

Legislative Agenda for the 114th Congress International Association of Chiefs of Police

January 2015 – January 2017



The International Association of Chiefs of Police is a comprehensive professional organization that “Serves the Leaders of Today and Develops the Leaders of Tomorrow.”

The IACP is dedicated to meeting the needs of law enforcement executives. For over 100 years, the IACP has been launching internationally acclaimed programs, speaking out on behalf of law enforcement, conducting ground-breaking research and providing exemplary programs and services to our membership across the globe. This mission continues today.

The IACP “serves the leaders of today” through advocacy, training, research, and professional services; the IACP addresses the most pressing issues facing leaders today. From new technologies to emerging threats and trends, the IACP provides comprehensive and responsive service to its members throughout the world.

The IACP is also focused on “developing the law enforcement leaders of tomorrow.” The IACP Center of Police Leadership, its Police Chief Mentoring program, and numerous other training and educational opportunities are designed to prepare tomorrow’s leaders for the challenges they will face.

The IACP membership encompasses a diverse and exceptionally professional group, with over 22,000 members in 98 countries. IACP members are able to participate in committees and sections of topical interest and network with law enforcement leaders from around the world. In addition, members are provided opportunities to participate in summits, project advisory boards, research endeavors, and more. These opportunities provide forums to strengthen professional development and increase leadership capacity.

IACP Legislative Agenda for the 114th Congress

The IACP Executive Committee met to establish the association's legislative priorities for the 114th Congress. The following priorities have been designated by the Executive Committee as those most important to the association at the beginning of this Congress. As additional issues of interest to the IACP arise, the Executive Committee will establish positions on them.

ADA Revisions

The passage of the Americans with Disabilities Act (ADA) in 1990 marked the most significant expansion of the Civil Rights Act since 1964. It has provided the legal means for nearly 55 million Americans with disabilities to more fully participate in and contribute to American society. The ADA placed many new responsibilities on both the public and private sectors, including state, local and tribal government. As with many laws, there have been unforeseen costs and consequences. Unfortunately, many of these new responsibilities are needlessly difficult and/or expensive to administer. To remedy this situation, the IACP supports limited exemptions to the ADA in at least two specific areas. First, in the area of Title II employment requirements, public safety employers should be exempted from provisions that require a conditional offer of employment be made to a prospective applicant before the employer may legally perform certain necessary physical and mental evaluations. The IACP believes it is extremely wasteful to require that a conditional offer be made before an employer may ask questions of an applicant that may divulge certain information that may disqualify that individual from being a law enforcement officer, firefighter or Emergency Medical Services (EMS) worker.

Second, in the area of services to be provided to citizens by law enforcement agencies, exceptions should be made from the universal applicability of accessibility and equipment requirements for correctional facilities. Specifically, availability of limited, specialized facilities should be sufficient to comply with the law. Additionally, immunity from liability should be provided for state, local and tribal agencies that unintentionally fail to provide equal services to the abled and disabled. State, tribal and local agencies, which traditionally have enjoyed the benefit of a court-imposed "sovereign immunity" from liability, should not be exposed to suits if they inadvertently failed to provide the same services.

Alarm Licensing

The IACP encourages the adoption of strong consumer protection laws that deter dangerous and deceptive sales practices regarding alarm systems; supports licensing requirements and other regulations governing those in the electronic security industry that are commensurate with the responsibilities the individual performs; and recommends that individuals with the ability to install, move, repair, replace, service, disarm, or reconfigure an alarm system or any individual component connected to an alarm system, at an end-user's premises, should be properly licensed. Furthermore, those selling systems or services, and those responsible for monitoring security systems should be appropriately screened and background-checked.

Armor Piercing Ammunition

The IACP supports legislation and policies that will prohibit the sale or transfer of armor piercing ammunition. In addition, the IACP believes that the process utilized to determine whether a round of ammunition is armor piercing should include performance-based testing.

Assault Weapons Ban

First passed in 1994, the assault weapons ban required domestic gun manufacturers to stop production of semiautomatic assault weapons and ammunition magazines holding more than ten rounds except for military or police use. While the ban was in place, it was remarkably effective in reducing the number of crimes involving assault weapons. In the period of the ban, (1994-2004) the proportion of assault weapons traced to crimes fell by a dramatic 66 percent.

Assault weapons are routinely the weapons of choice for gang members and drug dealers. They are regularly encountered in drug busts and are all too often used against police officers.

The IACP has been a strong supporter of the assault weapons ban since 1992, and our membership has approved several reauthorizations of support in the years since. The membership took this action because we, as law enforcement executives, understand that semiautomatic assault weapons pose a grave risk to our officers and the communities they are sworn to protect.

Bias-Free Policing and Data Collection

Any form of police action that is based solely on the victim's race, color, religion, national origin, sexual orientation, gender or disability is both unethical and illegal. Therefore, the IACP strongly encourages all law enforcement agencies to develop and implement anti-discriminatory policies that explicitly prohibit biased enforcement practices and encourage bias-free policing.

The IACP believes that data collection can play a role in reducing the incidence of biased enforcement actions. However, in order to achieve this goal, data collection programs must be conducted in a fashion that ensures that data is being collected and analyzed in an impartial and methodologically sound fashion. In addition, the IACP strongly believes that legislative proposals addressing the issue of biased policing should be carefully drafted so that legitimate law enforcement practices and operations are not compromised.

Body Armor

The IACP supports legislation to prohibit the mail order sale of bulletproof vests and body armor to all individuals except sworn or certified law enforcement officers. In recent years, the safety of law enforcement officers has often been compromised due to the possession of body armor and bulletproof vests by the criminals they were attempting to apprehend. The IACP believes that the sale, transfer, or acquisition of these items should be conducted in

person in order to make it more difficult for criminals to acquire and use these items while committing crimes of violence.

Bulletproof Vest Partnership Act

The IACP supports legislation to reauthorize the Bulletproof Vest Partnership Act (BVPA) that has enabled the purchase of more than a million vests for law enforcement officers throughout the United States. The IACP supports provisions that would extend the mandatory wear policy requirements enforced for BVPA grantees to other federal streams of funding that allow the purchase of body armor, as well as provisions ensuring unique fit of vests to individual officers.

Byrne Justice Assistance Grant

The Byrne Justice Assistance Grant (Byrne-JAG) Program should be fully funded at its authorized level of \$1.1 billion. Byrne-JAG is the cornerstone federal crime-fighting program, supporting the federal government's crucial role in spurring innovation, as well as testing and replicating evidence-based practices nationwide. States and localities use Byrne-JAG to test emerging and evidence-based approaches to the public safety challenges in their jurisdictions.

Because Byrne-JAG is flexible, states and local communities are able to use funding to address needs and fill gaps across the entire criminal justice system – in prevention, enforcement, courts, prosecution and indigent defense, corrections, victim assistance, and other community support. This flexibility is the hallmark of the Byrne-JAG program and is vitally important. The IACP opposes any legislation that would restrict the flexibility of this program.

In addition, the IACP calls on Congress to amend the Byrne-JAG Grant Program to allow for the expenditure of grant funds to purchase unmanned aircraft systems (UAS). Given the very high cost of acquiring, operating and maintaining traditional aircraft and crews, the low cost of UAS make them an attractive alternative to cash strapped local governments. Given that most law enforcement agencies do not have immediate access to air support, small UAS have the potential to give an incident commander immediate access to the information necessary to efficiently and effectively bring an event to a successful conclusion. Using real-time video or infra-red downlink information, the incident will be managed to a successful conclusion, more quickly and better than before UAS technology was available.

Campus Public Safety Grants

According to the Congressional Research Service, Congressionally approved grant funded emergency response or law enforcement programs at postsecondary institutions was first authorized under the Higher Education Act, signed into law during the 112th Congress. Incidents around the country have focused attention on the unique needs of campus public safety agencies and the lack of a national program to assist in keeping campuses both open and safe. The IACP requests that Congress appropriate the \$50 million in funding programs authorized under the Higher Education Act.

Certified Officers Clearinghouse

Currently a law enforcement and/or corrections officer who leaves a department or loses certification in one state as a result of misconduct or criminal activities can easily circumvent employment screening in other states, or other jurisdictions within the same state, by misrepresenting prior police service records.

To combat this type of unethical officer, often referred to as a “rogue” or “gypsy” cop, the IACP seeks the establishment of a national clearinghouse of certified officers. This clearinghouse, placed preferably within the Department of Justice will assist federal, state, tribal and local public safety employers in conducting thorough, complete background investigations on applicants for these critical positions in public service. The clearinghouse would provide a national “pointer file” where prior conduct as a police officer could be divulged, accessed, and reviewed by prospective police and correctional employers.

Child Passenger Safety

In order to increase child passenger safety and reduce incidents of injury and death of unrestrained children in motor vehicles, the IACP urges the development of incentive programs to provide additional highway safety funds for intensified education, training, and enforcement programs.

Civil Asset Forfeiture

Criminals who engage in criminal activities face the risk of having the proceeds of their illegal activities or the instruments used to commit the crime forfeited to the law enforcement agencies that apprehend them, after appropriate administrative or judicial proceedings. The seizing of the assets of criminal activity is one of the most effective ways to prevent crime and protect the public. The IACP will not support any proposal which weakens one of the most valuable tools law enforcement has in combating serious crime.

Clandestine Laboratory Cleanup Funding

The IACP urges Congress to provide the Drug Enforcement Agency (DEA) permanent and adequate funding resources to confront the clandestine laboratory problem. There are currently thousands of small production laboratories across the United States with public safety hazards that require specialized training for police and expensive clean-up operations. In addition, the IACP urges sufficient funding to be authorized so that the DEA will be able to continue to financially assist law enforcement agencies in the safe and environmentally sound disposition of seized clandestine chemical laboratories.

Communications Assistance for Law Enforcement Act (CALEA)

The IACP believes that lawful interception of voice and data communications is one of the most valuable investigative tools available to law enforcement in identifying and crippling criminal and terrorist organizations. However, telecommunication companies continue to develop and mass produce voice and data communication products without law enforcement intercept capabilities or regard for national security or public safety concerns.

In 1994, Congress enacted the Communications Assistance for Law Enforcement Act (CALEA) to preserve the ability of law enforcement to conduct electronic surveillance despite changes in telecommunications technology. Unfortunately, since 1994, the rapid pace of technological change has severely reduced the effectiveness of the act.

The IACP calls for an update to the Communications Assistance for Law Enforcement Act (CALEA) to ensure that law enforcement maintains its ability to conduct electronic surveillance by requiring companies that provide individuals with the ability to communicate also provide law enforcement with the ability to intercept those communications in a timely and cost effective manner.

The IACP believes that carriers must be required to install, deploy and make available to law enforcement a CALEA solution to assist with lawfully authorized electronic surveillance of telecommunication services prior to or concurrent with the release of communications products to the public

IACP strongly urges that telecommunications carriers provide law enforcement agencies service for cost and not retail value. Therefore, the IACP supports continued congressional appropriations into the Telecommunications Carrier Compliance Fund (TCCF) at commensurate levels in order to assist in preserving law enforcement's ability to conduct electronic surveillance.

Community Oriented Policing Services (COPS) Program

The COPS Program should be fully funded at its authorized level. Since its inception, the COPS program has provided law enforcement agencies with resources necessary to allow law enforcement agencies to mount effective anticrime programs, which also serve as effective antiterrorism programs.

The COPS program has a clear record of success. This program has made it possible for communities throughout the nation to not only hire and retain police officers, but also to ensure that they are well trained, well equipped, and positioned to protect our nation's citizens from crime and violence. Without the funds provided by this program, many law enforcement agencies would be unable to maintain their current level of effectiveness and, as a result, their ability to protect our communities would be diminished.

Concealed Weapons

The IACP continues to oppose any federal legislative proposals that would either pre-empt and/or mandate the liberalization of individual states' concealed-carry weapons (CCW) laws pertaining to the carrying of concealed weapons in other states without meeting that state's requirements. This applies to private citizens as well as active, former, and/or federal, tribal, state and local law enforcement personnel. IACP believes it is essential that state governments maintain the ability to legislate concealed carry laws that best fit the needs of their communities.

Criminal History Checks

The effective screening of individuals for employment in positions of trust is essential for public safety and homeland security. Criminal history checks are a critical component of that screening process for both public law enforcement and private security. Accordingly, the IACP supports legislative initiatives at the state, tribal and federal levels, which improve the completeness and accuracy of criminal history information maintained by the various repositories. It supports greater access to criminal history information by private security employers screening individuals for positions of trust. Due to the need for timely access to criminal history information in the hiring process, the IACP supports the development and use of the infrastructure necessary to permit electronic fingerprint-based criminal history checks throughout the nation.

Cybercrime Investigation and Digital Forensics

Technology has become inextricably intertwined with life in modern society and is now a pervasive factor to manage in professional policing. All types and levels of law enforcement agencies must confront the need to daily collect and analyze digital evidence. This evidence handling capability has become essential from investigation of motor vehicle accidents involving driver use of cell phones to the most complex criminal investigations involving homicides or protection of critical infrastructure and key resources. The volume and frequency of digital evidence may outpace many other forms of evidence. Thus, cyber skills for first responders, criminal investigators, evidence specialists, accident investigators, and laboratory personnel are an increasingly basic and critical part of a law enforcement agency's tool kit.

In order to ensure the necessary state, local and tribal law enforcement capabilities for all aspects of cyber or technology-centric investigation, digital evidence collection, and computer forensics for thousands of U.S. law enforcement agencies; the IACP requests that Congress and the White House increase support for key federally funded organizations which provide these law enforcement agencies fundamental training, equipping, and technical support for these missions.

Key organizations include the National Institute of Standards and Technology, the National White Collar Crime Center, the United States Secret Service National Computer Forensics Institute, the FBI's Regional Computer Forensic Laboratories, the Federal Law Enforcement Training Center, SEARCH National Criminal Justice Computer Laboratory and Training Center, and the Department of Defense Cyber Crime Center. They collectively comprise our precious but insufficient national resources to train, equip, and support state, local, and tribal law enforcement agencies.

Expanding these technological, educational, and operational resources will significantly improve law enforcement services, better serve the citizens they protect, and work to address the concerns raised in the National Academy of Science Report on forensic services.

Therefore, the IACP recommends to Congress that funding is made available to expand these critical federal partners and federally funded non-profit organizations to protect and

increase this critical support state, local, and tribal Law enforcement agencies for developing and sustaining cyber crime investigation and digital evidence handling capabilities.

Department of Defense Excess Property Program 1033 program

For decades, the Department of Defense (DoD) Excess Property 1033 program has assisted law enforcement agencies in acquiring unused and excess surplus military equipment. Agencies have used this surplus military equipment to save civilian lives, to protect law enforcement personnel and to enhance public safety.

Contrary to popular belief, the vast majority of the equipment transferred from federal sources to law enforcement agencies is fairly routine—office furniture, computers and other technological equipment, personal protective equipment and basic firearms. Federal agencies do also transfer, or fund the purchase of, military equipment, including high powered weapons, tactical vehicles, and aircraft. The transfer of these items is important to law enforcement and their critical mission in helping to keep citizens safe. Equipment such as armored vehicles and aircraft are used to protect law enforcement personnel in high risk situations and to make possible search and rescue operations that otherwise could not be undertaken.

The IACP opposes any legislation that would limit or restrict the type of equipment that is able to be transferred to law enforcement agencies. Prohibiting the transfer of equipment across the board will severely limit agencies abilities in a time when they are already unable to acquire necessary equipment due to shrinking budgets. The needs and capabilities of an agency should be assessed before making a determination about what equipment can or cannot be transferred.

DNA Collection Upon Arrest

The collection of DNA from arrestees is a common practice among law enforcement agencies in the U.S. While all states currently require DNA collection for felony convictions, only 27 states have passed laws authorizing the collection of DNA prior to conviction for felony arrests. Advocates for the collection of DNA from arrestees argue that it is a powerful investigative tool allowing law enforcement to identify suspects and prevent further crime and victimization. In January 2013, Congress acted decisively to create a grant to encourage states to pass arrestee DNA laws. The new grant, supported unanimously in the Senate and the House with a 2/3 majority (voice vote), is available to assist states with meeting start-up funding needs associated with arrestee DNA programs.

In June 2013, the US Supreme Court ruled that criminal suspects can be subjected to a police DNA test after arrest - before trial and conviction. In calling the case, “perhaps the most important criminal procedure case this Court has heard in decades,” the justices stated that “DNA is like fingerprinting and photographing, a legitimate police booking procedure that is reasonable under the fourth Amendment”. The IACP Victim Services and Forensic Science Committees have recognized the importance of DNA collection upon arrest and submitted a joint resolution which was passed at the 120th Annual Conference in Philadelphia, PA. The committees are encouraging state legislatures to adopt laws to allow and fund the collection

of DNA samples from all persons at the time of an arrest for a serious offense. Further, the DNA profiles from these samples can be uploaded and searched against DNA profiles from crime scene evidence contained in a database such as the Combined DNA Index System (CODIS) to facilitate the identification of suspects for prior crimes and prevention of future victimization.

DNA Evidence

The IACP believes that the collection and examination of DNA evidence is the next step in the technological advancement of the art and science of crime investigation. Unfortunately, the potential of DNA identification technology as a crime fighting/solving tool is not being realized due to the underfunding of forensic laboratories and the limitations on sample collection.

Therefore, the IACP strongly supports legislation that authorizes the taking of DNA samples from individuals at the time of arrest. In addition, the IACP also supports the taking of DNA samples from all felons at the time of their release from prison.

In addition, because of state, local and tribal law enforcement agencies' ever-increasing collection of DNA samples and evidence, the IACP strongly supports increased federal funding designed to support state, local and tribal efforts to make greater use of DNA technology, including funding to analyze both convicted offender and crime scene DNA samples.

Driver's Licenses

It is critically important that law enforcement be able to accurately identify the individuals with whom they are interacting with. For those reasons, the IACP strongly supports national standards for the issuance of driver's licenses that meet the following conditions:

1. Require that licenses contain both a unique identifier, such as a fingerprint, and anti-counterfeiting security devices.
2. Encourage states to link databases so licensing agencies and law enforcement personnel in other states can access an individual's criminal and motor vehicle traffic violation history to assist in the identification of potential criminal suspects or problem drivers.
3. Increase the penalties for identity theft and fraud.
4. Provide states with incentives to act and not penalize states with sanctions for the failure to act.

In addition, the IACP supports legislation to require that identifying information about all motor vehicle operators is included in a bar code on motor vehicle licenses that would interface with state and federal law enforcement and motor vehicle agencies when scanned.

Drug Legalization Efforts

The IACP is strongly opposed to any federal, state, local or tribal efforts that would legalize, decriminalize, declassify or classify as a medical substance any narcotic—including

marijuana. The public safety risks—from highway safety to prevention funding—heavily outweigh any purported benefits that some claim legalizing drugs will have.

As law enforcement executives, we are all-too familiar with the terrible costs already imposed on society by the excessive use and abuse of alcohol, a heavily taxed substance where the taxes do not come close to paying for the costs.

The IACP believes that there are several misleading claims being made regarding the medicinal benefits of smoking marijuana. We recognize there is an established, widely accepted research and review process that substances must go through to establish their medicinal value, which includes the establishment of appropriate dosage amounts, interaction warnings, purity and safety controls, and, for more dangerous substances, a closed system of distribution in order to ensure only those with a legitimate medicinal need have access. Those advocating for medicinal marijuana are bypassing all of these well-established safety controls and product standards, putting the public at risk.

Environmental Incident Response and Environmental Crimes Training

From the explosion in West, Texas at a fertilizer plant to the chemical spill into a river in West Virginia which affected the drinking water for thousands, police officers and first responders are increasingly facing extremely hazardous and contaminated environments without the proper training or equipment. Further, from illegal dumping to public littering, environmental crimes have received much more emphasis in the law enforcement community. Because of the potential impact and officer safety issues of environmental incidents and crimes, the IACP supports the provision of appropriate training for law enforcement officers by the federal Environmental Protection Agency.

Exclusionary Rule

Time and again, courts have thrown out vital evidence discovered by law enforcement officers during good faith investigations, and allowed guilty parties to walk away from criminal convictions. IACP supports the good faith exception to the Exclusionary Rule, which codifies the Supreme Court decision in the *Leon* case and extends the rationale to warrantless situations by all law enforcement agencies with no exceptions. This exception would allow evidence to be admitted in criminal proceedings when obtained in good faith.

Familial DNA Searches

The IACP recognizes that DNA technology has revolutionized investigations and forensic identification. In addition to nuclear DNA, the development and utilization of Y-STRs and Mitochondrial DNA can now identify familial relationships. The identification of familial relationships can assist law enforcement in identifying perpetrators and expand the number of candidates during an investigation. The IACP supports legislation that would permit the use of familial DNA search in cases under strict policies that respect and protect individual privacy.

Federal Law Enforcement Support

Federal law enforcement agencies play a central role in anti-crime efforts. From providing technical assistance to setting up federal task forces, federal law enforcement agencies greatly assist state, local and tribal law enforcement agencies. Therefore, the IACP will resist any reduction in the funding or staffing levels for federal law enforcement agencies, and strongly encourages Congress to appropriate funding levels that will allow federal law enforcement agencies to successfully fulfill their mission.

Firearms Enforcement

The IACP urges Congress to increase resources to better allow state, local and tribal law enforcement agencies and the Department of Justice to enable greater prosecution of individuals for Brady Act violations. In addition, the IACP supports firearms enforcement programs that involve local, state and federal agencies, such as Project Safe Neighborhoods and Project Exile, which have shown significant reductions in firearms-related violent crime.

Firearms Offender Registry

The reduction of firearms-related violent crime has been and continues to be a major goal of the IACP. Studies have shown that firearm offenders have a higher recidivist rate for committing other firearms-related violent crime with firearms than the rate for sexual offenders. Therefore, the IACP supports creating a federal registry, similar to the sexual offender registry, for offenders who have been previously convicted of a felony firearm violation or a misdemeanor that involved violent or threatening acts with firearms. At little cost, this registry would have great benefit toward preventing and investigating a myriad of violent crimes, as well as establishing a computerized list of dangerous offenders that could be utilized as a notification system to alert officers of potential danger.

Firearm Purchase Waiting Period

The IACP has gone on record supporting a waiting period for the purchase of a handgun. In the past, waiting periods have not only served as time for a thorough background investigation, but also as an informal cooling off period for handgun purchasers. However, the time needed to perform most background checks has become obsolete due to transition to the National Instant Check Background System (NICS). Nevertheless, the IACP believes there must still be a cooling off period in place before an individual can purchase a handgun. Therefore, the IACP supports legislation to create a mandatory five-day waiting period prior to the completion of a handgun purchase.

FLSA Reform

Before 1985, when the U.S. Supreme Court decided *Garcia v. San Antonio*, the Fair Labor Standards Act (FLSA) was not applied to employees of state, tribal and local governments. Following this decision, however, those employees became subject to the FLSA. The difficulties created by this coverage arise because the definitions and classifications developed under the FLSA were intended for private-sector employees. It is clear that the FLSA and its definitions and classifications were not written with law enforcement in mind.

The IACP supports targeted changes in the FLSA in two specific areas.

The first area of concern involves the definition of what constitutes an "exempt" employee (i.e., an employee who is "exempt" from the FLSA and thus not eligible for overtime--typically an individual considered to be a salaried employee) and the problems created by the application of definitions intended for private sector exempt employees to public sector exempt employees.

The second area of concern involves what the Department of Labor considers "compensable hours" for non-exempt or hourly employees. Many departments have been forced to pay large overtime awards to employees who were performing activities that neither the officer nor the agency believed to be compensable at the time of performance. However, after a new agency or court interpretation is released these activities are ruled to be compensable, thus requiring the agency to pay the employee overtime awards. Situations such as this completely eviscerate an agencies' ability to manage its budget and its personnel.

Forensic Science Reform

The National Academy of Science (NAS) released a report on forensics titled, *Strengthening Forensic Science in the United States: A Path Forward*. The report details a comprehensive plan to overhaul the delivery and use of forensic science in the United States. Significantly, a key recommendation of the NAS report is the removal of crime laboratories and other forensics services from law enforcement agencies. In response to the NAS report, the IACP Executive Committee, working in collaboration with the IACP Forensics Committee, outlined the associations concerns with the report recommendations and highlighting the impact they could have on state, local and tribal law enforcement agencies.

First and foremost, the IACP strongly opposes the report's recommendation that crime laboratories and other forensic services should be removed from law enforcement agencies.

The IACP is also concerned that the report was developed without input from law enforcement practitioners. The IACP strongly believes that all research and other initiatives that are designed to study/enhance the delivery of forensic sciences must include the participation of law enforcement practitioners.

The IACP agrees with, and supports, the need for accreditation and certification of forensic science providers, but realizes the costs associated with accreditation and certification efforts. Therefore, the IACP is strongly opposed to proposals that would institute "mandatory" accreditation/certification requirements in the absence of secure, sustainable and stable federal assistance funding.

The IACP supports the development, inclusive of federal, state, county, local and tribal representation, of an entity to establish standards and practices and serve as a funding source for forensic science services.

In addition, the IACP fully supports legislation which provides grants to existing local and state forensic laboratories to improve productivity, quality measures, overall operation and

achieve professional certification based on generally accepted forensic science performance standards, common definitions, and protocols. This act will increase the ability of state, local and tribal laboratories to keep pace with increased service demands and fully meet quality assurance requirements that pose a substantial threat to the timely administration of justice.

The IACP strongly encourages that the federal assistance programs established by the passage of the National Forensic Science Improvement Act be fully funded.

Full Funding for all Federal Agencies Involved in Combating Drug Crime

Federal law enforcement agencies, in partnership with local, state and tribal law enforcement agencies, are on the front lines in combating the most powerful and sophisticated organized crime groups to ever challenge domestic law enforcement agencies. Federal law enforcement investigative resources and technology are also critical to the support of local, state and tribal law enforcement efforts to combat transnational gangs and large-scale drug trafficking organizations.

Therefore, the IACP strongly urges Congress to fully fund all federal agencies involved in combating drug crime.

Fusion Centers

The role of state and urban area fusion centers is of critical importance to the law enforcement agencies and information bodies working in tandem to continually compile vital intelligence. It cannot be overstated that both the benefits, and challenges, of fusion centers and their counterparts are myriad. However, the IACP strongly supports the continued substantive, fiscal and operational support provided to fusion centers by the federal governments and state governments.

Global Justice Information Sharing Initiative

The Global Justice Information Sharing Initiative is a program that has had the participation and support of the IACP since its inception in 1998. The work products developed over the ensuing years have been very beneficial to the law enforcement and justice community. One of the more important activities for law enforcement has been the Criminal Intelligence Coordinating Council which has brought together the local, tribal, regional and federal community in an effort to better coordinate the gathering and dissemination of intelligence information to the law enforcement community. The IACP urges Congress to continue to support the Global Justice Information Sharing Initiative.

Gun Show Loophole

The federal Gun Control Act of 1968 stipulates that individuals “engaged in the business” of selling firearms must possess a Federal Firearms License (FFL). Holders of FFLs are required to conduct background checks and maintain a record of all their firearm sales. Certain gun sales and transfers between private individuals, however, are exempt from this requirement.

Those who would fail a background check can access firearms through these sources. Unlike with an FFL, the seller is not required to conduct a background check to determine whether

the purchaser is prohibited from purchasing and possessing a gun. Federal, state, local and tribal laws should be enacted to close these loopholes. If all gun sales proceed through an FFL, a single, consistent system for conducting gun sales, including background checks, will be established.

The laws we have in place to ensure gun purchasers go through FFLs are undermined by oversights in the law that allow individuals prohibited from owning firearms to obtain weapons at events such as gun shows without undergoing a background check. The IACP calls on Congress to act swiftly to close these loopholes and preserve the effectiveness of the laws in place.

High Intensity Drug Trafficking Area Program Funding

Federal programs designed to assist state and local law enforcement agencies have played a vital role in reducing the use of illicit drugs and drug related crime, which has in turn resulted in the reduction of the nation's crime rate. The High Intensity Drug Trafficking Area (HIDTA) Program is a partnership among federal, state and local government to reduce crime and create safer, more drug resistant communities.

IACP supports efforts to reduce drug abuse, violent crime and serious offenders. HIDTA funded programs and initiatives have proven to be invaluable resources for cooperative federal, state and local anti-crime policing strategies. Therefore, a reduction in funding for HIDTA programs will severely affect the ability of state and local law enforcement to continue current drug enforcement and demand reduction efforts.

IACP strongly urges Congress to fully fund the HIDTA Program.

Human Trafficking

Sex trafficking of children and minors is a severe form of human trafficking, that, according to federal law, involves "the recruitment, harboring, transportation, provision, or obtaining of a person for sex trafficking in which a commercial sex act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age." Sex trafficking of children and minors within the U.S. impacts law enforcement agencies at the local, state, and federal levels and often has agency-wide impact on law enforcement organizations, involving multiple divisions such as criminal investigations, vice, gangs, narcotics, missing juveniles/runaways, computer crime, organized crime, and sex crimes and human trafficking.

The IACP calls for Congress to increase the priority and allocation of local, state and federal resources to combat the sex trafficking of children and minors.

Hydrocodone Rescheduling

With the explosion of prescription drug abuse, the IACP supports consideration of rescheduling hydrocodone combination products from Schedule III to Schedule II.

Illegal Firearms Trafficking/Firearms Tracing

The IACP opposes any legislation that would limit or reduce the ability of our nation's law enforcement agencies to combat the sale of illegal guns. The IACP believes that the ability to trace illegal firearms effectively plays a critical role in law enforcement's ability to protect communities from the scourge of firearms violence.

The IACP is opposed to legislation that restricts the ATF's ability to share vital gun trace information with its state and local counterparts, which severely limits the ability of those agencies to conduct critical investigations designed to identify and apprehend corrupt firearms dealers and the traffickers they supply.

Any provision that limits the ATF's ability to share gun trace information with state and local agencies would inhibit their ability to conduct critical investigations in order to identify and apprehend corrupt firearms dealers and traffickers, putting our citizens and our officers at risk. Therefore, the IACP strongly supports efforts to repeal any piece of legislation containing provisions that would weaken law enforcement's ability to trace illegal firearms.

Immigration Enforcement: The Role of State, Local and Tribal Law Enforcement

It is the IACP's belief that the question of state, tribal or local law enforcement's participation in immigration enforcement is an inherently local decision that must be made by a police chief, working with their elected officials, community leaders and citizens.

However, it is important to set forth the elements necessary to secure the support of the IACP for legislative proposals addressing the question of immigration enforcement by non-federal law enforcement agencies. The IACP believes that at a minimum, any legislation seeking to have state, tribal and local law enforcement agencies participate in immigration enforcement must be voluntary; have clear authority guidance from the federal government; include an incentive-based approach; include immunity for state, local and tribal law enforcement officials and agencies enforcing federal immigration laws; and provide training resources for state, local and tribal law enforcement agencies.

Impaired Driving

The IACP fully supports the passage and enforcement of effective impaired driving legislation, which includes .08 percent blood alcohol content, repeat impaired driver provisions, open container laws, a minimum drinking age of 21, and zero tolerance by the states and territories.

In addition, the IACP supports legislation and policies that would increase the ability of law enforcement agencies to identify and apprehend drugged drivers. Specifically, the IACP supports legislation that would specify that a person operating a motor vehicle with any detectable amount of a controlled substance present in their system can be charged with drug-impaired driving. The IACP also supports legislation that would fund the training, certification and re-certification of Drug Recognition Experts (DREs).

Improve ICE Response to State, Local and Tribal Law Enforcement

The Immigrations and Customs Enforcement (ICE) Agency has indicated that they want to work closely with state, local, and tribal law enforcement on immigration issues. However, given the increased demands of state, local, and tribal law enforcement agencies in addressing those issues, ICE has been severely hampered by the limited amount of special agents assigned compared to the approximately 18,000 state, local, and tribal law enforcement agencies who may need their assistance. Further, ICE response can vary by state, region and even time of day—with few resources available when local agencies seek support after normal business hours. Congress and the Administration should ensure that ICE has the staffing and resources available to effectively and efficiently aid state, local, and tribal law enforcement agencies in the fight to curb illegal immigration.

Indian Country

The IACP urges federal departments and agencies to consult and coordinate their efforts with Indian Tribal governments. In addition, when appropriate in drafting legislation, requests for proposals, funding applications policies and speeches, specific language should be used to identify Tribal governments as eligible for funding and services. To this end, the phrase “Federal, Tribal, State and Local governments” should be used instead of the current language of “Federal, State, and Local governments.”

Tribal Police Departments Should Be Recognized as Governmental Entities For Purposes of the National Firearms Act and the Gun Control Act

The IACP strongly supports legislation to amend the National Firearms Act and the Gun Control Act so that Tribal Police Departments are recognized as governmental entities for purposes of the NFA and the GCA, so that Tribal Police Departments:

- Are exempt from payment of the transfer tax for NFA firearms,
- Are eligible to receive firearms interstate, and
- Can possess a machinegun manufactured after May 18, 1986.

Information Sharing Environment

In order to make use of the intelligence and information gathering capability of state, local and tribal law enforcement agencies, it is vital that federal, tribal, state and local law enforcement agencies develop an efficient and comprehensive system for the timely sharing, analysis, and dissemination of important intelligence information. Therefore, the IACP urges Congress to take the steps necessary to promote intelligence-led policing and the information exchange between law enforcement agencies.

Juvenile Justice and Child Protection

The IACP supports the passage of legislation that builds upon, funds, and implements recommendations provided by the association’s national summit report: *Law Enforcement’s Leadership Role in Juvenile Justice Reform*.

The IACP urges Congress to enact legislation and increase federal funding to enable states and localities to:

- Promote public safety by holding young people accountable in developmentally appropriate ways that prioritize effective interventions, promote rehabilitation, and minimize justice system involvement;
- Support early identification and effective, multidisciplinary interventions by law enforcement with children and youth;
- Utilize the confinement of youth only when necessary for public safety;
- Incorporate a developmental approach to juvenile justice specifically to enhance law enforcement responses to, and interaction with, youth;
- Build collaboration and trust among law enforcement, youth, families, and communities;
- Implement effective youth and gang violence prevention and intervention policies and practices, including based early intervention with children and youth; and
- Promote collaboration among law enforcement, schools, families, and justice system and community partners to develop appropriate responses to school discipline, truancy, and other status offenses that support school completion and address the needs of young people and families within their communities.

The IACP supports the reauthorization and full funding of the Juvenile Justice and Delinquency Prevention Act (JJDP) and updates to the Act consistent with these values.

The IACP strongly urges Congress to support the continuation and enhancement of training and technical assistance to strengthen law enforcement’s capacity to effectively respond to children and youth, in collaboration with justice system and community partners.

In addition, the IACP urges Congress to fully fund programs that promote safe and healthy communities, to include but not limited to: afterschool programs; mentoring programs; quality educational, child care, and parenting programs; quality healthcare, mental health, and substance abuse programs; as well as programs designed to prevent and combat child abuse, exploitation, and neglect and address children exposed to violence.

Law Enforcement Terrorism Prevention (LETP)

The Law Enforcement Terrorism Prevention Program should be fully funded. To date, the vast majority of federal homeland security efforts have focused on increasing our national capabilities to respond to and recover from a terrorist attack. There is no question that response and recovery are important endeavors, and the IACP certainly agrees that there is a need to improve the response and recovery capabilities of the state, tribal, and local public safety agencies.

However, law enforcement officials, unlike other members of the public safety community, have a dual responsibility. Law enforcement officials understand and accept that it is the responsibility of their agencies to be the first to arrive at the scene of a crime, an accident, or a terrorist attack. However, they also know that it is their primary responsibility to prevent these events from happening in the first place. As a result, law enforcement officials believe the need to build response and recovery capabilities are secondary to the need to build our capacity to prevent terrorist attacks from happening.

For these reasons the IACP believes that it is vitally important to fully fund the Law Enforcement Terrorism Prevention (LETP) as a standalone program. Unlike other homeland security programs, which fund a broad range of public safety organizations, the LETP program is the only funding resource that is dedicated solely to meeting law enforcement's unique needs. The IACP believes that failure to retain and fully fund the LETP will severely weaken the abilities of our nation's law enforcement agencies to detect and prevent future terrorist attacks.

The IACP also rejects any proposal to consolidate the current suite of homeland security grant programs into one program. Furthermore, elimination of the mandatory 25% LETP component for the Urban Areas Security Initiative (UASI) and the State Homeland Security Grant Program (SHSGP) will negatively impact the ability of state, local, and tribal law enforcement to prevent acts of terrorism before they occur.

It is our suggestion that since the Department of Homeland Security currently funds annual "carve out" grant programs for the emergency management and fire service communities under the Emergency Management Performance Grant Program (EMGP) and Assistance to Firefighters Grant Program (AFG), they should consider a similar carve out for the law enforcement community equal to or greater in size to the current 25% LETP. Whether "standalone" or within the SHGP construct, this carve out should be managed and administered by the lead state law enforcement agency in each state (as designated by the Governor) to ensure the focus on prevention and investigation of terrorism is not lost. In addition, a percentage of these designated funds should be prioritized and mandated for use to sustain the state and federally recognized fusion centers that currently exist in the nation.

Live Video Testimony

In many cases the efficiency of the criminal justice system depends on timely analysis of forensic evidence. The current time required to deliver in-person forensic testimony often results in an analyst taking extended periods away from the workplace, further slowing down the evidence handling process. The IACP believes that with current technology focusing on live, two-way video streams, these analysts can easily testify with the assistance of this mechanism. Endorsing the use of secure, live video testimonies in court can be appropriate and feasible. The IACP supports legislation to allow the use of live, video testimony that can prevent long periods of absence of forensic analysts from their workplace.

Lowering the National Drinking Age

IACP strongly opposes any efforts to reduce the legal drinking age from 21 to a lower age. There is strong data to support the fact that the adoption of the age 21 laws nationwide has saved a tremendous number of young lives.

Mandatory Federal Collective Bargaining

The IACP opposes legislation that would mandate federal collective bargaining rules for state, local and tribal law enforcement agencies if they fail to meet the certain minimum standards. Legislation like this would only harm the efficiency of state and local public safety agencies

by forcing them to divert their precious resources from their primary mission of protecting the public and instead use them for collective bargaining administration.

Safe communities require well-trained and well-managed police departments that are responsive and accountable to the communities they serve. The IACP believes that federally mandating collective bargaining would federalize state and local government labor-management relations and as a result, would make these goals harder to achieve.

Additionally, the Police Officers' Bill of Rights proposal amounts to a federal intervention into state, tribal and local law enforcement agencies' management of internal investigations concerning their employees' actions and professional conduct. The IACP opposes any special and/or additional protection for law enforcement officers. Officers' rights should be no greater than those of other private and public sector employees.

Mandatory Seat Belt Use by Police Officers

As first responders, law enforcement officers must first protect themselves before they can fulfill their duties of protecting their communities. According to the National Highway Traffic Safety Administration, fatal traffic incidents are the leading cause of officer deaths for over a decade. Of those officers killed in traffic incidents, 42% were not wearing seat belts, suggesting that seat belt use could save the lives of many officers. Law enforcement executives must undertake the development of policies and techniques that will protect officers from injury or death. The IACP believes the issue of seat belt use is a critical officer safety issue and believes it is imperative that departments should immediately develop policies on mandatory seat belt use.

Mandatory Vest Wear by Police Officers

The IACP strongly believes in any efforts advocating officer safety. In particular, the IACP is a strong supporter of mandatory vest use by police officers. According to the National Law Enforcement Officers Memorial Fund (NLEOMF), between the years 2000 – 2009, 565 law enforcement officers were killed with a firearm. With body armor available, officers should utilize equipment that protects against life threatening or potential disabling injuries. In the same time frame, FBI Law Enforcement Officers Killed and Assaulted data demonstrates that 37% of killed officers did not wear body armor, suggesting that the use of vests noticeably increases chances of survival. Currently, only 60% of agencies enforce mandatory wear policies, exposing many officers to occupational threats. The IACP supports the development and implementation of mandatory body armor wear policies while understanding that officers engaged in non-patrol assignments may not have the need to engage in these policies. IACP supports that each department will need to outline those situations and use their discretion in determining when body armor is appropriate.

Mental Illness

Funding support is essential to the success of local efforts to build safer communities by enhancing police response to persons with mental illness. Communities must have adequate resources for treatment, housing and other supportive services so that law enforcement officers can help prevent criminalization of mental illness by diverting eligible individuals to

these non-justice alternatives. Law enforcement and other justice system agencies also must have sufficient resources to expand and sustain their collaborative efforts to improve their crisis responses and decision-making about persons with mental illness.

Laws and policies that regulate access to Medicaid, Medicare and Social Security should be carefully crafted to ensure that persons with mental illness can readily access benefits to which they are entitled both before and after incarceration. Regulations that protect consumers' privacy and dignity of choice should also permit necessary and appropriate information-sharing across agencies when it can positively affect intervention outcomes. These and other policy issues should be addressed by Congress and state legislatures with assistance from national organizations with expertise in relevant areas.

Motorcycle Safety

According to NHTSA, in 2012, 4,957 motorcyclists were killed in motor vehicle traffic crashes—an increase of 7 percent from the 4,630 motorcyclists killed in 2011. There were 93,000 motorcyclists injured during 2012, a 15% increase from 81,000 in 2011. In addition, use of DOT-compliant helmets in 2012 stood at 60 percent, a decrease from 66 percent in 2011. Reported helmet use rates for fatally injured motorcyclists in 2012 were 59 percent for riders and 48 percent for passengers, compared with 60 percent and 49 percent, respectively, in 2011. Conversely, 42 percent of the 4,957 motorcyclists killed in motor vehicle traffic crashes were not helmeted. Congress and the Administration should take action to reduce motorcycle fatalities and promote motorcycle safety.

Naloxone Hydrochloride

Overdose rates for all drugs in the United States have more than tripled since 1990 and have never been higher. 100 people die from all drug overdoses every day in the United States. The IACP urges Congress to provide funding to support naloxone being made available to first responders (such as police, firemen, and laypersons likely to be present when an opioid overdose occurs) to help minimize the number of deaths that occur from overdoses to heroin, morphine, oxycodone, methadone, hydrocodone, codeine and other opioids.

Narcotics and the US Border

The IACP calls on Congress to provide greater resources and support to state, local and tribal law enforcement for drug interdiction and to combat violence at the Southwest Border of the United States.

National Commission on Law Enforcement and the Administration of Justice

The IACP strongly supports legislation which would create a National Commission on Law Enforcement and the Administration of Justice, similar to the 1965 President Lyndon Johnson Commission.

The Commission would conduct a top-to-bottom review of the nation's criminal justice system and study all areas of the criminal justice system, including federal, state, local and tribal governments' criminal justice costs, practices, and policies. After conducting the review, the commission will make recommendations for changes in, or continuation of

oversight, policies, practices, and laws designed to prevent, deter, and reduce crime and violence, improve cost-effectiveness, and ensure the interests of justice.

National Data Exchange System

As a result of the 911 Commission report, it is apparent that the need to share criminal justice information at all levels of law enforcement is critical in ensuring the safety of our communities and nation. Additionally, the majority of usable information resides in local and state databases. Unfortunately, most databases are proprietary standalone systems with little information exchanged. A national architecture that will allow law enforcement databases to share information between local, tribal, state, and federal agencies is essential in making our hometowns safe and are homeland secure. The National Data Exchange system (N-DEX) offers this capability. After years of development by a committee comprised of all stakeholders, the hub of N-DEX is being implemented through the FBI's CJIS division. While funding has been secured for the hub, connectivity that will allow local, state, and tribal agencies to participate has not. It is critical that a national funding stream be established in order to capitalize on the vast majority of criminal justice information that resides in local, state, and tribal law enforcement agencies. The IACP urges Congress to fully fund this connectivity, in concert with the recently released Information Sharing Environment Implementation Plan. However, it is essential for funding for this program not come at the expense of other, equally critical state, tribal and local law enforcement programs.

National Emergency Communications Plan

The NECP sets forth many goals that include the continued upgrading and replacement of the numerous public safety land mobile radio systems. This will require continued and ongoing federal funding, particularly in today's economic climate where states and local governments are facing severe financial problems.

National Prescription Drug Take Back Days

The IACP strongly supports National Prescription Drug Take Back Days and urges Congress and states to pass legislation to provide for safe and responsible disposal of prescription controlled substances and implementing regulations in the best interest of public health and safety.

National Registry of Commercial Drivers

The IACP supports the development of a National Registry of Commercial Drivers that would be available to licensing agencies, law enforcement, and the motor carrier industry. This register should include for all commercial drivers a complete record of convictions for all motor vehicle traffic violations, drug and alcohol testing information, and the information currently contained in the existing Commercial Driver's License Information System.

National Violent Death Reporting System

The IACP calls for increased law enforcement awareness of and agency participation in the National Violent Death Reporting System (NVDRS) as well as expanded federal funding to enable every state, tribe, territory, and the District of Columbia to be included in the NVDRS.

Nationwide Public Safety Broadband Network (NPSBN)

On February 22, 2012, the President signed Public Law 112-96, the Middle Class Tax Relief and Job Creation Act of 2012. Title VI of the Act, Public Safety Communications and Electromagnetic Spectrum Auctions, sets the foundation for a new NPSBN.

PL 112-96 is the result of several years of collaboration within the public safety community, including strong participation from the IACP. The law includes allocation to public safety of 10 MHz of spectrum in the 700 MHz band known as the “D-Block” which is needed in addition to 10 MHz already allocated to public safety for the nationwide broadband network. It also designates \$7 billion (to be gained from spectrum auctions) towards building the network and sets forth new governance for the network called the First Responder Network Authority (FirstNet) to oversee planning, implementation, and management of the NPSBN.

The IACP will continue to support the development of the NPSBN as an active participant in the FirstNet Public Safety Advisory Committee (PSAC) where the IACP representative has been appointed Chair.

It is expected that there will be ongoing legislative issues related to the NPSBN and the IACP will address those issues as they arise.

Needle Exchange Programs

The IACP strongly opposes needle exchange programs for intravenous drug (IV) users. These programs only serve to facilitate the abuse of certain narcotics and dangerous drugs and exacerbate an already alarming drug abuse problem.

The IACP believes that these types of programs convey an acceptance of drug use. The implementation of a needle exchange program at any level of government would send a contradictory and harmful message to all citizens, especially children, about the sincerity and necessity of the government’s anti-drug policies. The IACP strongly believes that governments should not place itself in the position of enabling IV drug users to inject their bodies with illegal and dangerous narcotics.

Offender Reentry Programs

The IACP supports federal funding assistance for programs that address the difficulties that often confront communities when convicted criminals return after completion of their sentence. These programs are designed to assist released offenders in making a successful, peaceful and lawful reentry into their communities. The IACP also believes that the funds for these programs should not be drawn from existing law enforcement programs.

In addition, the IACP believes that all convicted felons should be required, as a condition of their release, to submit DNA samples.

Paul Coverdell Forensic Science Improvement Act

The IACP is committed to supporting federal legislation and programs that seek to improve quality and timeliness of forensic laboratory services. The vast majority of the nation's forensic science services are delivered by state and local government agencies; and a major source of funding for state and local laboratories for non-DNA forensic disciplines is the Paul Coverdell Forensic Science Improvement Act.

Due to significant funding deficiencies, forensic science laboratories at the local and state levels are experiencing significant caseload backlogs that severely impact the timeliness of examinations critical to solving crimes; limit the ability to acquire modern technology, provide adequate training, and provide forensic analyses in a timely manner; and impede the ability of local and state forensic service providers to attain professional accreditation. The IACP supports and strongly encourages Congress to fund the Paul Coverdell Forensic Science Improvement Act at the full \$35 million.

Police Education

The IACP strongly believes that federal funding should be available to provide current police officers with tuition reimbursement to further their education and enhance their existing skills as dedicated career law enforcement personnel, as authorized by Title XX of the Violent Crime Control and Law Enforcement Act of 1994, and urges Congress and the Administration to provide funds for such scholarships.

Police Liability

Each year, police departments are forced to spend millions of dollars defending themselves in baseless lawsuits. Often, these lawsuits are brought and perpetuated by convicted criminals utilizing taxpayer-provided legal resources at their places of incarceration. This litigation forces law enforcement agencies to divert valuable financial and personnel resources away from their primary law enforcement objectives. To address this problem, the IACP supports legislative reform that would heighten pleading requirements in actions against police agencies, reduce litigation by prisoners, and preclude actions by persons who have committed criminal acts, refuse to comply with officer's lawful orders, resist arrest, assault officers, or flee.

Police Pursuit

The IACP recognizes the dangers inherent in police pursuits and the need for stringent controls on such pursuits. However, the IACP opposes legislation that would require tribal, state, county and local law enforcement agencies to conform their pursuit policies to a national standard. Instead, the IACP urges Congress and the Administration to enact legislation that would make funds available to allow states and local jurisdictions to upgrade police driving training facilities, develop pursuit reporting systems, purchase pursuit ending technology, and support further federal research into electronic and other counter measures to safely apprehend fleeing vehicles.

Police Recruitment and Retention

The recruitment of the best possible candidates, representing a cross section of the community, for employment in law enforcement is critical to maintain the public's trust and confidence in their law enforcement agency. However, it has become increasingly difficult to attract qualified personnel to law enforcement because of the higher compensation, more traditional work schedules, and less stressful working conditions available in other careers. Therefore, the IACP believes that funds should be made available through the COPS Office, or other federal assistance program, to offset the expense of agency personnel who are dedicated to recruitment and candidate selection.

The IACP also urges Congress to create a new assistance program, modeled after the successful "Troops to Teachers" program, to encourage members of our nation's military to enter the law enforcement profession once they leave the service. Such a program should:

- Provide financial incentives to recently retired members of the military to pursue a career in law enforcement.
- Provide financial incentives (in the form of training funds) to law enforcement agencies that agree to hire former military as law enforcement officers.

Prescription Drug Monitoring Programs

The IACP strongly supports Prescription Drug Monitoring Programs and further encourages the use of these systems by practitioners and pharmacists to detect and prevent the diversion of controlled substances for non-medical purposes. The IACP urges consideration of the passage of statutory restrictions prohibiting convicted felons from owning, operating, or directing facilities that prescribe or dispense controlled substance pharmaceuticals to individuals. In addition the resolution urges consideration of amendments to statutory and regulatory requirements that currently hinder law enforcement by providing an unnecessary level of protection to practitioners or employees of pain clinics who are directly contributing to the prescription drug abuse problem in the United States.

The IACP supports any legislative initiative that promotes the electronic integration of PDMPs between states to better assist practitioners in identifying "doctor shoppers" that cross state borders to obtain controlled substance prescriptions from unsuspecting practitioners who are providing treatment. Doctor shoppers generally have an illness that necessitates the application of controlled substance therapy but the patient is visiting several practitioners for the same treatment to obtain large amounts of controlled substances for self-abuse and illegal distribution.

Pseudoephedrine Control to Combat Clandestine Labs

The IACP supports legislation that would strengthen criminal penalties for the intentional violation of the CMEA's quantity limitations. The IACP also supports the placement of pseudoephedrine and ephedrine into one of the controlled substance schedules listed in the Federal Controlled Substances Act. Designating pseudoephedrine and ephedrine as a controlled substance that requires a prescription for purchase/dispensing is an effective method to combat the clandestine manufacture and distribution of methamphetamine and decrease the number of small toxic labs nationwide.

Public Aircraft Disaster Reimbursement

Disasters strike the United States every year and state, local and tribal agencies are the first to respond. Responding to these disasters is the duty of state, local and tribal agencies. Response activities can be extremely expensive. Due to current federal regulations, public aircraft services are not guaranteed reimbursement for services performed. Unless the government agency requesting aid can certify that no commercial operators were immediately available, or the government sending its aircraft in response to a disaster is certified as a commercial operator. The IACP requests that Congress amend the Code of Federal Regulations to allow for reimbursement for public aircraft services in the event of a declared disaster or state of emergency.

Public Aviation

Many IACP members manage law enforcement public aircraft operations, which allow the agency to better provide life-saving service and crime deterrence activities. Several laws passed in the last few years have severely restricted law enforcement agencies' ability to effectively utilize their aircraft in the performance of their mission. The IACP supports legislation to correct the deficiencies of current law. To this end, the IACP urges passage of legislation that would allow for full pilot training to be considered when obtaining Federal Aviation Administration pilot certificates and in maintaining pilot proficiency. In addition, the legislation should mandate that pilots of public aircraft be Federal Aviation Administration-certified pilots. Finally, IACP urges Congress to establish minimum maintenance standards for non-Federal Aviation Administration-certificated aircraft.

Public/Private Partnerships

Public/private partnerships have proven to be an effective way for law enforcement agencies and private sector entities to work collaboratively to address crime, terrorism and share information. The IACP strongly supports efforts to provide funding and continued research to assist in the formation of effective public/private partnerships.

Public Safety Communications and Interoperability

The IACP seeks congressional action to increase federal funding for Public Safety Radio Communications and Interoperability. Because of the tremendous current budget problems faced by local and state governments, federal funding is critical to improving public safety first responder communications and interoperability. Public safety first responders (Police, Fire, EMS) need good, reliable, mission critical wireless communications within and between public safety agencies in responding to incidents involving the safety of life and property. Such communications are critical to the safety and well-being of the first responders and the public they serve. The tragic events of 9/11 clearly demonstrated the need to improve public safety communications and interoperability.

The IACP continues to support standards that promote interoperability. New or upgraded systems and new equipment should, for the most part, be compatible with a suite of standards called ANSI/TIA/EIA-102 Phase I (Project 25). These standards have been developed to allow for backward compatibility with existing digital and analog systems and

provide for interoperability in future systems. The FCC has chosen the Project 25 suite of standards for voice and low-moderate speed data interoperability in the public safety 700 MHz frequency band. Over a dozen manufacturers that serve the public safety and defense markets offer Project 25 radios and several also offer Project 25 infrastructure.

Repeal Interest Payments for State Homeland Security Grants

In 1990, the Cash Management Improvement Act (CMIA) required states to pay interest to the federal government when they draw on funds before they are needed to pay for program expenses. This requirement reduces the amount of homeland security funding available for state and local law enforcement agencies.

The majority of law enforcement agencies do not have the funds available in their budgets to pay for large equipment purchases “up front” and seek reimbursement later. At the same time, municipal laws often require funds to be in an account before equipment can be ordered.

Allowing for the advancement of funds without interest payback would allow local law enforcement agencies to spend those funds more quickly, and therefore increase preparedness. The Homeland Security Grant Program should be administered allowing interest earned on those funds to be rolled back into the program.

Regional Information Sharing Systems

Regional Information Sharing Systems (RISS) have proven to be a valuable asset for state, local and tribal law enforcement agencies. The IACP strongly supports the continuation of federal funding at current levels for these programs.

Risk Assessment and Preventive Detention for Pretrial Release/Detain Decisions

In the U.S., a suspect’s release or detention pending trial is currently based almost exclusively on whether the suspect has enough money to bail himself or herself out of jail, rather than on an informed assessment of whether or not he or she is a danger to society and/or is likely to return to court for trial. Defendants, therefore, are often released on bail with little or no attention paid to their criminal histories, their danger to society, or whether they are likely to become fugitives. Public and officer safety and defendant accountability should be the foremost considerations in the issue of pretrial release.

The IACP recognizes the critical need for bail reform and in particular the urgent need for more robust pretrial services that conduct validated risk assessments for use by the judiciary when considering pretrial release to positively impact public and officer safety. Through pretrial services, pretrial release monitoring and supervision can be tailored to the circumstances of each individual defendant. Those who can safely be released and managed in the community should be released and those who pose an unmanageable risk should be detained. For unmanageably high risk defendants, judges need the ability to preventively detain without possibility of bail. The current system relies on setting a high bail amount and hoping the defendant cannot afford it; public safety should be the deciding factor, not money.

The IACP supports the use of a validated, empirically-based risk assessment tool in making pretrial release and detention decisions; legislation enabling the judiciary to use preventive detention for high risk individuals; and the establishment of more robust pretrial supervision services, with the purpose of improving public safety.

Rural Law Enforcement Training

The IACP is aware that there is a need for law enforcement training that is designed to meet the needs of rural law enforcement agencies. The IACP strongly supports the creation of competitively awarded federal funding of training programs that are specifically designed to meet the special needs of rural law enforcement executives.

Safe Injection Sites

While safe injection sites are legally sanctioned, the IACP adamantly opposes safe injection sites as they convey acceptance of harmful drug use. The IACP believes that these programs exacerbate an already alarming drug abuse problem and transmits a contradictory and harmful message to the public; the federal government currently has numerous anti-drug policies yet supports an atmosphere of accepted illegal drug use. Instead, the IACP believes that public and private funding best serves the public when directed towards drug prevention, treatment, and rehabilitation. If introduced, the IACP will support efforts that assist law enforcement, prevention, education, and treatments that reject drug use.

Security Officer Standards

Concerns about terrorism have highlighted the critical importance of competent private security to homeland defense. As law enforcement must regularly interface with security personnel, the police have a strong vested interest in seeing improved and relevant standards established and maintained for private security officers and businesses. Nationally, the current standards for private security are a patchwork with many states requiring no license, training or criminal history screening for security officers. Drawing from the "Private Security Officer Selection, Training and Licensing Guidelines" articulated by the Private Sector Liaison Committee, the IACP supports legislative initiatives at the state and federal levels, which will establish and promote effective licensing, training and screening standards for private security officers.

Size and Weight of Large Trucks

The IACP opposes any increase in the size and weight limits of large trucks on United States roadways.

24/7 Sobriety Program and Ignition Interlocks

The evidence-based 24/7 Sobriety Program and Ignition Interlocks (IID) are two accepted and federally sanctioned methods of keeping impaired driving offenders (24/7 programs) off the road. There should be an increased emphasis on funding 24/7 demonstration projects and providing states access to incentive funding for passing and strengthening their interlock laws, and implementing an evidence-based 24/7 Program.

Solicitation of Funds by Police Organizations

States throughout the nation have experienced an increasing number of organizations and associations that are conducting misleading and fraudulent telephone solicitations, by posing as law enforcement officers or agencies, or using names that closely resemble law enforcement agencies. IACP will support federal legislation that will bring truth to law enforcement solicitations by any group or organization.

State Police and Highway Patrol Eligibility for Federal Funding

State police and highway patrol agencies provide service, protection and enforcement for the citizens they serve and provide assistance, backup, technological support, training and supplemental manpower to local law enforcement agencies. However, state police and highway patrol agencies have been ineligible to receive federal assistance available under various block grant programs. The IACP urges that the applicable laws and regulations be amended in order to ensure that state police and highway patrol agencies are eligible to receive block grant funding.

Additionally, the IACP calls on Congress and Administrative Agencies to ensure that that state police and highway patrol agencies are eligible participants in all federal hiring programs, receiving full consideration, and that award evaluation criteria is inclusive of all law enforcement.

Technology

Technology plays a critical and increasingly important role in the daily work of law enforcement officers in the field, equipping them with enforcement and investigative tools that have the potential to make them safer, better informed, and more effective and efficient. Technologies like automated license plate readers, body-worn cameras, unmanned aerial systems, and video surveillance systems have been responsible for building the capacity of law enforcement agencies and enhancing not only officer safety but also the safety of the community.

The IACP believes it is imperative that law enforcement agencies create and enforce comprehensive agency policies governing the deployment and use of these technologies, and the data they provide. The IACP has created a Technology Policy Framework to help aid law enforcement agencies in creating policies that support responsible deployment and use.

The IACP urges Congress to continue to support law enforcement in the use of these technologies which, when properly used and managed, can greatly assist law enforcement in their duties, improve public and officer safety, promote greater transparency and accountability, all while respecting the privacy, civil rights, and civil liberties of citizens.

Transportation Reauthorization

Increased funding should be provided for innovative and the sustainment of successful highway safety programs and to place added emphasis on addressing the human factors that cause the majority of highway crashes. Consistent enforcement of traffic laws provides immediate payback in terms of reduced deaths, injuries and property damage and an

ancillary benefit of reducing street crime by providing a highly visible police presence on the streets and highways.

Use of Social Media for Pre-employment Background Investigations

The IACP supports the use of social media by law enforcement for community outreach, recruiting, investigative and other purposes. Social media is also a vital component of an agency's investigative background process. The process of cybervetting must be rooted in procedures to protect the constitutional rights of candidates and the integrity of the process as described in *Developing a Cybervetting Strategy for Law Enforcement*. Given the authority granted to law enforcement employees, the IACP supports the inclusion of a law enforcement exemption to any legislation that places limits on the use of social media in vetting and employment decisions.

Weapons of Mass Destruction

The IACP realizes that law enforcement agencies must respond to the threat posed to our communities by weapons of mass destruction. Therefore, the IACP urges the Administration and the Congress to authorize, and provide funding for, programs, equipment and training that would assist federal, state, and local authorities respond to attacks from weapons of mass destruction. Additionally, the IACP believes that law enforcement should be included as an integral part of the national security strategy as it relates to combating and responding to terrorist activities. Finally, the IACP calls on the federal government to work in collaboration with other nations to develop plans to both prevent and respond to these types of attacks.

Violence Against Women Act

Since its inception, the IACP has supported the Violence Against Women Act (VAWA) as part of the Violent Crime Control and Law Enforcement Act of 1994. Authorizing grants and providing technical assistance, this landmark act addresses issues surrounding domestic violence, dating violence, sexual assault, and stalking. As women are victimized by these highly complex crimes, the IACP offers its continuous support for legislation supporting and funding these programs and initiatives. IACP understands the severity of these crimes and believes it is essential to support these efforts.