

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE



1999 RESOLUTIONS

**Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999**

Memorandum

TO: Interested Parties

FROM: Dan Rosenblatt 
Executive Director

DATE: December 22, 1999

RE: 1999 IACP Resolutions



As you may know, the International Association of Chiefs of Police held its 106th Annual Conference in Charlotte, North Carolina from October 29 through November 3, 1999. Enclosed please find a compilation of the resolutions adopted by the IACP membership at this conference. The resolutions are grouped together by issue area, and are preceded by summaries of each resolution.

The text of these resolutions can also be found on the IACP website at www.theiacp.org under the Legislative and Policy section. If you have any questions regarding the resolutions or would like additional copies, please contact Gene Voegtlin, IACP Legislative Counsel, or Jennifer Horne, Legislative Analyst, at (703) 836-6767.

1999 RESOLUTIONS

TABLE OF CONTENTS

	<u>Page Number</u>
I. <u>FEDERAL LEGISLATION</u>	
<i>Federal Legislation Resolutions Summary</i>	1
Continued Federal Support for Community Policing Efforts	2
National Salvage Motor Vehicle Consumer Protection Act of 1999	3
Support for Continued Byrne Grant Funding	4
Support for the National Forensic Science Improvement Act	6
II. <u>FIREARMS</u>	
<i>Firearms Resolutions Summary</i>	8
Requirements for Concealed Carry Weapons Permits	9
Support for Funding Reimbursement for NICS Point of Contact States	10
Violent Firearm Crime Coalition	11
III. <u>LAW ENFORCEMENT MANAGEMENT ISSUES</u>	
<i>Law Enforcement Management Issues Resolutions Summary</i>	13
Improvement of Victim Services Facilities	14
Use of Soft Body Armor by Law Enforcement Personnel	15

IV. MOTOR VEHICLES

<i>Motor Vehicle Resolutions Summary</i>	17
Aggressive Driving	18
Anti-Vehicle Theft Committee	19
Zero Tolerance for Unbuckled Children	20

V. NARCOTICS AND DANGEROUS DRUGS

<i>Narcotics and Dangerous Drugs Resolutions Summary</i>	21
Funding for Clandestine Laboratory Training and Cleanup	22
Medical Standards	24
Opposition to Limitation on Asset Forfeiture Statutes	26
Uniform Legislation - Clandestine Laboratories	28

VI. POLICE CONTACTS

<i>Police Contacts Resolutions Summary</i>	30
Condemning Racial and Ethnic Profiling in Traffic Stops	31
Incorporation of Racial Background as a Data Element on Driver's Licenses	35
Professional Police Contacts	36

VII. SCHOOL VIOLENCE

<i>School Violence Resolution Summary</i>	38
Support for School Violence Guidelines	39

VIII. TECHNOLOGY POLICY

<i>Technology Policy Resolutions Summary</i>	40
DNA Collection and Increased Funding for DNA Evidence Technology	41
Encryption	43
Support for the Establishment of the Internet Fraud Complaint Center	45
Support for Project 25 - 12.5 kHz Phase I as the Interim Digital Interoperability Standard for the Public Safety 746 MHz Band	47

IX. TERRORISM

<i>Terrorism Resolution Summary</i>	49
Opposition to Grant of Clemency to FALN Members Convicted of Terrorist Activities	50

FEDERAL LEGISLATION

Continued Federal Support for Community Policing Efforts

The resolution calls on the IACP to support continued and ongoing federal funding assistance and support for community policing efforts.

National Salvage Motor Vehicle Consumer Protection Act of 1999

The resolution directs the IACP to support the passage of the National Salvage Motor Vehicle Consumer Protection Act of 1999, which would establish nationally uniform requirements regarding the titling and registration of salvage, nonrepairable, and rebuilt vehicles.

Support for Continued Byrne Grant Funding

The resolution directs the IACP to urge Congress to maintain current funding levels for the Byrne Memorial Grant Program, an invaluable resource for cooperative anti-crime policing strategies..

Support for the National Forensic Science Improvement Act

The resolution calls on the IACP to support the National Forensic Sciences Improvement Act, which would provide grants to local and state forensic laboratories to improve the quality, timeliness, and credibility of forensic science services for criminal justice purposes.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999

Continued Federal Support for Community Policing Efforts

*Submitted by the Crime Prevention Committee
CPC003.A99*

WHEREAS, the community policing philosophy promotes the principles and strategies of partnerships, problem-solving, prevention, and organizational change to effectively respond to crime, fear of crime and community quality of life issues; and

WHEREAS, the Public Safety Partnerships and Community Policing Act of 1994 charged the United States Department of Justice, Office of Community Oriented Policing Services (COPS) with the implementation of the Act; and

WHEREAS, the COPS Office provides various opportunities for funding grants, cooperative agreements, training, technical assistance, equipment, applied research and other services to implement the Act; and

WHEREAS, significant progress has been made towards the integration of the community policing philosophy in agencies and communities throughout the nation; and

WHEREAS, the Act will sunset in FY 2000; and

WHEREAS, successful strategies which have been implemented risk elimination due to the depletion of funding assistance; and

WHEREAS, while much has been accomplished, there is much more work that must be completed in order to advance and develop quality policing services into and beyond the 21st century; now therefore be it

RESOLVED, that the IACP Community Policing Committee recommends that the IACP Board of Directors support continued and ongoing federal funding assistance that provides recipient agencies choices for community policing technology, training, research, technical assistance, personnel, and/or funding for retention of previously funded personnel; and be it

FURTHER RESOLVED, that there be no reduction in other resource programs such as the Edward Byrne Memorial Grant program, and be it

FURTHER RESOLVED, that the IACP develops and implements an aggressive legislative strategy to support this resolution.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
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National Salvage Motor Vehicle Consumer Protection Act of 1999

*Submitted by the Vehicle Theft Committee
VTC005.T99*

WHEREAS, the National Insurance Crime Bureau (NICB) estimates that the recovery rate of stolen vehicles has decreased from 84% in 1970 to only 67% in 1997; and

WHEREAS, due to criminals changing vehicle identity by installing counterfeit VIN plates, obtaining fraudulent titles, and exporting stolen vehicles to other jurisdictions, it is likely that stolen vehicles will resurface in the market place and be sold in a piecemeal fashion with components being sold separately; and

WHEREAS, a lack of standardized procedures dealing with the states' inspecting and titling of rebuilt salvaged motor vehicles and the lack of standardized title branding fails to alert the consumer to the problems of salvaged and damaged vehicles; and

WHEREAS, this lack of standardization allows criminals to launder vehicle titles in states with less stringent titling laws and compromises the general safety of the public by failing to properly inspect remanufactured vehicles; and

WHEREAS, S. 655, The National Salvage Motor Vehicle Consumer Protection Act of 1999, pending before the United States Congress, provides for anti-theft inspection of salvage motor vehicles, nationally uniform safety inspection criteria, and standardized title branding; and

WHEREAS, states choosing to adopt the national guidelines will be eligible for conformance incentive grants that can be used to issue new titles, administer safety inspections, conduct enforcement activities, and other related purposes; now therefore be it

RESOLVED, that the International Association of Chiefs of Police (IACP) urges the passage of S 655, The National Salvage Motor Vehicle Consumer Protection Act of 1999, and that the membership contact their Senators and Representatives to urge their support.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
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Support for Continued Byrne Grants Funding

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD010.T99*

WHEREAS, federal programs designed to assist state and local law enforcement agencies have played a vital role in reducing the nation's crime rate; and

WHEREAS, state and local law enforcement agencies are on the front lines in confronting the most powerful and sophisticated organized crime groups ever to challenge domestic law enforcement agencies, the international drug trafficking organizations; and

WHEREAS, the problems presented by the unprecedented flow of drugs into this country by these international criminal syndicates are reflected in increased drug usage and drug-related crime in many areas of the United States, particularly mid-size and smaller cities and rural areas; and

WHEREAS, the 1998 Arrestee Drug Abuse Monitoring (ADAM) report of the National Institute of Justice, reflecting the presence of illegal drugs in the system of persons arrested for criminal acts in 35 communities throughout the United States, continues to show that virtually two-thirds of all arrestees have used some form of illegal drug at the time they commit their crime; and

WHEREAS, at the National Mid-Sized Communities Conference hosted by the Drug Enforcement Administration (DEA) in February 1999, 80% of the law enforcement attendees stated that drug trafficking in their communities had either increased or increased significantly in the last five years and that drug-related crime accounted for 54% of all violent crime in their communities; and

WHEREAS, the attendees at the above-stated conference reported that 95% of drug trafficking activities in their jurisdictions are generated by people from outside their community, with 60% reporting that drug trafficking in their communities is linked to international criminal organizations based in Colombia and Mexico; and

WHEREAS, the Byrne Funding Program has proven itself an invaluable resource for cooperative federal, state and local anti-crime policing strategies, such as multi-jurisdictional drug task forces and DARE training, all of which are critical to state and local law enforcement response to the drug threat; now therefore be it

RESOLVED, that the International Association of Chiefs of Police duly assembled at its 106th Annual Conference in Charlotte, North Carolina, strongly urges Congress to maintain current funding levels for the Byrne Memorial Grant Program by fully appropriating amounts specified in Title XXI of the Violent Crime Control and Law Enforcement Act of 1994.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999

Support for the National Forensic Science Improvement Act

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD012.T99*

WHEREAS, the International Association of Chiefs of Police is dedicated to the timely and effective administration of justice in America; and

WHEREAS, the IACP is further dedicated to supporting appropriate federal legislation which seeks to improve the administration of justice; and

WHEREAS, forensic sciences are a key element in the timely and fair administration of justice through the solving of crimes and the explanation of death; and

WHEREAS, despite overall reductions in reported crime, the success of forensic sciences in solving crimes and explaining death has resulted in significant increases in demand for these services; and

WHEREAS, forensic sciences are instrumental in the successful apprehension and prosecution of thousands of criminals each year as well as the exoneration of innocent citizens; and

WHEREAS, it has been estimated that 70% of the crime in this country is drug-related, and the strain of thousands of drug arrests and drug seizures places a tremendous burden on the forensic science capabilities of state and local laboratories; and

WHEREAS, at least 90% of the nation's forensic science services are delivered at the local and state government level; and

WHEREAS, due to significant underfunding, forensic sciences delivered at the local and state level nationwide are experiencing major backlogs which severely threaten the timeliness of quality examinations critical to solving crimes and explaining deaths; and

WHEREAS, this underfunding also severely limits local and state forensic science laboratories' attempts to acquire the necessary advanced technology, recruit and train qualified scientists, and upgrade facilities; and

WHEREAS, this underfunding is also a major barrier in attempts by local and state forensic science laboratories' efforts to ensure optimum quality by achieving professional accreditation; and

WHEREAS, this inability of state and local laboratories to keep pace with increased service demands and fully meet quality assurance requirements poses a substantial threat to the timely administration of justice; now therefore be it

RESOLVED, that the International Association of Chiefs of Police duly assembled at its 106th Annual Conference in Charlotte, North Carolina, fully supports and strongly encourages the passage of the National Forensic Sciences Improvement Act, which will provide grants to existing local and state forensic laboratories to improve productivity, quality measures, overall operations and achieve professional certification based on generally accepted forensic science performance standards, common definitions and protocols.

FIREARMS

Requirements for Concealed Carry Weapons Permits

The resolution calls on the IACP to encourage states and localities which have enacted or are considering enacting concealed carry legislation to include in the requirements for permit issuance strict criminal and mental history background checks, stringent training requirements, and provide for the periodic renewal of permits upon demonstration of continued fitness.

Support for Funding Reimbursement for NICS Point of Contact States

The resolution calls on the IACP to urge Attorney General Janet Reno to continue her efforts to secure federal funding assistance for Point of Contact states that perform background checks for firearms purchases in their states.

Violent Firearm Crime Coalition

The resolution directs the IACP to approve and endorse the Model Violent Firearms Crime Coalition Guidelines, and distribute these guidelines to all IACP member and other national organizations whose partnerships are essential to success.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
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Requirements for Concealed Carry Weapons Permits

Submitted by the Firearms Committee
FIR0029.T99

WHEREAS, a number of states have enacted “shall issue” concealed carry laws for civilians and that other states are considering such legislation; and

WHEREAS, the International Association of Chiefs of Police has adopted the position that the decision to carry a firearm for self-defense is one that carries with it grave responsibilities; and

WHEREAS, the consequences of misuse of firearms under such circumstances could be tragic for the firearms owner, the public and law enforcement; now, therefore be it

RESOLVED, that the International Association of Chiefs of Police urges those states and/or localities which have enacted or are considering concealed carry legislation to include in the requirements for permit issuance strict criminal history and mental history background checks and stringent training requirements to include, at a minimum, weapons safety, safe storage, marksmanship, proper behavior when armed and confronted by a police officer, and applicable law governing use of firearms including criminal penalties and potential civil liability; and be it

FURTHER RESOLVED that the International Association of Chiefs of Police recommends that concealed carry legislation provide for the periodic renewal of permits upon demonstration of continued fitness.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

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Support for Funding Reimbursement for NICS **Point of Contact States**

*Submitted by the Criminal Justice Information Systems Committee
CJIS002.T99*

WHEREAS, local and state law enforcement agencies often have access to a wider range of background records than those that are currently available to the National Instant Check System (NICS); and

WHEREAS, as a result of this additional information, decisions on approval of record checks for the purchase of firearms are best made closest to the point of sale; and

WHEREAS, several states now serve as Point of Contact (POC) states, meaning that they perform the background checks for firearms purchases in their states; and

WHEREAS, the high cost of performing this operation and lack of federal support for these efforts is placing a strain on the budgets of the agencies performing these checks; and

WHEREAS, without federal support, POC states will be forced to either charge their citizens a fee for the performance of background checks or end their participation as a POC state; and

WHEREAS, as a result it is possible an individual who would be denied at the state level may receive a purchase approval under the NICS system; and

WHEREAS, the possibility of prohibited persons purchasing firearms poses a public safety risk to citizens; and

WHEREAS; Attorney General Janet Reno recognizes the difficulties faced by POC states and has made efforts to secure federal funding assistance for POC states; now therefore be it

RESOLVED, that the International Association of Chiefs of Police urges Attorney General Reno to continue her efforts to secure federal funding assistance for Point of Contact States; and be it

FURTHER RESOLVED, that a copy of this resolution be sent to Attorney General Janet Reno and to the Appropriation Committees of the U.S. Congress.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
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Violent Firearm Crime Coalition

*Submitted by the Firearms Committee
FIR024.T99*

WHEREAS, armed criminals pose an increasing and major threat to public safety and can turn any crime into serious injury or death; and

WHEREAS, most violent crime where a firearm is possessed or used is committed by recidivist criminals, and existing laws already prohibit possession and use of firearms by recidivist criminals; and

WHEREAS, vigorous, coordinated enforcement and prosecution of illegal possession and use of firearms by recidivist criminals has been proven to dramatically reduce firearms-related violent crime, and

WHEREAS, partnerships between law enforcement, prosecution and corrections that focus on violent firearm crime have been proven to be an effective means of coordinated cross-jurisdictional and cross-disciplinary efforts on enforcement of prosecution of illegal firearm possession and violent firearm crime; and

WHEREAS, model violent firearm crime coalitions have been implemented in King County, Washington, and Richmond, Virginia and Boston, Massachusetts; and

WHEREAS, the Firearms Committee of the IACP has developed and approved Model Violent Firearm Crime Coalition Guidelines; and

WHEREAS, the Attorney General of the United States has directed all United States Attorneys and all Special Agents in Charge of ATF offices to seek public and private partnerships for an integrated firearms violence reduction strategy; and

WHEREAS, violence in schools is an urgent concern of all IACP members, and the Model Violent Firearms Crime Coalition Guidelines address illegal use and possession of firearms by adults and juveniles, now therefore be it

RESOLVED, that the International Association of Chiefs of Police (IACP) duly assembled at its 106th Annual Conference in Charlotte, North Carolina, approves and endorses the Model Violent Firearms Crime Coalition Guidelines, and be it

FURTHER RESOLVED, that every member of IACP be provided a written copy of the Model Violent Firearm Crime Coalition Guidelines and be encouraged to form these coalitions as appropriate; and be it

FURTHER RESOLVED, that the Governing Body of IACP present copies of this resolution and the Model Guidelines to the national organizations whose partnerships are essential to success; these include the National Sheriffs' Association, American Correctional Association, American Probation and Parole Association, and the National District Attorneys Association.

LAW ENFORCEMENT MANAGEMENT ISSUES

Improvement of Victim Services Facilities

The resolution directs the IACP to call for the Office of Justice Programs and local police agencies to work collaboratively to improve the quality of facilities where victims of domestic violence seek protection, including police departments, courthouses, and prosecutor's offices.

Use of Soft Body Armor by Law Enforcement Personnel

The resolution calls on the IACP to recommend that all police executives communicate the importance of wearing body armor and that all law enforcement agencies obtain proper fitting body armor for all officers of their agency, establish an ongoing program to educate members of the advantages of the routine wear of body armor, adopt a wear policy for all on-duty and investigative personnel, and conduct periodic inspections of issued soft body armor to ensure proper fit and useable condition, replacing defective armor as needed.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

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Improvement of Victim Services Facilities

Submitted by the Victims Services Committee
VSC028.t99

WHEREAS, victims of domestic violence often need to seek safety from their abuser and relief from their living situation, and

WHEREAS, victims seek that support from government agencies, usually the police, in the form of orders of protection, and

WHEREAS, many of the court facilities and locations handling those protective orders are remote, in poor condition, uninviting and lack privacy for the victim, and

WHEREAS, these factors are often impediments to victims seeking orders of protection, and

WHEREAS, police departments and the justice system should take every reasonable action to encourage positive victim action; now, therefore be it

RESOLVED, that the International Association of Chiefs of Police Victims Services Committee calls for the Office of Justice Programs and local police agencies to work collaboratively to improve the quality of those facilities in police departments, courthouses and prosecutor's offices; anywhere victims of domestic violence seek protection.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

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Use of Soft Body Armor By Law Enforcement Personnel

*Submitted by the State Associations of Chiefs of Police Division
SACOP0031.T99*

WHEREAS, soft body armor is available to law enforcement personnel to protect against life threatening or potentially disabling injuries; and

WHEREAS, currently, two American police officers are feloniously shot every twenty-four hours, and statistics have shown that since 1987, more than 2,325 law enforcement officers have survived life threatening injuries because they were protected by their body armor; and

WHEREAS, studies of all previous incidents in the past sixteen years where law enforcement officers were fatally shot indicate that 42% of those officer deaths were preventable if they had been wearing body armor; and

WHEREAS, existing statistics confirm that a law enforcement officer is fourteen times more likely to survive a ballistic firefight if he/she is wearing a protective vest than not wearing one; and

WHEREAS, based on studies that even when available, soft body armor is only being worn by 15-20% of the officers who have been issued the equipment, due to mixed messages from management concerning their department's policies on mandatory wear; and

WHEREAS, the International Association of Chiefs of Police recognizes the responsibilities of law enforcement executives to do all that is possible to protect on-duty field and investigative personnel, now therefore be it

RESOLVED, that the International Association of Chiefs of Police recommends that all police executives communicate the importance of wearing body armor and that all law enforcement agencies take the following steps:

1. Obtain proper fitting body armor for all law enforcement officers of their agency.
 2. Establish an ongoing program to educate all members about their obligation to protect themselves, as well as the "life and death" advantages of the routine wear of body armor.
 3. Adopt a wear policy for all on-duty field and investigative personnel.
 4. Conduct periodical inspections of issued soft body armor to ensure proper fit and useable condition, replacing defective armor as needed.
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MOTOR VEHICLES

Aggressive Driving

The resolution calls on the IACP to urge all law enforcement agencies to adopt strategies to curb the incidence of aggressive driving, and urges the National Highway Traffic Safety Administration (NHTSA) to develop incentive programs to provide additional highway safety funds for intensified traffic enforcement efforts and promote research into the psychodynamics of aggressive driving. The IACP should also urge prosecutors and courts to aggressively pursue aggressive driving as a danger to public safety.

Anti-Vehicle Theft Committee

The resolution directs the IACP to urge that all states create anti-vehicle theft committees or vehicle theft prevention authorities that are supported with independent and ongoing funding sources.

Zero Tolerance for Unbuckled Children

The resolution urges all IACP members to support the adoption in each state of a policy of zero tolerance for unbuckled children and to participate in the twice-yearly Operation ABC Mobilization: America Buckle up Children. In addition, the resolution directs the IACP to support the work of the Air Bag Seat Belt Safety Campaign and the National Highway Traffic Safety Administration in order to get more Americans to use seat belts.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999

Aggressive Driving

*Submitted by the Highway Safety Committee
HSC015.T99*

WHEREAS, aggressive driving can be defined as “committing a sequence of moving traffic violations in a short period of time which occur in the presence of other vehicles and endangers persons and/or property”; and

WHEREAS, aggressive driving frequently leads to the assaultive behavior that has become commonly known as “road rage”; and

WHEREAS, traffic crash statistics show that aggressive driving habits are causal factors in a significant number of traffic deaths and injuries; and

WHEREAS, public opinion polls indicate that citizens fear aggressive drivers and support increased police traffic enforcement; and

WHEREAS, failure to address aggressive driving undermines public confidence in law enforcement and promotes disrespect for the law; now therefore be it

RESOLVED, that the International Association of Chiefs of Police urges all law enforcement agencies to adopt strategies to curb the incidence of aggressive driving; and be it

FURTHER RESOLVED, that the National Highway Traffic Safety Administration is encouraged to develop incentive programs that provide additional highway safety funds for intensified traffic enforcement efforts to jurisdictions with laws that enable law enforcement to use technology; as well as promote research into the psychodynamics of aggressive driving; and that prosecutors and courts are encouraged to treat aggressive driving as the danger to public safety that it is; and that copies of this resolution be forwarded to the National Highway Safety Administration; National Sheriffs' Association, the National Center for State Courts; and the National District Attorneys Association.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
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Anti-Vehicle Theft Committees

*Submitted by the Vehicle Theft Committee
VTC004.T99*

WHEREAS, the FBI estimates that somewhere in the United States one vehicle is stolen every 23 seconds; and

WHEREAS, without considering the cost of associated damage to recovered stolen vehicles, law enforcement costs, court administration, injuries, and damage to other property, the estimated loss value exceeded \$7 billion in 1997; and

WHEREAS, conservative estimates by the National Insurance Crime Bureau (NICB) indicated that 10% of all vehicle theft reports are fraudulent; and

WHEREAS, many vehicle theft rings are composed of organized crime operatives who provide large sums of money for career criminals to fund other illegal activities; and

WHEREAS, current studies show that only 14% of all reported thefts are cleared by arrest; and

WHEREAS, public awareness is needed to support the training of law enforcement officers and prosecutors in the detection, investigation, and prosecution of vehicle theft and related crimes; and

WHEREAS, such public support and awareness has resulted in the creation of vehicle theft authorities that have improved the control of and decrease in vehicle theft activities; now therefore be it

RESOLVED, that the International Association of Chiefs of Police (IACP) urges all states to create anti-vehicle theft committees or vehicle theft prevention authorities that are supported with independent and on-going funding sources set by statute and at a level commensurate with the needs of each state; and be it

FURTHER RESOLVED, that given the international nature of vehicle theft, that all nations are encouraged to adopt similar measures to combat vehicle theft in their respective countries.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
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Zero Tolerance for Unbuckled Children

*Submitted by the Highway Safety Committee
HSC018.T99*

WHEREAS, the leading killer of American children is traffic crashes, and despite strong laws in every state requiring children to be properly restrained in seat belts or car safety seats, six out of ten children who die in crashes are completely unrestrained; and

WHEREAS, clearly, the presence of child passenger safety laws by themselves are not enough to get children buckled up. Concentrated and highly visible enforcement of seat belt and child passenger safety laws has proven effective in increasing restraint use and saving hundreds of young lives; and

WHEREAS, during the two 1998 *Operation ABC Mobilization*, seat belt use increased by almost four percentage points, representing more than eight million more Americans who were prompted to buckle up - the largest increase in belt use in eight years. If these Americans continue to wear their seat belts, its estimated that 1,500 lives will be saved this year, and

WHEREAS, polls have repeatedly shown that the American public overwhelmingly supports, by a nine-to-one margin, strong enforcement of child passenger safety laws. The public believes society has a duty to protect children and ensure drivers take the necessary steps to keep children safe in motor vehicles; now therefore be it

RESOLVED, the members of the IACP support the adoption in each state of a policy of *zero tolerance for unbuckled children*; and be it

FURTHER RESOLVED, that the International Association of Chiefs of Police encourages all agencies to participate in the twice-yearly *Operation ABC Mobilization: America Buckle up Children*, which helped get millions more Americans buckled up in 1998; and be it

FURTHER RESOLVED, that the International Association of Chiefs of Police supports the work of the Air Bag Seat Belt Safety Campaign and the National Highway Traffic Safety Administration to get more Americans to use seat belts.

NARCOTICS & DANGEROUS DRUGS

Funding for Clandestine Laboratory Training and Cleanup

The resolution calls on the IACP to urge Congress to continue funding and in the future establish a permanent funding structure to provide the necessary training and safety equipment so that law enforcement officers can dismantle and clean up clandestine laboratories in a safe and environmentally sound manner.

Medical Standards

The resolution directs the IACP to reaffirm its opposition to any attempts to replace the established medical and scientific criteria for determining when a dangerous drug has a bona fide medical purpose.

Opposition to Limitation on Asset Forfeiture Statutes

The resolution calls on the IACP to oppose any attempt to limit the asset forfeiture authority that has proven to be extremely helpful in the war against drugs and violent crime. In addition, the IACP urges all nations to either adopt asset forfeiture statutes or preserve the effectiveness of existing statutes by opposing efforts to weaken them.

Uniform Legislation - Clandestine Laboratories

The resolution directs the IACP to encourage and support the adoption of model state drug laws, to provide law enforcement with the legal authority to arrest, prosecute, and fine those found in possession of chemicals or laboratory equipment with the intent to manufacture illegal drugs.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

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November 3, 1999

Funding for Clandestine Laboratory Training and Cleanup

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD009.T99*

WHEREAS, law enforcement agencies have been confronting growing problems concerning clandestine chemical laboratories, mainly used for the illegal production of methamphetamine; and

WHEREAS, there has been a large increase in the number of these laboratories, as evidenced in the State of California where the number of clandestine laboratories seized has increased from 554 in 1994 to 1,405 in 1998; and

WHEREAS, what was once considered a problem only for western states has now spread to America's heartland and beyond with over 5,365 laboratories discovered in 1998, including 679 in Missouri and 445 in Arkansas; and

WHEREAS, law enforcement officers who encounter these volatile and explosive laboratory sites, either as a first responder or as an officer assigned to dismantle and clear the laboratory, must have comprehensive training and safety equipment to protect their lives and health; and

WHEREAS, Section 1910.10 of the Code of Federal Regulations requires law enforcement personnel responding to clandestine laboratory sites where toxic chemicals are present to pass a minimum 24-hour safety training course consistent with OSHA standards, as well as an annual 8-hour recertification course; and

WHEREAS, the highly specialized training necessary to handle these clandestine laboratory situations and comply with federal regulations is for the most part provided by the Drug Enforcement Administration (DEA) at their training facility at Quantico, Virginia, and special regional training sites on an ad hoc basis, with a supplemental training resource available through the California Bureau of Narcotics Enforcement in that state; and

WHEREAS, the DEA has steadily increased the training provided to state and local agencies over the last five years and will train over 1,000 officers through the Basic Clandestine Laboratory Certification Course this year as well as initiate "train the trainer"

instructional programs to be implemented in local training programs throughout the country; and

WHEREAS, an integral part of Basic Clandestine Laboratory Certification training is providing sufficient safety equipment to each attendee that can then be used in conjunction with their training when they return to their local communities and respond to these volatile lab situations; and

WHEREAS, the necessary safety equipment for each officer, which costs approximately \$2,500 and is a heavy financial burden that has been recognized by the federal government and DEA, is provided to each attendee at said DEA training course; and

WHEREAS, the increasing number of clandestine laboratory situations and the expansion of the problem to all areas of the country is indicative of a growing need for such training to protect the health and safety of law enforcement officers; and,

WHEREAS, law enforcement and local government agencies must oversee the dismantling of the laboratories and the removal of these dangerous chemicals in compliance with the Environmental Protection Agency and federal and state regulations; and

WHEREAS, the cost of cleaning up and removing these chemicals in compliance with law and environmental regulations is extremely expensive and not an expenditure provided for in state and local law enforcement budgets; now, therefore be it

RESOLVED, that the International Association of Chiefs of Police duly assembled at its 106th Annual Conference in Charlotte, North Carolina, strongly urges Congress to continue to provide regular funding to the U.S. Drug Enforcement Administration to ensure that said training can be provided to law enforcement officers throughout the country, both in basic safety awareness classes for first responders as well as Basic and Advanced Clandestine Laboratory Certification courses, and that the resource assistance provided by the DEA to state and local enforcement personnel receiving this training include proper and sufficient safety equipment to do their job safely; and be it

FURTHER RESOLVED, that the Congress provide funding sources through programs such as COPS, Byrne Grants, Bureau of Justice Administration, ONDCP, its HIDTA groups, and others so that state and local agencies can apply for funding to conduct said training in their jurisdictions which comply with the requirements of Section 1910.120 to keep up with this increasing demand; and be it

FURTHER RESOLVED, that the IACP strongly urges Congress to establish a permanent funding structure that will provide adequate financial resources on a national basis to continue the safe and environmentally sound disposition of clandestine chemical laboratories.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
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Medical Standards

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD008.T99*

WHEREAS, the International Association of Chiefs of Police meeting at its 104th Annual Conference in Orlando, Florida, passed a resolution urging all governments and governing bodies to vigorously protect the health and safety of their citizens through an adherence to established medical and scientific criteria as the sole basis for determining when a dangerous drug has a *bona fide* medical purpose; and

WHEREAS, the reason the International Association of Chiefs of Police continues to oppose ballot initiatives which would allow physicians under certain conditions to recommend or prescribe Schedule I drugs for patients is the fact that not one national health organization accepts marijuana or other Schedule I drugs as a medicine, and many researchers adamantly state that marijuana or other Schedule I drugs have no medical benefit whatsoever; and

WHEREAS, it is neither rational nor compassionate to provide a harmful, addictive drug with no scientifically proven medical efficacy; and

WHEREAS, the National Institute of Medicine, in a recently completed study of the medical benefits of marijuana, has reaffirmed that the effects of cannabinoids on the symptoms studied are generally modest and smoking marijuana results in the delivery of harmful substances, including most of those toxic substances found in tobacco smoke; and

WHEREAS, this study also affirmed that there are more effective medical delivery systems than smoking marijuana; and

WHEREAS, this study reaffirms our belief that modern medicine does not advocate the smoking of toxic substances and the inhaling of their smoke; and

WHEREAS, we continue to believe that the best process to determine the medical efficacy of any substance is through an established medical and scientific testing and evaluation system that has served our citizens well and resulted in the highest quality medical services in the world; now therefore be it

RESOLVED, that the International Association of Chiefs of Police duly assembled at its 106th Annual Conference in Charlotte, North Carolina, reaffirms its opposition to any attempts to replace the established medical and scientific criteria for determining when a dangerous drug has a *bona fide* medical purpose.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999

Opposition to Limitation on Asset Forfeiture Statutes

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD014.T99*

WHEREAS, the citizens of the United States of America are victims of illicit drug trafficking and use and violent crime; and

WHEREAS, the only purpose of drug trafficking is for the drug traffickers to make a profit and to amass wealth for their personal use and to continue their illegal activities, often through ruthless and violent means, at the expense of the American public; and

WHEREAS, drug traffickers have acquired billions of dollars, mansions, luxury vehicles, artwork, jewelry, and other expensive personal assets as fruits of their criminal activities; and

WHEREAS, no one should profit from their crimes and from the suffering of innocent people; and

WHEREAS, the U.S. citizens have mandated that law enforcement officials disrupt and stop drug trafficking organizations from manufacturing and distributing illegal drugs and spreading violence in their communities; and

WHEREAS, law enforcement officials have found the forfeiture of drug traffickers' assets to be an extremely effective weapon to deprive drug trafficking organizations of the means used to commit their crimes and the profit from their illegal activities; and

WHEREAS, the forfeiture of drug traffickers' assets effectively dismantles and incapacitates drug Mafia organizations; and

WHEREAS, recognizing the significant responsibility that accompanies asset seizure and forfeiture authority, law enforcement officials must continue to strictly follow a code of ethics which safeguards the rights of property owners, and law enforcement managers must remain vigilant in their supervision of forfeiture training, programs and activities; and

WHEREAS, forfeited property and money are used to help victims of crime and communities and to enhance the ability of law enforcement agencies to protect the public from drug trafficking and other crimes; and

WHEREAS, legislative proposals have been introduced that would make it more difficult for federal, state and local law enforcement agencies and prosecutors to successfully seize and forfeit the profits of drug trafficking so that they can be used to benefit the honest public; now therefore be it

RESOLVED, that the International Association of Chiefs of Police duly assembled at its 106th Annual Conference in Charlotte, North Carolina, strongly opposes any attempt to limit the asset forfeiture authority that has proven to be so helpful in the war against drugs and violent crime; and be it

FURTHER RESOLVED, that given the international nature of drug trafficking, the IACP encourages all nations to preserve the effectiveness of their anti-drug efforts by opposing efforts to limit their respective asset forfeiture statutes.

FURTHER RESOLVED, that in those nations which do not have asset forfeiture statutes, the IACP encourages the government to consider authorizing the use of this valuable anti-crime capability.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999

Uniform Legislation – Clandestine Laboratories

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD013.T99*

WHEREAS, methamphetamine abuse continues to be a major problem resulting in over 17,200 hospital admissions in 1997, up from 4,900 admissions in 1991; and

WHEREAS, a direct result of the growing popularity of methamphetamine as a drug of abuse has been the phenomenal increase in the number of clandestine laboratories encountered by law enforcement, over 5,360 nationwide in 1998, with Drug Enforcement Administration (DEA) encounters increasing from 218 in 1993 to 1,604 in 1998; and

WHEREAS, these clandestine laboratories, because of their volatile and explosive nature, represent a serious threat to the safety of law enforcement personnel who encounter them in the course of their duties and others who are in the immediate vicinity during their operation; and

WHEREAS, these clandestine laboratories, as a result of the toxic chemicals utilized to produce methamphetamine, are a serious environmental threat to the communities where they are located; and

WHEREAS, over 90% of law enforcement agencies' actions are historically commenced and prosecuted by state or local law enforcement agencies and prosecutors; and

WHEREAS, the serious threat of methamphetamine production and abuse represents a danger to all communities and the citizens whom law enforcement officers are sworn to protect; and

WHEREAS, there currently exists a lack of comprehensive and uniform laws at the state level to address the growing phenomena of illicit clandestine laboratories, particularly concerning controls on precursor chemicals, pharmaceutical products and tools and instruments used in the production process of these illicit laboratories; and

WHEREAS, the lack of uniformity includes strong laws that provide law enforcement agencies the ability to interdict the utilization of these precursors and laboratory instruments and arrest those who intend to utilize them for the illegal production of drugs when there are reasonable grounds to believe that they have such an intent; and

WHEREAS, the National Alliance for Model State Drug Laws is currently working with legislative authorities at the state level to develop model drug laws that address these issues; now therefore be it

RESOLVED, that the International Association of Chiefs of Police duly assembled at its 106th Annual Conference in Charlotte, North Carolina, strongly encourages and supports the creation and adoption of such model state drug laws to provide law enforcement personnel with the legal authority to arrest and prosecute those found in possession of such chemicals or laboratory equipment with the intent to manufacture illegal drugs, particularly methamphetamine; and be it

FURTHER RESOLVED, that all such laws should include firm and fixed penalties that are commensurate with the public threat these hazardous laboratories and their illicit products represent to the citizens of this country; and be it

FURTHER RESOLVED, that all such legislation include strong financial penalties for those involved in the creation and operation of these illegal laboratories, to include the cost of all expenditures necessary to clean up these laboratory sites.

POLICE CONTACTS

Condemning Racial and Ethnic Profiling in Traffic Stops

The resolution calls on the IACP to urge all law enforcement agencies to make all possible efforts to ensure that racial or-ethnic-based traffic stops are not employed within their agencies and that all citizens are treated with the utmost courtesy and respect when they encounter law enforcement officers. It also calls on agencies to use the "IACP Guiding Principles of Proactive Traffic Enforcement" when developing strategies for crash prevention and crime control, and to examine their interdiction strategies, training programs, evaluation of citizen complaints, and traffic stop data. In addition, the resolution urges federal financial support for training, monitoring, and data collection.

Incorporation of Racial Background as a Data Element on Driver's Licenses

The resolution directs the IACP to urge states to incorporate race and ethnicity as a data element and print it on the driver's license to facilitate the capture and accurate reading of this information, and encourages the federal government to provide funding to assist states who wish to modify their driver's licenses and databases for this purpose.

Professional Police Contacts

The resolution calls on the IACP to reaffirm its long-held position against biased enforcement or any other discriminatory practice, and to commit its resources to work to enhance trust between the police and the communities they serve. It also calls on law enforcement to maintain a dialogue with community groups when producing policy, procedures, and training programs.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999

Condemning Racial and Ethnic Profiling in Traffic Stops

*Submitted by the Highway Safety Committee
HSC017.T99*

WHEREAS, according to the National Highway Safety Traffic Administration, the majority of traffic crashes are caused by moving traffic violations and kill 41,967 people a year, injure another 3.4 million persons, and cause a societal loss of \$150 billion dollars a year; and

WHEREAS, intensive traffic enforcement efforts have been proven to reduce traffic crashes and increase the apprehension of criminal offenders; and

WHEREAS, law enforcement agencies have seized more illegal drugs resulting from traffic enforcement than they have from undercover enforcement strategies; and

WHEREAS, traffic stops utilizing plainview and consent searches annually lead to the interdiction of millions of dollars in illegal substances and stolen property; and

WHEREAS, careful analysis of the actions and behaviors of criminal offenders who use motor vehicles in the commission of crimes reveals commonalties which, after the traffic stop, can be used to develop probable cause; and

WHEREAS, such strategies, when based upon articulable suspicion that an infraction of the law has been committed, have been upheld as constitutionally appropriate by the U.S. Supreme Court; and

WHEREAS, traffic stops should not be made on the basis of the motorist's race, ethnicity, or economic status, but rather on articulable suspicion or actual violation of a law; and

WHEREAS, the International Association of Chiefs of Police, and professional law enforcement organizations' training courses teach that biased or unprofessional enforcement practices are prohibited and will not be condoned; now therefore be it

RESOLVED, that the International Association of Chiefs of Police urges all law enforcement agencies to utilize the “IACP Guiding Principles of Proactive Traffic Enforcement” when developing strategies for crash prevention and crime control; and be it

FURTHER RESOLVED, all law enforcement agencies are urged to examine their interdiction strategies and their mission and value statements, training programs, field supervision, evaluation of citizen complaints and traffic stop data and other efforts to ensure that racial or ethnic-based traffic stops are not being employed within their agencies and that all citizens are treated with the utmost courtesy and respect when they encounter our officers; and be it

FURTHER RESOLVED, that the National Highway Traffic Safety Administration and the United States Department of Justice are urged to form a closer partnership for the purpose of providing financial support to state, county, municipal law enforcement agencies for training programs or in-car audio and video systems, and to assist in the voluntary collection of appropriate data relative to this resolution.

IACP HIGHWAY SAFETY COMMITTEE
STATEMENT OF GUIDING PRINCIPLES OF
PROACTIVE TRAFFIC ENFORCEMENT
(Attachment to HSC017.T99)

Law enforcement officers committed to the lifesaving benefits of proactive traffic enforcement are aware of its ancillary benefits in terms of crime prevention, reduction, and criminal apprehension. Proactive traffic enforcement should be carried out in a manner that strikes a balance between the right of citizens to enjoy a quality of life free from crime and traffic crashes and the right of citizens to be free from unreasonably intrusive police conduct; therefore, the International Association of Chiefs of Police proposes the following Guiding Principles:

1. Sir Robert Peel, in 1829, said that the first duty of the police is the prevention of crime; that the police can only be effective if they earn the trust of the public; and that the law must be enforced equally and impartially for all citizens. These principles are as sound today as they were in Peel's day.
2. Community policing as practiced today involves a partnership between the police and the public that addresses crime, neighborhood deterioration, traffic problems and other quality of life issues.
3. Lessons can be learned from the most successful officers who are able to go beyond the traffic stop and apprehend criminal suspects.
4. Police officers should be assigned to areas where there is a high likelihood that crashes will be reduced and/or criminal suspects will be apprehended.
5. Achieving a higher rate of compliance in the use of safety belts and child safety restraints through proactive enforcement will save thousands of lives and prevent hundreds of thousands of disabling injuries from traffic crashes each year. Citizens of particular age, socioeconomic, and ethnic groups appear to have lower compliance levels in the use of these safety devices than other groups and therefore may be disproportionately represented in enforcement action for violations of safety belt and child restraint laws, but to the extent that enforcement of these laws brings a greater number of these citizens into compliance, these citizens will also disproportionately share in the lifesaving benefits of such enforcement.
6. Enforcement efforts can be enhanced by effective public information efforts.
7. Officers involved in traffic enforcement should be properly trained.
8. Training programs in traffic enforcement must emphasize the need to respect the rights of all citizens to be free of unreasonable government intrusion or police action.
9. Traffic enforcement programs must be accompanied by effective supervisory oversight to ensure that officers do not go beyond the parameters of reasonableness in conducting such activities.

10. Traffic stops should be made only with articulable suspicion that the person stopped has committed a traffic violation.
 11. Appropriate enforcement action should always be completed at traffic stops, generally in the form of a warning, citation, or arrest.
 12. No motorist, once cited or warned, should be detained beyond the point where there exists no reasonable suspicion of further criminal activity.
 13. Officers making traffic stops shall not make them based on race, ethnicity or socioeconomic status.
 14. Motor vehicle driver license information regarding the race of drivers stopped for traffic violations should be recorded whenever available and this data utilized by police departments to determine the extent to which racial minorities are stopped for traffic violations in proportion to their absolute numbers in the area's population, and the number of minority stops which result in criminal apprehension versus the overall numbers of stops that result in such violations.
 15. In jurisdictions where racial data is not contained on driver licenses and the racial characteristics of motorists are not visibly apparent, police officers should not be required to risk offending citizens by asking them their race at the time of a motor vehicle stop.
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INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999

**Incorporation of Racial Background as a Data Element on Driver's
Licenses**

*Submitted by the Highway Safety Committee
HSC016.T99*

WHEREAS, national concerns have been raised regarding the extent to which racial profiling may or may not exist as a triggering element in traffic stops and drug interdiction strategies; and

WHEREAS, some law enforcement agencies are required to record the race and ethnicity information of the subjects of police traffic stops; and

WHEREAS, race or ethnicity is no longer a data element on most states' driver's licenses; and

WHEREAS, without this element the only accurate way to determine the race or ethnicity of most drivers is for the officer to make a direct inquiry of the motorist; and

WHEREAS, such an inquiry often leads to embarrassment, resentment, misunderstanding and even confrontation; now therefore be it

RESOLVED, that the International Association of Chiefs of Police urges states to incorporate race and ethnicity as a data element and print it on the driver's license to facilitate the capture and accurate recording of this information; and be it

FURTHER RESOLVED, that the federal government is encouraged to provide funding to assist states wishing to modify their driver's license and databases for this purposes; and be it

FURTHER RESOLVED, that copies of this resolution be forwarded to the United States Attorney General, Secretary of Transportation, the National Highway Traffic Safety Administration, The National Governors' Association, The National Association of Governors' Highway Safety Representatives, and the National Sheriffs' Association, and the American Association of Motor Vehicle Administrators.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999

Professional Police Contacts

*Submitted by the Executive Committee
EXC019.T99*

WHEREAS, in a free society, law enforcement is entrusted and expected to protect the civil rights of its citizens; and

WHEREAS, the overwhelming majority of police officers perform their duty in a professional and impartial manner free from bias; and

WHEREAS, the International Association of Chiefs of Police recognizes that tensions created by some police contacts with citizens have become a concern to police and citizens alike; and

WHEREAS, this tension has been heightened by allegations of bias profiling and discriminatory practices, and the IACP in November 1998, conducted a forum addressing one of these areas of concern traffic stops; and

WHEREAS, the IACP has recognized the important nature and necessity of traffic stops as a vital and effective law enforcement tool that saves lives, reduces injuries and other crimes; and

WHEREAS, traffic stops have been proven to reduce street and violent crimes, increase the apprehension of criminal offenders, combat illegal drug activities, illegal guns and other crimes; and

WHEREAS, forum participants acknowledged that bias, real or perceived, is detrimental to the relationship between police and the community they serve and erodes the basic foundations of trust affecting community policing; and

WHEREAS, participants at this forum developed a series of recommendations to reassure the community that their concerns are being addressed and that steps are being taken to correct problems where they occur; and

WHEREAS, participants at this forum unacknowledged that to strengthen trust and confidence between law enforcement and the community, its citizens and officers must have mutual respect; now therefore be it

RESOLVED, that the IACP reaffirms its long standing position against biased enforcement or any other type of discriminatory practices; and be it

FURTHER RESOLVED, that the IACP does not endorse, train, teach, support, or condone any type of bias profiling by any law enforcement agency or individual acting under color of law; and be it

FURTHER RESOLVED, that it is the law enforcement executives, in conjunction with their officers, who have the responsibility to open dialogue and discussion with community groups to produce guidelines for police policies, operational procedures, and training programs; and be it

FURTHER RESOLVED, that the IACP encourages the law enforcement profession to employ the recommendations of the Professional Traffic Stops Forum along with the recommendations that are developed at future IACP forums; and be it

FURTHER RESOLVED, that the IACP hereby commits its resources and energies to work at all levels to enhance trust between police and the communities they serve.

SCHOOL VIOLENCE

Support for School Violence Guidelines

The resolution calls on the IACP to recommend the use of the "Guidelines for the Prevention and Response to School Violence" by local communities as a tool for constructing appropriate preventative and response measures within individual jurisdictions.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999

Support for School Violence Guidelines

*Submitted by the Private Sector Liaison Committee
PSLC027.T99*

WHEREAS, the International Association of Chiefs of Police (IACP) is meeting at its 106th Annual Conference in Charlotte, North Carolina between October 30 and November 3, 1999; and

WHEREAS, the IACP Private Sector Liaison Committee (PSLC) has collaborated with the Department of Defense (DOD) and Security Resource Center (SRC) to produce "Guidelines for the Prevention and Response to School Violence"; and

WHEREAS, the DOD is responsible for the education dependents of service personnel in schools located around the world, a situation that makes this joint effort appropriate; and

WHEREAS, these guidelines have been prepared in a similar method to an earlier joint effort between the PSLC and the SRC entitled "Combating Workplace Violence, Guidelines for Employers and Law Enforcement"; and

WHEREAS, the publication of the "Guidelines for Preventing and Responding to School Violence" is again being made possible via grant from the Department of Justice through its Bureau of Justice Assistance; and

WHEREAS, as representatives of the National Sheriffs' Association, the Federal Bureau of Investigation, the U.S. Secret Service, Office of Juvenile Justice and Delinquency Prevention, and staff of the IACP have all played a role in the review of the input from 15 focus groups held across America involving hundreds of school administrators, teachers, students, school board members, parents, experts on the subject of school violence, counselors, medical personnel and local public safety officials; now therefore be it

RESOLVED, that the IACP recommends the use of these guidelines by local communities as a tool for constructing appropriate preventative and response measures within individual jurisdictions, and be it

FURTHER RESOLVED, that the IACP goes on record commending all those who gave of their time and expertise in support of the construction and distribution of these guidelines.

TECHNOLOGY POLICY

DNA Collection and Increased Funding for DNA Evidence Technology

The resolution calls on the IACP to encourage all law enforcement personnel to support legislation that authorizes the taking of DNA samples from individuals at the time of arrest. It also calls for additional federal funding to support greater use of DNA technology.

Encryption

The resolution calls on the IACP to support and encourage the development and adoption of a balanced encryption policy which would appropriately address both the commercial needs of industry while simultaneously satisfying law enforcement's public safety requirements. The resolution also encourages all nations to adopt balanced encryption policies which meet the concerns of both law enforcement and the commercial needs of industry.

Support for the Establishment of the Internet Fraud Complaint Center

The resolution calls on the IACP to support the expansion of both the Internet Fraud Complaint Center and the National Cybercrime Training Partnership, which provide critical support to law enforcement in the protection of citizens against increasing high-tech and economic criminal activity.

Support for Project 25 - 12.5 kHz Phase I as the Interim Digital Interoperability Standard for the Public Safety 746 MHz Band

The resolution urges the IACP to recommend that the Federal Communications Commission immediately adopt a reference to Project 25 as the interim interoperability standard into its rules governing public safety use of the 764-776 and 794-806 MHz bands.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999

**DNA Collection and Increased Funding for DNA
Evidence Technology**

*Submitted by the Executive Committee
EXC020.T99*

WHEREAS, in order to protect the public most effectively, law enforcement professionals have an obligation to use the utmost technologically-advanced methods of investigating criminal activity, and proving criminal activity in a court of law; and

WHEREAS, the collection and examination of DNA evidence is the next step in the technological advancement of the art and science of crime investigation; and

WHEREAS, DNA evidence is a proven tool in fighting crime, having been accepted and found reliable by the relevant scientific community; and

WHEREAS, DNA evidence shows particular promise in greatly assisting the investigation of property crimes, while only a small proportion of such crimes are solved due to the limitations of current methods; and

WHEREAS, Great Britain has solved numerous crimes through the data-banking of the DNA samples of arrestees; and

WHEREAS, the United State's systems of DNA collection and examination are underfunded and underutilized; and

WHEREAS, lack of funding has left hundreds of thousands of samples for the nation's convicted-offender databank unanalyzed; and

WHEREAS, there is also a severe lack of resources to analyze the backlog and ever-increasing caseload of crime scene samples; and

WHEREAS, on balance, when considering the collection of DNA samples, the safety interests of the public outweigh the privacy interests of the arrestee, especially given the non-intrusiveness of the "buccal swab" collection method; and

WHEREAS, the proper use of DNA evidence can not only convict the guilty but exonerate the innocent; now therefore be it

RESOLVED, that the International Association of Chiefs of Police (IACP) strongly encourages all law enforcement professionals to support legislation that authorizes the taking of DNA samples from individuals at the time of arrest; be it

FURTHER RESOLVED, that the IACP supports the inclusion in the federal budget of additional funding to support greater use of DNA technology, including funding to analyze both convicted offender and crime scene DNA samples.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999

Encryption

*Submitted by the Narcotics and Dangerous Drugs Committee
NDD006.T99*

WHEREAS, the introduction of digitally-based telecommunications technologies and the widespread use of computers and computer networks with encryption capabilities are facilitating the development and production of affordable and robust encryption products for private sector use; and

WHEREAS, on one hand encryption is extremely beneficial when used legitimately to protect commercially sensitive information and communications. On the other hand, the potential use of such encryption products by a vast array of criminals and terrorists to conceal their criminal communications and information from law enforcement poses an extremely serious threat to public safety; and

WHEREAS, the law enforcement community is extremely concerned about the serious threat posed by the use of robust encryption products that do not allow for law enforcement access and its timely decryption, pursuant to lawful authorization (court-authorized wiretaps or court-authorized search and seizure); and

WHEREAS, law enforcement fully supports a **balanced** encryption policy that satisfies both the commercial needs of industry for robust encryption while at the same time satisfying law enforcement's public safety needs; and

WHEREAS, law enforcement has found that recoverable encryption is clearly the best way, and perhaps the only way, to achieve the goals of both industry and law enforcement; and

WHEREAS, government representatives have been working with industry to encourage the voluntary development, sale, and use of key-escrow encryption in its pursuit of a balanced encryption policy; now therefore be it

RESOLVED, that the International Association of Chiefs of Police duly assembled at its 106th Annual Conference in Charlotte, North Carolina supports and encourages the development and adoption of a balanced encryption policy which promotes the development and use of commercially available encryption products that provide for the

recovery of the plain text of encrypted criminally-related communications and/or electronically stored information, with appropriate legal authorization, which we believe represents a policy that appropriately addresses both the commercial needs of industry while at the same time satisfying law enforcement's public safety needs, and that we oppose any efforts, legislative or otherwise, that would undercut the adoption of such a balanced encryption policy; and be it

FURTHER RESOLVED, that given the international scope of the problems presented by sophisticated, non-recoverable encryption products, the IACP strongly encourages all nations to adopt balanced encryption policies that meet the concerns of both law enforcement and the commercial needs of industry.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999

**Support for the Establishment of the Internet
Fraud Complaint Center**

*Submitted by the Patrol & Investigative Operations Committee
PIO001.T99*

WHEREAS, the IACP recognizes the increasing impact of economic crime on the citizens of the United States; and

WHEREAS, the IACP recognizes the critical challenge to law enforcement presented by emerging high technology; and

WHEREAS; the IACP recognizes the need for establishing productive partnerships among the various local, state, and federal law enforcement agencies and prosecutors addressing economic crime; and

WHEREAS, the IACP recognizes the necessity for coordination of training, research, and other support services for investigative and prosecution agencies at all levels of government to address economic and high tech crimes; and

WHEREAS, the IACP acknowledges the current efforts of the United States Department of Justice, the Federal Bureau of Investigation, the United States Secret Service, and the National White Collar Crimes Center in addressing the challenges posed by increasing economic and high-tech crime; now therefore be it

RESOLVED, that the IACP applauds and supports the establishment of the Internet Fraud Complaint Center, a partnership between the Federal Bureau of Investigation and the National White Collar Crime Center, providing a referral and case development mechanism to local, state, and federal enforcement agencies addressing crimes on the Internet; and be it

FURTHER RESOLVED, that the IACP applauds and supports the efforts of the National Cybercrime Training Partnership, a partnership among local, state, and federal investigators and prosecutors, providing essential training development and delivery and other vital support services to state and local law enforcement agencies in the area of computer-related crimes; and be it

FURTHER RESOLVED, that the IACP encourages the Congress of the United States and the Attorney General of the United States to ensure adequate expansion of these programs to provide critical support to law enforcement so that they may protect and defend our citizens against increasing economic and high tech criminal activity; and be it

FURTHER RESOLVED, that given the international nature of these crimes, that all nations should engage in similar efforts designed to protect their citizens while they engage in electronic commerce.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999

**Support for Project 25 - 12.5 kHz Phase I as the
Interim Digital Interoperability Standard for the Public
Safety 746 MHz Band**

*Submitted by the Communications and Technology Committee
C&T032.T99*

WHEREAS, in September 1996, the Public Safety Wireless Advisory Committee (PSWAC) documented an additional spectrum requirement of 3 MHz immediately and 25 MHz by the year 2000 to meet the communication needs of the public safety community; and

WHEREAS, in response to this demonstrated need and requirements, with support from the International Association of Chiefs of Police, Major Cities Chiefs, and the Association of Public-Safety Communications Officials, the Congress directed in the Balanced Budget Act of 1997, that the Federal Communications Commission (FCC) allocate 4 TV Channels (24 MHz) of spectrum for exclusive public safety use; and

WHEREAS, in December 1997 the FCC allocated 764-776 and 794-806 MHz for such use; and

WHEREAS, actual access to this 24 MHz of spectrum within the 764-806 MHz band to deploy public safety communications systems requires determination of an interoperability standard by the Public Safety National Coordinating Committee (NCC); and,

WHEREAS, the NCC desires to support access to and licensing of this additional public safety spectrum as quickly as practical, consistent with user needs, FCC reallocation initiatives, and Congressional requirements to begin licensing; and,

WHEREAS, the FCC requires that all narrowband mobile and portable 746 MHz band public safety radios be capable of operating on all of the narrowband interoperability channels; and

WHEREAS, the FCC has determined that any standard recommended to the Commission by the NCC must be developed under an open process, governed by ANSI or standards approved by ANSI or a similar standards body; and

WHEREAS, the FCC requires that the 746 MHz band public safety equipment be designed to use digital modulation as its primary modulation mode when operating on the interoperability channels; and

WHEREAS, the Project 25 standards that already exist were developed by the public safety community, including a broad range of local, state, and federal users; and

WHEREAS, the Project 25 standards that already exist have resulted in an ANSI-approved common air interface (CAI) and vocoder digital interoperability standard; and

WHEREAS, the Project 25 standards suite incorporates provisions for both conventional and trunked operation in accordance with the standards; and

WHEREAS, the Project 25 standards incorporate provisions for direct unit-to-unit ("talkaround") mobile-base and repeater-assisted communications in accordance with the standards; and

WHEREAS, Equipment meeting the Project 25 standards have been deployed in the US public safety market within the VHF, UHF and 800 MHz band spectrum allocated to the public safety entities; and

WHEREAS, The two recent proposals from Ericsson and Terrestrial Trunked Radio (TETRA) for Project 25 Phase II Time Division Multiple Access (TDMA) both recommended the Project 25 Phase I CAI and vocoder for their interoperability mode; and

WHEREAS, the International Association of Chiefs of Police, at the annual business meeting on October 20, 1993, joined other public safety organizations in supporting the Project 25 initiative and its standard-setting process for digital radio communication systems for public safety; therefore be it

RESOLVED, that the International Association of Chiefs of Police, at the annual business meeting on November 3, 1999, recommends that the Federal Communications Commission immediately adopt a reference to Project 25 as the interim interoperability standard into its rules governing public safety use of the 764-776 and 794-806 MHz bands.

TERRORISM

Opposition to Grant of Clemency to FALN Members Convicted of Terrorist Activities

The resolution calls on the IACP to condemn the grant of clemency given to twelve FALN members convicted of terrorist acts because this action is in direct conflict with stated U.S. policy on dealing with terrorists and that such action undermines the courageous efforts of law enforcement and military personnel. The resolution also calls on the IACP to assert that this grant of clemency represents a dangerous precedent, minimizes the deterrent effect of law successful law enforcement intervention against terrorism, and that such course of action should never be repeated.

INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 106th Annual Conference
Charlotte, North Carolina
November 3, 1999

Opposition to Grant of Clemency to FALN Members
Convicted of Terrorist Activities

Submitted by the Terrorism Committee
TER030.t99

WHEREAS, acts of terrorism, regardless of motivation, are in fact crimes against society that have caused death and serious injury to members of law enforcement, the military and innocent citizens; and

WHEREAS, the United States and its law enforcement agencies have established protocols for dealing with terrorism including the investigation, arrest and prosecution of those who commit terrorist acts against the United States anywhere in the world; and

WHEREAS, the stated policy of the United States is never to negotiate with terrorists; now therefore be it

RESOLVED, that the International Association of Chiefs of Police deplores the grant of clemency given to twelve FALN members who had been arrested, tried, and convicted of terrorist acts because we find this to be in direct conflict with stated policy, and such action undermines the courageous efforts of law enforcement and military personnel; and be it

FURTHER RESOLVED; that the International Association of Chiefs of Police believes that this grant of clemency sets a dangerous precedent, minimizes the deterrent effect of successful law enforcement intervention against terrorism, and that the IACP strongly urges that such course of action never be repeated.
