxes plus interest and penalties from the affected police officers and firefighters for the years 1989-1991; and

WHEREAS the laws of the State of Connecticut have been reformed to avoid the foregoing circumstances in the future; and

WHEREAS Congresswoman Kennelly of Connecticut has introduced H.R.225 and Senator Dodd of Connecticut has introduced S.590 to remedy the situation;

NOW THEREFORE BE IT RESOLVED that NAPO endorse and support the enactment of H.R.225 and S.590 in order to resolve the unfairness which is being visited upon the affected police officers and

firefighters of Connecticut and their families against whom the Internal Revenue Service now seeks unanticipated back taxes plus interest and penalties.

CUSTOMS INSPECTORS

WHEREAS Customs Inspectors employed by the United States Customs Service are responsible for investigating assaults, threats and forcible interference towards Customs employees; and

WHEREAS Customs Inspectors are the countries first line of defense against terrorism and the smuggling of illegal drugs at our borders and in fact were responsible for 73% of arrests by the Customs Service; and

WHEREAS Customs Inspectors are otherwise engaged in law enforcement duties; and

WHEREAS Customs Inspectors do not enjoy the same pension benefits as those received by other Federal law enforcement officers; and

WHEREAS a bill, H.R.1034, has been introduced by Congressman Swift of the State of Washington to extend the Federal civil service retirement provisions for law enforcement officers to Customs inspectors;

NOW THEREFORE BE IT RESOLVED that NAPO go on record in support of the enactment of H.R.1034 in order to provide equal treatment in connection with pension benefits for Customs Inspectors.

EMPLOYER-PAID EDUCATION BENEFITS

WHEREAS by reason of congressional inaction the tax-exempt status of employer-paid education benefits for employees has been eliminated; and

WHEREAS such benefit is of great value to police officers, and also enhances our national policy in favor of improving employee skills and knowledge;

WHEREAS legislation has been introduced by Congressman Sander Levin of Michigan (H.R.127) and Senator Don Riegle of Michigan (S.347) to make permanent the tax-exempt status of employer provided educational benefits.

WHEREAS, the 1993 Reconciliation Act has extended the tax-exempt status of such benefits until December 31, 1994;

NOW THEREFORE BE IT RESOLVED that the National Association of Police Organizations (NAPO) urges Congress to retain and make permanent the tax-exempt status of employer-paid education benefits.

FAIR LABOR STANDARDS ACT

WHEREAS, Congress in 1974 made the Fair Labor Standards Act of 1938 applicable to State and local employees, thus eliminating a major inequity in American labor laws; and

WHEREAS, Public employers succeeded in 1976 in having the 1974 FLSA Amendments struck down by the United States Supreme Court in the National League of Cities case; and

WHEREAS, in 1985 the United States Supreme Court in the Garcia case reversed National League of Cities, thereby restoring the FLSA in the non-Federal public sector; and

WHEREAS, in 1986, Congress enacted legislation amending the Fair Labor Standards Act to permit longer work cycles than 40 hours for police officers to begin earning FLSA overtime, and to permit public employers to substitute "comp time" for overtime pay for police officers in certain circumstances; and

WHEREAS, notwithstanding the foregoing special treatment for public employers, a number of Governors, including New York Governor Mario Cuomo, Texas Governor Anne Richards, and California Governor Pete Wilson have been pressuring the Secretary of Labor to grant States and localities additional concessions under the Fair Labor Standards Act; and

WHEREAS, former Secretary of Labor Lynne Martin issued regulations in 1992 which has already granted certain additional FLSA concessions to public employers; and

WHEREAS, H.R.1309 introduced by Congressman Andrews of New Jersey and Congressman Petri of Wisconsin would eliminate FLSA coverage for tens of thousands of police officers and other public employees as well as wipe out all back pay liability; and

WHEREAS Senator Kassebaum of Kansas has introduced similar legislation;

NOW THEREFORE BE IT RESOLVED, that NAPO urges Secretary of Labor Reich to refuse to grant any regulatory changes under the Fair Labor Standards Act to public employers since such concessions would seriously disadvantage police officers and other public employees; and

BE IT FURTHER RESOLVED, that the Senate and House Labor

Committees should refuse to consider the enactment of statutory changes that would deprive public employees of their FLSA coverage and rights.

FAIR LABOR STANDARDS ACT REFORM

WHEREAS the Fair Labor Standards Act (FLSA) has served as an important protection for both private sector and public sector employees insofar as entitlement to minimum wages, protections against child labor and rights to overtime pay have been concerned; and

WHEREAS the United States Department of Labor is responsible for investigating FLSA complaints filed with it by employees; and

WHEREAS the FLSA statute of limitations runs back only two years prior to a law suit being instituted seeking back wages; and

WHEREAS time spent by the Labor Department investigating an FLSA complaint does not toll the statute of limitations so that employees can be significantly deprived of their back pay because of the long delays at the United States Department of Labor; and

WHEREAS after investigating numerous violations of the FLSA Congressman Lantos of California introduced H.R.2710, the Wage and Hour Reform and Equity Act of 1993, which would toll the FLSA statute of limitations at the time a complaint is filed with the Secretary of Labor and would otherwise improve the protections of the FLSA;

NOW THEREFORE BE IT RESOLVED that NAPO goes on record in support of the provisions of H.R.2710.

GUN DEALER LICENSING REFORM ACT

WHEREAS between 1991 and 1992 firearms have been involved in the murder and killing of 60,000 Americans, and have been involved in huge numbers of other crimes including assaults, rapes and robberies; and

WHEREAS it is estimated that there are approximately 200 million firearms in civilian hands in the United States with nearly 4 million new firearms added each year; and

WHEREAS there are now 276,000 federally licensed gun dealers in the United States; and

WHEREAS the Bureau of Alcohol, Tobacco and Firearms (BATF) issues approximately 270 gun dealer licenses each day of which only

approximately 20% are actually store front operations while the other 80% are so-called "kitchen-table" dealers who pay a mere \$10 per year for their licenses; and

WHEREAS in an effort to strengthen regulation over the licensing of gun dealers Senators Simon, Feinstein, Lautenberg and Kennedy have introduced S.496, the Gun Dealer Licensing Reform Act which would raise the license fee for gun dealers to \$750 per year which would help absorb the increasing cost of processing and investigating license applications and renewals and would discourage individuals from obtaining a dealers license merely to obtain personal firearms at wholesale prices or to skirt State and local laws; and

WHEREAS such legislation would also:

1. Require dealers to certify that they are in compliance with State and local laws before receiving a new license;
2. Allow the Bureau of Alcohol, Tobacco and Firearms to investigate a dealer more than once a year if necessary;
3. Require dealers to report a shortage in a firearms shipment or lost or stolen inventory to BATF;
4. Require dealers to comply with BATF's firearm trace requests and otherwise improve the regulation relating to the sale of firearms;

NOW THEREFORE NAPO goes on record in support of the enactment of S.496, the Gun Dealer Licensing Reform Act.

INTERSTATE CARRYING OF WEAPONS BY LAW ENFORCEMENT OFFICERS

WHEREAS, a need exists to establish greater national uniformity concerning the entitlement of active and retired law enforcement officers to carry weapons across state lines; and

WHEREAS, legislation has been introduced in Congress (H.R.1277) which would deprive states of Federal grants under Title I of the Omnibus Crime Control Act of 1968 unless they permit active and retired law enforcement officers from any jurisdiction within the United States to carry concealed firearms within their borders; and

WHEREAS, NAPO does not believe that States should be coerced to enact legislation based upon a possible loss of Federal grants to law enforcement; and

WHEREAS, NAPO believes that training and other standards would have to be established in connection with any national legislation dealing with the interstate transportation of weapons by law enforcement officers.

NOW THEREFORE NAPO resolves that its Executive Board should

proceed to develop appropriate legislation to deal with this issue.

IRWIN RUTMAN RETIRED SAFETY OFFICERS BENEFITS ACT

WHEREAS the Federal Public Safety Officers Benefit upon death or permanent and total disability of a law enforcement officer or firefighter killed or totally and permanently disabled in the line of duty presently covers active law enforcement officers and firefighters; and

WHEREAS on a few occasions retired public safety officers have been killed or permanently disabled in the course of a police or fire emergency; and

WHEREAS recently one such individual, Irwin Rutman, a retired 23 year veteran of the New York City Police Department, who witnessed a mugging in a dark Manhattan subway train and who sought to intercede against the mugger, was brutally shot in the head and killed; and

WHEREAS Mr. Rutman left behind a wife and four young sons; and

WHEREAS his family was ineligible for the Public Safety Officers Benefit because of his retiree status; and

WHEREAS legislation has been introduced by Congresswoman Susan Molinari (H.R.1715) and Senator Alfonse D'Amato (S.1257 and S.1258) which would extend PSOB entitlement to retired public safety officers killed or totally disabled as a direct and proximate result of a personal injury sustained while responding to a fire, rescue or police emergency and would provide such benefit to the survivors of officer Rutman; and

WHEREAS such expansion of benefits would not significantly increase Federal expenditures; and

WHEREAS such slain or totally disabled officers should be covered by such benefit;

NOW THEREFORE BE IT RESOLVED that NAPO goes on record in support of H.R.1715, S.1257 and S.1258.

LAW ENFORCEMENT LABOR-MANAGEMENT RELATIONS ACT

WHEREAS collective bargaining has been demonstrated by experience to be the most effective and democratic means by which labor and management in both the private and public sectors in the United States have achieved cooperation, advancement and improved

employment conditions as well as improved productivity; and

WHEREAS the denial of the right to collective bargaining has caused poor morale, work stoppages, unfair and inadequate working conditions and low productivity; and

WHEREAS for these reasons Congress has granted collective bargaining rights to such public employees as letter carriers, postal clerks, public transit employees and other public employees; and

WHEREAS under existing State and federal laws too few police officers in the United States enjoy the rights and benefits of collective bargaining; and

WHEREAS because of the strenuous, stressful and ultra-hazardous nature of their employment police officers are particularly needful of the benefits of collective bargaining; and

WHEREAS legislation is needed which would provide collective bargaining to Federal, state and local law enforcement officers; and

WHEREAS such legislation would provide for final and binding arbitration in exchange for a no-strike requirement;

NOW THEREFORE BE IT RESOLVED that NAPO (1) goes on record favoring prompt enactment of a public employees labor relations act; (2) urges every member of Congress to sponsor such legislation and vote for its enactment; and (3) urges support for such legislation from President Clinton.

LAW ENFORCEMENT OFFICERS BILL OF RIGHTS

WHEREAS police officers throughout the United States do not uniformly enjoy fundamental rights of citizenship and of public employment, such as the right to fully engage in political activity while off duty; the right to remain silent in connection with an internal investigation; the right to be advised of the nature of an internal investigation involving the officer; and the right to full and fair representation; and

WHEREAS S.1043 was introduced in 1991 by Senator Biden of Delaware entitled the Law Enforcement Officers Bill of Rights, which provides many of the foregoing rights and others to law enforcement officers; and

WHEREAS such legislation was incorporated into the 1991 Senate Crime Bill, S.1241, and enacted by the Senate; and

WHEREAS the Police Officers' Bill of Rights was not enacted by the 102nd Congress because it failed to be reported upon

favorably by the House Judiciary Committee;

NOW THEREFORE BE IT RESOLVED that the National Association of Police Organizations (NAPO) strongly endorses introduction and enactment of a Law Enforcement Officers Bill of Rights in Congress and urges support by the Clinton Administration for this badly-needed legislation.

OCCUPATIONAL SAFETY AND HEALTH

WHEREAS, Congress enacted the Occupational Safety and Health Act of 1970 to protect private sector employees, and

WHEREAS, public employees are subject to many of the same occupational safety and health hazards as are private sector employees as well as other hazards; and

WHEREAS, the safety and health hazards of police work are greater than most, if not any other occupation, whether public or private; and

WHEREAS, public employers typically have been less than zealous in protecting the safety and health of police officers; and

WHEREAS, Senators Edward Kennedy and Howard Metzenbaum, and Representative William Ford have introduced, respectively, S.575 and H.R.1280, entitled the OSHA Reform Act of 1993, which would extend OSHA coverage to State and local government employees; and

WHEREAS, such coverage is badly needed in order to remedy the seriously deteriorating safety and health conditions that exist throughout the entire public sector which continuously threatens the physical well-being of public employees;

NOW THEREFORE BE IT RESOLVED, that NAPO goes on record in support of S.575 and H.R.1280, the OSHA Reform Act, and commends Senators Kennedy and Metzenbaum and Representative Ford for having introduced and pursued this badly needed legislation.

BE IT FURTHER RESOLVED, that NAPO urges President Clinton to support such legislation and sign it once it is passed by Congress.

POLICE COMMISSION

WHEREAS Congress has not considered or studied the condition of State and local law enforcement in over 25 years; and

WHEREAS the incidence of crime, drug abuse and violence in

American society have increased dramatically in the last decade as well as in the last 25 years; and

WHEREAS the problems for law enforcement which the worsening crime situation creates make law enforcement an increasingly complex, hazardous and stressful occupation; and

WHEREAS Congresswoman Louise Slaughter of New York has introduced legislation (H.R.358) in the 103rd Congress which would establish a National Commission to Support for Law Enforcement which would conduct an eighteen (18) month study of the condition of law enforcement in America and then report to the American people; and

WHEREAS, the National Commission to Support Law Enforcement has not been established or funded even though it was created by Congress in 1992;

NOW THEREFORE BE IT RESOLVED that NAPO expresses its support for the National Commission to Support Law Enforcement and urges its establishment and funding in the current session of Congress.

POLICE CORPS

WHEREAS legislation has been introduced in Congress which would provide high school graduates with \$40,000 in college scholarships if they complete four years as a police officer after college graduation; and

WHEREAS NAPO believes that this program, known as the Police Corps, fails to address the need for additional well-educated career police officers but instead seeks to make policing a short-term casual occupation; and

WHEREAS most all police labor and management organizations and representatives have expressed their opposition to the police corps concept;

NOW THEREFORE BE IT RESOLVED that the National Association of Police Organizations opposes the establishment and funding of the Police Corps but supports the funding of the Police Education provisions of legislation introduced by Senator Bob Graham of Florida (S.1398).

PREPAID LEGAL SERVICES

WHEREAS prepaid legal services has proven itself to be an effective means of assuring to working people adequate and effective legal representation through collectively - bargained employer [10]

contributions; and

WHEREAS the availability of such legal services has had a positive impact upon employee productivity; and

WHEREAS since the early 1970's prepaid legal service contributions and benefits have been exempt from Federal income taxation; and

WHEREAS the tax exempt status of prepaid legal services has been permitted by Congress to expire; and

WHEREAS legislation has been introduced by Congressman Rangel of New York (H.R.326) and Senator D'Amato of New York (S.678) to make the tax exempt status of prepaid legal services permanent;

NOW THEREFORE BE IT RESOLVED that the National Association of Police Organizations (NAPO) goes on record in support of Congress making the tax exempt status of prepaid legal services permanent and enacting legislation to do so.

PRIVATE SECURITY

WHEREAS many States, municipalities as well as the Federal Government are engaging in the subcontracting of law enforcement duties and functions to private security companies in order to reduce costs; and

WHEREAS such subcontracting has had an adverse impact upon the employment conditions of police officers and other law enforcement employees as well as law enforcement itself; and

WHEREAS there are now over 1.5 million persons providing private security in the United States which is almost three times the number of sworn law enforcement officers; and

WHEREAS legislation has been introduced in Congress by Congressman Martinez of California which would deprive States of Juvenile Justice and Delinquency Act grants if they do not enact laws regulating private security services; and

WHEREAS such legislation (H.R.1534) would require that off duty police officers serving as contract security officers must undergo background checks and training and be registered with the State which registration must be renewed at least every two years; and

WHEREAS such State laws would have to "preempt all local ordinances regulating private security services provided by security officers;" and

WHEREAS the training requirements for private security

officers contained in such legislation is minimal and of no usefulness whatsoever; and

WHEREAS the regulation of private security should be undertaken solely on a State of local level;

NOW THEREFORE NAPO goes on record as opposing the enactment of H.R.1534.

PUBLIC EMPLOYEE PENSIONS

WHEREAS, the reduction in Federal programs and a reduction in Federal assistance to the States, as well as the current economic recession, have placed a tremendous strain upon State and local financial and budgetary resources; and

WHEREAS, State and local governments, in attempting to deal with their financial shortfalls have focused on public employee pension funds as a source of State and local revenue or savings; and

WHEREAS, efforts have been made (1) to divert public employee pension resources to other State and local purposes, (2) to "adjust" actuarial assumptions to reduce current and future employer pension liabilities, and (3) to otherwise manipulate public employee pension plans to the detriment of retirees and future beneficiaries;

NOW THEREFORE BE IT RESOLVED,

1. that NAPO go on record as opposing all efforts to divert and manipulate police and other public employee pension plans to the disadvantage of beneficiaries;

2. that NAPO urge Congress promptly to enact a Public Employee Retirement Income Security Act (PERISA), which would protect and insure public employee pensions in a manner similar to the protections that are enjoyed by private sector employees under the Employee Retirement Income Security Act (ERISA).

RADAR

WHEREAS, increased concern has been expressed across the country regarding a high incidence of cancer related to the use of hand held radar units by police officers; and

WHEREAS, the State of Connecticut recently enacted legislation which bans hand held radar units and requires that antennas of two piece radar units must be mounted outside of police vehicles; and

WHEREAS, Connecticut Senator Lieberman has conducted hearings on the radar issue; and

WHEREAS, NAPO believes that the continued use of such radar equipment threatens the health and well-being of thousands of police officers; and

WHEREAS, additional health concerns have been expressed regarding the use of portable x-ray units by law enforcement officers;

NOW THEREFORE BE IT RESOLVED that NAPO urges Federal agencies such as the National Institute on Occupational Safety and Health (NIOSH) and the National Institute of Justice to undertake appropriate studies on the relationship between traffic radar units and cancer, and the use of such units be suspended pending the results of such studies; and that Congress take appropriate action to facilitate such studies and ban; and further that similar studies should be conducted by these agencies concerning possible health hazards related to portable x-ray units.

RESTRICTIONS ON LOBBYING

WHEREAS the 1993 Budget Reconciliation Act contains provisions seeking to restrict tax deductions for lobbying expenses; and

WHEREAS those provisions require unions and associations to notify their members of the extent to which their dues were spent for lobbying both at a State and Federal level so that such members would be aware of the extent to which their dues would not be deductible from Federal income tax as an ordinary and necessary business expense; and

WHEREAS those provisions require organizations engaged in lobbying to report to the Internal Revenue Service the identities of their members so that the Internal Revenue Service could assure itself that such members were not improperly making deductions from their taxes for lobbying expenses; and

WHEREAS such provisions require unions and associations to expend inordinate amounts of funds to maintain records regarding the foregoing facts and circumstances; and

WHEREAS providing the government with the identities of members of an association or union is inimical to the First Amendment to the Constitution of the United States; and

WHEREAS the legislation includes the authority of the Secretary of the Treasury to issue regulations that are consistent with law with respect to the foregoing provisions;

NOW THEREFORE NAPO goes on record in opposition to the provisions relating to the reporting of membership lists or the requirements relating to notification of members of their deductible expenses on the ground that such amounts in the case of unions and associations would be de minimus and not worth the large expense required; and

FURTHER NAPO resolves that the Secretary of the Treasury promulgate regulations which would exempt unions and voluntary associations of employees from the foregoing requirements.

SECTION 415 OF THE INTERNAL REVENUE CODE

WHEREAS under Section 415 of the Internal Revenue Code the tax exempt status of State and local employee pension plans may be lost if a single participant exceeds the statutory benefit limits; and

WHEREAS H.R.2023, the Public Pension Equity Restoration Act of 1993, has been introduced by Congressman Robert Matsui of California and other representatives to remedy this unfair situation;

NOW THEREFORE the National Association of Police Organizations (NAPO) goes on record as strongly favoring H.R.2023, and urging all members of Congress to co-sponsor and support it.

STATE TAXATION OF NON-RESIDENTS' PENSIONS

WHEREAS it has come to the attention of the National Association of Police Organizations (NAPO) that certain States which impose tax upon the pension payments of retirees, have been taxing the pension payments of non-residents thus subjecting such non-residents to taxation without representation ("source tax"); and

WHEREAS legislation has been introduced in both the House and Senate (H.R.411, H.R.546, H.R.702, S.235) to remedy this unfairness; and

WHEREAS, House Judiciary Committee Chairman Jack Brooks recently conducted hearings on the source tax problem in which NAPO argued in favor of the legislation;

NOW THEREFORE BE IT RESOLVED that NAPO urges Congress to enact legislation banning the source tax.

THE WAR ON DRUGS

WHEREAS the drug problem in the United States has reached
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staggering proportions particularly because it is linked to large scale international drug trafficking operations; and

WHEREAS NAPO has expressed its concern over the drug problem for sometime having testified before the United States Senate Caucus on International Narcotics Control, and prepared a report entitled, "The War on Drugs: What is Needed," which has been widely distributed; and

WHEREAS legislation was passed in the 100th Congress to deal comprehensively with the drug problem in America but such legislation had not been adequately funded; and

WHEREAS at the 1989 NAPO Convention a meeting of street narcotics officers from across the country revealed serious deficiencies and inadequacies in the nation's court and prison systems in dealing with drug offenders, such as inexperienced and overloaded prosecutors and overcrowded courts and prisons;

NOW THEREFORE BE IT RESOLVED that NAPO urges Congress to promptly enact, and the Clinton Administration support, strong and effective legislation to cope with the expanding menace of drugs, including (1) increased federal funding; (2) that the role of local law enforcement in the war against drugs be supported and enhanced by the provision of adequate Federal funding; and (3) that Congress enact S. 1144 introduced by Senator Dennis DeConcini of Arizona that would enhance the authority and responsibility of the Office of National Drug Control Policy.

WAITING PERIOD FOR THE PURCHASE OF A HANDGUN (BRADY BILL)

WHEREAS in States such as Maryland, California, New York and New Jersey, which have enacted legislation establishing a waiting period for law enforcement to perform a background check on prospective handgun purchasers, such background checks have proved to be an effective method of apprehending felons seeking to purchase handguns and curbing improper access to such weapons; and

WHEREAS traffic in handguns from States without such legislation to States having such legislation has been substantial, accounting for a vast percentage of confiscated handguns; and

WHEREAS legislation has been introduced in the House (H.R.1025) and in the Senate (S.414) which provides for a national minimum five working-day waiting period in which local law enforcement may conduct a background check on purchases of handguns from dealers; and

WHEREAS this legislation, known as the Brady Bill, named after Presidential Press Secretary Jim Brady, has too long been opposed by gun groups including the NRA;

NOW THEREFORE BE IT RESOLVED that the National Association of Police Organizations (NAPO) reaffirms its support for the Brady Bill providing for a national minimum five working-day waiting period for handgun purchases and urges every member of Congress to vote in favor of such legislation whether presented as separate legislation or as part of a comprehensive Crime Bill.

ESTABLISHING A COMMISSION ON CRIME AND VIOLENCE

WHEREAS on August 6, 1993, Senator Dennis DeConcini of Arizona introduced S.1431 which would establish a Federal Commission on Crime and Violence to be known as the "National Commission on Crime and Violence in America" and

WHEREAS the Commission would be composed of 22 members including law enforcement representatives and

WHEREAS the Commission would

1. Review the effectiveness of traditional criminal justice approaches for preventing and controlling crime and violence;

2. Examine the impact that changes to Federal and State law have had in controlling crime and violence;

3. Examine the impact of changes in Federal immigration laws and policies regarding the United States borders;

4. Examine the problem of youth gangs and violence and provide recommendations on how to reduce youth involvement in violent crimes;

5. Examine the extent to which assault weapons and high power firearms have contributed to violence and murder in the United States;

6. Conduct hearings in various parts of the country to receive testimony from interested persons regarding the subjects of the commission;

7. Review all segments of the criminal justice system including law enforcement, prosecution, defense, corrections, etc. in developing crime control and anti-violence plans;

8. Develop a comprehensive and effective crime control and anti-violence plan;

9. Bring attention to successful models in crime prevention, control and anti-violence programs;

10. Otherwise develop ideas and programs concerning crime control and prevention;

11. Recommend improvements in the coordination of Federal, State, local and international border crime control efforts;

12. Review the use of alternatives to incarceration that offer a reasonable prospect of equal or better crime control at an equal or lesser cost; and

WHEREAS such commission would be empowered to conduct its operations for at least two years;

NOW THEREFORE NAPO goes on record in support of S.1431 and directs its Executive Director and officers to ensure that there is substantial law enforcement representation including NAPO representatives on such commission if it is established.

**NATIONAL PROGRAM CONCERNING MOTOR VEHICLE
PURSUITS BY LAW ENFORCEMENT OFFICERS**

WHEREAS on August 6, 1993, Senator Byron Dorgan of North Dakota introduced S.1424 entitled the "National Police Pursuit Policy Act of 1993;" and

WHEREAS such proposed legislation would have the Federal Government become involved in matters best left to State and local regulation;

NOW THEREFORE NAPO goes on record in opposition to S.1424.

**REQUIRING THE DEATH PENALTY IN THE CASE OF A
LAW ENFORCEMENT OFFICER KILLED IN THE LINE OF DUTY**

WHEREAS Congresswoman Susan Molinari of New York has introduced H.R.2975 which would amend the Omnibus Crime Control and Safe Streets Act to provide that there would be a reduction in funding if States do not enact legislation that requires the death penalty in cases involving the killing of a law enforcement officer in the line of duty; and

WHEREAS many states do not presently allow or employ the death penalty in such cases;

NOW THEREFORE NAPO goes on record in support of H.R.2975.

COUNSELING FOR DISABLED POLICE OFFICERS

WHEREAS Congressman James Traficant of Ohio introduced H.R.3011 on August 6, 1993 to establish counseling programs for disabled police officers; and

WHEREAS such legislation declares that disabled police officers, retired as a result of employment-related injuries, face the problems of acclimating to civilian life and coping with uncertainties regarding future employment and income as well as learning to live with disabilities; and

WHEREAS with appropriate career counseling, training and education programs and scholarship programs disabled police officers

can obtain meaningful employment and live productive lives; and

WHEREAS many disabled police officers do not seek necessary counseling services for financial reasons; and

WHEREAS H.R.3011 would authorize the Attorney General of the United States to make grants for the purpose of providing free services to retired disabled police officers and such officers' immediate family members; and

WHEREAS such legislation would provide for the appropriation of \$3 million for fiscal year 1994 to establish such programs; and

WHEREAS NAPO believes that such a program would be worthwhile and in the interest of law enforcement;

NOW THEREFORE BE IT RESOLVED that NAPO goes on record in support of H.R.3011 provided that it is amended so as to authorize the establishment of a law enforcement advisory council consisting of law enforcement representatives including representative of rank-and-file organizations which would oversee the operation of the program.

LAW ENFORCEMENT SCHOLARSHIP AND RECRUITMENT ACT

WHEREAS Senator Bob Graham of Florida has introduced S.1398 entitled the Law Enforcement Scholarship and Recruitment Act; and

WHEREAS such bill would establish a \$30 million grant program under the auspices of the Department of Justice for tuition assistance to law enforcement personnel and correctional officers seeking Associate, Bachelors or Graduate degrees; and

WHEREAS applicants for grants under the program must be sworn active duty police officers or correctional officers for at least two years immediately preceding the term for which financial assistance is sought; and

WHEREAS the service obligation for grant recipients is one month per each credit hour for which assistance is received for a minimum of six months and a maximum of two years; and

WHEREAS states wishing to participate in the program must match Federal assistance by a 60% Federal and 40% State ratio; and

WHEREAS under the program states will control screening of applicants and make actual financial awards;

NOW THEREFORE NAPO goes on record in support of the enactment of S.1398.

CRIME BILL

WHEREAS for the past three years Congress has been unable to enact a comprehensive and meaningful crime legislation because of differences of opinion concerning such issues as habeas corpus, gun control and the death penalty; and

WHEREAS NAPO and other law enforcement organizations sought to mediate differences between the Democrats and Republicans on Capitol Hill over crime legislation in the 2nd Session of the 102nd Congress in 1992; and

WHEREAS President Clinton on August 11, 1993 announced that his administration would introduce legislation when Congress reconvenes after Labor Day which would deal comprehensively with crime and violence issues; and

WHEREAS such legislation would include limiting habeas corpus petitions, enacting the Brady Bill, increasing the number of Federal death penalty offenses by approximately 50 new offenses and provide for authorizing approximately \$3.4 billion over five years to place up to 50,000 more police officers on the streets as part of President Clinton's campaign pledge to fund approximately 100,000 new officers; and

WHEREAS NAPO also believes that such legislation should ban the sale of certain semi-automatic weapons; and

WHEREAS Senate minority leader Robert Dole has announced that the Republican Party is prepared to work with the Democrats on enacting crime legislation; and

WHEREAS NAPO believe that such legislation is long overdue and sorely needed; and

WHEREAS NAPO recognizes the leadership of the Congressional Democratic leaders in fashioning such anti-crime legislation including Senator Biden of Delaware, Chairman of the Senate Judiciary Committee, Congressman Jack Brooks of Texas, Chairman of the House Judiciary Committee and Congressman Charles Schumer of New York, Chairman of the House Crime Subcommittee;

NOW THEREFORE NAPO goes on record in urging Congress to promptly consider and swiftly enact a comprehensive anti-crime bill and President Clinton to sign such legislation as early as possible in the first session of the 103rd Congress.

**A BILL TO PERMANENTLY PROHIBIT THE POSSESSION
OF FIREARMS BY PERSONS WHO HAVE BEEN
CONVICTED OF A VIOLENT FELONY**

WHEREAS Senator Frank Lautenberg of New Jersey and Senator Paul Simon of Illinois, on August 6, 1993 introduced S.1400 entitled the "Stop Arming Felons Act" which is designed to close two loopholes in current law that allow convicted violent felons to possess and traffic in firearms; and

WHEREAS such bill would abolish a procedure by which the Bureau of Alcohol, Tobacco and Firearms (BATF) can waive Federal firearm restrictions for individuals otherwise prohibited from possessing firearms; and

WHEREAS under such program taxpayers presently expend \$10,000 per case in order to determine whether a convicted felon can possess and firearm; and

WHEREAS as a general matter Federal law prohibits any person convicted of a crime punishable by a term of imprisonment exceeding one year from possessing, receiving or shipping in interstate or transporting interstate any firearm or ammunition which has been shipped or transported in interstate of foreign commerce; and

WHEREAS since 1985 over 2,000 waivers have been granted by BATF permitting convicted felons to reacquire firearms; and

WHEREAS between 1985 and 1991 BATF spent well over \$20 million to process and investigate applications for the restoration of felons firearm rights; and

WHEREAS such procedure is not only expensive but a threat to public safety; and

WHEREAS legislation has already been enacted which prohibits BATF from expending funds in 1993 for this purpose; and

WHEREAS S.1400 would make the ban permanent;

NOW THEREFORE NAPO goes on record in support of S.1400.

A PROBLEM OFFICER EARLY WARNING PROGRAM

WHEREAS on May 5, 1993 Senator John Danforth of Missouri introduced S.899 designed to require the Attorney General to prepare and evaluation and report on potential problem officer early warning programs and to develop a model potential problem officer early warning program; and

WHEREAS such a program is designed to provide assistance to officers in avoiding potential problems on the job resulting from job stress and other problems; and

WHEREAS such legislation would authorize the Attorney General through the Director of the National Institute of Justice to conduct and evaluation of potential problem officer early warning programs that have been utilized by units of local government and develop a model early warning system;

NOW THEREFORE NAPO goes on record in support of S.899.

FAIR TREATMENT FOR THE CAPITOL POLICE

WHEREAS Congressman James Traficant of Ohio has introduced House Congressional Resolution 84 to establish an ad hoc joint congressional committee to formulate a labor relations policy for the U.S. Capitol Police Department based upon progressive principles and practices of labor relations in the public and private sectors; and

WHEREAS the Capitol Police does not have a formal labor relations policy specifically tailored to meet the special needs of law enforcement officers including a proper grievance procedure so that legitimate grievances are not being heard;

NOW THEREFORE NAPO goes on record in support of the enactment of House Congressional Resolution 84.

PARDON FOR JOE OCCHIPINTI

WHEREAS former Immigration and Naturalization Service (INS) agent Joseph Occhipinti of Manalapan, New Jersey, was a highly decorated Federal law enforcement officer for 22 years having received 78 awards and commendations; and

WHEREAS there is substantial evidence that in 1991 and 1992 Mr. Occhipinti was the target of a well orchestrated conspiracy by Dominican drug dealers leading to his Federal prosecution on civil rights charges; and

WHEREAS Mr. Occhipinti served seven months in Federal prison of his 37 month sentence before his sentence was commuted by President George Bush; and

WHEREAS Mr. Occhipinti did not receive a full pardon so that he still bears the stigma of being a convicted Federal felon; and

WHEREAS Mr. Occhipinti is willing to undergo a new trial in order to clear his name;

NOW THEREFORE BE IT RESOLVED BY NAPO that NAPO

1. Urges President Clinton and Congress to appoint a special or independent prosecutor to investigate Mr. Occhipinti's case including an investigation of the alleged drug cartel conspiracy against Mr. Occhipinti, and

2. That an investigation of an alleged Justice Department cover up in the handling of the prosecution of Mr. Occhipinti's case, and

3. If such investigation warrants Mr. Occhipinti receive a full pardon in order that his name be cleared.

**MANDATORY LIFE IMPRISONMENT FOR PERSONS
CONVICTED OF A THIRD VIOLENT FELONY**

WHEREAS Congressman Bob Livingston of Louisiana has introduced H.R.93 which would provide mandatory life imprisonment for persons convicted of a third violent felony entitled the "Life Imprisonment for Egregious Recidivists Act of 1993;" and

WHEREAS it is a well known fact that a very small percentage of violent felons commit the lions share of all violent crime so that just 6% of all violent offenders commit a full 70% of violent crimes and there is a 76% recidivism rate among those felons with three or more convictions; and

WHEREAS 64% of all those arrested for a violent offense have one or more prior felony arrests; and

WHEREAS the conviction of three violent felonies demonstrates an inability for an individual to control the use of violence so that life imprisonment is warranted in order to separate such individual from society;

NOW THEREFORE NAPO goes on record in support of H.R.93.

LOS ANGELES PROSECUTIONS

WHEREAS, the Federal District Court proceedings in the Federal civil rights prosecutions in connection with the arrest of Rodney King have been concluded and 30 month sentences have been imposed by the trial judge on officers Powell and Koons; and

WHEREAS, these prosecutions raise serious questions of double jeopardy in light of the prior trials of the officers in a California state court; and

WHEREAS, twenty-five members of Congress have called upon

Attorney General Janet Reno to appeal the sentences as too lenient; and

WHEREAS, in light of the fact that the defendant have lost their employment as law enforcement officers and are first offenders, NAPO believes their sentences to be too harsh, and that probation would have been sufficient under the circumstances;

NOW THEREFORE NAPO calls upon Attorney General Reno to let the sentences imposed stand and allow the defendants to remain free on bond pending appeal.

LAW ENFORCEMENT OFFICER FAMILY SUPPORT ACT

WHEREAS, Congresswoman Pat Schroeder of Colorado introduced H.R. 2994 on August 6, 1993, entitled the Law Enforcement Family Support Act of 1993; and

WHEREAS, such legislation would establishment an Office of Law Enforcement Family Support within the Department of Justice which would (1) study and make recommendations concerning the effects of stress on law enforcement officers; (2) provide technical assistance and training programs to develop stress reduction and family support to State and local law enforcement agencies; and (3) make grants to States and local law enforcement agencies and to organizations representing State and local law enforcement personnel to provide family support services to law enforcement personnel; and

WHEREAS, the bill would authorize the appropriation of \$5,000,000 for each fiscal year from 1994 through 1998;

NOW THEREFORE, NAPO goes on record in support of H.R. 2994.

SUPPORT OF VALIDATION OF VEHICLE REGISTRATION ON LICENSE PLATES

WHEREAS, police officers are charged with numerous responsibilities; including the enforcement of laws that frequently involve the use of motor vehicles.

WHEREAS, such police officers routinely, in the normal discharge of their duties, are called upon to determine the validity of a vehicle's registration.

WHEREAS, fully reflectorized front and rear license plates are designed to improve legibility and provide long range visibility which can significantly aid law enforcement in readily identifying vehicles and provide an added degree of safety.

WHEREAS, two (2) fully reflective validations stickers
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displaying month and year attached to the upper right and left hand corner of the rear license plate provides law enforcement with a complete recognition system and proof of proper vehicle registration while allowing the police officer to remain in his/her vehicle, not in jeopardy in front of the vehicle.

WHEREAS, invalid license plate registration provides the police with probable cause to stop suspicious vehicles without a visual inspection for a windshield validation sticker.

THEREFORE, be it resolved that the National Association of Police Organizations strongly supports the adoption and incorporation of fully reflective validation stickers indicating month and year designed for use on an annual basis on the rear license plate of all motor vehicles registered and operating in several states.

EFFECTIVE MOTOR VEHICLE LICENSE PLATE IDENTIFICATION

WHEREAS, License Plates were developed to readily identify motor vehicles; and

WHEREAS, Thirty-four states and seven provinces issue both front and rear license plates; and

WHEREAS, Currently many jurisdictions issue a variety of different license plates such as "vanity" or "personalized" plates, "commemorative" plates and government plates; and

WHEREAS, The vehicle-identification value is diminishing to law enforcement, particularly as it relates to witnesses and crimes involving automobiles; and

WHEREAS, Fiscal restraints placed on state and provincial governments have necessitated cost saving measures; and

WHEREAS, One of the methods proposed to cut costs is to require only one license plate on motor vehicles; and

WHEREAS, Vehicle Identification Study Report on the Utility of License Plates for Law Enforcement, published in 1979, clearly demonstrates the benefits provided to law enforcement and the public by the two license plate system, and

WHEREAS, Rapid identification of vehicle owner and driver are imperative for officer safety in drug interdiction, driving under the influence, police pursuit, and as evidence used in the solving of other criminal acts; and

WHEREAS, Law Enforcement officials recognize the need for fiscal restraint and are also faced with the need to cut costs and at the same time maintain necessary levels of service; and

WHEREAS, Reflectorized plates have minimal costs and can be amortized over a number of years;

NOW THEREFORE, BE IT RESOLVED, THAT NAPO does hereby support urging licensing officials to continue to issue both front and rear reflectorized license plates; and

BE IT FURTHER RESOLVED, That to ensure visibility and legible license plates, the National Association of Police Organizations requests that each jurisdiction periodically re-issue both front and rear reflectorized plates to ensure they are performing effectively for vehicle identification; and

BE IT FURTHER RESOLVED. That the National Association of Police Organizations recommend to the American Association of Motor Vehicle Administrators, the National Committee adopt a unique license plate system, incorporating any personalized, commemorative or special recognition on that license plate; and

BE IT FURTHER RESOLVED, That a copy of this resolution be forwarded to the American Association of Motor Vehicle Administrators, state licensing officials, the governor, premiers and legislative bodies of the United States and Canadian Provinces, and appropriate governing bodies in the national represented by members of the National Association of Police Organizations.

Pictures sent down 9/16/93

Law Enforcement

NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

750 First Street, N.E., Suite 935 • Washington, D.C. 20002-4241

(202) 842-4420 • (800) 322-NAPO • (202) 842-4396 FAX



President
THOMAS J. SCOTTO
*President, Detective
Endowment Association
of New York City
New York, NY*

Executive Vice President
MIKE PETCHEL
*President, Phoenix
Law Enforcement
Association
Phoenix, AZ*

Recording Secretary
O. J. HOLT
*President, Central
Coast Chapter, PORAC
San Jose, CA*

Treasurer
ROBERT SHEEHAN
*President, Hillsborough
County PBA
Tampa, FL*

Sergeant-at-Arms
MARTIN McKEAN
*Executive Secretary,
Ohio PBA
Berea, OH*

Executive Director
ROBERT T. SCULLY

Legislative Counsel
JULES BERNSTEIN
LINDA LIPSETT

September 14, 1993

**Steven M. Hilton, Esquire
Deputy Assistant to the President
Deputy Director of Public Liaison
122 Old Executive Office Building
Washington, D.C. 20500**

Dear Steve:

Enclosed, you will find the photo's you wanted me to identify individual NAPO members and return to you for a presidential signature. I am going to use the numbers on the back of each photo when giving names of the members.

P004904-019	Mike Petchel, President Phoenix Law Enforcement Association
P004904-017	Monica Smith, President Dallas Police Association
P004904-018	John Charewicz, President Wisconsin Professional Police Association
P004904-016	Danny Staggs Los Angeles Police Protective League
P004904-015	Roger Morse, President Portland Police Association

Once these photos have been signed please return them to my office and I will distribute them. I am sure each member will appreciate receiving their photo. On behalf of NAPO I would like to thank you, I am sure these photos will be enjoyed greatly.

Sincerely,

Bob
**Robert T. Scully
Executive Director**

NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

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March 4, 1993

Executive Director
ROBERT T. SCULLY

Legislative Counsel
JULES BERNSTEIN
LINDA LIPSETT

President
THOMAS J. SCOTTO
*President, Detective
Endowment Association
of New York City
New York, NY*

Executive Vice President
MIKE PETCHEL
*President, Phoenix
Law Enforcement
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MARTIN McKEAN
*Executive Secretary,
Ohio PBA
Berea, OH*

Steve Hilton
Deputy Assistant to the President
Office of White House Liaison Services
Room 122, Old Executive Office Building
Washington, DC 20501

Dear Steve:

I would like to personally thank you for taking time out of your busy schedule to meet with Jules Bernstein and myself regarding the National Association of Police Organizations, Inc. (NAPO) role with the administration.

The discussion we had regarding the history of NAPO, other law enforcement organizations and the legislative priorities of NAPO was outstanding and I certainly look forward to working with you in the months and years to come.

I appreciate the effort you are making to arrange a meeting with the President when my national executive board is in town on March 14th through the 16th, 1993. If you are successful in arranging this meeting I urge you to please let my office know as soon as possible so we can make the necessary arrangements with your office for that meeting.

If you have any other questions, please do not hesitate to contact me.

Sincerely,

Robert T. Scully
Executive Director
National Association of Police Organizations, Inc.

NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

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May 18, 1993

Executive Director
ROBERT T. SCULLY

Legislative Counsel
JULES BERNSTEIN
LINDA LIPSETT

MAY 28 1993
Scully

President
THOMAS J. SCOTTO
President, Detective
Endowment Association
of New York City
New York, NY

Executive Vice President
MIKE PETCHEL
President, Phoenix
Law Enforcement
Association
Phoenix, AZ

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Sergeant-at-Arms
MARTIN McKEAN
Executive Secretary,
Ohio PBA
Berea, OH

Mr. Bruce Lindsay
Assistant to the President and
Director, Office of Personnel
The White House
Washington, DC 20500

Dear Mr. Lindsay:

My name is Robert Scully, I am the Executive Director of the National Association of Police Organizations (NAPO). NAPO represents over 140,000 sworn law enforcement officers in over 2000 police associations throughout this country. NAPO is the largest police organization that endorsed and actively worked towards the election of President Clinton and Vice President Gore.

It is my understanding that Mr. Edward Jurith has recently been interviewed by Sylvia DeLeon at White House Personnel for a position in the Office of National Drug Control Policy (ONDCP). As the Past President of NAPO and its current Executive Director, I have had the privilege of knowing and working with Mr. Jurith since 1981 on the formulation of national drug abuse policies and the development of the Anti-Drug Abuse Acts of 1986 and 1988.

From 1981 to 1986, Mr. Jurith served as Council for the United States House of Representatives, Select Committee on Narcotic Abuse and Control and from 1987 to the present he has served on that same subcommittee as its Staff Director. He is without a doubt the individual with the most experience, knowledge and insight in the international narcotics arena in this country.

It is without reservation that I give my organization's wholehearted and unqualified support for a high level staff position at the ONDCP. Thank you for your consideration.

Sincerely,

Robert T. Scully
Robert T. Scully
Executive Director

cc: Steve Hilton, Office of Public Liaison
Jose Certa, Office of Domestic Policy
Tom Scotto, NAPO President
Lee P. Brown, Texas Southern University

Scheduling Request for Steve
NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

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President, Hillsborough
County PBA
Tampa, FL

Sergeant-at-Arms
MARTIN McKEAN
Executive Secretary,
Ohio PBA
Berea, OH

July 20, 1993

Executive Director
ROBERT T. SCULLY

Legislative Counsel
JULES BERNSTEIN
LINDA UPSETT

Steve Hilton
Deputy Assistant
Office of Public Liaison
122 Old Executive Office Building
Washington, DC 20500

Dear Steve:

Pursuant to our discussion on Tuesday, July 20, 1993, in the Rose Garden regarding the possibility of the President speaking at the 15th Annual Convention of the National Association of Police Organizations (NAPO), enclosed, please find a letter dated May 25, 1993, along with a tentative agenda inviting the President to speak at our convention.

The dates for the general sessions are Sunday, August 22, Tuesday, August 24 and Wednesday, August 25, 1993. The Convention will take place in San Diego, California, at the Hyatt Regency on the Bay. We should have approximately 250-300 delegates at our national convention, these are individuals who are elected leaders of police associations NAPO represents throughout the country.

I feel this would be an excellent opportunity for the President to say thank you to the largest police organization in this country that supported him during his campaign. This would also be an excellent opportunity for a positive media event where the President could, for example, announce the Administration's support for a crime bill.

I would personally be honored if the President could find time in his busy schedule to be the keynote speaker at NAPO's 15th Annual Convention.

Sincerely,

Robert T. Scully
Robert T. Scully
Executive Director

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May 25, 1993

Executive Director
ROBERT T. SCULLY

Legislative Counsel
JULES BERNSTEIN
LINDA UPSETT

President
THOMAS J. SCOTTO
President, Detective
Endowment Association
of New York City
New York, NY

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Sergeant-at-Arms
MARTIN McKEAN
Executive Secretary,
Ohio PBA
Berea, OH

The President
The White House
Washington, DC 20500

Dear Mr. President:

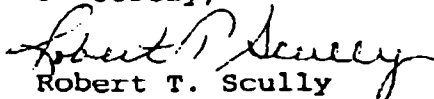
The National Association of Police Organizations (NAPO) had its annual executive board meeting scheduled in Washington, DC on March 13-16, 1993. Unfortunately, in the early morning hours of March 13, 1993, the Washington D.C. area was hit with the "Blizzard of 93" and forced NAPO to cancel its meeting. On March 16, 1993, NAPO executive board members were scheduled to meet with you in the Old Executive Office Building, and this meeting also had to be cancelled because of the blizzard.

NAPO executive board meeting has recently been rescheduled for June 23 and 24, 1993, in Washington, D.C. I am requesting that the meeting we had scheduled with you on March 16, 1993, be rescheduled for the morning of Thursday, June 24, 1993. I anticipate there will be approximately 50 members in attendance at this executive board meeting.

I have also enclosed an agenda for the 15th Annual Convention of the National Association of Police Organizations which will take place in San Diego, California at the new Hyatt Regency San Diego on the Bay. We generally attract approximately 250 to 300 delegates at our annual convention, these are individuals who are the elected leaders of the police associations NAPO represents throughout the country.

As you know, NAPO was the largest law enforcement organization to endorse you and Vice President Gore in the 1992 Presidential election. I would personally be honored if you could find time in your busy schedule to meet with my executive board on June 24, 1993 and to speak at my 15th Annual Convention in August of 1993.

Sincerely,


Robert T. Scully
Executive Director

cc: Marsha Hale, Assistant to the President &
Director of Scheduling and Advance

15TH ANNUAL NAPO CONVENTION AGENDA

THURSDAY, AUGUST 19, 1993

12:00 PM - 12 MIDNIGHT MIDWEST PUBLISHING HOSPITALITY SUITE

FRIDAY, AUGUST 20, 1993

10:00 - 12:00 NOON	STAFF SET UP FOR REGISTRATION
1:00 - 5:00 PM	P O R A C GOLF OUTING
2:00 - 5:00 PM	REGISTRATION
5:30 - 7:30 PM	P O R A C COCKTAIL RECEPTION & GOLF AWARDS
7:30 - 2:00 AM	MIDWEST PUBLISHING HOSPITALITY SUITE

SATURDAY, AUGUST 21, 1993

8:00 - 10:00 AM	LEGISLATIVE/COPE COMMITTEE MEETING
8:00 AM - 3:00 PM	EXHIBITORS SET UP & OPEN
9:30 - 12:00 NOON	REGISTRATION
10:30 - 12:00 NOON	COMMITTEE MEETINGS
2:00 - 5:00 PM	REGISTRATION
1:00 - 2:30 PM	COMMITTEE MEETINGS
3:00 - 5:00 PM	EXECUTIVE BOARD MEETING
6:00 PM - 2:00 AM	MIDWEST PUBLISHING HOSPITALITY SUITE

SUNDAY, AUGUST 22, 1993

9:00 - 12:00 NOON	REGISTRATION
9:00 - 3:00 PM	EXHIBITORS AREA OPEN
10:00 - 2:00 PM	GENERAL SESSION #1
5:00 - 8:30 PM	WELCOME RECEPTION
	SEAPORT PARK BAR-B-QUE

MONDAY, AUGUST 23, 1993

	NAPO NETWORKING DAY
8:00 - 2:00 PM	NAPO GOLF TOURNAMENT
8:00 - 2:00 PM	SAN DIEGO ZOO OUTING
6:00 PM - 2:00 AM	MIDWEST PUBLISHING HOSPITALITY SUITE

TUESDAY, AUGUST 24, 1993

9:00 - 3:00 PM	EXHIBITORS OPEN
10:00 - 2:00 PM	GENERAL SESSION #2
5:00 PM - ???	PADRES BASEBALL GAME - Co-Sponsored by:
	San Diego/Imperial Chapt PORAC & Midwest Publishing, Inc.

WEDNESDAY, AUGUST 25, 1993

8:00 AM - 12:30 PM	EXHIBITORS OPEN
9:00 AM - 12:00 NOON	GENERAL SESSION #3
1:00 - 4:00 PM	INSTALLATION LUNCHEON
5:00 PM - 7:00 PM	SEAWORLD OUTING - sponsored by San Diego POA
7:00 PM - 2:00 AM	MIDWEST PUBLISHING HOSPITALITY SUITE

THURSDAY, AUGUST 26, 1993

11:00 - 11:00 AM	FINAL EXECUTIVE BOARD MEETING
	DEPARTURE

THE WHITE HOUSE
WASHINGTON

November 30, 1993

Memorandum to Kitty Higgins

FROM: Marilyn Yager

RE: Police Officers' Bill of Rights

I am following up on a request forwarded to the Department of Labor early this month regarding the Police Officers' Bill of Rights. During a meeting late last month with the National Association of Police Organizations (NAPO), Mack McLarty stated that the White House would forward NAPO's proposal on the Police Officers' Bill of Rights to the Department of Labor and the Department of Justice for review and recommendation.

It is not clear to me who at DOL would be reviewing this issue and I am therefore seeking your guidance. The issue has been highlighted this morning because NAPO will be at the White House at noon for the Brady Bill signing ceremony and may raise the status of this issue.

POLICE OFFICERS' BILL OF RIGHTS



BACKGROUND:

There is no question that law enforcement officers are engaged in a dangerous and stressful occupation. They are also held to a higher standard of conduct than is required by other occupations and are vulnerable to false accusations and abusive conduct in the course of performing their jobs. Further, any officer who has been terminated for alleged misconduct finds it impossible to be re-employed in law enforcement. These conditions and the absence of basic procedural rights make the prompt enactment of the POBR imperative.

Within the past few years a number of bills have been introduced in Congress that would provide state and local law enforcement officers specific procedural rights in connection with departmental disciplinary proceedings. These bills, generally referred to as the "Police Officers' Bill of Rights," reflect the fact that many law enforcement officers have no protection against arbitrary, vindictive and discriminatory discipline.

NAPO was instrumental in having the POBR included in the Senate version of the Crime Bill in the 102nd Congress. A similar bill, introduced in the House of Representatives, was rejected by the House Judiciary Committee primarily because of massive opposition from police management and state, county and city lobbyists.

NAPO testified at the House Judiciary Committee hearing in March 1992 in support of the POBR and also provided two expert witnesses for the hearing.

PROPOSAL:

Congressional concern for the procedural rights of officers reached its high when the Senate adopted the Police Officers Bill of Rights Act of 1991. Under this bill, officers subjected to investigation or interrogation in regard to disciplinary matters (other than of a criminal nature) would be entitled to the following basic rights:

- . Questioning must be conducted at reasonable times and for a reasonable amount of time.
- . Questions must be held at the office of those conducting the investigation or where the officer normally reports for duty unless the officer agrees otherwise.
- . The officer must be advised in advance of the identity of the interrogator and the nature of the investigation.
- . Officers must not be threatened, harassed or rewarded (except an offer of immunity from prosecution) to induce the answering of a question.
- . Questioning must be recorded and a copy of a transcript be made available to the officer under investigation.

Page 2
POBR

- . The officer shall be entitled to have counsel or any other individual of his choice present at the interrogation.
- . An officer shall be entitled to be advised of the results of the investigation.
- . An officer under investigation shall be entitled to a hearing and to hearing transcripts and documents.

The bill also protects an officer from having any adverse material placed in his file without an opportunity to review and comment in writing. This bill would also allow officers to engage in political activity while off-duty.

NAPO POSITION:

NAPO supports the Police Officers' Bill of Rights! The purpose of the bill is to afford to police officers fair procedures when determining discipline and to increase the professionalism of law enforcement. Police should be accorded these fundamental due process protection.

NAPO has worked with two other police labor and two police management organizations in drafting the 1993 Police Officers' Bill of Rights and is presently working with Congressional representatives in this 103rd Congress to enact this important legislation.

THE WHITE HOUSE

Office of the Press Secretary

File
Police

Immediate Release

June 24, 1993

REMARKS BY THE PRESIDENT
IN MEETING WITH NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS

The Indian Treaty Room

1:43 P.M. EDT

THE PRESIDENT: First, let me welcome you here. And this is our replay from the time we got weathered out in March. And I'm glad you could all come back. I want to thank you for the work you do and for the support that you gave to me last year when I was attempting to become President and for the support you have given so many of our initiatives in the last five months.

I have been busily at work for the last several days working with the United States Senate in our attempt to pass our economic plan, which will reduce the national deficit by \$500 billion and provide some significant incentives to turn this economic around, including keeping interest rates down, which is critical to our future. We've had a dramatic increase in the number of ordinary Americans -- I imagine, including some people in this room who have, for example, refinance their homes in the last five or six months because we've got interest rates at a 20-year low, 130,000 new construction jobs in the economy, 755,000 jobs overall. It is critical that we pass this. And that's what we're primarily involved in today, as I'm sure you understand.

I also asked the Congress to adopt a modified bill for making a down payment on our investment package, which they did, which included, as I'm sure you know, some \$200 million for communities to hire police officers. That is a down payment on the campaign commitment I made to empower our communities to hire another 100,000 police officers over the next four years -- to go to more community policing; to provide for safer streets; and to support you in the work you're doing.

I also want to tell you that we have been working -- the Attorney General and I, have been working hard for the last several weeks with interested members of Congress to bring up a crime bill this year. Sadly, it did not pass last year, for all kinds of reasons. That crime bill is still to be finally defined, but I can assure you it will include the Brady bill; it will include a provision for boot camps as alternative punishment for first-time nonviolent offenders; it will include a continuing effort to hire more police officers on our streets and to expand community policing.

I welcome the ideas, the expertise and the advice of all of you in putting this bill together and in pushing it through the Congress. It will be a high priority for the administration. And I expect it to begin soon.

We can't really revive the whole fabric of our economy until we put the society back together in the places where it's broken. One of the things that we're attempting to do in this economic bill is to finally test the proposition of whether the private sector can revitalize the most distressed areas of our big cities or our small towns and rural areas with an empowerment zone concept that would offer real big incentives for people to go into a lot of the meanest streets in this country and invest their money to put people to work, to start businesses, to try to make those place come alive again in positive ways.

We also, as all of you know, are committed to doing the things that we've been talking about. I think it's worth, just closing, with the thought that there are a lot of people in this country who genuinely insecure today. That shooting at the swimming pool here in Washington, DC, that I'm sure all of you read about, is a horrible example of the kind of mindless behavior that is ripping at the fabric of society. And now I think of many children are afraid to go back to the pool, a place where wholesome recreation will occur, a place where kids can stay out of trouble and in water in the summertime; how many of their parents might be afraid for them to go back.

That is the sort of thing that I hope we can keep in the minds of our policymakers as we deal with the crime bill and deal with these others issues. And I assure you that I welcome your input into all of them.

I think I'd like to close just by saying a special word of appreciation to the Justice Department and the FBI, to the United States Attorney, and to the New York City Police Department, for the work that they have done in making the arrests that broke up a terrorist gang in New York. It was a very impressive piece of work and a real tribute to the local folks and to the cooperation that the federal government and the local people had. And I thank them for that, and thank you. (Applause.)

Now, the Attorney General and I are here. We're going to answer your questions. But first we're going to answer a few from the press.

Q Mr. President, can I follow up --

Q To follow up on that, do you support a federal law for the death penalty for terrorists? And can you tell us how and exactly when you found out about this plot?

THE PRESIDENT: First of all, I support the crime bill. I supported the crime bill last year which expanded the death penalty in many different areas. And as you know, I have a longstanding support for capital punishment.

But let me answer the specific thing. I was briefed about this operation at about the time it was occurring, a little before. I knew that they had been working on it. But all the credit for this goes to the FBI and the local people; they did the work. And it's -- they've been working on this for some weeks now, and I don't think I should say more about it. The Justice Department will have more to say at an appropriate time.

Q Can you say whether you believe that everyone has been arrested who was involved in this? And have you had any communication, do you plan to have any communication with President Mubarak or any of the other possible victims?

THE PRESIDENT: I have not yet had any communications with any of the people that were on the list. I think the -- any questions about the nature of the conspiracy and the group should be answered by the law enforcement officials, not by me.

Q Mr. President, do you have the votes yet in the Senate for your budget to pass -- at this time, now?

THE PRESIDENT: I certainly hope so. (Laughter.)

Q Well, I ask the question because your spokesman said earlier that you didn't have them, but that you expected to by the end of the day. Do you have them now?

THE PRESIDENT: Who did? Who said that earlier?

Q Dee Dee said that, that you didn't have them this morning, but you expected to have them by the end of the day. Do you have them now?

THE PRESIDENT: Senator Mitchell is my ultimate authority on that. We're working our way through these amendments now and we just had, as I understand it, Senators Harkin, Metzenbaum, and Wellstone just announced their support for the package, pursuant to an agreement to reduce the size of the Medicaid cuts. There are still about \$10 billion Medicaid cuts over and above what the House put in, which was about \$50 billion.

So that will help, and that puts us three votes closer. And I just don't -- I can't say for sure. We're going to have a whole series of amendments which go through today. And then at the end of the day we may find ourselves in a position where some members want some things which can only come out of the conference, and they may have to just decide whether to let the bill go to conference or not. The House members had to make the same sort of decision. But I'm hopeful. That's all I can tell you -- I'm hopeful. We're working hard and I'm hopeful.

Q Does that bring it under \$500 billion, sir?

THE PRESIDENT: No. Not to my knowledge. The last time I saw it, it didn't, Andrea. Now, I haven't seen the exact details of the last -- the last time I heard about it, about an hour and a half ago, it did not.

Q What kind of momentum do you want from this vote, and do you see this as a real turning point for your presidency?

THE PRESIDENT: There have been a lot of those lately. (Laughter.) The vote in the House was, and this will be. We have to go on to conference. I think -- this will say that -- this will be a loud -- if it passes today, this will be a very loud statement. It will say that both Houses of the Congress are committed to the largest deficit reduction program in history, to putting the taxes and the spending cuts in a trust fund, to spending cuts equal to and

now greater than the tax increases into an extremely progressive program where those who can best able to pay are asked to pay.

The Senate Finance Committee bill, according to the Congressional Budget Office, distributes 78 percent of the burden to people with incomes above \$200,000 whose taxes were lowered in the 1980s while their incomes went up. So I think that this is a very -- it's a very important vote, and I hope we can prevail. But I never count my chickens before they're hatched.

Thank you.

Q Are you counting any Republicans? Any Republicans -- Hatfield or Jeffords?

THE PRESIDENT: I've asked; that's all I know.

Q Did you ask in phone calls?

Q Mr. President, is the final arrangement on gays in the military going to require them to stay in the closet, sir?

THE PRESIDENT: No more questions. I have to answer their questions. Thank you.

END

1:53 P.M. EDT