



# **2018 RESOLUTIONS**

**Adopted November 2018**

## Support for the Rescinding of the Cole Memo

Submitted by: IACP Board of Directors  
BOD.01.t2018

WHEREAS, as law enforcement professionals, the top priority of the membership of the International Association of Chiefs of Police (IACP) is safeguarding their communities; and

WHEREAS, an essential element in safeguarding communities is reducing citizen exposure to controlled substances; and

WHEREAS, empirical evidence demonstrates that marijuana use is dangerous and a threat to the safety of the public; and

WHEREAS, in states that have legalized marijuana there has been a notable increase in the number of traffic crashes related to marijuana. For example, the percentage of traffic deaths related to marijuana doubled in Washington State the year retail marijuana sales were allowed.<sup>1</sup> In Colorado, marijuana is now involved in more than one of every five deaths on the road, and that number is rising;<sup>2</sup> and

WHEREAS, additionally, emergency room admissions for marijuana-related incidents have increased in states that have legalized marijuana use. Colorado has experienced an over 70 percent increase in hospitalizations related to marijuana since legalization, an average of over 30 percent per year;<sup>3</sup> and

WHEREAS, marijuana use has an adverse effect on the youth in our communities. In both Colorado and Washington, regular use of the drug among children aged 12-17 has been both above the national average and rising faster than the national average;<sup>4</sup> and

WHEREAS, in August 2013, Deputy Attorney General James Cole issued a memorandum that announced that the United States Department of Justice would not challenge marijuana legalization policies enacted by several states; and

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<sup>1</sup> AAA Foundation for Traffic Safety. Prevalence of Marijuana Involvement in Fatal Crashes: Washington, 2010-2014. May 2016. Web. 23 Oct. 2016.

<sup>2</sup> AAA Foundation for Traffic Safety. Prevalence of Marijuana Involvement in Fatal Crashes: Washington, 2010-2014. May 2016. Web. 23 Oct. 2016.

<sup>3</sup> Rocky Mountain Poison and Drug Center, as analyzed and reported in Colorado Department of Public Safety, Division of Criminal Justice, Office of Research and Statistics. Marijuana Legalization in Colorado: Early Findings. Mar. 2016. Web. 21 Oct 2016.

<sup>4</sup> Substance Abuse and Mental Health Services Administration (SAMHSA). National Survey on Drug Use and Health. Rockville, MD: Office of Applied Studies, SAMHSA. 2016

WHEREAS, the Cole Memo also limited the ability of U.S. Attorney's to investigate and prosecute marijuana cases in the various states that have chosen to legalize or decriminalize marijuana production, sale and use in violation of federal law; and

WHEREAS, the IACP strongly opposed the Department of Justice's policy as set forth in the Cole Memo and believed that the decision to not challenge state marijuana laws ignored the connection between marijuana and crime, the enforcement problems created by trafficking marijuana across state, local and tribal borders, as well as the adverse economic and social costs that marijuana legalization causes; and

WHEREAS, the IACP believes that the Department of Justice's unwillingness to challenge state marijuana legalization policies except under very narrow circumstances makes it infinitely more difficult for state, local and tribal law enforcement officers to keep their neighborhoods and communities safe from marijuana trafficking and its associated violence; and

WHEREAS, in January 2018, United States Attorney General Jeff Sessions issued a new memorandum rescinding the Cole Memo and directing all U.S. Attorneys to enforce the laws enacted by Congress and to follow well-established principles when pursuing prosecutions related to marijuana activities; and

WHEREAS, restoring discretion to U.S. Attorneys on how they prioritize the investigation and prosecution of violations of federal drug laws involving marijuana is an important and needed policy change that will allow federal prosecutors to work with their state and local counterparts to effectively deploy federal resources to reduce crime, combat drug use, target criminal gangs and promote safer communities. Now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police reaffirms its long-standing opposition to the legalization and/or decriminalization of marijuana; and be it

FURTHER RESOLVED, that the International Association of Chiefs of Police commends United States Attorney General Jeff Sessions for his action in rescinding the Cole memo and ensuring that U.S. Attorney's maintain the ability to effectively investigate and prosecute those individuals involved in the production and sale of marijuana in violation of federal law.

## Combating the Global Black Market for Stolen Mobile Devices

Submitted by: Crime Prevention Committee

Co-sponsored by: Transnational Crime Committee and Police Investigative Operations  
Committee  
CPC.03.t2018

WHEREAS, as of July 2018, there are over 8.6 billion active cellphone subscribers globally, more than the entire world population.<sup>1</sup> For some users, mobile devices are their sole means of accessing the internet.<sup>2</sup> The sophistication, and value, of mobile devices has increased and have become an integral part of modern society, thus increasing exposure to the user to potential victimization; and

WHEREAS, every mobile device (cell phone, tablet, etc.) has a unique identifier known as the IMEI (International Mobile Equipment Identifier). The IMEI is a 15-digit number that is used to identify a device on a mobile network. The Groupe Spéciale Mobile Association (GSMA) maintains a unique system known as the IMEI database, which is a global central database containing basic information on the IMEI ranges of millions of mobile devices (e.g., mobile phones, laptop data cards, etc.) that are in use across the world's mobile networks;<sup>3</sup> and

WHEREAS, when victims or law enforcement report a lost or stolen device to a mobile network operator, participating operators report these lost or stolen devices to a global registry known as the GSMA IMEI Blacklist database operated by the GSMA; and

WHEREAS, as of March 2018, 119 mobile network operators from 43 countries are connected to the GSMA IMEI Blacklist database in order to block the reutilization of lost or stolen mobile devices on mobile networks throughout the globe.<sup>4</sup> This global mobile device "blacklist" diminishes the value of stolen devices for criminals and deters the trafficking of stolen devices;<sup>5</sup> and

WHEREAS, criminals have developed approaches that render blacklists less effective, just by simply moving the device to a country that does not share blacklist information with the country in which it was stolen;<sup>6</sup> and

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<sup>1</sup> GSMA Intelligence, Global Data, <https://www.gsmainelligence.com/> ; United States Census Bureau, World Population, <https://www.census.gov/popclock/>

<sup>2</sup> CTIA, Wireless Snapshot 2017, <https://www.ctia.org/docs/default-source/default-document-library/ctia-wireless-snapshot.pdf>

<sup>3</sup> GSMA, IMEI Database, <https://www.gsma.com/services/tac-allocation/the-imei-database/>

<sup>4</sup> Lost or Stolen Device Data Sharing Operator Participation & Coverage Report, GSMA, March 2018 Edition, Page 2, <http://click.email.gsma.com/?qs=c64a6c34bdd5087167732058d5902b635e3052d2ebe77425126d887c30c4497b2159e23e9c70a101c08235910d9c0467c9697a583373182b>

<sup>5</sup> GSMA, IMEI Blacklisting, <https://www.gsma.com/services/gsma-imei/device-theft/>

<sup>6</sup> Mobile Device Theft in Latin American, Telecommunications Management Group, Inc., March 2018, Page 11, <http://tmgtelecom.com/wp-content/uploads/TMG-Mobile-Device-Theft-in-Latin-America.pdf>

WHEREAS, criminals have targeted communities and nations which participate in the GSMA IMEI Blacklist database and shipped millions of dollars of stolen devices to other nations who do not participate in the GSMA IMEI Blacklist database where stolen devices are reactivated. For example, in Britain, criminals riding mopeds and armed with acid are stealing tens of thousands of phones on UK streets to supply a multimillion-dollar black market run by crime lords in Nigeria which does not participate in the GSMA IMEI Blacklist database;<sup>7</sup> and

WHEREAS, Interpol reports that cell phone theft organizations smuggling across borders in Latin America make an average of \$550,000 per day. Many of these traffickers are connected to drug cartels that are increasingly investing in smuggling cell phones because they are considered low risk and high reward compared to narcotics;<sup>8</sup> and

WHEREAS, in addition to robberies, criminals continue to victimize communities and nations by committing widespread identity theft, contract fraud and financial crimes and shipping millions of dollars of stolen or fraudulently obtained mobile devices to countries which do not participate in the GSMA IMEI Blacklist database.<sup>9</sup> Now, therefore, be it

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<sup>7</sup> Nigerian gangs making millions from phones nicked in UK phone theft epidemic, <https://www.thesun.co.uk/news/5957717/nigeria-black-market-fuels-britain-moped-theft/>; Nigerian gangs make millions from Britain's mobile moped muggers in oil-rich African nation where stolen UK phones are on open sale for £320 cheaper than western prices, <http://www.dailymail.co.uk/news/article-5572255/Nigerian-gangs-make-millions-phones-stolen-UK.html>; The moped gangs using acid to steal phones, <https://www.bbc.co.uk/bbcthree/article/eac0d5c6-86e1-417e-b52c-956c688829c4>

<sup>8</sup> Inside the Vast (and Growing) Global Trade in Stolen Smart Phones, Phones stolen on American streets can end up in pockets thousands of miles away, National Geographic, September 9, 2015, <https://news.nationalgeographic.com/2015/09/150909-inside-global-trade-stolen-smart-phones-brazil/>

<sup>9</sup> Mustafa Family Crime Ring Indicted for Using Thousands of Stolen Identities to Steal Cellular Telephones and Table Devices Worth Millions of Dollars, Mustafa Family Trafficked Stolen Mobile Devices Throughout United States And Overseas, <https://www.justice.gov/usao-mn/pr/mustafa-family-crime-ring-indicted-using-thousands-stolen-identities-steal-cellular>; Golden Valley Man Convicted of Leading Multi-Million Dollar Cell Phone Trafficking Conspiracy, <https://www.justice.gov/usao-mn/pr/golden-valley-man-convicted-leading-multi-million-dollar-cell-phone-trafficking>

RESOLVED, That the International Association of Chiefs of Police (IACP) will hereby take actions to encourage their respective nation's governing and regulatory bodies to require mobile network operators to participate in the global GSMA IMEI Blacklist database by reporting lost or stolen devices, and blocking service to any device on the GSMA IMEI Blacklist database regardless of country origin.

## **Criminal Victimization of the Elderly**

Submitted by: Crime Prevention Committee  
Co-Sponsored by: Victim Services Committee  
CPC.04.t2018

WHEREAS, the International Association of Chiefs recognizes that the proportion of the population becoming senior citizens is increasing at a significant rate in many countries of the world;<sup>1</sup> and

WHEREAS, senior citizens present a unique challenge, as well as an important source of support, to the law enforcement community; and

WHEREAS, ongoing vulnerability and victimization by fraudulent incidents of crime and abuse appear to be greater for the elderly<sup>2</sup>; and

WHEREAS, it is incumbent upon law enforcement agencies to formulate and execute policies and procedures to provide protection and services to this segment of the population; and

WHEREAS, every police agency is charged with the duty to assure the public sense of safety and security that, in turn, affects the quality of life of its citizenry; and

WHEREAS, crime prevention provides a viable framework for the delivery of police service that focuses limited resources on issues specific to individual communities. Now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police (IACP) will hereby take a leadership role in raising the consciousness of the global law enforcement community to the needs and concerns of senior citizens; and be it

FURTHER RESOLVED, that the IACP will encourage and actively promote cooperative, coordinated, multi-disciplinary approach to address the criminal victimization of the elderly; and be it

FURTHER RESOLVED, that the IACP will encourage the development of investigators whose specialty is the investigation of abuse and exploitation of the elderly.

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<sup>1</sup> <https://www.nih.gov/news-events/news-releases/worlds-older-population-grows-dramatically>

<sup>2</sup> <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5549117/>

## Reducing Metal Theft

Submitted by: Crime Prevention Committee

Co-sponsored by: Private Sector Liaison Committee and Police Investigative Operations  
Committee  
CPC.05.t2018

WHEREAS, U.S. Senate Resolution 252, dated November 16, 2011, recognized the scrap recycling industry as a manufacturing industry critical to the future of U.S.; and <sup>1</sup>

WHEREAS, the scrap recycling industry has made a concerted effort to work with law enforcement on metals theft by forming a Law Enforcement Advisory Council, conducting metals theft workshops, and providing other educational materials; and <sup>2</sup>

WHEREAS, a continuing comprehensive strategy combining the efforts of law enforcement, community leaders, and the scrap recycling industry is necessary to prevent metals theft and prosecute those responsible for metal theft; and

WHEREAS, prompt notification of stolen materials to recyclers is imperative, and timely notifications enhance recyclers' level of vigilance for stolen materials; and

WHEREAS, in most theft cases, the costs to repair damages done by thieves to infrastructure to convert stolen metals far exceeds the value of the metals, and in 2009 the U.S. Department of Energy estimated the replacement cost of copper to public utilities was about one-fifth the cost of the final repair; and <sup>3</sup>

WHEREAS, in 2017, the National Insurance Crime Bureau's (NICB) annual report analyzing metals theft claims cited positive correlation between price of copper and the number of theft claims. <sup>4</sup> Copper prices fluctuate and are subject to market conditions; and

WHEREAS, in the absence of crime data specific to metals theft, law enforcement officials oftentimes rely on insurance theft claims to assess criminal activity, which while accurate as to insurance claims, carry the potential to miscalculate the number of crimes that are committed with respect to metals theft; and

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<sup>1</sup> U.S. Senate. (n.d.). *S. Res. 251 (2011)*. Washington DC

<sup>2</sup> Burnett, Kussainov, Hull. (2014). *Scrap Metal Theft: Is Legislation Working for States?* Lexington, KY: The Council of State Governments

<sup>3</sup> Office of Electricity and Energy Reliability, U.S. Department of Energy. (2010). *An Assessment of Copper Wire Thefts from Electric Utilities*. Washington DC: U.S. Department of Energy

<sup>4</sup> NICB. (2017). *Metal Theft Claims from January 1, 2014 through December 31, 2016*. Des Plaines, IL: National Insurance Crime Bureau

WHEREAS, without specific crime data, police agencies cannot accurately analyze the location of the thefts, establish timetables to create crime patterns, or the types of targeted metals. The dearth of information makes it difficult for police to focus their efforts; and

WHEREAS, the Institute of Scrap Recycling Industries, Inc. (ISRI) provides an online portal theft alert system and database known as <http://www.scraptheftalert.com> at no cost to law enforcement agencies, victims of metal theft, property owners, and corporate security, to assist in the identification and investigation of stolen material and partnered with the Canadian Association of Recycling Industries (CARI) to make the site available in the U.S. and Canada. The more than 19,600 alerts posted to this portal have resulted in numerous successes leading to the identification of suspects and the recovery of more than \$2.8 million in stolen material; and

WHEREAS, all 50 US States have metals theft laws; whereby, six states require recyclers to receive theft alerts from ScrapTheftAlert.com: California, Colorado, Michigan, New Mexico, Ohio, and Washington.<sup>5</sup> The database is available as a service provider on the Regional Information Sharing Systems (RISS) and Law Enforcement Enterprise Portal (LEEP) networks; and

WHEREAS, law enforcement officers may not be aware of the significance or existence of the theft alert system nor are they fully aware of how to access information that is in the theft alert system database. Now, therefore, be it

RESOLVED, the International Association of Chiefs of Police (IACP) calls upon all Law Enforcement agencies to recognize scrap metal recyclers as partners; take advantage of law enforcement specific tools and resources developed by ISRI; and disseminate metals theft prevention techniques through community crime prevention programs; and, be it

FURTHER RESOLVED, the IACP encourages all Law Enforcement agencies to use the web-based scrap metal theft alert system which can be accessed at <http://www.ScrapTheftAlert.com> or other web-based sites that are globally available to alert recyclers of stolen scrap metals.

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<sup>5</sup> ISRI. (2017, August 18). *State Metal Theft Statutes*. Retrieved December 21, 2017, from ISRI.org: [www.isri.org/docs/default-source/state-specific-policy-resources/state-metals-theft-statutes.pdf?sfvrsn=40](http://www.isri.org/docs/default-source/state-specific-policy-resources/state-metals-theft-statutes.pdf?sfvrsn=40)

## Support of Environmental Protection and Environmental Enforcement Officers

Submitted by the IACP Environmental Crimes Committee  
ECC.06.t2018

WHEREAS, the value of environmental crime, globally, is estimated at \$91-258 billion annually;<sup>1</sup> and

WHEREAS, weak laws and poorly funded security forces are enabling international criminal networks and armed rebels to profit from a trade that fuels conflicts, devastates ecosystems and is threatening species with extinction; and

WHEREAS, environmental crime is the world's fourth-largest criminal enterprise after drug smuggling, counterfeiting and human trafficking.<sup>2</sup> The amount of money lost due to environmental crime is 10,000 times greater than the amount of money spent by international agencies on combatting it - just \$20-30 million;<sup>3</sup> and

WHEREAS, environmental crime can aid in the finance of terrorism and conflicts. Both non-state armed groups, terrorist groups and other networks thrive on the exploitation of natural resources to fund their activities. Examples include Taliban funded by drugs, and both Janjaweed operating from Darfur into Central African Republic and Democratic Republic of Congo (DRC), and Lord's Resistance Army in DRC poaching elephants. At least 40 percent of internal conflicts in the last 60 years have a link to natural resources; and

WHEREAS, international criminal cartels are also involved in the trafficking of hazardous waste and chemicals including electronic waste, often mislabeling these wastes in order to evade law enforcement agencies. The illegal trade in e-waste alone is estimated at \$12 billion annually<sup>4</sup>; and

WHEREAS, armed groups worldwide, use environmental crimes as a low-risk high-profit source of revenue, depriving governments of revenues while threatening peace, development and security; and

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<sup>1</sup> The Rise of Environmental Crime, A UNEP-INTERPOL Rapid Response Assessment, 2016, Page 7, <http://web.unep.org/environmentalgovernance/erl/resources/publications/rise-environmental-crime>

<sup>2</sup> Interpol Report on Human Trafficking: <https://www.interpol.int/Crime-areas/Trafficking-in-human-beings/Trafficking-in-human-beings>

<sup>3</sup> The Rise of Environmental Crime, A UNEP-INTERPOL Rapid Response Assessment, 2016, Page 7, <http://web.unep.org/environmentalgovernance/erl/resources/publications/rise-environmental-crime>

<sup>4</sup> The Rise of Environmental Crime, A UNEP-INTERPOL Rapid Response Assessment, 2016, Page 20, <http://web.unep.org/environmentalgovernance/erl/resources/publications/rise-environmental-crime>

WHEREAS, over 1,000 protected-area-officers<sup>5</sup> have been killed worldwide and many more injured over the last 12 years (IUCN).<sup>6</sup> Over 740 of those from 2009-2017;<sup>7</sup> and

WHEREAS, the vast sums of money generated from environmental crimes not only degrade and harm the environment and threaten the safety of protected-area officers, but keep sophisticated international criminal gangs in business, fueling insecurity around the world; and

WHEREAS, enhanced law enforcement response can help deter current trends. Such collaboration, sharing and joining of efforts within and across borders, whether formal or informal, is our strongest weapon in fighting environmental crime. Now, therefore, be it

RESOLVED, the International Association of Chiefs of Police (IACP) calls for all enforcement agencies to highlight and bring attention to the scale of environmental crime, resources and lives lost, and to partner with and support agencies' efforts to maximize the security and safety of environmental resources and protected-area officers worldwide.

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<sup>5</sup> Employees of a "clearly defined geographical space, recognized, dedicated and managed, through legal or other effective means, to achieve the long-term conservation of nature with associated ecosystem services and cultural values." (IUCN Definition 2008 - <https://www.iucn.org/theme/protected-areas/about>)

<sup>6</sup> Park Rangers on the Frontline Being Killed at an Astonishing Rate from India to Thailand to Africa, Global Conservation, March 31, 2016, <http://globalconservation.org/news/park-rangers-frontline-being-killed-astonishing-rate-new-solutio/>

<sup>7</sup> World Ranger Day 2017 – Ranger Roll of Honour In Memoriam, International Ranger Federation, 2017, [http://www.internationalrangers.org/wp-content/uploads/2017/08/1.-2016\\_2017-Honour-Roll.pdf](http://www.internationalrangers.org/wp-content/uploads/2017/08/1.-2016_2017-Honour-Roll.pdf)

## **Support for Development of Comprehensive Crime Gun Intelligence Strategies**

Submitted by: Firearms Committee

FC.07.t2018

WHEREAS, a “Crime Gun” includes any firearm unlawfully possessed, used in a crime, or suspected to have been used in a crime. This may include firearms abandoned or otherwise taken into law enforcement custody that are either suspected to have been used in a crime or whose proper disposition can be facilitated through a firearms trace; and

WHEREAS, armed criminals are often mobile, and evidence of their crimes is easily dispersed across police districts, cities, states and international borders as well; and

WHEREAS, the cross-jurisdictional nature of gun violence requires a regional approach because an agency’s probability of successfully apprehending and prosecuting an offender can be dependent upon what an officer in the next town over does or does not do with the crime gun they may discover; and

WHEREAS, ballistics evidence, bullets and cartridge cases discharged from a crime gun can be used to link a firearm to prior crimes and to link two or more crimes together; and

WHEREAS, crime gun tracing through ATF eTrace (electronic trace system) and NCIC (National Crime Information Center) queries can help police identify and track purchasers, owners and possessors of firearms; and

WHEREAS, forensic evidence such as DNA, latent fingerprints, and other trace evidence like hairs and fibers can help police link Crime Guns to a criminal; and

WHEREAS, scientific and information technology tools like eTrace for crime gun tracing, NCIC for stolen firearms reporting and recognition, National Integrated Ballistic Information Network (NIBIN) for ballistics evidence, Combined DNA Index System (CODIS), and Automated Finger Print Identification System (AFIS), can help police develop and share information about the identity of armed criminals across wide geographic regions; and

WHEREAS, regional firearm recovery and crime gun evidence processing protocols applied and communicated in a timely manner can provide law enforcement agencies with actionable information to help identify and apprehend armed suspects quickly thereby denying them the opportunity to reoffend and to perfect stronger criminal cases against them; and

WHEREAS, to support this regional collaboration, ATF has been working with partners to establish Comprehensive Crime Gun Intelligence Strategies. ATF and its partners, through the National Crime Gun Intelligence Governing Board (NCGIGB) have developed a Best Practices Guide, which is designed to help agencies accomplish several goals including the identification of armed violent offenders for investigation and prosecution; and,

WHEREAS, a comprehensive Crime Gun Intelligence Strategy can also aid in the identification of crime gun sources, efficient resource allocation, providing decision makers with the most accurate crime data available, and increasing case closure rates, public safety, and the prevention of violent crime committed with firearms. Now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police strongly encourages all law enforcement agencies to establish protocols that ensure that recovered firearms and other ballistic evidence are appropriately subjected to e-trace, NCIC, NIBIN, DNA swabbing and latent fingerprint and trace evidence examinations; and be it

FURTHER RESOLVED, that the International Association of Chiefs of Police strongly supports the creation of Comprehensive Crime Gun Intelligence Strategies and urges all agencies to review the National Crime Gun Intelligence Governing Board's (NCGIGB) Best Practices Guide and consider the establishment of such strategies to better coordinate and support firearms related criminal investigations.

**To Address the Threat Posed by Untraceable Firearms Made Through 3D Printing and Unfinished Frames and Receivers**

Submitted by: Firearms Committee

FC.08.t2018

WHEREAS, firearms tracing is a powerful investigative tool that is dependent on the firearm's serial number; and

WHEREAS, law enforcement uses a firearm's serial number to trace the firearm through the chain of distribution to the first retail purchaser, and trace information provided by ATF has led to the identification and prosecution of thousands of criminals; and

WHEREAS, ATF was asked by law enforcement domestically and abroad over 400,000 times in 2017 alone to trace a firearm recovered in a crime; and

WHEREAS, it is already recognized as a serious criminal offense subject to five years imprisonment to possess a firearm with the serial number removed, obliterated, or altered; and

WHEREAS, only federally licensed firearms manufacturers and importers are currently required by federal law to put a serial number on the frame or receiver of a firearm they manufacture or import, enabling it to be traced; and

WHEREAS, ATF treats the frame or receiver of a firearm as a firearm only if it has reached a certain stage of manufacture; and

WHEREAS, unfinished frames or receivers, known as "receiver blanks" or "80% receivers," have become commercially available, and enable the assembly of "ghost guns" —firearms without genuine, unique and traceable serial numbers; and

WHEREAS, ghost guns have been recovered after shooting incidents, from gang members and from prohibited people after they have been used to commit crimes; and

WHEREAS, in July 2018, the Los Angeles Police Department completed a 6- month-long investigation that resulted in the seizure of 45 firearms, some of which were untraceable ghost guns; and

WHEREAS, on June 7, 2013, an assailant who had failed a background check when he tried to purchase a gun used a ghost gun he had constructed himself from an unfinished AR-15-style receiver to kill his father, brother, and three other people at Santa Monica College in California; and

WHEREAS, three dimensional, or "3D" printing, involves the programming of a 3D printing machine with a computer file that provides the code for the item to be printed; and

WHEREAS, recent technological developments have allowed for the 3D printing of firearms and firearm parts, including parts made out of plastic, by unlicensed individuals in possession of relatively inexpensive 3D printers; and

WHEREAS, code exists for 3D printing an unfinished firearm frame or receiver that can be built into a functional firearm; and

WHEREAS, 3D-printed guns or guns made with 3D-printed receivers have been recovered by law enforcement as travelers attempted to transport the firearms through checkpoints; and

WHEREAS, firearms 3D-printed in plastic may be able to evade detection by metal detectors at security checkpoints, increasing the risk that a firearm will be used to perpetrate violence on an airplane or other area where people congregate; and

WHEREAS, the availability of online code for the 3D printing of firearms and firearm parts increases the risk that dangerous people, including felons, domestic abusers, and other people prohibited from possessing firearms under federal law, as well as terrorists and criminals around the world, will evade background check requirements and obtain a firearm through 3D printing; and

WHEREAS, if the code for 3D printing firearms and firearm parts are available online, people ineligible to possess firearms, and people intending to commit gun crimes, both domestically and abroad, may create untraceable firearms in order to avoid accountability for these crimes; and

WHEREAS, until recently, the State Department had considered the online posting of code for 3D printing firearms to be a violation of the Arms Export Control Act, as it would enable non-U.S. persons to assemble functional firearms; and

WHEREAS, the International Association of Chief of Police (IACP) recognizes that the easy availability of unfinished firearm frames and receivers, and the online availability of code for 3D printing firearms threatens to undermine state and federal gun laws and to endanger public safety and national security. Now, therefore be it

RESOLVED, that the IACP calls upon governments to use their authority to continue preventing the online posting of code for 3D printing firearms; and be it

FURTHER RESOLVED, that the IACP strongly supports legislation at both the state and federal levels to address the threat posed by untraceable firearms (e.g. ghost guns) , firearm frames and receivers requiring minimum finish work, and 3D printed firearms by ensuring that these firearms have proper serial numbers and are detectable at security checkpoints, and are subject to the same laws and regulations as firearms defined in the Gun Control Act of 1968.

## **Reasonable Laws to Facilitate Cross-Border Access to Extraterritorial Data Related to Criminal Offenses or Held by Service Providers**

Submitted by the Homeland Security, Police Investigative Operations, and Computer Crime and Digital Evidence Committees  
HSC.09.t2018

WHEREAS, many criminal investigations require access to electronic evidence that is stored in other jurisdictions, including the “cloud”; and

WHEREAS, cross-border access is one of the most pressing issues for law enforcement around the globe, particularly in the areas of sexual exploitation of children, fraud, cyberterrorism, trafficking of illicit drugs, and organized crime; and

WHEREAS, the current procedure presents challenges in terms of the voluntary collaboration of service providers, cooperation between police forces, the implementation of certain investigative techniques and the effective implementation of international mutual legal assistance in criminal matters; and

WHEREAS, the Parties to the Budapest Convention on Cybercrime agreed, on June 8, 2017, to launch the preparation of a protocol to this treaty to help law enforcement secure evidence on servers in foreign, multiple or unknown jurisdictions; and

WHEREAS, that Protocol could include provisions for elements such as:

- (i) more effective mutual legal assistance,
- (ii) enhanced cooperation with service providers in other jurisdictions,
- (iii) a clear framework and stronger safeguards related to cross-border access to data, and;
- (iv) safeguards, including data protection requirements; and

WHEREAS, many IACP member countries are Parties to that Convention and are participating in this work; and

WHEREAS, the United States of America have enacted, on March 23, 2018, the Clarifying Lawful Overseas Use of Data Act (CLOUD Act); and

WHEREAS, this Act provides, among other things, for an alternative and expedited mutual legal assistance treaty (MLAT) procedure through bilateral executive agreements with foreign countries to provide data on United States citizens, permanent residents and corporations in a simplified manner to these countries, provided that the Attorney General, with the concurrence of the Secretary of State, is of the opinion that the foreign country has sufficient safeguards to restrict access to data concerning such persons. Now, therefore, be it

RESOLVED, the International Association of Chiefs of Police supports the negotiations on the 2nd Additional Protocol to the Budapest Convention on Cybercrime to address the challenges of cross-border access to digital evidence in criminal matters; and be it

FURTHER RESOLVED, the International Association of Chiefs of Police urges the Governments of their members to negotiate bilateral data-sharing agreements with the United States of America who are authorized to do so pursuant to the CLOUD Act; and be it

FURTHER RESOLVED, the International Association of Chiefs of Police urges member Governments to engage in meaningful consultation with their National Law Enforcement Leadership during the development of these instruments.

**The Public Safety and Homeland Security Needs for Retro-Reflective Front and Rear License Plates with Validation Stickers**

Submitted by: Highway Safety Committee  
HSC.10.t2018

WHEREAS, heightened homeland security concerns emphasize the need for fast and reliable identification of vehicles by law enforcement officers and citizens alike, which is extremely important for law enforcement officers who steadfastly patrol the more than 25 million miles of highways and roads globally; and

WHEREAS, motor vehicles are used in the majority of all serious crimes committed in the United States and the quick discovery of such vehicles can help solve these crimes; and

WHEREAS, in addition to improving safety, traffic enforcement activities have proven to be invaluable in the detection and apprehension of individuals involved in terrorist and/or criminal activities; all means of initial identification, including retro-reflective front and rear license plates, are essential; and

WHEREAS, retro-reflective front and rear license plates are essential in the quick and accurate identification of motor vehicles traveling toward or away from a law enforcement officer, even at highway speeds, whether the officer is using Automated License Plate Reader technology or reliant on personal observance; and

WHEREAS, retro-reflective front and rear license plates serve as a significant safety device, warning motorists of the presence of vehicles that are disabled or that otherwise lack sufficient headlights or taillights and allowing those vehicles to be observed at a safe distance and in a timely manner; and

WHEREAS, fully reflective validation tabs displaying month and year attached to the license plate provides law enforcement officers with an instant recognition system of valid vehicle registration; and

WHEREAS, an effort to repeal the requirement for front license plates and/or validation tabs are sometimes made in response to budgetary or other non-safety centric considerations; and

WHEREAS, if such efforts are successful, they would have a serious and negative effect on the ability of law enforcement officers to effectively identify vehicles or invalid vehicle registrations and to initiate reasonable suspicion vehicle stops; and

WHEREAS, it is important to keep license plates legible and to maintain their retro-reflectivity because they are relied upon by law enforcement and citizens alike for public and traffic safety. Now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police (IACP) recognizes that the efficient and reliable identification of vehicles is a critical element of national, state and local safety and security, supports the issuance of retro-reflective front *and* rear license plates with clearly identifiable registration numbers and states of registration, and urges issuance of new plates prior to retro-reflective degradation and as otherwise required to maintain effective vehicle identification; and, be it

FURTHER RESOLVED, that the IACP supports the issuance of retro-reflective validation tabs indicating the month and year for use on the license plates of all motor vehicles registered to operate on public highways and roadways; and be it

FURTHER RESOLVED, that the IACP supports the use of the License Plate Standard for the design and manufacture of license plates published by the American Association of Motor Vehicle Administrators.

**Urging Elected Officials to Work with Law Enforcement to Ensure that Proposed Legislation is Clear, Enforceable and Does Not Discourage and/or Impede Traffic Enforcement Efforts**

Submitted by: Highway Safety Committee  
HSC.11.t2018

WHEREAS, vehicle crashes are a leading cause of deaths, injuries, property damage and related costs to communities and its citizens; and

WHEREAS, a comprehensive traffic safety program has been proven to decrease vehicle crashes of all types, including vulnerable roadway users such as bicyclists and pedestrians, and also provides ancillary benefits to law enforcement and public safety; and

WHEREAS, high-visibility traffic enforcement is a key component of a comprehensive traffic safety program and enforcement must be conducted in compliance with legislation; and

WHEREAS, at times, and often in reaction to an incident, legislation is proposed that is unclear, unenforceable and/or would result in discouraging, impeding and/or creating confusion as to the intent of a particular law or laws; and

WHEREAS, such a scenario would have the potential to severely decrease traffic enforcement efforts which in turn would potentially increase crashes and thus endanger all roadway users. Now, therefore, be it

RESOLVED, that the IACP strongly urges elected officials to work in concert with law enforcement officials prior to enacting traffic-related legislation (both new and amendments to existing laws) so that the intent of the legislation is clear, that it is enforceable and that it does not discourage and/or impede law enforcement personnel from conducting traffic enforcement efforts.

## Supporting Victims of Child Sexual Abuse Material

Submitted by: Individual  
IDV.12.t0218

WHEREAS, child sexual abuse material is the recording of the sexual abuse and exploitation of a child; and

WHEREAS, the *United Nations Convention on the Rights of the Child* (“UNCRC”) reflects a commitment by each signatory state to take all appropriate national, bilateral and multilateral measures to prevent the sexual exploitation of children (Article 34); and

WHEREAS, the UNCRC commits all signatories to take all appropriate measures to promote the physical and psychological recovery and social reintegration of a child victim of exploitation or abuse (Article 39), and the *Optional Protocol on the Sale of Children, Child Prostitution and Child Pornography* (the "Optional Protocol") reiterates the obligation to ensure appropriate assistance to victims, including their full social reintegration and full physical and psychological recovery (Article 9, point 3); and

WHEREAS, the Optional Protocol calls on signatory states to strengthen international cooperation for the prevention, detection, investigation, prosecution and punishment of those responsible for acts involving the sale of children, child prostitution, child pornography and child sex tourism (Article 10, point 1), to adopt appropriate measures to protect the rights and interests of child victims at all stages of the criminal justice processes (Article 8), to ensure access to adequate procedures to seek compensation from those criminally responsible (Article 9, point 4); and to promote international cooperation to assist child victims in their physical and psychological recovery, social reintegration and repatriation (Article 10, point 2); and

WHEREAS, the IACP recognizes that child sexual abuse imagery is often present in child sexual abuse cases, the privacy and dignity of the children whose child sexual abuse has been recorded is violated each time a child's sexual abuse image is shared, and as such, expedited detection of such evidence is critical to halting the propagation of this abusive material and protecting victims from a lifetime of ongoing victimization; and

WHEREAS, there are a number of organizations around the world working to reduce the online sexual exploitation of children (including hotlines within the INHOPE network, the policing community and governments); and

WHEREAS, survivors experience life-long impacts, including worrying about being recognized by someone who has seen their imagery; and

WHEREAS, on August 29, 2018, the countries of Australia, Canada, New Zealand, the United Kingdom and the United States issued the Five Country Ministerial Statement on Countering the Illicit Use of Online Spaces which statement acknowledged the widespread transmission of

CSAM online (among other things), and called upon industry and governments to do more to address the spread of illicit content online; and

WHEREAS, it is recognized that technological tools and innovation can be harnessed to automate and/or enhance the detection, removal and prevention of upload of child sexual abuse material, with one such tool being Project Arachnid (developed by the Canadian Centre for Child Protection and supported by the National Center for Missing and Exploited Children (NCMEC)). Project Arachnid is a platform designed to reduce the public availability of child sexual abuse material (CSAM) through both proactive detection methods as well as tools for industry. It utilizes hash values provided by the RCMP and INTERPOL and NCMEC to facilitate this detection; and

WHEREAS, since January 2017, Project Arachnid has been fully operational, and there are now hotlines in some countries that are either already supporting the work being done by Project Arachnid by assessing content, or are working towards doing so, including NCMEC. As of September 2018, Project Arachnid has reportedly flagged over 1.7 million unique images and videos for assessment and that over 910,000 notices have been sent to providers to request removal of CSAM. The model of notice and takedown is one that is being used by hotlines around the world and while most providers have been responsive and have been complying with the request to remove CSAM, it is recognized that there are providers that take significantly longer than that; and

WHEREAS, there are a vast number of CSAM victims globally who have not been identified by law enforcement. Now, therefore, be it

RESOLVED, that the IACP recognizes that the creation and distribution of child sexual abuse imagery (CSAM) is a serious international problem and encourages the law enforcement community to do more to support other stakeholder efforts to reduce the public availability of CSAM; and be it

FURTHER RESOLVED, that the IACP recognizes that the creation and distribution of child sexual abuse imagery often has lifelong impacts on victims around the world and more must be done to identify victims in all countries so that they can begin the recovery process; and be it

FURTHER RESOLVED, that the IACP recognizes the need to reduce the ongoing victimization and harm that survivors of CSAM suffer as a result of their CSAM being accessible online; and be it

FURTHER RESOLVED, that the IACP recognizes that tools that automate and/or enhance the detection, removal and prevention of upload of CSAM can help to reduce the public availability of CSAM, provide psychological relief to survivors, and help prevent newly identified victims from experiencing similar ongoing and future victimization; and be it

FURTHER RESOLVED, that the IACP encourages the international law enforcement community to increase its awareness and understanding of Project Arachnid and its role in detecting and facilitating the removal of CSAM, including legacy content; and be it

FURTHER RESOLVED, that the IACP calls for the international law enforcement community to support the operation of Project Arachnid, including through the coordinated submission of hash values to INTERPOL and NCMEC as expeditiously as possible; and be it

FURTHER RESOLVED, that the IACP strongly encourages law enforcement agencies around the world to make a determination of whether imagery exists in all child sexual abuse cases, and if found, to submit the hash values associated with the imagery to INTERPOL or NCMEC as expeditiously as possible, recognizing that hash values are essential to automating the detection, removal and prevention of upload of CSAM; and be it

FURTHER RESOLVED, that the IACP strongly agrees that more must be done to facilitate victim identification in all countries, including collaboration between law enforcement agencies in different jurisdictions to share information and resources to identify and assist victims, and the IACP encourages law enforcement agencies to advocate for the resources needed to join in a coordinated international effort to identify unknown victims; and be it

FURTHER RESOLVED, that the IACP supports the consideration of legislative initiatives within each jurisdiction that: encourage timely compliance with notices sent to service providers requesting removal of child sexual abuse material that is believed to be hosted on their service; increase the accountability of industry to ensure that CSAM, when detected, is removed as expeditiously as possible; and help secure the retention of information needed for further investigation; and be it

FURTHER RESOLVED, that the IACP recognizes that victims of CSAM may face procedural and practical difficulties in providing a victim impact statement in cases that involve subsequent possessors and distributors of their CSAM and supports the creation of an international database of victim impact statements, from victims of CSAM, that is anonymized and accessible for court purposes in various countries.

## **Support for 2018 Alarm Model Ordinance for False Alarm Reduction and Management**

Proposed by: Private Sector Liaison Committee  
PSLC.14.t2018

WHEREAS, the International Association of Chiefs of Police (IACP) supports efforts of the life safety, alarm, and electronic security industries, represented by the Security Industry Alarm Coalition; and,

WHEREAS, IACP recognizes the importance of strong relationships between law enforcement and the private sector; and,

WHEREAS, IACP recognizes the importance of accountability in false alarm reduction to maximize officer safety and efficiency in the deployment of law enforcement resources; and,

WHEREAS, IACP acknowledges that correctly installed, operated and monitored electronic security systems are effective resources which help to deter crime, assist in apprehensions, reduce property loss and potentially save lives; and,

WHEREAS, IACP recognizes the need to focus on the credibility of alarms received by law enforcement/first responder call centers from alarm companies and private entities through the establishment of best practices as contained in this Model Ordinance for Alarm Management and False Alarm Reduction, duly vetted and recommended by the Private Sector Liaison Committee; and,

WHEREAS, IACP recognizes the need for and value of strong enforcement recommended in this Model Ordinance to achieve the desired reduction in alarm dispatches experienced by police agencies. Now, therefore, be it

RESOLVED, that the IACP encourages the use of the 2018 Model Ordinance for Alarm Management and False Alarm Reduction and all of the best practices it contains by law enforcement agencies and the communities they serve.<sup>1</sup>

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<sup>1</sup> [https://www.theiacp.org/sites/default/files/2018Model\\_OrdFINALIACP.docx](https://www.theiacp.org/sites/default/files/2018Model_OrdFINALIACP.docx)

## **Resolution to Promote Transnational Crime Information Sharing**

Submitted by: Transnational Crime Committee  
TCC.15.t2018

WHEREAS, transnational crime results in significant harm from the community level up to the national level, encompassing hundreds of billions to trillions of dollars in economic loss annually, victimizing individuals through human trafficking, as well as destroying the safety of communities through violence, drug distribution and other criminal activity; and

WHEREAS, transnational crime, by its very nature, crosses multiple local, state and national boundaries, affecting myriad jurisdictions in the process; and

WHEREAS, the sharing of information between the various jurisdictions that are affected by a Transnational Criminal Enterprise is critical to the effective identification and countering of said transnational criminal enterprise; and

WHEREAS, this resolution is consistent with the position of The Quintet of Attorneys General.  
Now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police supports or agrees with the further development and implementation of information sharing practices, protocols and initiatives related to transnational Criminal enterprises; and, be it

FURTHER RESOLVED, it shall be the goal of the International Association of Chiefs of Police to promote information sharing in the most efficient manner possible by utilizing, to the extent possible, existing information sharing networks, such as currently existing fusion centers and Regional Information Sharing Systems; and be it

FURTHER RESOLVED, the International Association of Chiefs of Police calls on government to create the environment to support information sharing networks including bringing forward legislative changes.

**Supporting a Change Where National Motor Vehicle Title Information System (NMVTIS) Civil  
Penalty Money Goes**

Submitted by: Vehicle Crimes Committee  
VCC.16.t2018

WHEREAS, the National Motor Vehicle Title Information System (NMVTIS) was established pursuant to 49 U.S.C. 30502; and

WHEREAS, the purpose of NMVTIS is to assist in efforts to protect private and commercial consumers and states from vehicle crimes and provide consumer protection from unsafe vehicles and information obtained from NMVTIS also serves to deter the use of stolen vehicles to fund criminal activity and enterprises; and

WHEREAS, the U.S. Department of Justice (DOJ) Bureau of Justice Assistance (BJA) is responsible for oversight of the NMVTIS program and the American Association of Motor Vehicle Administrators (AAMVA) serves as the NMVTIS operator; and

WHEREAS, under federal law, NMVTIS system operations is intended to be self-sustaining and AAMVA continues to explore opportunities to support system financial sustainability. Currently, NMVTIS contains 95% of the U.S. motor vehicle agency data required to be provided; and

WHEREAS, NMVTIS is to serve as a repository of information related to vehicles in the possession of auto recyclers, junk yards, salvage yards, and insurance carriers. This is known as junk yard, salvage yard, and insurance carrier (JSI) NMVTIS data; and

WHEREAS, this information is used by states and consumers to ensure junk or salvage vehicles are not reintroduced into the market, enhancing public safety. This also serves to deter the use of vehicle identification numbers (VIN's) from junk or salvage vehicles from being used on stolen vehicles and sold to unsuspecting buyers; and

WHEREAS, JSI NMVTIS reporting compliance enforcement is important to ensure system integrity and for the deterrence of aforementioned vehicle crimes; and

WHEREAS, the U.S. Department of Justice, Bureau of Justice Assistance (BJA) is responsible for investigating complaints of failing to comply with JSI NMVTIS reporting. Civil penalties for non-compliance may be assessed up to \$1,000 per violation; and

WHEREAS, BJA maintains an NMVTIS awareness campaign to promote JSI NMVTIS reporting compliance which includes: mailings, webinars, advertisements, and presentations at industry conferences. However, when voluntary compliance for JSI NMVTIS reporting is not successful, BJA may impose and collect civil penalties as provided for in 49 U.S.C. 30505; and

WHEREAS, this committee understands the limited resources, BJA is restricted in its ability to provide NMVTIS oversight and enforcement efforts; and

WHEREAS, this may result in junk or salvage vehicles being put back on the roadway undetected, thereby jeopardizing the lives of the operator and others on the roadway; and

WHEREAS, this may also reduce the ability of stolen vehicles to be recovered by the reusing of VIN's from junk or salvage vehicles; and

WHEREAS, civil penalties assessed and recovered by BJA are not maintained by BJA for program operation but are sent on to the U.S. Treasury General Fund. Now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police calls on the United States Congress in supporting a change of law to allow these civil penalties to be used by BJA for NMVTIS oversight and enforcement compliance.

## **Understanding, Educating and Promoting Proper Enforcement of Personal Protection Orders**

Submitted by: Victim Services Committee

Co-Sponsored by: Forensic Science Committee and Crime Prevention Committee

VSC.17.t2018

WHEREAS, a protective order is a legal injunction that requires a party to do, or to refrain from doing, certain acts with the purpose of protecting and empowering victims of intimate partner violence and giving a means of safety, and each state in the United States has some form of domestic violence restraining order law, and many states also have specific restraining order laws for stalking, harassment, and sexual assault; and

WHEREAS, there is a continued need for awareness and education related to actions taken by law enforcement when responding to calls involving possible protection order violations where law enforcement officers are applying the action/conditions of the protection order on the victim (petitioner), when in fact, the actions/conditions are written for the respondent to abide by; and

WHEREAS, there is also a continued need for awareness related to legislation that attempts to enact criminal penalties for victims (petitioners) for actions related to protection orders issued against respondents, and similar court rulings; and

WHEREAS, protective orders help victims, as well as their children and families, regain control by establishing boundaries, restrictions, and sanctions with the support and enforcement of the criminal justice system and in some jurisdictions may be one of the few safety options for victims, and they may be the tool that a victim needs in order to begin separation from an abusive party; and

WHEREAS, victims may suffer emotional, psychological, economic, and/or physical abuse, endure threats, coercion, and/or manipulation by perpetrators of interpersonal violence, and may have conflicting emotions and established dependency (economic, psychological); and

WHEREAS, perpetrators are coercive and skilled at manipulating victims and the criminal justice system in order to gain and maintain power and control, and will use the possibility of the victim's arrest against and/or as leverage and as another means of power and control; and

WHEREAS, a victim may feel pressured, or be manipulated by the perpetrator into letting him/her into the house, workplace, or meeting with him/her with the sole purpose of setting a victim up for arrest, and oftentimes it is safer for a victim to comply with the demands of a perpetrator rather than suffer the consequences if they do not comply; and

WHEREAS, legislation or public policies that support the arrest of victims (petitioners) for actions related to protection orders issued against respondents, a tool that was established to keep an abusive party away from a victim, serve to embolden the perpetrator and give him/her

more power, this time with police action and the criminal justice system to support the words and threats of the perpetrator; and

WHEREAS, legislation or public policies that support the arrest of victims (petitioners) for actions related to protection orders issued against respondents take a procedure that is meant to protect victims and uses it to punish them. These policies lead to damaging victim trust in the criminal justice system and create hesitation on the part of the victim to seek law enforcement protection because of the possibility of being arrested; and

WHEREAS, if the perpetrator refuses to comply with the terms of an order they shall face criminal or civil penalties and may have to pay damages or accept sanctions. Now, therefore, be it

RESOLVED, that because of the complicated nature of the crime of domestic violence/intimate partner violence and the complex situations responding officers are left to sort out, education and awareness regarding the harmful effects and ramifications of arresting victims (petitioners) for actions related to protection orders issued against respondents is needed; and be it

FURTHER RESOLVED that the International Association of Chiefs of Police strongly believes that law enforcement should encourage legislation and public policies that support the arrest of and criminal consequences for respondents and not victims (petitioners) for actions related to violations of protection orders.

## **Support for Education and Awareness on U Visa Certifications and T Visa Declarations**

Submitted by: Victim Services Committee

Co-Sponsored by: Police Investigative Operations Committee and Forensic Science Committee  
VSC.18.t2018

U.S. Law provides several protections for legal and undocumented immigrants who have been victims of a crime. There are specific protections for victims of domestic violence, human trafficking victims as well as other certain crimes. Countries that do not have similar laws should considering adding something similar; and

WHEREAS, IACP shares the goals of the United States Congress to protect immigrant victims of crime and encourage public safety and cooperation between immigrant communities and law enforcement; and

WHEREAS, IACP realizes that encouraging immigrant crime victims to report criminal activity translates into early detection of crimes and overall better reporting of crimes, which consequently enhances not only public safety but officer safety as well; and

WHEREAS, IACP recognizes that U Visa Certifications and T Visa Declarations are important crime fighting tools offering significant potential benefits to law enforcement agencies in fulfilling their mission to keep their communities safe; and

WHEREAS, IACP understands that U Visa Certifications and T Visa Declarations are acknowledgements by law enforcement agencies that the victim has reasonably cooperated in the investigation of prosecution of human trafficking or another qualifying criminal activity; and

WHEREAS, IACP acknowledges that providing Certifications for immigrant crime victims for U Visas and providing Declarations for immigrant human trafficking victims for T Visas increases trust between law enforcement officials and otherwise reluctant immigrant communities who fear that contacting police will lead to their deportation; and

WHEREAS, IACP acknowledges the Migration Policy Institute estimates that 11 million unauthorized immigrants are living in the U.S. (3.42% of the total U.S. population of 321.4 million in 2015) based on American Community Survey (ACS) data; and

WHEREAS, IACP recognizes that the U.S. Citizenship and Immigration Services has documented the receipt of applications for both U Visas [2015: 30,106; 2016: 35, 044; 2017: 18,866 (6 mos.)] and T Visas [2015: 1,062; 2016: 953; 2017: 504 (6 mos.)]; and

WHEREAS, IACP recognizes the critical importance of further input from law enforcement, government agencies, the U.S. Department of Homeland Security, victim advocacy groups, and

other stakeholders in developing and implementing best practices around the provision of U visa certifications and T visa declarations. Now, therefore, be it

RESOLVED, that IACP supports increasing education, training and communication on U visa certifications and T visa declarations, and increased police leadership involvement in these efforts; and, be it

FURTHER RESOLVED, that the International Association of Chiefs of Police commits to continued input, representation, and collaboration in ongoing efforts to prioritize the need to communicate the benefits of U visa certification and T visa declaration to Chiefs of Police, highlighting them as effective tools for law enforcement agencies that enhance public safety, officer safety, and protection of victims nationwide.

## Support of National Safety Council Position on Cannabis (Marijuana) and Driving

Submitted by: DRE Technical Advisory Panel (TAP)  
TAP.19.t2018

WHEREAS, the number of states, territories, and countries legalizing medical and recreational cannabis products continues to increase; and

WHEREAS, vehicle crash fatalities continue to be one of the most frequent causes of death internationally; and

WHEREAS, drugged driving and drug-related crashes, deaths, and injuries continue to occur at an alarming rate; and

WHEREAS, successful prosecution of impaired driving incidents is a necessary component of the efforts to decrease roadway injuries and deaths; and

WHEREAS, numerous states and territories have put forth, or adopted legislation creating a *per se* prohibited level of Delta-9-Tetrahydrocannabinol (THC) in blood; and

WHEREAS, the rapid departure of THC from blood significantly challenges the use of forensic samples to represent the driver's state at the time of driving; and

WHEREAS, numerous scientific studies fail to identify a threshold level of THC in blood as a basis for *per se* legislation. Now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police joins with the National Safety Council's Alcohol, Drugs, and Impairment Division in supporting that organization's *Position on Cannabis (Marijuana) and Driving* publication

<sup>1</sup>, which sets forth conclusions that operating vehicles under the influence of THC increases risk of injury and death and that there is no minimum blood THC concentration below which a driver can be considered unaffected after recent consumption of cannabis products.

FURTHER RESOLVED, that all law enforcement officials, highway safety officials, and Drug Evaluation and Classification (DEC) Program coordinators, should take the position with their legislative and governing bodies that there is no scientific basis for the adoption of THC *per se* legislation; and, be it

FURTHER RESOLVED, that all law enforcement officials, highway safety officials, and DEC Program coordinators, should take the position with their legislative and governing bodies that impaired driving statutes should prohibit operating a vehicle under the influence of cannabis

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<sup>1</sup> [https://www.nsc.org/Portals/0/Documents/NSCDocuments\\_Advocacy/Divisions/ADID/Position-on-Cannabis-and-Driving.pdf](https://www.nsc.org/Portals/0/Documents/NSCDocuments_Advocacy/Divisions/ADID/Position-on-Cannabis-and-Driving.pdf)

and public safety efforts should prioritize the expansion of law enforcement training in recognizing and articulating drug impairment in drivers.

## **Support of Electronic Warrants in the Fight Against Impaired Driving**

Submitted by: Highway Safety Committee

HSC.20.t2018

WHEREAS, impaired driving has a profound impact on society and public safety in terms of grievous injuries, senseless death, and significant property damage; and despite a 50% decrease in alcohol-impaired driving fatalities since 1982, more than 10,000 people are killed in alcohol-impaired driving crashes annually (NHTSA, 2017), and

WHEREAS, the growing number of states legalizing marijuana and the spread of the opioid epidemic across the country has given rise to increased concerns related to the appropriate detection, investigation, prosecution, and adjudication of drug-impaired driving, and

WHEREAS, the inability to obtain a blood alcohol concentration (BAC) test result or evidence of drug use, (especially in cases of refusal) effectively impedes or negates an officers' ability to gather crucial and intensely time-sensitive evidence in the form of blood or other bodily fluids, and

WHEREAS, the establishment and implementation of electronic warrant (eWarrant) programs to compel blood draws or samples of other bodily fluids have proven timely and successful in several jurisdictions (Responsibility.org, A Guide to Implementing Electronic Warrants, 2018), utilizing a variety of systems, from simple PDF documents to web-based systems to quickly and accurately obtain evidence in the violent crime of impaired driving, and

WHEREAS, in recognition of the technology available to law enforcement agencies across the country, Responsibility.org's study and collaboration with the Justice Management Institute clearly identifies a spectrum of eWarrant systems that can assist jurisdictions in their fight against impaired driving; including recommended legislative framework, planning and design, partner engagement, funding, policy and operations, and metrics to assess goals, and

RESOLVED, that the IACP supports the development, implementation, and legislative engagement of eWarrant systems by law enforcement agencies and prosecutors to prevent injury and death on our nation's roadways.