

Nicholas Gess @ DOJ
09/11/97 08:24:47 PM

Record Type: Record

To: Jose Cerda III/OPD/EOP, Kent Markus/DOJ/GOV @ DOJ

cc:

Subject: Degan Expansion

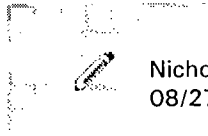
Jose - I met with Bob Scully earlier today and have done some more followup on Degan expansion. Here's where we stand: 1) Approx. cost is \$780,000 first year. 2) Likely source would be VOCA. However, given that we are looking at a lot less money than originally thought, would OMB prefer to fund directly rather than by amending VOCA authorization?

Scully understands that he has to make his approach through the victims' groups such as NOVA. I've plugged him into Nova's Executive Director and suggested that he pitch this as a victim, not a cop issue.

If the victims groups don't bitch, Congressional action ought to be relatively easy. If this is paid from VOCA funds, there aren't any pay-go implications and it's a simple matter of amending the authorization by striking the word, "federal" in the definition of public safety officer.

Nick

cc: Kent



Nicholas Gess @ DOJ
08/27/97 06:32:44 PM

Record Type: Record

To: Jose Cerda III/OPD/EOP, Jose Cerda III/OPD/EOP

cc:

Subject: NAPO & Race Initiative

Jose -- I know you've been swamped, but I wanted to touch base on 2 things of real moment for you:

1. AG spoke at NAPO in Los Angeles back on the 11th. Race issues abound, but both New York and Boston PBAs have joined NAPO and are a moderating influence. AG asked me to explore w. NAPO whether they'd be interested in sitting down with NAACP and working together rather than at odds. NAPO very interested. AG then spoke w. Mfume. He also very interested. AG offered to host lunch for NAPO + NAACP in her dining room. Wants to coopt both into race initiative. Are you interested in participating in the lunch?

2. Degan Expansion - Currently funds college ed. for kids of dead/disabled Federal agents. NAPO wants to expand to include state/local cops, fire, rescue. Likely adds about \$4-5 million per year. Reportedly, Rahm told Scully Administration would support and would do as announcement at Top Cop if it's passed. This is an approps. issue and really needs some OMB pushing if it's going to happen. Two sources you might consider tapping (neither approved within DoJ yet) are the Asset Forfeiture Fund or the Victims of Crime Fund. The latter is much larger and this is a victim issue. We definitely need to talk if this is something DPC/ Rahm wants to pursue.

I will be in DC all Thursday and off on Friday, back on Tuesday. I'm easily reachable on Friday via the Command Center on 514-5000. Many thanks. Nick



D. Stephen Goodin

05/15/97 03:48:23 PM



Record Type: Record

To: Jose Cerda III/OPD/EOP, Christa Robinson/OPD/EOP, Charlene C. Cozart/WHO/EOP
cc: Bruce N. Reed/OPD/EOP, Sylvia M. Mathews/WHO/EOP, Nancy V. Hernreich/WHO/EOP
Subject: POTUS conversation at Police Memorial

This afternoon the President had a lengthy ropeline conversation with Robin Hester St. John, whose husband was killed in the line of duty in Georgia.

She shared with the POTUS that more needs to be done to support surviving family members in rural areas of the country. She said that all of the pension/insurance/benefit funds that the family has received have been more than consumed by hospital, funeral, counseling, and other costs incurred by the family. Were the family in an urban setting, she argues, other resources such as free counseling would be available to ease the financial burden.

Robin's brother who is a fireman, and her father who was a detective (and a retired Navy man), are public employees and also feel this burden. They try to help Robin and her baby boy (Robin was 7 months pregnant when her husband was killed). Robin noted that many public servants in rural areas suffer from post-traumatic stress disorders due to their public service, but lack the counseling and other facilities to cope financially with such problems. She told the President that this did not seem right given the Hester family's four generations of service as law enforcement officials.

She was very appreciative of the President's willingness to listen to her problem.

Charlene,

can you contact Robin to see if anything can be done to help in her specific situation?

Jose,

will you look into this issue and be prepared to respond to a request from POTUS, should he pursue this? (Bruce has been cc'd)

Sylvia,

this is copied to you in case POTUS brings this up in a morning meeting.

CONTACT INFO:

Robin Hester St. John
132 White Drive
Fitzgerald, GA 31750
912-423-7062.

File / Follow-up
PSOB ; LAW ENFORCE-
STRESS MENT



Nicholas Gess @ DOJ
09/09/97 03:31:15 PM

Record Type: Record

To: Jose Cerda III/OPD/EOP, Kent Markus/DOJ/GOV @ DOJ

cc:

Subject: DEGAN Expansion - More

Jose, Because OMB has tweaked the system, OJP has actually run some very preliminary numbers on the cost of expanding Degan to include state and local cops, fire + rescue. Their preliminary estimate is an annual cost of \$788,000. I spoke with the BJA people who run the PSOB program and their sense is that this is actually a pretty good number and not likely to change much at all.

This is therefore less than many of the original estimates -- primarily because PSOB was able to look at average age of the kids involved -- and a much more manageable number. It should make people at OVC and in the victims' groups feel lots better.

It is even more important than in the past that the police survivors group (COPS) people do some inter-group outreach to make the case for funds.

Nick

A BILL

To provide financial assistance for higher education to the dependents of federal, state and local public safety officers who are killed or permanently and totally disabled as the result of a traumatic injury sustained in the line of duty.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled,

SECTION 1. SHORT TITLE

This Act may be cited as the Public Safety Officers Educational Assistance Act of 1998.

SECTION 2. FINANCIAL ASSISTANCE FOR HIGHER EDUCATION TO DEPENDENTS OF PUBLIC SAFETY OFFICERS KILLED OR PERMANENTLY AND TOTALLY DISABLED IN THE LINE OF DUTY.

Part L of the Omnibus Crime Control and Safe Streets Act of 1968 (42 U.S.C. 3796 et seq.) is amended by --

- (1) In Subpart 2, in the title phrase, Asubpart 2 -- Educational Assistance to dependents of Civilian Federal Law Enforcement Officers Killed or Disabled in the Line of Duty@, strike the words ACivilian Federal Law Enforcement@ and insert in their place the words APublic Safety@;
- (2) In section 1211(1), strike the words Acivilian Federal law enforcement agencies@ and insert in their place the words Apublic safety agencies@;
- (3) In section 1212(a)(1)(A), strike the words AFederal law enforcement@ and insert in their place the words Apublic safety@;
- (4) In section 1217, add a new paragraph (3) with the words Athe term 'public safety officer' has the same meaning as under Subpart 1@, and renumber the previous paragraphs (3) and (4) as (4) and (5), respectively.

10/07/97 10:00 AM FAX 202 517 2004
JUSICE INFORMATION

DEGAN EXPANSION

- One year ago, President Clinton signed into law, an act which provides for the education of the children of federal law enforcement officers who die in the line of duty.
- Known as the Federal Law Enforcement Officers Dependents Act of 1997, or the Degan Bill, in memory of Deputy United States Marshal William Degan, who was shot and killed in 1992, X young men and women were sent to college this fall under the program and another X are eligible.
- Today, the President announced his support for legislation which expands this benefit to the children of all federal, state, county and local law enforcement, fire and rescue personnel who die in the line of duty.
- The new program, which has an estimated first-year cost of \$780,000, will be administered by the Attorney General.
- The program will provide up to \$X per year for the child of the deceased to attend a 4-year college program. This is the same amount the federal government provides to veterans.
- The bill is designed to remove a financial burden on the families of deceased public safety officers and allow their children to continue with their education as they would have done had their parent not given his or her life protecting us.

10/7/97-1812



Nicholas Gess @ DOJ
10/18/97 06:04:01 PM

Record Type: Record

To: Jose Cerda III/OPD/EOP

cc:

Subject: Degan & NAPO

Jose-- Chris Putala called me to say that NAPO has shopped the Degan expansion with Biden. Biden is inclined not only to do the thing, but to take the lead and get co-sponsors on both sides of the aisle. Putala less than sanguine abt. getting this done before recess and this will piss off Scully. But, Putala also doesn't perceive any problems. I have Putala copy of the draft language BJA did.

NICK

09/18/97 17:03

202 842 4396

NAPO

CHRISTIA ROBINSON

09-18-1997 08:10AM FROM COPS

TO

12028424396 P.02



Concerns of Police Survivors, Inc.

P.O. Box 3199 • South Highway 5 • Camdenton, Missouri 65020

(573) 346-4911 • (800) 784-COPS (2677) • Fax (573) 346-1414

E-Mail Address • cops@iland.net

Reaching Out To Help America's Police Survivors

September 18, 1997

Mr. Robert Scully, Executive Director

NAPO

750 First St., NE #920

Washington, DC 20002

Dear Bob:

Concerns of Police Survivors offers its support to any effort taken to have the Federal government provide educational benefits to the surviving spouses and children of all public safety officers killed in the line of duty as determined by Federal criteria.

The only way we can assure survivors across the country parity in educational benefits provided to their families after the death of their officer is to have the Federal government provide these benefits. Some states provide these benefits to only children; some provide benefits to children and spouses; and some provide no educational benefits at all.

Private organizations such as HEROES and 100 clubs provide financial assistance for educational benefits for surviving children but only in certain "service areas".

Our organization knows it is impossible to place a value on any individual's life. And we truly believe parity in educational benefits can come only from Federal legislation that makes this possible for the surviving spouse and children of all public safety officers killed in the line of duty.

Sincerely yours,

Suzie Sawyer
Executive Director

SFS/lmk



D. Stephen Goodin

05/15/97 03:48:23 PM



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132 White Drive
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912-423-7062.

The SUNDAY Times FINAL

The Washington Times

Sunday, January 10, 1999

Social Security does not work for law enforcement officers

As the executive director of the National Association of Police Organizations (NAPO), I want to expand on your statement that state and local employee groups representing millions of teachers, law enforcement officials and other public employees are fighting a proposal on Capitol Hill to make their participation in the Social Security program mandatory ("Reforming Social Security," Editorial, Jan. 4).

While NAPO does indeed support the concept of Social Security as an important source of future retirement security for millions of Americans, we do not support forcing public-safety officers to pay into the system. Because of the special circumstances of their jobs, most state and local public-safety workers do not pay Social Security taxes and are not covered by the program.

Requiring Social Security taxes of the 76 percent of public-safety officers not covered (and also their replacements) would have a dramatic and negative impact on the recruitment and retention of well-qualified public-safety officers and their current pension funds. It would constitute an unfunded mandate on public-safety agencies, probably amounting to more than \$1 billion in the first year alone. If mandatory Social Security becomes law, employees would each pay a 6.2 percent payroll tax, at minimum consisting of an automatic reduction of an officer's pay. Employers also would be required to match the 6.2

percent payroll tax. Since raising taxes would not be politically feasible, the question becomes: From where is the money going to come?

The answer is detrimental to public safety. For example, in some localities, laws require integration of Social Security benefits with current pension plans so that pension-plan benefits will be reduced by the same dollar amount received from Social Security. Also, newly imposed Social Security likely would cause many state and local governments to cut costs by reducing or eliminating the health care benefits provided to active and retired public-safety officers and their families. Many other agencies would reduce the number of public-safety officers in order to retain current pay and benefits. It also is conceivable that essential equipment, such as bulletproof vests, would be reduced, jeopardizing the safety of both public-safety officers and the general public.

Let there be no mistake about it: Social Security was not designed for and does not address the special needs of law enforcement officers. Officers and their families need the security of service-connected disability, early retirement and death benefits. Social Security does not provide anywhere near the level of benefits of current public-safety pension plans and provides no disability benefits unless one is unable to perform any work, not just public-safety work. Social Security is

not appropriate for law enforcement, a profession that typically leads to retirement before or around age 55 because of the stresses and dangers faced every day. Unlike current plans, in which officers may retire after 20 or more years of service, Social Security will pay these individuals nothing until they reach age 62.

Significantly reducing current retirement pensions, death benefits and line-of-duty disability pay for public-safety officers, even if done only for new hires, would provide public-safety officers and their families with much less protection. This would cause law enforcement to become much less desirable as a profession. Tampering with the current system most assuredly would result in some of our better candidates and current officers going into other professions because of the fierce competition among public-safety agencies and the private sector.

It makes no sense whatsoever to harm public-safety pension funds that are working well and paying needed benefits to those who serve and protect. Social Security needs to be made stable in the interest of our nation's future. But this should not be done at the expense of those who are putting their lives on the line to protect the public.

ROBERT T. SCULLY

Executive director
National Association of Police Organizations
Washington

We welcome your opinions on any topic. Letters should be signed originals. Every letter will be considered for publication, but we prefer those of fewer than 250 words, typed double-spaced. All letters may be edited for clarity and length. Please include your name, address and daytime telephone number. Send your opinion to:

Letters to the Editor
The Washington Times
3600 New York Ave. NE
Washington, D.C. 20002

Citation

1/4/99 WATIMES A16

1/4/99 Wash. Times (D.C.) A16

1999 WL 3074920

Search Result

Rank 2 of 48

Database

ALLNEWSPLUS

(Publication page references are not available for this document.)

The Washington Times

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Monday, January 4, 1999

A;COMMENTARY;EDITORIALS

Reforming Social Security

Federal lawmakers have a very, very special offer for some 5 million teachers, law-enforcement officials and other state and local employees around the country. They want to give those employees a chance to enjoy all the benefits of Franklin Delano Roosevelt's greatest New Deal legacy, the Social Security program. In fact, lawmakers consider this offer so thoughtful and generous, they may make it one that employees can't refuse by passing a law making their participation mandatory.

State employee groups have responded with all the enthusiasm of German soldiers being dispatched to the Russian front. Said Robert Scully, executive director of the National Association of Police Organizations Inc, in a letter last month to President Clinton, a "proposal of mandatory Social Security taxes for public safety officers is one of the greatest and most detrimental attacks on public safety labor organizations and their respective members."

Said a spokesman for the 40,000-member United Teachers of Los Angeles, "[L]et's call this what it really is - a bailout of the Social Security trust fund on the backs of school teachers and other state and local workers who did not create the problem."

Wrote the heads of five government retirement associations in Ohio, "The anger among millions of working adults and retirees and subsequent political backlash that will likely follow if mandatory coverage is imposed is disturbing to contemplate."

It's not hard to understand their anger. Mr. Roosevelt's grand plan to reduce dependence in old age has been reduced to a pyramid scheme on the verge of collapse. Even those for whom the system is "working" - baby boomers who will get back little more than they paid in, even less for those who follow - could have made sounder investments buying swampland in New Jersey. This is the retirement system that President Clinton and congressional leaders now say they want to save.

1/4/99 WATIMES A16

(Publication page references are not available for this document.)

The fact is that the only way to provide real social security is to begin to allow people to save for their own retirement. There are a host of plans on the table allowing just that. Impeachment proceedings or no, lawmakers in both houses should move expeditiously to take them up.

Senate Finance Committee Chairman William Roth, the panel where Social Security Reform is likely to begin, has a plan that would leave the existing system untouched but would use budget surpluses to create personal retirement accounts for all working Americans. Sens. Pat Moynihan and Bob Kerry propose to divert 2 percent of payroll taxes into personal accounts but would allow for increases in both the taxable wage base and tax rate. Sen. Rod Grams would, among other things, allow workers to shift 10 percent of their payroll taxes to individually held personal retirement accounts and would finance the transition by cutting federal spending 5 percent across the board.

Still another plan, which has the advantage of being politically possible, comes from Sens. Judd Gregg and John Breaux and Reps. Jim Kolbe and Charles Stenholm. It would allow workers to put 2 percent of payroll taxes into personal accounts modeled on the Federal Thrift Plan. It also guarantees the social "safety net" by stipulating that anyone who works for 40 years would receive a benefit equivalent to at least 100 percent of the poverty level.

Exactly where the administration is on all this isn't clear. Mr. Clinton has so far refused to put up his own plan for consideration, notwithstanding offers from Republicans to introduce it as is. Republicans are naturally leery of going ahead without him for fear that he will use any reform proposal to attack them for doing away with Social Security.

One would hope he would not want his legacy to include that of Social Security demagogue. Besides, the president himself has acknowledged that one way to shore up the system without tax increases or benefit reductions would be to "take advantage of the higher return on investments" in private markets, although he didn't say what form that investment would take or who would make it.

Lawmakers shouldn't wait for him to make up his mind. Mr. Roth should move on to do the "people's business," as the president calls it, by considering Social Security reform. If the existing program isn't good enough for state and local government employees - and it isn't - it isn't good enough for anyone.

---- INDEX REFERENCES ----

FILE
COPY

—

Today's Date: MAY 11, 1998

Date of Event: JUNE 13, 1998

STAFF REQUEST FOR PRESIDENTIAL ACKNOWLEDGEMENT LETTER

REQUEST TO: Presidential Support
Room 62
Ext. 2304

FROM: (Name) JOSE CERDA III
(Dept.) OPD-DPC
(Room) 224 DEOB
(Ext.) 6-5568

A MINIMUM OF 2 WEEKS NOTICE IS REQUIRED FOR PROCESSING

ALL REQUESTS ARE SUBJECT TO FINAL APPROVAL BY JIM DORSKIND

Mark ☐ in appropriate box and include any additional comments pertinent to the request in information space below.

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| ☒ RETIREMENT
(no. of yrs; name of
co. or govt agency) | ☐ CONDOLENCE
(sent to
next-of-kin only) | ☐ ILLNESS
(type: surgery,
accident, cancer, etc.) |
| ☐ BIRTHDAY
(no. of years) | ☐ GRADUATION
(list name of school
and degree awarded) | ☐ WEDDING
(provide first names) |
| ☐ BIRTH OF BABY
(child's name &
parents first name) | ☐ ADOPTION
(list parents &
child's name) | ☐ BAR OR BAT MITZVAH |
| ☐ WEDDING ANNIVERSARY
(no. of years) | | ☐ OTHER
(please specify) |

INFORMATION: 25 YEARS OF SERVICE AS CATHOLIC PRIEST
(OR SILVER JUBILEE)

MAILING ADDRESS FOR LABEL (include complete address and zip code)

CIRCLE ONE: Mr. Mrs. Miss Mr. & Mrs. Dr. Ms.

NAME: BOB SCULLY
ADDRESS: NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS
750 FIRST STREET, NE, SUITE 920
CITY/STATE/ZIP CODE: WASHINGTON, DC 20002

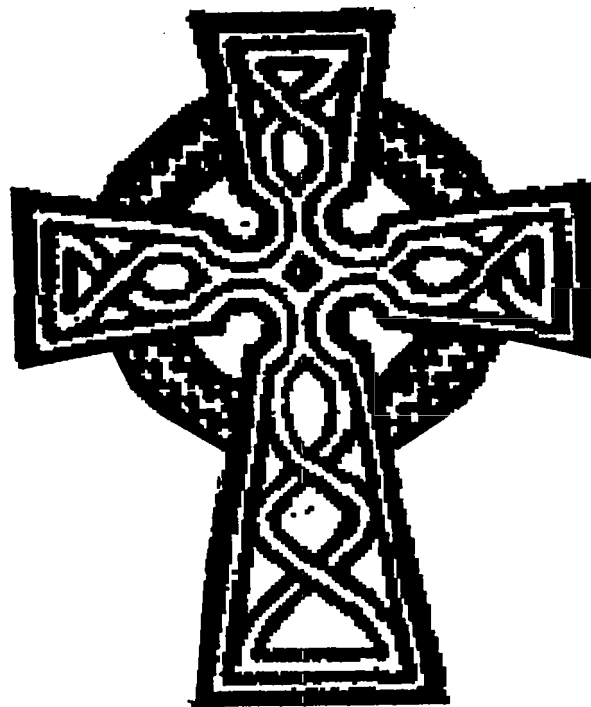
INSIDE ADDRESS FOR LETTER (complete address to appear on letter)

CIRCLE ONE: Mr. Mrs. Miss Mr. & Mrs. Dr. Ms.

NAME: FATHER THOMAS J. MALONEY, S.A.C.
ADDRESS: ST. MATTHIAS PARISH
12509 19 MILE ROAD
CITY/STATE/ZIP CODE: STERLING HEIGHTS, MI 48313

June 13

Silver Jubilee
Thomas J. Moloney, S.A.C.



Mass of Thanksgiving

A Word from ...

FR. T.J. MOLONEY, S.A.C.

Where has the time gone? I can't believe it. I can't believe that I have been ordained 25 years! I suppose most people my age have similar feelings. The older we get, the more aware we become of how short life really is. My journey of life from Inagh, Co. Clare to Sterling Heights, Michigan has been marked with many surprising twists and turns. On balance, I must conclude that I've been blessed and deeply grateful to so many.

To my parents and family, I owe the very direction my life has taken. Joining the Irish Province of the Pallottine Fathers has been a source of inspiration and fulfillment. My ministry as a Pallottine took me to Tanzania, England, and the United States. In Tanzania I became very much aware of the missionary dimension of the church. In the United States I have been humbled by the generosity and missionary sense of the faith community, especially amongst the Irish Diaspora.

Inheriting the traditional Irish missionary sense, these emigrants have preserved that vision. My work among them was a special blessing whether in Chicago, Cleveland, or Detroit. They clearly live their understanding of the universal church by a special commitment to the ministry of the Irish Pallottine Fathers.

My association with Bishop Patrick Cooney, then auxiliary bishop of the Archdiocese of Detroit, led me to St. Matthias. For almost ten years Sterling Heights has been my home. Serving the people of St. Matthias in their ups and downs has been a joy and inspiration. It also has been a faith-affirming experience as we journey together in the Lord. Each time someone tells me how grateful they are for some little thing that I may have done, it really should be the other way around - I am the grateful one - for all they have done for me.

As I look back, it is pretty clear that my priesthood has not followed a traditional path; but it has been a path that has been diverse, rewarding and fulfilling.

I am overwhelmed with the kindness, friendship, love and support I have received these past 25 years as a priest.

Your sharing in this celebration is your special gift to me... you have done more for me than I could have ever possibly done for you... **THANK YOU.**

You are always remembered in my prayers.



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

750 First Street, N.E., Suite 920 • Washington, D.C. 20002-4241

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

E-mail: napo@erols.com

FAX COVER SHEET

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THOMAS J. SCOTTO
President, Detectives'
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of New York City
New York, NY

Executive Vice President
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President, Berkeley POA
Berkeley, CA

Recording Secretary
MIKE DERBYSHIRE
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Livonia, MI

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Police Union
New Bedford, MA

Executive Director
ROBERT T. SCULLY
General Counsel
STEPHEN R. McSPADDEN
Legislative Consultants
JULES BERNSTEIN
LINDA LIPSETT

DATE: 5/8/98
TO: Jose Cerda
ORGANIZATION: The White Horse
FAX NUMBER: _____
FROM: Bob Scully
NUMBER OF PAGES INCLUDING COVER: 3
COMMENTS: Letter from President
Event is on June 13

**If you have any questions regarding this FAX,
please call (202)842-4420.**

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THANK YOU.



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Police Union
New Bedford, MA*

Executive Director
ROBERT T. SCULLY
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STEPHEN R. McSPADDEN
Legislative Consultants
JULES BERNSTEIN
LINDA LIPSETT

Memorandum

To: Jose Ccrda
From: Jody Hedeman
Date: 05/12/98
Re: Letter for Bob (address)

Jose, the address for Bob's priest friend is:

Fr. T. J. Moloney, S.A.C.
St. Matthias Parish
12509 19 Mile Road
Sterling Heights, MI 48313

Thanks!

May 12, 1998

The Reverend Thomas J. Maloney, S.A.C.
St. Matthias Parish
12509 19 Mile Road
Sterling Heights, Michigan 48313

Dear Father Maloney:

Congratulations on marking 25 years of
dedicated religious leadership.

Through your many years of devotion, you have
enriched the lives of countless others and served
as an example of faith to those in your community.
You have worked tirelessly to help the people of
your church, tending to their spiritual needs
as well as fostering an atmosphere of compassion
and fellowship. Your efforts make a positive
difference to our world and our future.

Hillary joins me in sending best wishes for
every future success.

Sincerely, **BILL CLINTON** ✓

BC/DH/ckb (Corres. #3962999)
PM-026 (5.maloneyt.msg) (Event: 06/13/98)

cc: Presidential Messages, 91 OEOB
Jose Cerda, 224 OEOB

SENT TO:
Mr. Bob Scully
National Association of
Police Organizations
Suite 920
750 First Street, N.E.
Washington, D.C. 20002

~~DO NOT MAIL - RETURN TO CARMEN FOWLER, 91 OEOB~~

13 MAY 1998



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Association of Michigan
Livonia, MI*

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

Executive Secretary
SANDRA J. GRACE
*Secretary, New Bedford
Police Union
New Bedford, MA*

**FOR IMMEDIATE RELEASE
1:00 p.m., June 4, 1998**

**CONTACT: JODY HEDEMAN
(202) 842-3560**

Executive Director
ROBERT T. SCULLY
General Counsel
STEPHEN R. McSPADDEN
Legislative Consultants
JULES BERNSTEIN
LINDA LIPSETT

STATEMENT OF ROBERT T. SCULLY EXECUTIVE DIRECTOR, NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS

NAPO RESPONDS TO ACLU PUSH FOR SENATE TO ADOPT LEGISLATION THAT WOULD MANDATE A STUDY OF ROUTINE TRAFFIC STOPS BY POLICE

WASHINGTON, DC – Today, the American Civil Liberties Union (ACLU) announced the filing of a class-action lawsuit charging the Maryland State Police with race-based discrimination in highway traffic stops. The suit was filed on behalf of the Maryland NAACP. The ACLU will also hold a press conference this afternoon urging the U.S. Senate to pass H.R. 118, the "Traffic Stops Statistics Study Act of 1997".

If passed into law, the "Traffic Stops Statistics Study Act of 1997", would mandate the Attorney General to conduct a study of stops for routine traffic violations by law enforcement officers, amassing "identifying characteristics of the individual stopped, including the race or ethnicity as well as the approximate age of that individual", in addition to detailed data about each vehicular stop.

"This bill is based on two incorrect presumptions. First, that law enforcement officers routinely stop racial and ethnic minorities (of color) for traffic violations purposely to discriminate against such individuals, and secondly, that the number of citations issued are disproportionate as compared to numbers of citations for those individuals whose color is white," said Robert T. Scully, NAPO executive director.

"Often police officers do not know the race or ethnic background of an individual when they see the vehicle driven by that person commit a traffic offense, especially at night but even during daylight. Officers will immediately pursue a vehicle for a traffic infraction, such as a speeding vehicle before knowledge of the drivers' appearance," continued Scully.

In a letter written to Senators Orrin G. Hatch and Patrick J. Leahy on April 17, 1998, NAPO stressed that this bill would place a burden on the police and lengthen traffic stops.

“It is unclear what this study will prove. If the study focuses on inner city police departments, it will reflect a greater number of minorities stopped, as compared with suburban police departments, reflecting the population makeup of that community. As proposed, the study will have a weak statistical basis,” continued Scully.

“Also, the information which a law enforcement officer will have to obtain [if this bill is passed] will likely be considered highly offensive by many individuals. If an officer is uncertain of someone’s ethnic background or age, the officer will often have to ask for this information and can be expected to meet resistance and hostility to such questions,” said Scully. “This, in turn, could create an atmosphere of hostility and lead to volatile situations and unsafe conditions,” continued Scully.

The National Association of Police Organizations (NAPO) is a coalition of police unions and associations from across the United States that serves in Washington, DC to advance the interests of America’s law enforcement officers through legislative and legal advocacy, political action and education. Founded in 1978, NAPO now represents more than 4,000 police unions and associations, over 220,000 sworn law enforcement officers, 3,000 retired officers and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement.

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THE

WASHINGTON

R E P O R T

April 14, 1998

President

THOMAS J. SCOTTO

Executive Director

ROBERT T. SCULLY

PLEASE SUBMIT YOUR TOP COPS AWARDS® NOMINATIONS

DEADLINE MAY 15, 1998

The National Association of Police Organizations (NAPO), is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement officers through legislative and legal advocacy, political action and education.

Founded in 1978, NAPO now represents more than 200,000 members and 4,000 police unions and associations who share a common dedication to fair and effective crime control and law enforcement.

The deadline for nominations for the Fifth Annual TOP COPS Awards® is fast approaching. For nominations to be considered, they must be received by May 15, 1998. All nominees will receive a *Certificate of Nomination* suitable for framing.

Nominations are reviewed by an independent Awards Committee. One winning case/incident from each state, the District of Columbia and U.S. Territories is chosen -- from among those selections, ten are singled out to receive the TOP COPS Award®, while the remaining individuals are presented with Honorable Mention awards.

The TOP COPS® are flown to Washington, DC for the prestigious ceremony, and all nominees and Honorable Mention award winners are invited to attend. All those attending the ceremony will be recognized.

The ceremony will take place on October 8, 1998 at the Omni Shoreham Hotel in Washington, DC. The TOP COPS Awards®, sponsored by the National Association of Police Organizations, is the largest and oldest national ceremony of its kind recognizing Federal, State and local officers from across the country.

Please find a nomination form enclosed. If you should have additional questions, please do not hesitate to contact the NAPO office.



THE NEWSLETTER OF THE NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS

For further information, please contact Robert T. Scully or Jody C. Hedeman

750 First, N.E. Suite 920 • Washington, D.C. 20002-4241 • (202) 842-4420 Office • (202) 842-4396 Fax • napo@erols.com E-mail



THE
FIFTH ANNUAL
TOP COPS Awards•Nomination Form

Requirements: All nominations must meet the following provisions in order to be considered.

- Nominee(s) **must** be a sworn law enforcement officer from any federal, state, county or local law enforcement agency within the United States.
- Nomination **must** be submitted by a sworn law enforcement officer, who must provide a signature in the space designated below.
- Nomination **must** involve an incident occurring between January 1, 1997 and December 31, 1997.

Instructions:

Please write a short essay on the reason your nominee should be considered for a 1998 TOP COPS Award®. This essay should be composed on a separate sheet of paper and should be no longer than 500 words. Remember to be as specific as possible with references to dates, events etc. In addition, you will need to complete the areas below and **attach this form to your essay**. We invite you to send additional information in support of your nominee. Newspaper articles, police reports and video tapes all help the awards committee in its decision making process. Kindly send your package, postmarked no later than **May 15, 1998** to:

THE FIFTH ANNUAL
TOP COPS Awards®
National Association of Police Organizations
750 First Street, NE, Suite 920
Washington, DC 20002-4241

Nominee:

Title: _____

Full Name: _____

Department: _____

Precinct Street Address: _____

City, State & Zip: _____

Telephone: (W) _____

(H) _____

Fax Number: _____

Nominating Officer:

Title: _____

Full Name: _____

Department: _____

Street Address: _____

City, State & Zip: _____

Telephone: (W) _____

(H) _____

Fax Number: _____

A Quick Look at NAPO



The National Association of Police Organizations (NAPO) is now truly the strongest unified voice supporting law enforcement officers in the United States, representing more than 4,000 police unions and associations, more than 200,000 sworn law enforcement officers, 3,000 retired officers and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement.



NAPO established a sister (501)(c)(3) educational organization in 1991, the Police Research and Education Project (PREP), to promote the well-being of police officers and their families. Its mission also includes educating and informing the public about the role of law enforcement officers in a democratic society.

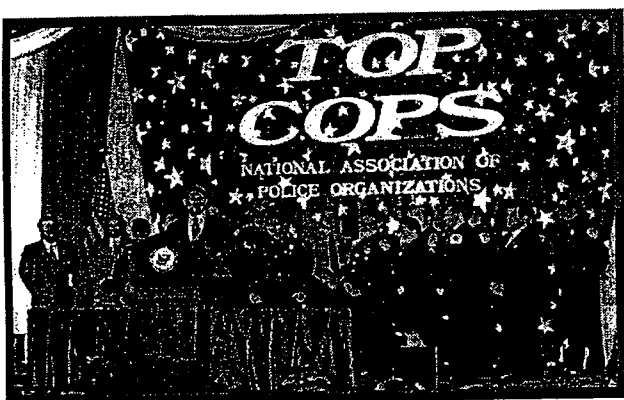


Founded by NAPO in 1994, the National Law Enforcement Officers' Rights Center stands squarely behind the law enforcement officers of America in their fight for justice. Through the Rights Center, NAPO battles to uphold cops' rights in the United States Supreme Court and the state appellate court system.

THE FIFTH ANNUAL TOP COPS Awards® Nomination Form



National Association of Police Organizations



The National Association of Police Organizations (NAPO) proudly announces the Fifth Annual TOP COPS Awards® Ceremony to pay tribute to the men and women in law enforcement for their outstanding service to America's communities.

NAPO invites you to complete this nomination form. We are seeking law enforcement officers who have made a difference through extraordinary efforts. Pay special attention to the conditions specified. One case will be chosen from each state and the District of Columbia by an independent awards committee. From among those 51 cases, the top ten will be chosen to receive the TOP COPS Award®. The remaining 41 cases will receive an Honorable Mention award. The TOP COPS® will be flown to Washington, D.C. to receive their awards at a dinner ceremony on Thursday, October 8, 1998 at the Omni Shoreham Hotel.



COUNTY OF NORTHAMPTON

OFFICE OF THE DISTRICT ATTORNEY

NORTHAMPTON COUNTY GOVERNMENT CENTER

669 WASHINGTON STREET

EASTON, PENNSYLVANIA 18042-7492

Phone: 610-559-3020

Victim / Witness Line: 610-559-3057

Fax: 610-559-3035

JOHN M. MORGANELLI
DISTRICT ATTORNEY

March 20, 1998

Robert T. Scully, Executive Director
National Association of Police Organizations, Inc.
750 First Street Northeast
Suite 920
Washington, D.C. 20002-4241

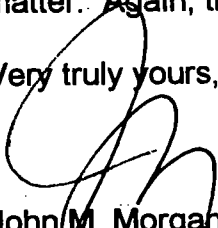
RE: Nomination of Judge Frederica Massiah-Jackson

Dear Mr. Scully:

On behalf of the District Attorneys of Pennsylvania, I would like to thank you for the efforts of your organization with respect to the defeat of the nomination of Judge Frederica Massiah-Jackson for a position as a Federal Judge in the Eastern District of Pennsylvania. Your organization's support was essential in defeating this nomination.

It was encouraging to see the law enforcement community in Pennsylvania, as well as the national law enforcement community, come together to defeat this matter. Again, thank you very much for your support.

Very truly yours,


John M. Morganelli
DISTRICT ATTORNEY

JMM/pd



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

750 First Street, N.E., Suite 920 • Washington, D.C. 20002-4241

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

E-mail: napo@erols.com

President

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

Executive Vice President

B. D. "BUD" STONE
*President, Berkeley POA
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Legislative Consultants

JULES BERNSTEIN

LINDA LIPSETT

**FOR IMMEDIATE RELEASE
May 26, 1998**

**CONTACT: JODY HEDEMAN
(202) 842-3560**

ANCHORAGE (AK) POLICE DEPARTMENT EMPLOYEES ASSOCIATION JOINS NAPO

ADDING 320 OFFICERS TO NAPO's MEMBERSHIP

WASHINGTON, DC - The National Association of Police Organizations (NAPO) announced today that the Anchorage (AK) Police Department Employees Association (APDEA) has affiliated with NAPO adding 320 new law enforcement officers to NAPO's growing membership.

"NAPO welcomes the Anchorage Police Department Employees Association. I look forward to representing their interests here in the nation's capital and working together with them on our top legislative priorities," said Robert T. Scully, NAPO's executive director.

"Through NAPO's leadership in Washington, DC, the voice of law enforcement will truly be heard. We look forward to fighting for the rights of law enforcement officers here in Anchorage and across the nation on the federal level with NAPO's help," said Sergeant Rob Heun, ADPEA's president.

The National Association of Police Organizations (NAPO) is a coalition of police unions and associations from across the United States that serves in Washington, DC to advance the interests of America's law enforcement officers through legislative and legal advocacy, political action and education. Founded in 1978, NAPO now represents more than 4,000 police unions and associations, over 220,000 sworn law enforcement officers, 3,000 retired officers and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement.

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NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

750 First Street, N.E., Suite 920 • Washington, D.C. 20002-4241

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

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Executive Secretary
SANDRA J. GRACE
*Secretary, New Bedford
Police Union
New Bedford, MA*

**FOR IMMEDIATE RELEASE
May 21, 1998**

**CONTACT: JODY HEDEMAN
(202) 842-3560**

Executive Director
ROBERT T. SCULLY
General Counsel
STEPHEN R. McSPADDEN
Legislative Consultants
JULES BERNSTEIN
LINDA LIPSETT

NAPO URGES CONGRESS TO CONSIDER THE SPECIAL NEEDS OF POLICE WHEN FOCUSING ON THE FUTURE OF SOCIAL SECURITY

**HOUSE COMMITTEE ON WAYS AND MEANS, SUBCOMMITTEE
ON SOCIAL SECURITY HOLDS HEARING EXAMINING THE
IMPLICATIONS OF PROPOSALS AFFECTING FEDERAL, STATE
AND LOCAL GOVERNMENT EMPLOYEES**

WASHINGTON, DC – Today, the National Association of Police Organizations (NAPO) urged the House Committee on Ways and Means, Subcommittee on Social Security, to consider the special needs of law enforcement officers and other government employees when examining the future of Social Security.

In a written statement submitted to the Subcommittee for their ninth hearing in a series entitled, "The Future of Social Security for this Generation and the Next", Robert T. Scully, executive director of NAPO, addressed the severe implications of mandating Social Security taxes on law enforcement officers and other government employees. It is estimated that 76 percent of police officers and firefighters do not currently pay Social Security taxes.

Dating back to the original Social Security Act of 1935, State and local governments were excluded altogether to avoid raising the possible constitutional questions of whether the Federal government could tax State and local governments. Also, many State and local governments were already covered under other pension plans. Voluntary participation in Social Security by employees of State and local governments has been permitted since 1950 due to several congressional amendments to the law. The State and local government option to terminate Social Security coverage was repealed and all State and local participating governments were required to continue their participation in 1983. Then, on July 1, 1991, Social Security coverage was made mandatory for State and local government workers who do not participate in a retirement system for such employment.

-more-

“[Mandating Social Security taxes] would have a dramatic and negative impact on the recruitment and retention of well-qualified public safety officers and their current pension funds. Even mandating that only new hires be included in the system would still have serious unintended and possibly devastating consequences. Such a Federal mandate would strain State and local government budgets and would probably reduce current salaries, freeze future pay raises, and curtail or eliminate other benefits, such as retiree health insurance, retirement pensions, death benefits, and line-of-duty disability pay for public safety officers,” said Scully.

“Simply stated, the Social Security system was not designed for police officers and firefighters. ...State and local governments have developed pension systems which acknowledge that police and firefighter jobs are very different than normal careers, with a set of dangers and stresses not faced by most other professionals,” continued Scully.

The Social Security system does not adequately provide for police officers who retire from police work, typically around middle age, because of the physical and psychological stresses and demands of their job. Because Social Security requires that an employee be unable to perform *any* substantial and gainful employment, officers who are no longer able to perform their police duties receive nothing under Social Security. However, most of the current systems allow such officers to receive some disability benefits, which are often used to supplement a second career (usually at a lower salary).

“A Social Security tax on employees and their government employers would negatively impact public safety operations and could result in lay-offs, reduced pay or other benefits, or no cost-of living increases, and could reduce purchases of necessary equipment and technology, or a combination of these consequences,” stated Scully. “Mandatory Social Security taxes and coverage will hurt, not help, 76% percent of the public safety officers not now included, in addition to millions of other public sector employees. It will hurt us all,” continued Scully.

The National Association of Police Organizations (NAPO) is a coalition of police unions and associations from across the United States that serves in Washington, DC to advance the interests of America's law enforcement officers through legislative and legal advocacy, political action and education. Founded in 1978, NAPO now represents more than 4,000 police unions and associations, over 220,000 sworn law enforcement officers, 3,000 retired officers and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement.

**For a copy of NAPO's written statement in its entirety,
please contact Jody Hedeman at (202) 842-3560.**

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THE WASHINGTON

R E P O R T

SPECIAL EDITION

President
THOMAS J. SCOTTO

Executive Director
ROBERT T. SCULLY

May 15, 1998

VICTORY DURING POLICE WEEK 1998!

The National Association of Police Organizations (NAPO), is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement officers through legislative and legal advocacy, political action and education.

Founded in 1978, NAPO now represents more than 200,000 members and 4,000 police unions and associations who share a common dedication to fair and effective crime control and law enforcement.

THREE OF NAPO'S TOP LEGISLATIVE PRIORITIES PASS SENATE

**BULLETPROOF VEST PARTNERSHIP GRANT ACT
CARE FOR POLICE SURVIVORS ACT
PUBLIC SAFETY OFFICERS EDUCATIONAL ASSISTANCE ACT**

Just as Police Week 1998 drew to a close, the Senate passed with unanimous consent three of the National Association of Police Organizations' (NAPO) top legislative priorities. As reported in earlier editions of the Washington Report and NAPO Bulletins, NAPO led the fight to pass these critically important bills and lobbied for their passage right up until the last minute.

During NAPO's annual Legal Rights and Legislative Seminar April 18-21, 1998, our members in attendance spent a day making congressional visits and lobbying for the swift passage of these bills. NAPO wishes to extend our thanks to those members whose efforts led to additional co-sponsors and congressional support.

-more inside-

THE NEWSLETTER OF THE NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS

For further information, please contact Robert T. Scully or Jody C. Hedeman

750 First, N.E. Suite 920 • Washington, D.C. 20002-4241 • (202) 842-4420 Office • (202) 842-4396 Fax • napo@erols.com E-mail



Federal Emergency Management Agency

Washington, D.C. 20472

1 28 1998

Mr. Robert Scully
Executive Director
National Association of Police Organizations
750 First Street, NE
Suite 1020
Washington, DC 20002

Dear Mr. Scully:

In the past two years alone, the President has declared 133 major disasters. Since the beginning of this year, 25 disasters have been declared between January 1 and April 10, 1998.

One of the most important and highly visible positions in a disaster field operation is that of the Federal Coordinating Officer (FCO). The FCO is the lead federal official who is responsible for coordinating the federal response efforts in the affected State. The Director of FEMA appoints a senior manager from within the Agency to this position for each new disaster. The numbers of disasters declared have resulted in many managers being deployed for extensive periods of time to serve as the FCO.

Congress approved 25 new positions and funding for a full-time Federal Coordinating Officer Professional Cadre within FEMA. This Cadre will relieve the impact of deploying key managers to the field and will ensure a consistent level of skills and professional experience that is required to manage and coordinate multi-million dollar disaster response efforts in support of our State and local partners.

FEMA is recruiting professional candidates from all sectors. We are requesting your assistance in obtaining the broadest recruitment of candidates possible. An advertisement that was designed to announce this recruitment is enclosed. It would be appreciated if you would place this announcement in publications that your organization issues and to make any other distribution that you think appropriate. In addition, enclosed is a copy of the Vacancy Announcement you may wish to circulate.

Should you have any questions regarding this Cadre, please contact Barbara Russell at (202) 646-3692.

Sincerely,

A handwritten signature in cursive script that reads "James L. Witt".

James L. Witt
Director

Enclosures



FEDERAL COORDINATING OFFICER CADRE GS-301-15

Federal Emergency Management Agency (FEMA)

Vacancy Announcement Number MW-98-RR-107-SSM

FEMA is seeking applicants for full-time assignments as members of FEMA's National Federal Coordinating Officer Cadre, to ensure the availability of expert staff to perform top management functions and provide leadership in disaster field operations. Incumbents will be responsible for all programs and systems established under a Presidential disaster declaration to provide disaster assistance to affected communities, and will coordinate all available resources of Federal, State and local authorities, as well as participating voluntary agencies, to achieve recovery objectives. Incumbents will develop plans and strategies, coordinate long-term recovery and mitigation efforts, and maintain financial oversight of programs. These are Career, Schedule A, Excepted Service appointments without time limits. Extensive, long-term travel to disaster operations could be up to 80% of the year.

Candidates must have knowledge of, and experience in, emergency management programs and disaster operations; knowledge of Federal, State, and local government processes; expert management skills and experience with organizational leadership in crisis situations; and top-level financial management skills. In addition, candidates must be experienced in media and public affairs liaison activities; possess a strong ability to analyze complex issues and develop strategies; and be able to communicate effectively orally and in writing.

To apply, please send an application (SF171 or OF612) or résumé to: FEMA, Attn: S. Miller, Bldg. 409, P.O. Box 129, Berryville, Virginia 22611. For a vacancy announcement, please call (800) 879-6076, [800-877-8339 TDD] or access FEMA's website at www.fema.gov

Applications/résumés MUST contain the following: Social Security Number; Citizenship, Veteran's Preference (if applicable) Form DD-214; SF-50 (for current or former Federal employees); current and former job information including employer's name and address, hours worked per week, and starting and ending dates of employment.

Must be U.S. citizen; EOE.

Applications will be accepted until all positions are filled.

1998 - 2000

Upcoming NAPO Events

-Mark Your Calendar-

20th Annual NAPO Convention
***July 29-August 2, 1998**
Doubletree Hotel Columbia River
Portland, Oregon
(800)222-8733

21st Annual NAPO Convention
*** August 11-18, 1999**
Hyatt Regency Denver (tentative)
Denver, CO

22nd Annual NAPO Convention
*** August 3-8, 2000**
Hyatt Regency On Capitol Hill
Washington, DC

5th Annual Top Cops Awards®
***October 8, 1998**
Omni Shoreham Hotel
Washington, D.C.
(202)234-0700

**11th Annual Public Safety
Pension & Benefits Seminar
& Executive Board Meeting**
***February 21-26, 1999**
Harrah's Casino Hotel
Las Vegas, Nevada
(800)392-9002

**Legal Rights & Legislative Seminar
& Executive Board Meeting**
*** April 24-28, 1999**
Hyatt Regency Capitol Hill
400 New Jersey Avenue, NW
Washington, DC
(800)492-8832

- Includes Executive Board Meeting

*** Includes Executive Board Meeting**

For More Information please contact the NAPO Office:

Robert T. Scully, Executive Director

National Association of Police Organizations, Inc.

750 First Street, NE, Suite 920

Washington, DC 20002-4241

(202)842-4420 or FAX (202)842-4396



- ☐ As You Requested
- ☒ For Your Information

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**The National Association
of Police Organizations**

750 First Street, N.E. • Suite 920
Washington, D.C. 20002-4241
(800) 322-NAPO
E-Mail: napo@erols.com

Jose,

Bob asked me to
send you our testimony
on mandatory Social
Security and GPO+
WEB benefit shields. If
you have any
questions -- please call

Keith,

Mike



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

750 First Street, N.E., Suite 920 • Washington, D.C. 20002-4241

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

E-mail: napo@erols.com

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LINDA LIPSETT

GOVERNMENT PENSION OFFSET H.R. 2273/S. 1365

POSITION PAPER NOVEMBER 10, 1997 Revised April 13, 1998

BACKGROUND

The Government Pension Offset was instituted in 1977 and later amended in 1983, to set a two-thirds offset for Social Security benefits of spouses or surviving spouses earning government pensions. There are about 230,000 former local, State, and Federal employees who are affected by the offset. The law unfairly offsets a recipient whose pension was not covered by Social Security and exempts individuals who earned their pension in the private sector. For example: If a widow received \$600 from a government pension and \$500 from a widow's benefit; the offset would leave \$100 from Social Security or the widower's benefit. The end result is that the widow would receive a total of \$700 from the two pensions instead of a monthly benefit of \$1,100.

CURRENT STATUS

On July 25, 1997, Congressman William Jefferson (D-LA) introduced H.R. 2273. Jefferson's bill would remove the offset for anyone whose combined monthly benefit from a government pension and spouse's Social Security benefit is \$1,200 or less. On November 4, 1997, Senator Barbara Mikulski introduced S.1365, a companion bill in the Senate, with some modifications attached. The bill would provide for an index adjustment for the \$1,200 threshold, due to the cost of living. Also, Mikulski's bill would initiate the two-thirds offset for anything over \$1,200 compared to a dollar-for-dollar offset in Jefferson's bill. H.R. 2273 has been referred to the House Committee on Ways and Means. S.1365 has been referred to the Senate Committee on Finance.

NAPO POSITION

NAPO supports the efforts of both Congressman Jefferson and Senator Mikulski to eliminate the Government Pension Offset for combined monthly benefits of \$1,200 or less. NAPO also supports the modifications of S.1365, indexing \$1,200 figure for future increases in the cost of living. NAPO feels there must be some equity when lawmakers distinguish between pensions earned by someone in the private sector vs. the public sector.

MEASURE: HR2273

CURRENT COSPONSORS:

Abercrombie (D-HI)	Gejdenson (D-CT)	Ney (R-OH)
Ackerman (D-NY)	Goode (D-VA)	Norton (D-DC)
Allen (D-ME)	Gordon, B. (D-TN)	Olver (D-MA)
Andrews, R. (D-NJ)	Hall, R. (D-TX)	Owens, M. (D-NY)
Baesler (D-KY)	Hall, T. (D-OH)	Pallone (D-NJ)
Baldacci (D-ME)	Harman (D-CA)	Payne, D. (D-NJ)
Bereuter (R-NE)	Hastings, A. (D-FL)	Pelosi (D-CA)
Berman (D-CA)	Hayworth (R-AZ)	Peterson, C. (D-MN)
Bishop (D-GA)	Hefner (D-NC)	Pickett (D-VA)
Blagojevich (D-IL)	Hilliard, E. (D-AL)	Rahall (D-WV)
Blumenauer (D-OR)	Hinchey (D-NY)	Rangel (D-NY)
Bonior (D-MI)	Hoyer (D-MD)	Rothman (D-NJ)
Borski (D-PA)	Hutchinson, A. (R-AR)	Rush (D-IL)
Boucher (D-VA)	Jackson, J. (D-IL)	Sanchez (D-CA)
Brown, C. (D-FL)	Jackson-Lee, S. (D-TX)	Sanders (I-VT)
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MEASURE: S1365

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WINDFALL ELIMINATION PROVISION H.R. 2549

POSITION PAPER

NOVEMBER 10, 1997

Revised April 13, 1998

BACKGROUND

The Windfall Elimination Provision (WEP) was adopted as part of the Social Security Amendments of 1983. The WEP affects an individual's own Social Security if that person becomes eligible for a Federal, State, or local government pension after 1985 based on work not covered by Social Security.

The regular formula for computing a Social Security benefit is based on Average Indexed Monthly Earning (AIME). The benefit is figured by taking 90% of the first \$445 of the AIME; 32% of the next \$445 to \$2,741; and 15% of \$2,741 and over.

The WEP formula takes only 40% of the first \$445 of the AIME (the other percentages stay the same) which thereby reduces the benefit by half or more. This formula unfairly over penalizes lower paid government employees who had a career in both the public and the private sector.

CURRENT STATUS

On September 25, 1997, Congressman Barney Frank (D-MA) introduced H.R. 2549, to amend the Windfall Elimination Provision. This bill would amend Title II of the Social Security Act. Under this bill, people whose combined monthly government pension plus the Social Security benefit is \$2,000 or less, would be exempt from the WEP. The WEP is then phased in for amounts between \$2,000 and \$3,000, and if over \$3,000 the full WEP applies. The bill has been referred to the House Committee on Ways and Means.

NAPO POSITION

NAPO supports H.R. 2549, which would modify the computation formula used by the windfall elimination provision for individuals eligible for a Federal, State, or local government pension. Many law enforcement officers will retire from pension systems that did not pay into Social Security. Thus, this bill would provide equity in the computations used for public pensions. NAPO strongly urges members of Congress to support this legislation.

MEASURE: HR2549

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Statement for the Record of Robert T. Scully, Executive Director, National Association of Police Organizations, submitted to the Subcommittee on Social Security of the Committee on Ways and Means United States House of Representatives on May 21, 1998

I. Introduction: Background and Overview

I am Robert Scully, the Executive Director of the National Association of Police Organizations, otherwise known as NAPO. I am a retired police officer who served for 25 years with the Detroit Police Department. I also served as a full-time elected officer of the Detroit Police Officers Association and was a collective bargaining team member from 1973--92. In addition, I was NAPO's elected president from 1983 to 1993.

NAPO is a national non-profit organization representing State and local law enforcement officers. NAPO is a coalition of police associations and unions serving to advance the interests of law enforcement officers through legislative and legal advocacy and educational programs. NAPO represents more than 4,000 law enforcement unions and organizations, with over 220,000 sworn law enforcement officers, 3,000 retired officers, and more than 100,000 citizens dedicated to crime control and law enforcement.¹

Mandating Social Security taxes on the vast majority of public safety officers, primarily law enforcement officers, firefighters, and rescue squad workers,² would have serious implications and unintended consequences. It would have a dramatic and negative impact on the recruitment and retention of well-qualified public safety officers and their current pension funds. Even mandating that only new hires be included in the system would still have serious unintended and possibly devastating consequences. Such a Federal mandate would strain State and local government budgets and would probably reduce current salaries, freeze future pay raises, and curtail or eliminate other benefits, such as retiree health insurance, retirement pensions, death benefits, and line-of-duty disability pay for public safety officers.

II. Brief History of the Applicability of Social Security to State and Local Public Employees

When established in 1935, the Social Security program covered all private sector workers in commerce and industry and excluded State and local government employees from Social Security coverage. The legislative history of the Social Security Act indicates that these employees were excluded because most had their own retirement systems and because Congress was concerned about the constitutionality of imposing a Federal tax on State governments, an issue which has never been litigated.

In 1950, Congress added Section 218 of the Act which allowed for voluntary participation in the system by State and local employees not covered by public retirement systems. Then, in 1954 this provision was amended to permit voluntary participation by those State and local employees who were covered in a public retirement system, if a State or local government agency entered into an agreement with the Federal government.

In 1983, Congress once again amended the 1935 Act, making several relevant changes.

¹As mandated by the Committee's rules and procedures, I have attached a list of our member organizations. Please be advised that many of our statewide 'umbrella' groups are composed of hundreds of State and local member organizations, whose members are also NAPO members.

²For purposes of this statement, I am using the definition "law enforcement officer" contained in 42 U.S.C. §3796b(5). That provision states: " 'Law enforcement officer' means an individual involved in crime and juvenile delinquency control or reduction, or enforcement of the laws, including, but not limited to, police, corrections, probation, parole, and judicial officers."

First, State and local government agencies participating in the Social Security system (whose employees were voluntarily covered) could no longer exit from the system; for these employees, it was no longer voluntary. Second, all private sector and government employees hired after March 31, 1986, were covered by Medicare health insurance, with matching contributions from employer and employees. Third, by 1991, all State and local government employees not covered by a public retirement system were required to be in the Social Security system, which is in effect today.

The Social Security Administration estimates that 4.9 million State and local government employees are not covered by the system (although there may be more than that). Seven states, California, Ohio, Texas, Massachusetts, Illinois, Colorado, and Louisiana account for a large percentage of the non-covered public employee payroll.

The 1980 "Report of the Universal Social Security Coverage Study Group", which led to the 1983 amendments, stated:

Unfortunately, in contrast to the case with the Federal workforce, the likely costs of requiring Social Security coverage for all State and local government workers are considerable. Because most existing State and local pension plans lack many of the features of Social Security, the new coordinated systems would cost many State and local governments more than they are paying to operate their noncoordinated plans. *We should not forget that these increased costs usually translate into superior retirement, disability, and survivors protection for State and local government employees.* Nonetheless, in these times of fiscal constraint at all levels of government, the Federal legislature should move cautiously in imposing new costs on State and local governments. In addition, many current State and local government plans are pay-as-you-go; hence, imposing the Social Security payroll tax . . . "crowds out" revenue that governments were anticipating for paying future benefits based on their existing pension plans.³ [Emphasis added.]

III. Special Pension Needs of State and Local Public Safety Employees and the Unintended Consequences of Imposing Social Security Taxes on Them

Best estimates by the Public Pension Coordinating Council for 1996 (the most recently available data) indicate that 76 percent of State and local public safety personnel do not pay Social Security taxes and are not covered by the system.⁴

A. Special needs of public safety officers and inadequacy of Social Security:

Let me describe the dilemma faced by public safety officers when Social Security's very limited disability, death, and early retirement benefits are factored in, compared with current

³Joint Committee Print, Committee on Ways and Means and Committee on Post Office and Civil Service, U.S. House of Representatives, 9th Cong. 2d Session, March 27, 1980, WMCP: 96-54, reprinting "Report of the Universal Social Security Coverage Study Group", transmitted by the U.S. Secretary of Health, Education, and Welfare on March 24, 1980, pp. xiii-xiv.

⁴This data is from the 1997 *Survey of State and Local Government Employee Retirement Systems*, Government Finance Officers Association, Chicago, Illinois. This survey is done for members of the Council, which is composed of the National Association of State Retirement Administrators, National Conference on Public Employee Retirement Systems, National Council on Teacher Retirement, as well as the Government Finance Officers Association.

pension systems. Simply stated, the Social Security system was not designed for police officers and firefighters.

First, being an active police officer is a younger person's job. This is due to the special dangers and physical stresses of police work, often resulting in a disability or forcing police officers into an earlier retirement, as these stresses mount. During the last century and especially the last 50 years, State and local governments have developed pension systems which acknowledge that police and firefighter jobs are very different than normal careers, with a set of dangers and stresses not faced by most other professionals. These systems take into account that law enforcement officers and firefighters usually must undergo a career change in middle age, usually in their late 40s to mid 50s. In many police departments, a large percentage of police officers will be sufficiently disabled at all ages for varying lengths of time and thus be unable to perform their duties as officers. Therefore, most governments have recognized that public safety officers need certain protections and benefits in recognition of the nature of their jobs. I will describe a typical system, the City of Detroit Policemen and Firemen Retirement System, shortly.

Social Security provides no comparable disability benefits for police officers and firefighters. Social Security requires that an employee be unable to perform any substantial and gainful employment. This means that an individual unable to perform regular and continuous duties as a public safety officer, who would now receive some disability benefit to supplement a subsequent career at usually a lower salary, would receive nothing under Social Security.

In addition, there are other officers who will not be able to continue to keep performing the duties after reaching middle age, because of the physical and psychological stresses and demands of police work. And therefore they must retire from police work and begin another career. Unfortunately, for these public safety employees, *no* Social Security benefits will be available, as they start a new career at much less pay.

Social Security death benefits are much lower than current retirement death benefits which often pay anywhere from 50 percent to 75 percent of an officer's salary.

B. Unintended likely consequences of mandatory Social Security taxes and coverage:

I would like to discuss the impact of imposing Social Security taxes on these essential workers. Mandating that government agencies and public safety officers each pay 6.2 percent of pay would have a negative repercussion on the retention and recruitment of the highly trained and competent law enforcement officers and firefighters--the most qualified job candidates possible.

Let me explain what is likely to happen to the majority of police and pension systems and to government expenditures if Social Security taxes and coverage are universally mandated.

There seems to be a presumption that governmental bodies can reduce benefits received from current pension plans by the same amount that would be received as benefits by public safety officers under Social Security. First, let us put aside the great disparity between what one receives from a pension plan as compared with Social Security.

As a general proposition, participants in State and local government pension systems have a right to receive retirement benefits at a defined point in the future. These rights are vested by explicit constitutional provisions, statutory provisions, common law contractual rights, or a

combination of the above, in all 50 states.⁵ In many States, public safety officer retirement benefit levels cannot be reduced without the agreement of both the employer and the employee through collective bargaining or a vote of the citizenry. Therefore, a vested public pension in the majority of states is a contractual or statutory right that can be modified only with some difficulty.

There would be tremendous pressure by government agencies to change these pension systems, pitting public safety officers against elected officials--something none of us wants. But let us assume that most of these current pension systems, which cannot be easily changed, are maintained. A Social Security tax on employees and their government employers would negatively impact public safety operations and could result in layoffs, reduced pay or other benefits, or no cost-of-living increases, and could reduce purchases of necessary equipment and technology, or a combination of these consequences. At the outset, this new unfunded Federal mandate would probably inflict on State and local governments reduced staffing or, worse yet, layoffs, or would cause a several percentage point reduction in pay for public safety employees, all based on a 6.2 percent increase in employee personnel costs for local governments.

Let us focus on a somewhat different scenario. There are states, fewer in number, where State governments can change their public pension systems without collective bargaining or votes of the citizens. Facing public pressure against tax increases, the legislatures in these states would likely change the current systems to make them much less beneficial to public safety workers. State and local government pension contributions to these systems are likely to be reduced, probably dollar-for-dollar for allocation to Social Security taxes.

Those current police and fire pension systems so affected would be severely curtailed. Public safety officers in these plans would therefore have much less protection than they do now, causing police and firefighting work to become much less desirable.

For all of these scenarios, both Congress and the Administration need to ask the following questions: Would we retain the best public safety officers we now have if their take-home pay is automatically cut by 6.2 percent, which is the additional amount that they would have to pay out? Or if Social Security taxes are applied only to new hires, would we recruit the best public safety officers if their take-home pay is automatically reduced by 6.2 percent in taxes? Would we retain or recruit the best officers if current pension systems are severely curtailed--reducing substantially or eliminating excellent early retirement, line-of-duty-disability, and early death benefits--so that the total percentage of both employing agency and employee contributions remain about the same, once Social Security taxes are factored in? Would we get the best officers if the employing agency also reduces future pay raises or freezes cost-of-living or other increases, in order to pay its portion of Social Security? I am afraid that the answer to all of these questions would be 'No!', given the tight labor markets and a variety of career choices.

In addition, imposing this tax would negatively affect government expenditures on the best technology and equipment available for law enforcement to fight crime.

⁵ A survey of the 50 States, conducted by the National Council on Teacher Retirement, disclosed that 6 States have explicit constitutional provisions guaranteeing pension rights, 15 States have express guarantees in their statutes, 18 States have common law contractual rights, and 11 States approach the issue in other ways (often through a combination of contractual rights and statutory or constitutional provisions). Moore, Cynthia L., *Public Pension Plans: The State Regulatory Framework*, 3rd ed., National Council on Teacher Retirement (to be published in 1998).

In short, mandatory Social Security taxes on law enforcement would hurt efforts to recruit the best qualified and competent law enforcement personnel. It would result in a pool of less qualified candidates for law enforcement positions, with negative implications for public safety.

C. Additional implications if Social Security taxes and coverage are imposed on only new hires:

Even expanding the Social Security system to just new hires would cause serious morale problems. It would create a different class of public safety officers and could very well endanger the trust essential among police officers and firefighters depending upon each other in life-threatening situations. If Social Security taxes are imposed on just new hires, it is likely that State and local governments would respond to this added tax burden over time in the same ways and with the same negative consequences for public safety officers and the public safety.

Over time, mandatory coverage on new hires would destroy the early retirement and disability benefits for public safety officers. One might as well abandon many of these individuals and their families if Congress mandates Social Security coverage and thereby causes the States to replace the current pension systems. On the other hand, trying to blend the special needs of actuarially funded pension systems with the structure of Social Security will create substantial complications and costs for benefit design and administration, as well as collective bargaining.⁶

There are other financial implications, as well, if Social Security is applied to new hires. If State and local governments reduce their contributions dollar-for-dollar in new Social Security taxes, current pension systems for grandfathered employees will eventually be severely impacted, as current employees retire with no contributions coming in from government agencies and new workers enter the police and firefighting forces of this country. In effect, Social Security would eventually and inevitably destroy these fire and police pension fund systems. I will describe these potential consequences shortly while discussing the impact on the Detroit police and firefighter pension system.

D. State tax implications of mandatory coverage:

For these public safety officer pension systems, there are tax implications which have not been considered. Current retirees receive a benefit which is fully taxed, bringing in revenue to governments at all levels, unlike Social Security payments which are untaxed below a certain income level. Also, closely related, the after-tax income of current public safety officers will be reduced by any shift from pre-tax pension contributions to after-tax Social Security contributions.

E. Examples of several systems' benefits and probable impact of mandatory coverage:

To illustrate all of these concerns, I have set forth several examples of the retirement benefits and line-of-duty death and disability benefits available to police officers or their families which Social Security cannot even come close to matching. (My staff surveyed several police and firefighter pension funds in Michigan, Ohio, Florida, and California, and the comments by their officials have been integrated into this statement.)

⁶In many States, any government effort to modify current pension systems, either to reduce the contributions or benefits, cannot be unilaterally undertaken without input from workers, but must be the subject of collective bargaining.

Example One: City of Detroit Policemen and Firemen Retirement System

This Detroit retirement system has approximately 5,400 active employee members and 7,800 retirees and beneficiaries and over \$3 billion in investments from which to pay benefits. Line-of-duty disability benefits can amount to 66.6 percent of final salary for full disabilities. And employees can retire after 25 years of service, with a retirement set at 62.5 percent of salary, increasing by 2.1 percent for each year after 25 years until 35 years is reached. A line-of-duty death before retirement results in 45.5 percent of the average patrolmen's salary.

Public safety employees are required to contribute 5 percent of salary until eligible for retirement, and in the 1995-96 fiscal year, the City of Detroit had a computed employer contribution of 25.9 percent.

In addition, with an annual average salary of \$40,000 for police officers and firefighters and a total annual payroll (before overtime) of approximately \$220 million, the City of Detroit and public safety officers would have to pay a combined total of at least \$27.2 million in Social Security taxes, if it were made mandatory.

Even if Social Security applies only to new hires, it would be very difficult for the City of Detroit to maintain this system of benefits and salaries for its current public safety employees, as it is required to do under Michigan's constitution (one of 6 state constitutions guaranteeing pension rights). One of two events would likely occur:

First, as other cities have done, Detroit might be tempted to create a second tier system for the new hires, to reduce its contribution by at least the same amount that it would pay into Social Security, 6.2 percent, (if not more). (Presumably this would be done through collective bargaining.) As the number of new hires increases and there are fewer pre-Social Security coverage employees to fund the current system, the system could very well develop unfunded liabilities for those employees already vested in the current system, eventually reducing the amount of funds which can be paid out. There is no way that reducing the City's and employees' contributions to the current system--dollar-for-dollar of Social Security taxes paid--would come close to matching these benefits. Nationally, covering only new hires will eventually hurt hundreds of thousands of current public safety employees, reducing their death, disability, and early retirement benefits, making public safety careers much riskier and less desirable financially.

Or, alternatively, the City may retain the current system for new hires. In that case, as in most large American cities, Detroit will likely pay the 6.2 percent increase for new hires (with the numbers of covered employees increasing every year) by taking it from somewhere else, whether from beginning salaries, new equipment, salary increases for all employees, or retirement health benefits--a particularly vulnerable target, or a combination of these. The most immediate consequences of a 6.2 percent tax would likely be a significant decrease in a new-hire's salary and reductions in health insurance for retirees or other benefits. Do not have any doubts; this is what would happen!

An official for the Detroit fire and police pension system told us during an informal NAPO survey, "We have 50 years or more of success and a history of serving our police officers and firemen. Why would the Federal government want to disrupt this healthy and fine-tuned system?" That sentiment was mirrored by others.

Example Two: Ohio Police and Fire Disability and Pension Fund

The Ohio Police and Fire Disability and Pension Fund serves 25,000 members and 15,000 retirees or surviving beneficiaries.

Approximately 25 percent of all police and fire retirements are due to full or partial disability occurring in the line-of-duty, which is not an unusual number. Full disability results in payments to the officer at 75 percent of active duty salary in this statewide system, and partial disabilities (79 percent of police and fire disability retirements overall) results in disability awards ranging from 5 percent to 60 percent of salary. As compared with this system, Social Security would provide no benefits to these individuals, unless they were totally unemployable in any line of work. And, even if they were so unemployable, the benefit would be a fraction of what these officers currently receive in disability pay. In addition, line-of-duty death benefits replace all of an officer's income and are available for the public safety officer's survivors; the Social Security benefit is significantly lower.

Employees contribute 10 percent of their pay, and State agencies pay 19.5 percent of pay for police officers and 24 percent of pay for firemen. To retain the same benefits and to impose Social Security would result in employees paying 16.2 percent of pay and municipalities paying 25.7 percent for police and 30.2 percent for firefighters, a heavy burden.

Also, if Social Security taxes were imposed on all active police and fire personnel, then Ohio municipalities would have to pay an additional \$68.2 million (based on a payroll in FY 1996 of \$1.1 billion) for public safety officers alone.

As the head of this Ohio pension fund has said, "Our workers will be giving up the certainty of an actuarially funded pension for the uncertainty of a pay-as-you go plan with an unreachable age for retirement and a very-hard-to-reach requirement for eligibility for disability benefits."

Example Three: City of Tampa Pension Fund for Firefighters and Police Officers

The Tampa City Pension Fund for Firefighters and Police Officers has 1,411 active contributing public safety officers and 1,205 retired members and beneficiaries, as of October 1997. Officers can receive up to 65 percent of salary for line-of-duty disabilities, regardless of age. They can retire after 20 years at age 46 with a pension at 50 percent of salary (increasing for later retirement). For a death benefit, a surviving spouse receives 65 percent of the member's earned benefit, plus cost-of-living increases.

The City contributes 7.7 percent of salary, and employees contribute 5.75 percent of salary into this retirement system. The system is very healthy financially, and its investments, mostly in equities, have returned an average annualized return to 15 percent, making these benefits possible.

A pension fund official told us that if Social Security taxes were imposed on new police officers and firefighters in this system, it would be necessary to continue the current system to maintain the same level of benefits, to fill in the gaps prior to age 62 or 65. If coverage were made mandatory for all public safety officers, based on 1996 payroll figures of \$66.5 million, the city would pay \$4.1 million, and employees would pay the same amount, resulting in a significant reduction in pay. Yet, even if coverage applied to just new hires, the likely consequence of superimposing a 6.2 percent tax on employee and employer would be to reduce the number of firefighters and police officers serving Tampa's citizens or significantly reduced benefits for these

employees, or a combination of both.

By contrast, there is the statewide Florida Retirement Systems, which includes a system for 'special risk' members, including all Florida county firefighters and deputy sheriffs. Members of this system are also covered by Social Security. Employing agency contributions equal a whopping 32.6 percent--26.4 percent for the pension system and 6.2 percent for Social Security. Interestingly, the benefits are not nearly as beneficial as Tampa's system. To recover disability, public safety officers must be unable to hold *any* substantial gainful employment and officers cannot retire under age 55. Therefore, even with a greater outlay of funds, the Florida State system cannot provide nearly the same security and benefits essential to attract and keep police officers, as does the Tampa system.

Example Four: City of Los Angeles, The Safety Members' Pension Plan

In the City of Los Angeles, there are over 12,000 active public safety officers contributing to the Safety Member's Pension Plan or an earlier pension plan for those hired prior to 1980 (the vast majority of firefighters and police officers are in the Safety Members Pension Plan). In addition, there are 11,049 individuals receiving a service, disability, or survivor pension.

Public safety officers hired between 1980 and June 30, 1997, belong to Plan I. Those hired since June 30th are members of Plan II. Plan I members can retire at age 50, with a minimum of 10 years of service. Plan II members can retire at any age with at least 20 years of service. In all other aspects, the plans are the same. The amount of the pension will vary from 20 percent of final average salary after 10 years, to 55 percent of salary after 25 years, to 70 percent of salary after 30 years. Service-connected disabled members receive 30 to 90 percent of average salary, depending on the degree of disability. A service-connected death qualifies a survivor for a benefit at 75% of the member's final average salary.

The active members contribute 8 percent of their salary, and the City contributes approximately 15 percent of salary (which varies from year to year), for an approximate total of 23 percent. At the end of FY 1996, the Pension Plan's investments were valued at \$6 billion, and the rate of return for that year was 14.6% percent.⁷

IV. Conclusion: Impact of Mandatory Social Security on Public Safety Officers

In conclusion, keep in mind these essential points: Social Security does not address the special needs of police officers and firefighters. First, they and their families need the security of service-connected disability and death benefits. Social Security benefits do not provide anywhere near the same level of benefits, and, in fact, provide no disability benefits unless one is totally unable to perform any work, not just public safety work.

Second, Social Security is not appropriate for public safety officers who normally retire prior to or around 55 years of age, as usually they must, due to the stresses and dangers faced every

⁷Section 535 of the City's Charter provides that, should Social Security be mandatory, the City will integrate the Social Security benefits with the Safety Members Pension Plan, so that benefits are "at least equal to the benefit offered by the Safety Members Pension Plan prior to such integration." (p.678, Charter of the City of Los Angeles, Rev. 12-13-90)

day. Social Security will pay these individuals nothing, until they reach 65 (unless they take a reduced benefit at age 62).

Even mandating Social Security taxes on just new police officers and firefighters will seriously disrupt compensation and benefits for all of them. From our perspective, it makes no sense whatsoever to harm a system of pension funds that is working well and paying needed benefits to those who protect the public safety through public service. Forcing State and local governments and employees to pay a combined 12.4 percent tax will have major consequences.

Scaling back and reducing the benefits in the current plans, even if done only for new hires, would reduce and could potentially eliminate these crucial benefits paid to these officers in recognition that they repeatedly put their lives on the line and are often disabled at some point in their careers. This would be the consequence of reducing employer and employee contributions to current pension plans in order to pay Social Security taxes.

For those remaining State and local governments which will both pay the 6.2 percent tax and retain their current pension systems for everyone, there will still be serious consequences to both pay and working conditions. This is because the money to pay the tax has to come from somewhere, and raising taxes or pay to make up the difference is not politically feasible. As a result, first, officers will automatically suffer a minimum *de facto* pay decrease through the newly imposed 6.2 percent tax, in order for them to keep their current pension benefits. Second, either local governments will reduce the number of public safety officers to retain current pay levels and benefits, or they will reduce the pay of law enforcement officers or freeze future cost-of-living increases. Also, to minimize the impact on pay, it is probable that government bodies will not provide public safety officers with the essential equipment (such as bulletproof vests) and technology needed to effectively perform their work.

Under a mandatory Social Security system, police officers and firefighters will pay more taxes for inadequate benefits. Their ability, through collective bargaining and the political process, to obtain what they need to compensate them for their service to us, the public, will be severely weakened. Even if limited to new hires, the consequences of mandatory Social Security taxes--lowering benefits or salaries and freezing cost-of-living increases--will make police and fire safety work less financially desirable. If we tamper with the current system, we will most assuredly lose some of our better candidates and current officers to other professions, in view of the fierce competition among police departments and the private sector.

Mandatory Social Security taxes and coverage will hurt, not help, 75 percent of the public safety officers not included, in addition to millions of other public employees. It will hurt us all.

V. Need for Proposed Legislation to WEP AND GPO

I would also like to briefly touch on two Social Security provisions that the Subcommittee on Social Security will be addressing in this hearing. These two provisions, the Government Pension Offset (GPO) and Windfall Elimination Provision (WEP), affect the way benefits are calculated for retirees of Federal, State and local governments, who do *not* pay into Social Security. The GPO was instituted in 1977 and later amended in 1983, to set a two-thirds offset for Social Security benefits of spouses or surviving spouses earning government pensions. The WEP was adopted as part of the Social Security Amendments of 1983, which affect an individual's Social Security if that person becomes eligible for a Federal, State or local government pension after 1985, based on work not covered by Social Security.

In present form, the GPO and WEP unfairly over-penalize employees who participate in government pension plans in lieu of Social Security. NAPO believes that there must be some equity when lawmakers distinguish between pensions earned in the private sector and those in the public sector. Currently, there is legislation pending in the 105th Congress correcting these inequities, which we strongly support.

As part of the CARE coalition (Coalition to Assure Retirement Equity), NAPO has been actively lobbying to ensure that the concerns of public employees are met. This legislation would not repeal the GPO or WEP but would appropriately amend the provisions. I recognize the fiscal and budget considerations which would arise from such a repeal. However, I also recognize that law enforcement and other government employees who do not pay into Social Security should not be used as tools to facilitate the solvency of the Social Security program. The modified legislative proposals addressing these issues are, as follows.

On July 25, 1997, Congressman William Jefferson (D-LA) introduced H.R. 2273 to amend the Government Pension Offset. Congressman Jefferson's bill would remove the offset for anyone whose combined monthly benefit from a government pension and a spouse's Social Security benefit is \$1,200 or less. On November 4, 1997, Senator Barbara Mikulski introduced S.1365, a companion bill, with some modifications. Her bill would provide for an index adjustment for the \$1,200 threshold, due to the cost of living. Also, Senator Mikulski's bill would initiate the two-thirds offset for anything over \$1,200, compared to a dollar-for-dollar offset in Congressman Jefferson's bill.

On September 25, 1997, Congressman Barney Frank (D-MA) introduced H.R. 2549 to amend the Windfall Elimination Provision. This bill would amend Title II of the Social Security Act. Under this bill, individuals whose combined monthly government pension and Social Security benefits are \$2,000 or less would be exempt from the WEP. The WEP would then be phased in for amounts between \$2,000 and \$3,000, and, if over \$3,000, the full WEP would apply.

It is estimated that 500,000 government retirees have already been affected by the GPO (210,000) and WEP (290,000). These provisions will financially impact many more low-to-middle income government employees in the future. As stated before, many law enforcement employees retire early due to the nature of their jobs. Subsequently, many will enter the private sector and earn enough credits to qualify for Social Security. These individuals will become greatly impacted by the WEP formula because of their short, or fairly evenly split careers, compared to workers with long-covered Social Security jobs.

The GPO has a profound effect on the economic security of a widow (or widower), who receives a government pension and relies on the full payment of their widow's benefit of Social Security. The law unfairly offsets a recipient whose pension was not covered by Social Security and exempts individuals who earned their pension in the private sector. Furthermore, public pensions are taxed, while Social Security is not if income falls below a certain amount, which adds to the host of inequities facing many public sector workers. It should be noted again that an estimated 75 percent of law enforcement employees do *not* pay into Social Security.

Thank you for the opportunity to submit a statement for the record.



April 22, 1998

HOUSE OF REPRESENTATIVES PASSES “CARE FOR POLICE SURVIVORS ACT”

Just as NAPO's 1998 Legal Rights & Legislative Seminar was winding down last night with our cocktail reception, we learned that the House passed the “Care for Police Survivors Act”, H.R. 3565, with a vote of 403-8. As reported to you earlier, the bill would make two important amendments to the Public Safety Officers' Benefits Act (signed into law more than 20 years ago).

The bill authorizes the Director of the Bureau of Justice Assistance to use funds from the Public Safety Officers' Benefits program “to maintain and enhance national peer support and counseling programs to assist families of public safety officers who have died in the line of duty.” This amendment would not cost the taxpayer additional dollars, but rather, simply authorizes the Director to *spend* the funding that it now receives for this vital service. Currently, the Director can legally spend \$150,000 for the purpose of national peer support and counseling programs to assist surviving families. The bill would require the Bureau of Justice Assistance to spend *at least* that amount.

The other amendment will address the current backlog of cases left pending by the Public Safety Officers' Benefits Office, by authorizing PSOB funds to hire outside hearing officers. As stated by Representative Bill McCollum (R-FL), Chairman of the House Subcommittee on Crime, under current law the Public Safety Officers' Benefits Office must wait an unreasonably long period of time for the availability of a Justice Department hearing officer to hear the appeal of a family member whose application for a death benefit has been turned down.

“Thank you, NAPO! Your efforts with the ‘Care for Police Survivors Act’ were instrumental in its successful passage through the House. We thank you for your steadfast support for the families of police officers killed in the line of duty!” said Suzie Sawyer, Executive Director of Concerns of Police Survivors, Inc (COPS).

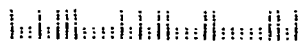
NAPO will continue to work for its passage through the Senate.



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1998 Legal Rights & Legislative Seminar A Big Success

"As the strongest voice for police in our nations' capital, NAPO's Legal Rights & Legislative Seminar should be attended by all police association leaders in the country. NAPO will remain the legislative leader because of the strength it gains from your participation."

-Dennis Flaherty, Minnesota Police and Peace Officers Association

"The issues facing us extend far past simply enforcing criminal law. The government regulator issues and the legal rights issues require our education. This seminar is a real aid to understanding."

***-Skip Murphy, San Diego Deputy Sheriffs' Association (CA)
and Peace Officers' Research Association of California (PORAC)***

"The information and ideas that result from knowledgeable speakers and the audience participation they generated are invaluable to anyone involved in the representation of law enforcement officers."

-Frank A. Klik, Warren Police Officers Association (MI)

May 6, 1998 - NAPO members, distinguished police, labor and constitutional attorneys, union negotiators and government officials from across the nation came to Washington, DC to take part in NAPO's annual Legal Rights and Legislative Seminar, April 18-21, 1998.

Topics discussed during the seminar included U.S. Supreme Court cases of interest to law enforcement officers, proven collective bargaining techniques during contract negotiations, the impact of the Lautenberg Amendment on officers convicted of domestic violence and a dramatic role play asserting the rights of law enforcement officers during investigations, "When the Shooting Is Over...Everything You Wanted to Know About How to Help Cops Stay Out of Trouble".

Other topics included recent cases involving First Amendment protected activities of officers, an update on the Americans with Disabilities Act and its implications for officers, current Family and Medical Leave Act issues, sexual harassment in the workplace and other current legislative and legal issues of interest to officers. NAPO members also made congressional visits to their members of Congress while in Washington.

This years' Congressional Award honorees included Senator Kent Conrad (D-ND), Senator Orrin G. Hatch (R-UT), Senator Kay Bailey Hutchison (R-TX), Senator Carol Moseley-Braun (D-IL), Representative Bill Archer (R-TX), Representative Benjamin Cardin (D-MD), Representative Henry Hyde (R-IL), Representative Rob Portman (R-OH), Representative Charles B. Rangel (D-NY), Administrator Thomas A. Constantine, Drug Enforcement Administration, Director Eduardo Gonzalez, United States Marshals Service, and Director John W. Magaw, Bureau of Alcohol, Tobacco and Firearms.

All of the honorees expressed their gratitude for the highly regarded award. Director John Magaw, who was recognized for his support of TOP COPS®, wrote to NAPO after the ceremony, "Because I believe that it is so vitally important to support law enforcement everywhere and to single out the outstanding members of our profession, what work I have done for TOP COPS® has been a true labor of love. Like you, I do this gladly, without the expectation of accolades beyond my own personal satisfaction. So when an award such as this is presented, I am especially honored, because it comes from the fellowship I am proud to be a part of - the men and women of law enforcement who have answered the call to serve the public."

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For further information, please contact Robert T. Scully or Jody C. Hedeman

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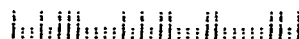


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Robert T. Scully NAPO Executive Director

Robert T. Scully is Executive Director of the National Association of Police Organizations (NAPO) and the Police Research and Education Project (PREP).

Scully, 52³, is one of the founders of the National Association of Police Organizations which now represents more than 4,000 police unions and associations, over 220,000 sworn law enforcement officers, 3,000 retired officers and more than 100,000 citizens across the country. NAPO serves its members through federal legislation, legal advocacy and education.

PREP was established in 1991 to serve as the educational and research arm of its sister lobbying organization. PREP also houses the National Law Enforcement Officers' Rights Center which serves to protect officers' legal and constitutional rights in America's courts. PREP is currently conducting research under the auspices of the National Institute of Justice on police officer stress and its effect on the family.

When NAPO was founded in 1978, Scully was elected its first Secretary. He was subsequently named Vice-President in 1981 and appointed President in May 1982. Scully was elected President in 1983 and was continuously reelected during the next eight years. Upon retirement from the Detroit Police Department after twenty-five years of service, Scully was hired as NAPO's first Executive Director, beginning in 1993.

A Detroit police officer since 1967, Scully served five years in a patrol car and four years as a court security officer. He became a full-time officer in the Detroit Police Officers Association in 1976 when he won election as Sergeant-at-Arms. Two years later, he was elected the Union's Vice-President, winning reelection until 1990. Michigan's largest police union, the DPOA represents the 4,000 sworn, non-supervisory personnel of the Detroit Police Department. Scully was a member of the team that negotiates the DPOA – City of Detroit collective bargaining agreements.

Scully serves on the Board of Directors for the National Law Enforcement Officers Memorial Fund and the Technology Assessment Program Advisory Council of the National Institute of Justice. He is a founding member of the Law Enforcement Steering Committee and was appointed by President Clinton to the National Commission to Support Law Enforcement.

A native of Detroit, Scully attended the University of Michigan before joining the Detroit Police Department. Scully and his wife Patricia are the parents of two sons.

NAPO BULLETIN

Thomas J. Scotto - *President*
Robert T. Scully - *Executive Director*



May 5, 1998

ATTENTION NAPO MEMBERS AND ALL LAW ENFORCEMENT

PROVISION OF HIGHWAY BILL A THREAT TO LAW ENFORCEMENT

Intermodal Transportation Bill, S. 1173, Section 1126

Section 1126 of the Intermodal Transportation bill would call for a "Study of Use of Uniformed Police Officers on Federal-Aid Highway Construction Projects". The section calls for (a) In General – in consultation with the states and state transportation departments, the Secretary shall conduct a study on the extent and effectiveness of use by states of uniformed police officers on Federal-aid highway construction projects. Furthermore, it states that (b) The Report – not later than 2 years after the date of enactment of this act, the Secretary shall submit to Congress a report on the results of the study conducted under subsection (a), including any legislative and administrative recommendations of the Secretary.

The end result of this report could pose a huge threat to police officers' salaries derived from overtime, and could lead to higher instances of police officers forced to moonlight in order to pay their bills.

Also of grave concern is the potential impact it could have on highway safety, unnecessarily endangering the general welfare of our nations' motorists. Having a law enforcement officer on the site of a construction project helps to ensure the safety of workers and motorists operating near highway construction sites. Officers provide the professional training and access to communications needed to deal with an emergency situation. Motorists are more apt to slow down when in sight of a uniformed officer (in or out of a police cruiser) than a civilian flagger. Throughout recent years, many flaggers have been injured or killed by careless speeding motorists. The best way to curtail such incidents and to alleviate the potential dangers of highway construction is to have a uniformed officer stationed at the construction site.

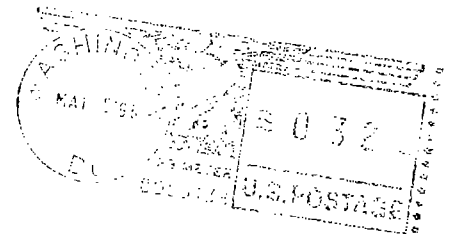
Please write Senator John Chafee*, Chairman of the Committee on Environment and Public Works, urging him to consider that the House bill, H.R. 2400, does *not* include this provision. Urge him to consider this threat to public safety when determining the outcome of the House and Senate bills in conference committee. Also, write your members of Congress alerting them to this potential threat to public safety.

*The Honorable John Chafee, Chairman, Committee on Environment and Public Works, 410 Dirksen Senate Office Building, Washington, DC 20510.

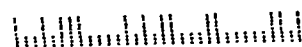


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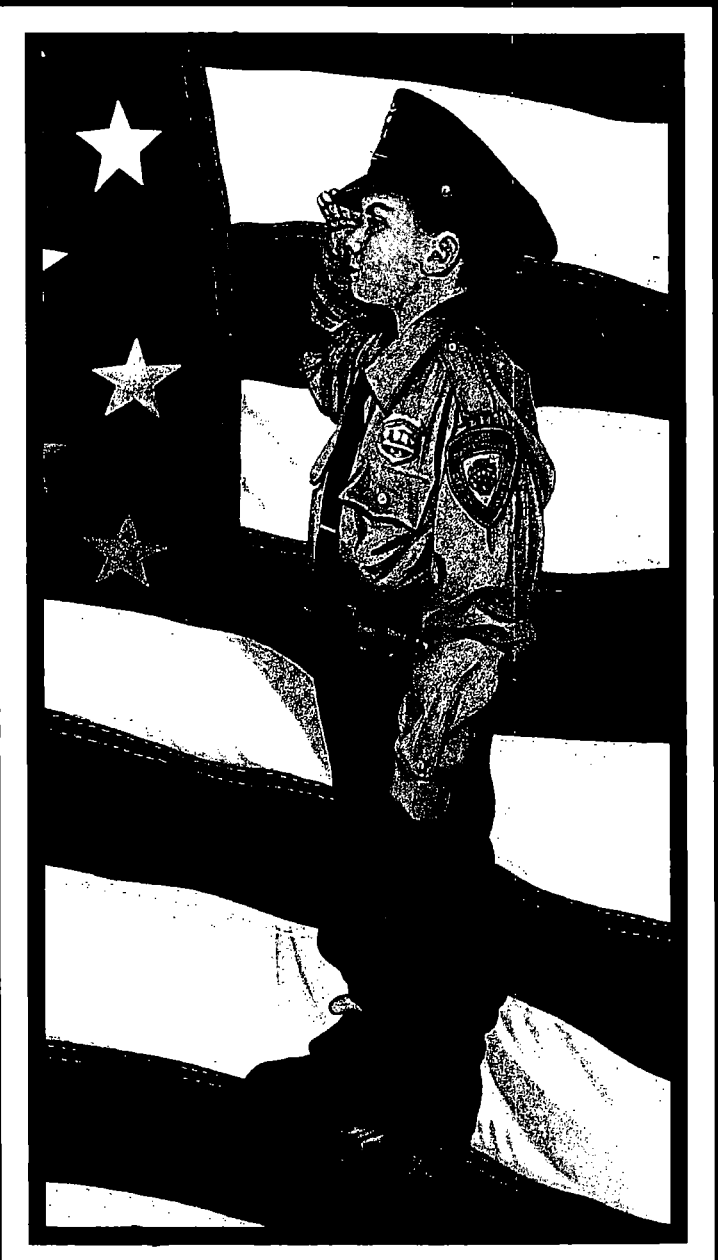
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Executive Director

NAPO represents more than 200,000 sworn law enforcement officers and 4,000 police unions and associations across the country, and is the leading national law enforcement organization in Washington, D.C.

To schedule an interview, contact: **Jody C. Hedeman**, *Communications Director*
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Reed Diamond
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Steven Hill
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NBC, "Homicide: Life on the Street"
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★1997 Top Cops Awards® Winners★

ARIZONA

Phoenix Police Department

Sergeant James Collins
Officer Martin Madrid
Officer Scott Masino
Officer Kenneth Petersen
Officer George Somershoe
Officer Garrick Ward
Officer Donald Weverstad

★Order quickly changed to chaos at the Maricopa County Estrella Jail facility as 600 inmates broke into a violent riot. Prisoners were out of control, throwing pieces of broken concrete, sticks and rebar at detention officers, causing several minor injuries. Inmates had taken over a guard tower, and inside, three detention officers were trapped by the rioting inmates.

Without electricity and under extremely hostile conditions, Sergeant James Collins led three officers, Scott Masino, Martin Madrid and George Somershoe in a harrowing rescue attempt to save the trapped detention officers. Though unable to see in the darkness or breathe the prison air which was now filled with chemical sprays and fire extinguisher powder, Officers Weverstad, Petersen and Ward assisted the team in rescuing the three trapped and unarmed detention officers and preventing 40-50 rioting inmates from breaching the last secured door of the prison.

The bravery of these courageous officers made it possible to quell the riot and return control of the jail to law enforcement.

CALIFORNIA

San Diego Police Department

Sergeant Derek Daniel Diaz

★Danger is always a heartbeat away for police officers, and May 24, 1996, was no exception for Sergeant Derek Daniel Diaz. At 4:00 a.m., a woman called 911, reported that she had just been shot and described the suspects and their vehicle. Sergeant Diaz volunteered to handle the call along with five other units. He quickly spotted a car fitting the description and followed it until the two suspects jumped out of the moving vehicle, which then crashed.

The suspects, now on foot, split up. Sergeant Diaz chased the driver and tackled him in an alley. Officer Byron Joseph then arrived on the scene, and despite the combined strength of the two officers, a violent struggle ensued with all three falling to the ground. Suddenly, the suspect produced a pistol and shot Sergeant Diaz in the base of the neck and Officer Joseph in the arm.

Sergeant Diaz, wounded and on the ground, looked up to see the suspect preparing to shoot Officer Joseph again. Fearing for the life of his fellow officer, Sergeant Diaz prevented the suspect from killing Officer Joseph with a single shot that fatally wounded the suspect. Sergeant Diaz then collapsed to the ground.

Sergeant Diaz's courage, discipline, will to survive and presence of mind undoubtedly saved the life of Officer Joseph as well as his own.

KENTUCKY

Jefferson County Police Department

Police Officer David R. Culler

★As a rookie cop in North Carolina, Police Officer David R. Culler responded to an automobile accident call that would forever change his life. A family of four - a mother, a father and their two children, ages two and four - were killed instantly by a drunk driver while on their way to a family reunion.

That was more than fifteen years ago, and Officer Culler has never forgotten what he saw that day, including the drunk driver who walked away from the accident without any injuries. Officer Culler has since made it his personal pledge to stop as many drunk drivers from killing innocent motorists as he possibly can. And, for the last three consecutive years, Officer Culler has proudly placed either first or second in drunk driving arrests for the state.

On November 7, 1996, Officer Culler met the challenge of his life. During the arrest of a suspected intoxicated pick-up truck driver, a struggle ensued, and both Officer Culler and the suspect fell into the cab of the truck. The suspect then attempted to escape. He was able to shift into gear and reach speeds of 30-35 mph with Officer Culler still hanging from the truck. As Culler began to slip underneath the truck, he pushed himself onto the pavement, narrowly missing the truck's rear wheels. He then skidded across the pavement, shearing the metal buttons off his uniform, knocking the sights off his weapon while it was still inside the holster, cracking his portable radio in two and sustaining severe injuries to his arms, hands and face.

There is no way to measure how many lives have been saved due to Officer Culler's dedication to taking drunk drivers off the road. As this incident shows, he is more than willing to go above and beyond the call of duty to make Kentucky's roads safer.

MASSACHUSETTS

Department of Justice, Drug Enforcement Administration

Special Agent Phil M. Muollo

★There is a lot less cocaine and methamphetamine trafficking in the Northeast, thanks to the undercover work of Special Agent Phil Muollo. Without regard for his own safety, Special Agent Muollo went deep undercover into the violent motorcycle gang known as the Hell's Angels.

The brutal violence of this particular motorcycle gang is well known throughout the law enforcement community. Special Agent Muollo's work resulted in the arrests of 16 members and associates of Hell's Angels. These included the arrest of one of the motorcycle gang's officers for the brutal beating of one rival gang member and the murder of another.

Special Agent Muollo's undercover work was so convincing that the neighborhood from which the Hell's Angels operated has now been turned back over to law-abiding citizens and there has been a vast reduction in drug trafficking and violence.

MICHIGAN

Wixom Police Department

Police Officer Gary Michael Hamlin

Police Officer Martin Harp

★Police Officers Gary Hamlin and Martin Harp were the first two responding officers on the scene where gunfire ricocheted off the floors and heavy equipment at an auto assembly plant in Michigan.

It was a dangerous situation -- 2,000 plant workers were at risk from the sniper, who was dressed in camouflage clothing and firing a semi-automatic assault rifle. And when Officers Hamlin and Harp ordered the suspect to "drop his weapon," he opened fire on the two officers.

As the officers dived for cover, the suspect began running through the plant, endangering hundreds of employees who were running through the car assembly lines, attempting to exit the plant. Once outside, the officers tracked the gunman to his hiding place in a large dumpster. As they approached, the gunman again opened fire. As Officer Hamlin took cover behind a small pumping station and attempted to fire on the suspect, Officer Harp began working his way toward the suspect through rows of stacked auto frames.

The suspect was eventually driven into a four-foot drainage culvert where he was contained until he gave up and was arrested, ending a high-stress situation that began five hours earlier. Before it was over, the suspect had shot two Oakland County Sheriff Deputies and killed an executive at the plant.

MINNESOTA

St. Louis County Sheriff's Department

Deputy David Akerson

★Deputy David Akerson is being honored for his devotion to duty and diligence in maintaining his post after an incident on August 2-3, 1996, in which he was shot in the head but managed to continue his duties until backup arrived on the scene.

While investigating a complaint of a suspicious man with a gun, Deputy Akerson found the cabin where the suspect was hiding. After Akerson identified himself as a deputy sheriff, the man suddenly opened the door and pointed a .22-caliber rifle toward Akerson's head and chest. Akerson knew from the look in the suspect's eye

that there was no room for reason, and he dived off the front porch while screaming, "Don't shoot!"

The suspect did indeed shoot -- three times. Two shots missed Akerson while a third entered his right shoulder, went through his mastoid bone and eventually lodged between his right ear and jawbone. The bullet remained in Akerson's skull for nearly six months until doctors could remove it.

While bleeding from his wounds, Akerson found cover in a grove of trees and refused to leave his post until backup units arrived on the scene and the assailant was taken into custody. The first unit on the scene was Akerson's son Jason. It was Jason's first day on the job with his field training officer, and little did he know that he would be responding to a call involving his own father. The suspect was arrested later that night after seven hours of failed negotiations. Deputies had to use tear gas to force him to come out of the cabin and surrender.

OHIO

Lorain Police Department

Sergeant Richard Resendez

★It's the nature of the job. Sergeant Resendez, like other dedicated law enforcement officers, often finds he is never truly off-duty.

On May 23, 1996, Sergeant Richard Resendez was off-duty and on his way to the gym for a workout when he heard over his police radio that there had just been a bank robbery at the PremierBank & Trust. With the description of the suspect's vehicle and license plate number, Sergeant Resendez began searching the immediate area. After a mile and a half of searching, Sergeant Resendez spotted the vehicle as it pulled into a gas station. The suspect and the police officer exchanged looks and recognized each other - the suspect recognized Resendez as a police officer and Resendez identified the suspect as Victor Chaney - previously they had met when Chaney was the victim of a crime several years before.

Sergeant Resendez drew his weapon and attempted to take Chaney into custody. Chaney fled, and a high-speed chase ensued. The pursuit reached speeds of 80-90 mph and went through several cities, involving a half-dozen law enforcement agencies. As the chase progressed, Victor Chaney fired a semi-automatic pistol at pursuing officers, including Sergeant Resendez. Because he was off-duty, Sergeant Resendez was not wearing his bullet-proof vest, and therefore was in grave danger throughout the chase.

Chaney reached downtown Elyria, even though his tires had been flattened by police. After losing control of his vehicle, he struck a pedestrian and two parked cars and caused a crash through a business window. Fortunately, the pedestrian was not seriously injured.

Chaney then fled on foot, closely followed by Sergeant Resendez who was worried about the safety of several innocent bystanders. Sergeant Resendez had no choice but to fire his weapon, striking Chaney in the lower buttocks. This was the first time that Sergeant Resendez had fired his weapon in the line of duty. Chaney was hospitalized for a short time and then released. He was later identified as the black-wigged bank robber who had been terrorizing the area for two months, committing four bank robberies.

PENNSYLVANIA

Pittsburgh Police Department

Police Officer John Joseph Wilbur

★On June 26, 1996, Officer John Wilbur came across a car sitting in the middle of the street. Inside were two people, slumped over. Both wore gloves, even though it was a warm night, and there were ski masks on the front seat. Recognizing danger, he immediately called for backup. When the other units arrived, Officer Wilbur approached the car, and suddenly a third person sat up in the back seat. The officer immediately noticed a bag of something that looked like crack cocaine and opened the rear door to retrieve it. A struggle ensued and the driver sped off -- with the door slammed shut on Officer Wilbur's hand.

Officer Wilbur's cherished wedding ring was stuck in the door, and he could not free his hand. He bounced on the trunk and was dragged nearly eight-tenths of a mile at a high speed of 71 mph. When the front passenger pointed a gun toward Officer Wilbur, he managed to use his right hand to draw his service weapon. Fighting for his life, Officer Wilbur fired into the vehicle striking all three occupants. Both passengers suffered fatal wounds, but the driver was only grazed by a bullet. A bag of crack cocaine was found in the mouth of one of the passengers, and a gun equipped with laser sights was also in the car. The driver was apprehended on July 9, 1996, the same day Officer Wilbur was released from the hospital.

Officer Wilbur spent two weeks in the hospital and three months recuperating in bed. He underwent painful skin grafts to replace skin scraped off to the bone and one of his toes had to be amputated.

WASHINGTON, D.C.
Metropolitan Police Department

Police Officer William D. Bowman

★In 1996, Officer Bowman was involved in three cases where he distinguished himself as a clever, alert and responsive officer.

On February 4, 1996, three people were searching for someone they believed had broken into their home, knowing only that the alleged intruder drove a gold-colored Cadillac. In the early morning hours, one of the defendants shot and killed a man sitting in a gold-colored Cadillac. The defendants later learned that the person they had killed was actually one of their best friends. After hearing a description over his police radio, Officer Bowman searched for the suspects' vehicle, located it, and attempted to make the suspects stop. A car chase ensued, and one of the suspects threw a Russian SKS 7.62 carbine out of the vehicle. The chase continued on foot, and with the help of other officers, Officer Bowman was able to apprehend all three suspects.

A few months later, on May 26, 1996, a couple was victimized in their own home during a violent robbery. The suspect tied up the husband, raped the wife and then escaped. On May 27, 1996, a composite of the suspect was posted. The next day, a woman heard someone breaking into her home and managed to call 911 for help. Officer Bowman was the first on the scene, and could hear the woman's cries for help from outside of her home. He came in through the same glass door that the suspect broke through, and immediately recognized the suspect as the man in the composite drawing from the rape two days prior. The suspect was apprehended and arrested. Officer Bowman's quick response undoubtedly saved the second woman from a brutal rape and put another violent criminal behind bars.

Following two carjackings and one rape of female Domino's pizza delivery drivers in August 1996, Officer Bowman was on the lookout for the perpetrator. On September 3, 1996, Officer Bowman observed an automobile stop in an alley. The driver exited the vehicle and began to walk away. Officer Bowman immediately recognized that this individual fit the description of the carjacking and rape suspect, and began questioning him. Officer Bowman pat down the suspect and found a stolen semiautomatic weapon. Immediately after the arrest of this individual, the carjackings and rapes ceased.

VIRGINIA

Fairfax County Police Department

Police Officer Gary L. Beaver

Police Officer First Class Troy S. Payne

★On October 17, 1996, a mundane task quickly turned to chaos for Police Officer First Class Troy S. Payne and Police Officer Gary L. Beaver.

Police Officer Payne began his day by explaining to then Recruit Beaver the operations and procedures of the Fairfax County Police Department, including the location of the police cruiser's shotgun and the location of the Computer Assisted Dispatching system. By early afternoon, that training would become vital to the two officers.

That day Officer Payne was writing a parking ticket for a handicapped space violation at one of the area's largest and busiest shopping malls, Tysons Corner Center, which typically has about 4,300 shoppers on the premises. Recruit Beaver looked over his shoulder and saw a man wearing a black ski mask with a gun coming toward the officers. He alerted Officer Payne, who initially thought the recruit was joking.

It turned out that the man approaching the officers had just robbed nearby Riggs Bank and was carrying a satchel containing \$56,000. As soon as the bank robber saw the officers, he began shooting. Officer Payne was shot once. The bullet went through his left arm and into his chest. Officer Payne returned fire, killing the suspect who was later found to be a foreign national planning to leave the country.



NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.

Representing America's Finest

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New York, NY*

Executive Vice President

B. D. "BUD" STONE
*President, Berkeley POA
Berkeley, CA*

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MIKE DERBYSHIRE
*President, Central
Coast Chapter, PORAC
Salinas, CA*

Treasurer

WILLIAM BIRDSEYE
*Treasurer, Police Officers
Association of Michigan
Livonia, MI*

Sergeant-at-Arms

MARTIN McKEAN
*Executive Secretary,
Ohio PBA
Berea, OH*

Executive Secretary

SANDRA J. GRACE
*Secretary, New Bedford
Police Union
New Bedford, MA*

FOR IMMEDIATE RELEASE

October 9, 1997

CONTACT: JODY HEDEMAN

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Executive Director

ROBERT T. SCULLY

Legislative Consultants

JULES BERNSTEIN

LINDA LIPSETT

PRESIDENT CLINTON BACKS NAPO PROPOSAL FOR COLLEGE SCHOLARSHIPS FOR THE DEPENDENTS OF SLAIN PUBLIC SAFETY OFFICERS *SALUTES 1997 TOP COPS*

Washington, DC- In a White House ceremony today, President Clinton honored the 1997 TOP COPS Awards® winners and backed a proposal from the National Association of Police Organizations (NAPO) to provide college scholarships to the dependents of slain state and local public safety officers.

Last year, President Clinton signed legislation to provide college scholarships of up to \$4,848 per year for the children of slain federal law enforcement officers. Today, the President announced his support for NAPO's proposal to expand this benefit to include the children of state and local public safety officers killed in the line of duty.

The Public Safety Officers Educational Assistance Act of 1998 would expand the Federal Law Enforcement Officers Dependents Act of 1997, or the Degan Bill, in memory of Deputy United States Marshal William Degan, who was shot and killed in 1992. The new program, which has an estimated first-year cost of \$780,000 will be administered by the Attorney General. Public safety officers include law enforcement officers, correctional officers and firefighters.

"NAPO thanks the President for his strong support of the Public Safety Officers Educational Assistance Act of 1998. It is critical that we remember the families of those officers who paid the ultimate sacrifice by easing the financial burden of education for their survivors," said Robert T. Scully, NAPO executive director.

President Clinton also recognized the 1997 TOP COPS Awards® winners at the White House ceremony. The National Association of Police Organizations (NAPO) will hold the Fourth Annual TOP COPS Awards® Ceremony tonight at the Omni Shoreham Hotel in Washington, DC. The TOP COPS Awards® pay tribute to law enforcement officers from across the country for outstanding service in their communities during the preceding year. The TOP COPS were nominated by fellow officers and selected from hundreds of nominations by an Awards Committee. TOP COPS have been chosen from each state for an Honorable Mention award and officers from the top ten cases have been chosen as the 1997 TOP COPS.

-more-

The Masters of Ceremony for the prestigious event are Richard Belzer of NBC's *"Homicide: Life on the Street"* and Lynne Russell of CNN's *"Headline News."* Barring any schedule changes, also in attendance will be: S. Epatha Merkerson of NBC's *"Law & Order,"* Ed Marinaro of *"Hill Street Blues,"* Max Gail of *"Barney Miller,"* and Charley Casserly, General Manager, Washington Redskins. Also present will be Director John Magaw, Bureau of Alcohol, Tobacco and Firearms, Administrator Tom Constantine, Drug Enforcement Administration and several members of Congress.

Founded in 1978, the National Association of Police Organizations (NAPO) is a coalition of over 4,000 police unions and associations representing over 200,000 sworn law enforcement officers from across the United States that serves in Washington, DC to advance the interests of America's law enforcement officers.

###

1997 Honorable Mention TOP COP Awards® Winners

- **Alaska** - Lieutenant William D. Gifford, Anchorage Police Department
- **Arkansas** - Trooper First Class Jackie E. Clark, Arkansas State Police
- **Colorado** - Technician Leonard J. Mares, Sr., Denver Police Department
- **Connecticut** - Patrolman John T. Reilly, Bristol Police Department
- **Delaware** - Patrolman Dennis R. Schmitt, New Castle County Police Department
- **Florida** - Special Agent William P. Crummett, U.S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms
- **Georgia** - Special Agent Lawrence Bennick, Jr., Special Agent Stephen W. Gillis and Special Agent Maury T. Walker, U.S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms
- **Hawaii** - Officer Warren K. Shaw, Hawaii Police Department
- **Idaho** - Corporal J.P. Semrad, Idaho State Police
- **Illinois** - Officer Robin A. Prokaski, Village of Lagrange, Illinois Police Department
- **Indiana** - Trooper Thomas K. Littlefield, Indiana State Police
- **Iowa** - Trooper Mark D. Bowlin, Iowa State Patrol
- **Kansas** - Officer Todd George, Overland Park, Kansas Police Department
- **Louisiana** - Officer Russell C. Philibert, New Orleans Police Department
- **Maine** - Officer Guy M. Pilote, Lewiston Police Department
- **Maryland** - Special Agent James A. Tanda, U.S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms
- **Mississippi** - Sergeant Patrick Alan Weatherford, Gulfport Police Department
- **Missouri** - Officer Jerry Ludwig, Kansas City Missouri Police Department, Special Agent Eugene L. Schram, U.S. Department of Labor, Office of Labor Racketeering and Senior Special Agent David R. True, U.S. Department of Treasury, Bureau of Alcohol, Tobacco and Firearms
- **Montana** - Raymond A. Perales, Chief of Police, Poplar City Police Department
- **Nebraska** - Deputy Jamie John Keatts, Deputy Nicholas L. Caniglia and Deputy Shawn Thallas, Washington County Sheriff's Office
- **Nevada** - Deputy U.S. Marshal John Kozisek and Deputy U.S. Marshal John R. Shoemaker, U.S. Marshals Service, District of Nevada
- **New Jersey** - Detective Lawrence Brown, Newark Police Department
- **New Mexico** - Detective Kevin R. Hoffman, Albuquerque Police Department
- **New York** - Officer Janet Gallagher and Officer Louis Morga, Nassau County Police Department
- **North Carolina** - Gene Crowe, Jr., former Chief of Police, Cherokee Indian Police Department
- **Oklahoma** - Second Lieutenant Barry R. Ross, Oklahoma Highway Patrol, Department of Public Safety
- **Oregon** - Officer Thomas M. Mack, Portland Police Bureau
- **Rhode Island** - Corporal Joseph S. DelPrete, Rhode Island State Police
- **South Carolina** - Deputy Joseph V. Lucius, Charleston County Sheriff's Office
- **Tennessee** - Trooper Blaine E. Barnwell, Tennessee Highway Patrol, Department of Safety
- **Texas** - Sergeant David F. Anderson, Officer Noe Juarez, Lieutenant Douglas Perry Jr., Sergeant Eduardo Ramirez, Officer John Vaughan, and Officer John Ybarra, Houston Police Department
- **Utah** - Officer James Washington, Salt Lake City Police Department
- **Vermont** - Corporal Robert H. Booher, Burlington Police Department
- **Washington** - Deputy Eric Epperson, Deputy Michael J. Kittilstved and Deputy Joseph W. Mastel, Office of the Sheriff - Spokane County, and Trooper James R. Hill, Washington State Patrol
- **West Virginia** - Patrolman Robert L. Hilliard, Sergeant Gary Keith, Patrolman Robert G. Matheny, Chief Raymond L. Mazza and Sergeant J.W. McGahan III, Clarksburg Police Department and Deputy John Hawkins, Harrison County Sheriff's Office
- **Wisconsin** - Officer Bruce A. VanValkenburg, Eau Claire Police Department
- **Wyoming** - Patrolman Daniel J. Dyer, Wyoming Highway Patrol



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The National Association of Police Organizations (NAPO) is a coalition of police unions and associations from across the United States that serves to advance the interests of America's law enforcement officers through legislative and legal advocacy, political action and education.

Founded in 1978, NAPO is now truly the strongest unified voice supporting law enforcement officers in the United States representing more than 4,000 police unions and associations, over 200,000 sworn law enforcement officers, 3,000 retired officers and more than 100,000 citizens who share a common dedication to fair and effective crime control and law enforcement.

Increasingly, the rights and interests of law enforcement officers -- **America's Finest** -- have been the subject of legislative, executive and judicial action in the Nation's Capital, Washington, DC. From issues of Federal funding of State law enforcement and anti-drug efforts to proposed taxation of employee health, pension and other benefits, the actions of Congress and the Administration impact significantly upon police interests.

These interests must be protected vigorously in light of the vital role law enforcement officers play in maintaining the peace and security of American society -- that's where NAPO comes in.

Working independently and with other police, public employee and employer groups, NAPO has achieved a number of solid legislative accomplishments for its constituents. It has also defeated efforts which would seriously undermine law enforcement interests. Among NAPO's many legislative victories in recent years are:

- 1. The Taxpayer Relief Act of 1997 which includes federal tax free survivor benefits for public safety officers killed in the line of duty, exemption from federal taxes for heart and hypertension benefits, a permanent moratorium on application of certain nondiscrimination rules to state and local governments and the removal of the dollar limitation on payment of pension benefits.*
- 2. Amendments to the Age Discrimination in Employment Act that provide an exemption for public safety employees.*

3. *The Small Business Job Protection Act of 1996 which includes important revisions to Internal Revenue Code Section 415 providing protection for public sector employees' retirement benefits, and to Internal Revenue Code 457 increasing the amount public employees can contribute to their 457 deferred compensation plan and protects worker monies from employer abuse.*
4. *The Source Tax Bill of 1996 which prohibits states from taxing the retirement income of former residents whose pensions were earned in that state.*
5. *The Violent Crime Control and Law Enforcement Act of 1994, omnibus anti-crime legislation.*
6. *The Family Leave and Medical Act of 1993.*
7. *The Law Enforcement Family Support Act which provides funds for law enforcement stress research and training.*
8. *Legislation in 1988 which raised the Public Service Officers Benefit for officers killed in the line of duty from \$50,000 to \$100,000 plus annual cost of living indexing. Today the Federal Death Benefit is \$141,556.*
9. *Legislation in 1988 which prohibits implementation of an Internal Revenue Service proposal to tax-accrued public employee leave as current income.*
10. *Prevention of the curtailment of adoptive asset forfeiture payments to the states by the Federal Government.*
11. *Effective and equitable provisions of the Fair Labor Standards Act (FLSA) Amendments of 1985, which implemented the United States Supreme Court's decision in the Garcia case, upholding the constitutionality of the Fair Labor Standards Act to non-Federal public employees.*

These are merely illustrative of the areas where police participation through NAPO has made, and continues to make a difference. The legislative issues affecting the vital interests of police officers continue to grow daily as crime, drugs and law enforcement issues occupy more time of Congress and the Administration.

NAPO works in several ways to influence the course of national affairs insofar as law enforcement interests are concerned. First, it maintains a Washington office to monitor legislative and administrative developments and provides information to NAPO's membership on a timely basis so that it can respond from the grassroots level. The *Washington Report* is disseminated to the membership updating them on the current issues NAPO is working on.

NAPO affiliates and representatives meet frequently with members of Congress and their staff at home and in Washington to express their views on issues of concern. At the annual NAPO Convention, the delegates take action to establish NAPO legislative goals and priorities. Also, in election years, delegates vote upon endorsements of candidates for national and congressional office who have earned police support.

NAPO's Executive Director, Robert T. Scully, has over 20 years of experience in the police labor field. He was a member of the team that negotiates collective bargaining agreements between the Detroit Police Officers Association and the City of Detroit from 1973 - 1992. When NAPO was formed in 1978, Scully was elected its first Secretary. He was named Vice-President in 1981 and appointed President in May 1982 to fill a vacancy. He was elected President in 1983, re-elected in 1985, 1987, 1989, 1991 and was hired as NAPO's first Executive Director in January, 1993.

NAPO established a sister 501(c)(3) research and education organization in 1991, the Police Research and Education Project (PREP). PREP is currently conducting research on law enforcement stress and its effect on the family under the auspices of two National Institute of Justice grants.

In 1994, the National Law Enforcement Officer Rights Center was established under PREP to protect officers' legal and constitutional rights. The Rights Center is the first legal support center established to help law enforcement officers deal with the increase of litigation sweeping through the law enforcement community. In addition to filing legal briefs, the Rights Center serves as a clearing-house for information, conducts research and holds educational seminars.

The Rights Center has filed four briefs amicus curiae on behalf of law enforcement officers to the U.S. Supreme Court and several to state appellate courts. The Rights Center has also published surveys on states' fireman rules, collective bargaining laws and a law enforcement officer's right to carry a firearm off-duty.

In October 1994, NAPO held its first annual TOP COPS Awards® Ceremony in Washington D.C. with special guest President Clinton and Master of Ceremonies John Walsh, host of "America's Most Wanted." The 1995 and 1996 Awards have included keynote speaker Vice President Gore and Masters of Ceremony, Lynne Russell of CNN's "Headline News" and Richard Belzer of NBC's "Homicide: Life on the Street." Lynne Russell and Richard Belzer returned to host the 1997 TOP COPS® Awards as well. The prestigious TOP COPS Awards® are given annually to sworn law enforcement officers from across the country who are nominated by their peers for outstanding service.

NAPO sponsors the Annual Law Enforcement Pension and Benefits Seminar, the Annual Law Enforcement Legal and Legislative Rights Conference and has sponsored seminars on collective bargaining, Fair Labor Standards Act (FLSA), law enforcement stress management, drug testing, the Americans with Disabilities Act (ADA) and public relations.

A founding member of the Law Enforcement Steering Committee (LESC), NAPO meets regularly with the eight national law enforcement organizations, members of the LESC, to strategize on passing legislation beneficial to law enforcement.

NAPO, an active member of the National Law Enforcement Officers Memorial Fund, worked for the successful passage of the legislation and served on the site selection and inscription committees. NAPO, through its members, raised over \$1,000,000 for the Memorial. NAPO is a major sponsor of Concerns of Police Survivors' seminars during National Police Week.

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TOP 100

THE FOURTH ANNUAL NATIONAL ASSOCIATION OF POLICE PERSONNEL AWARDS IS HERE



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Director

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THE THIRD ANNUAL TOP COPS Awards®

HEADLINES

Miami Herald
October 4, 1996

Los Angeles Times
September 24, 1996

Saving Lives Part of Job for Top Cop

LAPD Officer Mike Grimes, a former Vietnam war veteran, was named the nation's top cop for his heroic rescue of a child from the Pacific Coast.

By AMY VERNON
Herald Staff Writer

When LAPD Officer Mike Grimes, a former Vietnam war veteran, was named the nation's top cop for his heroic rescue of a child from the Pacific Coast, it was a testament to his dedication and bravery.

Grimes, 40, was on patrol in the Pacific Coast area when he noticed a child in the water. He immediately jumped in and rescued the child.

Grimes' heroic act was recognized by the nation's top cops, who honored him for his bravery and dedication.

Grimes' act was a testament to his dedication and bravery, and he was named the nation's top cop for his heroic rescue of a child from the Pacific Coast.



AP Photo/Mike Grimes

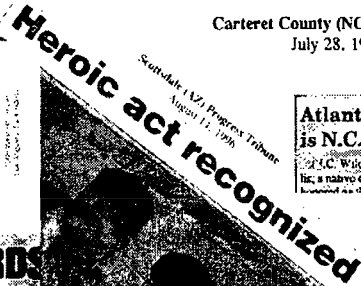
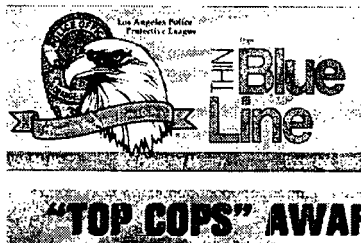
Broward trio among 'top cops'

By AMY VERNON
Herald Staff Writer

And Plantation police detective Jim O'Hara and officers

reversed. Ahu, Massey, and O'Hara

again again. O'Hara said O'Hara: "I'm not a hero."



Carteret County (NC) News-Times
July 28, 1996

Atlantic native is N.C. 'Top Cop'

U.C. Wildlife Officer Lee Willic, a native of Atlantic, has been honored as the state's Top Cop and

Belleville (MO) Times
October 24, 1996

Belleville's 'Top Cops' honored in Washington D.C. by President Clinton

The Oregonian
October 3, 1996

A TOP COP

Portland police sergeant
wins national award

After three years of hard work, Sgt. John Boudreau has won the national award for the best police officer in the country.

Boudreau, a Portland Police sergeant, has won the national award for the best police officer in the country.

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The Washington Post

FAIRFAX

WEEKLY

Aaron Kush, Stephen Needles and Mark Roper

Honored by National Police Association

Three officers with the Fairfax County Police Dept.

If you have someone who has received an honor or award for community

THE VOICE OF THE NATION'S LAW ENFORCEMENT COMMUNITY



American Police Beat



Narcotics chief wins Top Cop award

By AMY VERNON
Herald Staff Writer

CONNECTICUT TROOPER

OFFICIALS OF THE CONNECTICUT POLICE DEPARTMENT

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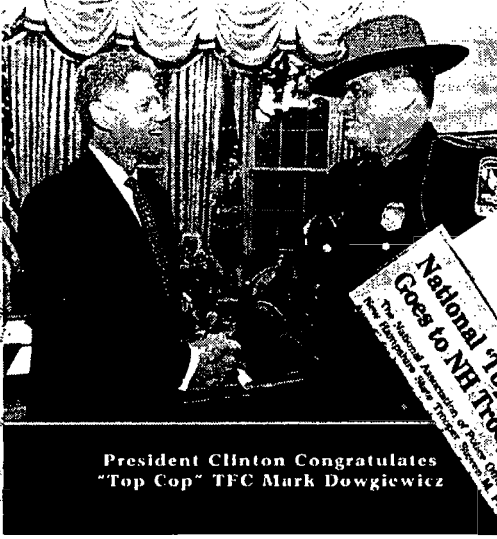
Albuquerque Journal
August 17, 1996

County Detective 'Top Cop'

Gregg Manantel helped uncover at least seven homicides while working on East Mountains drug case

National group honors two deputies for heroic

Two Spokane County deputies have received national recognition for their heroic



President Clinton Congratulates
'Top Cop' TFC Mark Dowgiewicz

National 'Top Cop' Award Goes to NH Trooper Puckett

Manchester (NH) Union Leader
July 18, 1996

Los Angeles Daily News
September 24, 1996

Hailing L.A.'s 'Top Cop'



TOP COPS Awards® ACCOLADES

[I] was honored to attend such a distinguished gathering of outstanding professionals...Know all Americans are enormously proud and grateful for the many valiant efforts of the National Association of Police Organizations.

General Barry R. McCaffrey
Director, Office of National Drug Control
Policy

I do not believe that police officers get into this line of work for the glory, but it is very rewarding to be recognized for the work that we have to do...I was very honored to have been part of this once in a lifetime event.

Sgt. Stephen Herte
Medina County Sheriff's Office
1996 Honorable Mention

The award ceremony and VIP treatment made for an unforgettable experience not only for me but also my family and the entire Lincoln Police Department... Your hard work to honor law enforcement officers is greatly appreciated.

Christopher R. Peterson
Lincoln Police Department
1996 TOP COPS Awards Recipient

Congratulations on another outstanding TOP COPS Awards Dinner. I was extremely impressed with the quality of the awardees and the people in attendance.

Dennis DeConcini
United States Senator, Retired

When an officer is as seriously injured as was Sgt. Kucaba [a 1996 TOP COPS Awards recipient], it is very difficult to keep one's spirits up...As a commanding officer, it is my responsibility to see to it that not only the physical but also the psychological needs of our officers are addressed. Your program helped immensely in my efforts to do so. Sgt. Kucaba was truly moved by your tribute, and I felt that it did him a great deal of good.

Captain Daniel S. McDevitt
Director, Metropolitan Enforcement Group
of Cook County

I felt honored to share the same room with so many distinguished honorees. Their stories of courage and duty will remain with me for a long time.

Tom Simonds
Treasurer, San Diego Police Officers
Association, Inc.



TOP COPS AWARDS®

NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS

"It is time law enforcement officers are recognized as the true heroes they are, men and women whose daily job it is to protect the citizens of this great nation."

- Robert T. Scully,
NAPO Executive Director

The TOP COPS Awards® Ceremony is the creation of the National Association of Police Organizations (NAPO). The oldest and largest national ceremony of its kind, TOP COPS Awards® underscores the every day contributions made by law enforcement officers.

Daily, in big cities and small towns across America, law enforcement officers safeguard the lives and interests of citizens in their communities. However, police officers are more than protectors. In domestic altercations, officers act as mediators for the enraged couple. At traffic accidents, troopers serve as temporary EMTs. And during a search for a missing child, federal agents become counselors consoling stunned parents. Regardless of the enormity of the task at hand, law enforcement officers unfailingly respond. They are indeed our nation's unsung heroes, America's Finest, and recognition of their everyday heroism is long overdue.

The TOP COPS Awards® pay tribute to law enforcement officers from across the country for outstanding service to their communities during the preceding year. The TOP COPS are nominated by fellow officers and are selected from hundreds of nominations by an independent Awards Committee. An Honorable Mention is awarded to TOP COPS in each state; from among those, the top ten cases are chosen. The TOP COPS will receive their recognition at a dinner ceremony in Washington, D.C. The Fourth Annual TOP COPS Awards® Ceremony will take place on October 9, 1997, at the Omni Shoreham Hotel.

Proceeds from this event benefit the Police Research and Education Project, NAPO's 501(c)(3) educational organization, the National Law Enforcement Officers Memorial Fund, and Concerns of Police Survivors.

1997 TOP COPS SPONSORSHIP OPPORTUNITIES

\$250,000

FOUNDER

- * Press release announcing sponsorship of TOP COPS and Media Recognition throughout the event.
- * Morning press conference with NAPO and Top Cops.
- * Private luncheon following press conference with NAPO and Top Cops.
- * Two prominent tables of 10 with choice of VIP (Celebrity or Member of Congress).
- * Twenty VIP Reception tickets.
- * Twenty Photos with VIP or Special Guest.
- * Corporate recognition at the beginning of the video presentation for the awards ceremony.
- * Use of dinner video for Corporate's own public relations.
- * Prominent recognition in the invitation and dinner program.
- * Special thank you during program from emcee.
- * Opportunity to provide Corporate gift/information to all guests.
- * 10 tickets to Commemorative Luncheon with Top Cops from across the country the following day.
- * Charitable deduction.

\$100,000

CHAIRMAN

- * Press release announcing sponsorship of "Top Cops."
- * Two prominent tables of 10 with choice of VIP (Celebrity or Member of Congress).
- * Twenty VIP Reception tickets.
- * Twenty Photos with VIP or Special Guest.
- * Prominent recognition in the invitation and dinner program.
- * Corporate acknowledgement in video presentation during awards ceremony.
- * Special thank you during program from emcee.
- * Opportunity to provide Corporate gift/information to all guests.
- * 10 tickets to Commemorative Luncheon with Top Cops from across the country the following day.
- * Charitable deduction.

\$50,000

BENEFACTOR

- * One premium table of 10 with choice of VIP (Celebrity or Member of Congress).
- * Ten VIP Reception tickets.
- * Ten Photos with VIP or Special Guest.
- * Prominent event and dinner program recognition.
- * Corporate acknowledgement in video presentation during awards ceremony.
- * Special thank you during program from emcee.
- * 6 tickets to Commemorative Luncheon with Top Cops from across the country the following day.
- * Charitable deduction.

1997 TOP COPS SPONSORSHIP OPPORTUNITIES

\$25,000

DIRECTOR

- * One premium table of 10 with choice of VIP (Celebrity or Member of Congress).
- * Ten VIP Reception tickets.
- * Ten Photos with VIP or Special Guest.
- * Prominent event and Dinner Program recognition.
- * Corporate acknowledgement in video presentation during awards ceremony.
- * Recognition in 1996 event highlights video for distribution to law enforcement and corporate communities.
- * Special thank you during program from emcee.
- * 4 tickets to Commemorative Luncheon with Top Cops from across the country the following day.
- * Charitable deduction.

\$10,000

PATRON

- * Table of 10 with choice of VIP (Celebrity or Member of Congress).
- * Six VIP Reception tickets.
- * Six Photos with VIP or Special Guest.
- * Recognition in Dinner Program.
- * 2 tickets to Commemorative Luncheon with Top Cops from across the country the following day.
- * Charitable deduction.

\$5,000

SPONSOR

- * Table of 10.
- * Four VIP Reception tickets.
- * Four Photos with VIP or Special Guest.
- * Listing in Dinner Program.
- * Charitable deduction.



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December 4, 1998

The Honorable William J. Clinton
The President of the United States
The White House
1600 Pennsylvania Avenue
Washington, DC 20500

COPY

Dear Mr. President:

EXECUTIVE OFFICERS

THOMAS J. SCOTT
President
*Detectives' Endowment
Association of New York City*

B. D. "BUD" STONE
Executive Vice President
Berkeley (CA) POA

MIKE DERBYSHIRE
Recording Secretary
Central Coast Chapter(CA) PORAC

WILLIAM BIRDSEYE
Treasurer
*Police Officers
Association of Michigan*

MARTIN McKEAN
Sergeant-at-Arms
Ohio PBA

SANDRA J. GRACE
Executive Secretary
*New Bedford (MA)
Police Union*

On behalf of the National Association of Police Organizations (NAPO), representing more than 4,000 unions and associations and over 220,000 sworn law enforcement officers, I want to articulate my utmost concerns with the prospect of mandatory Social Security coverage of public employees.

In the interest of State and local public employees throughout the country, especially the law enforcement officers that NAPO represents, it is imperative that we analyze and have a national debate on the impact that mandatory Social Security taxes will have on public employees. NAPO is fully aware of the fiscal constraints and solvency crisis confronting Social Security in the near future. However, the administration and Congress must be aware of the negative fiscal impact that the law enforcement community would suffer if mandatory Social Security were enacted, and should appreciate that fixing Social Security's solvency crisis does not require their inclusion into the system.

The following is an outline of NAPO's concerns regarding mandatory Social Security for public safety officers:

- Currently, it is estimated that 76 percent of State and local public safety personnel do not pay Social Security taxes and are not covered by the system. These individuals are in well-funded and maintained pension systems that are beneficial to their retirement needs. If enacted, mandatory Social Security would have severe, unintended consequences on public safety officers by having a dramatic and negative impact on the recruitment and retention of well-qualified public safety officers. Also, mandatory coverage would harm current pension systems by imposing additional costs on public safety agencies.
- If mandatory Social Security becomes law, employees and employers would each pay a 6.2 percent payroll tax at minimum constituting an automatic reduction of an officer's pay. Since raising taxes would not be politically feasible, the question becomes: Where is this money going to come from?

The following scenarios exemplify the serious consequences of this proposal:

1. In some localities, such as Los Angeles, laws mandate integration of Social Security benefits with the current officer pension plans, so that pension plan benefits would be reduced by the same dollar amount received from Social Security.
2. A newly imposed Social Security tax would likely cause State and local governments to cut costs by reducing or eliminating the healthcare benefits provided to active and retired public safety officers and their families.
3. Many agencies would reduce the number of public safety officers in order to retain the pay and benefits of current officers or to reduce current pay and benefits to public safety officers and freeze future cost-of-living increases for both active and retired officers.
4. It is conceivable that there would be a reduction in essential equipment, such as bulletproof vests, jeopardizing the safety of public safety officers as well as the general welfare of the public.

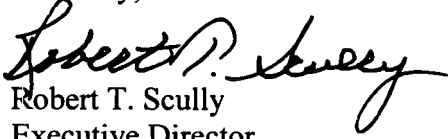
- These unintended consequences would also arise under proposals to include only newly hired public safety officers in Social Security. In addition, the increasing transfer of significant contributions from the pension funds to Social Security will severely reduce the investment income, as grandfathered employees in the current systems retire and the newly covered employees are hired. This will cause these pension funds to be underfunded and will reduce benefits, seriously harming the future benefits paid to retirees.
- The Social Security system is neither appropriate nor sufficient for public safety officers because of the nature of their jobs. This will make law enforcement a less attractive career option. Public safety officers and their families rely on the security of service-connected disability and death benefits, and Social Security does not provide and is not comparable to the coverage of current public safety systems.

I urge the administration and members of Congress to weigh the unintended consequences that would impact public safety officers if mandatory Social Security taxes on public employees were enacted. It would not be prudent to try to solve the Social Security crisis with a quick fix of adding public employees to the system, assuming that such a fix would bring in more funds than are eventually paid out. NAPO concurs with the benefits of having a sound and operating Social Security system, but a proposal of mandatory Social Security taxes for public safety officers is one of the greatest and most detrimental attacks on public safety labor organizations and their respective members.

I would also like to take this opportunity to address the upcoming White House Conference on Social Security scheduled for December 8th and 9th. The importance of having law enforcement voicing their concerns on mandatory coverage of Social Security cannot be stressed enough. I truly find it very troubling that no professional law enforcement association is represented at this conference. Please contact me on this or any other matter at (202) 842-4420.

Thank you for your time and consideration.

Sincerely,


Robert T. Scully
Executive Director