



NATIONAL SHERIFFS' ASSOCIATION 2011 LEGISLATIVE PRIORITIES

CREATED 12-1-10

- **HATCH ACT LEGISLATION:** NSA strongly supported the **State and Local Law Enforcement Hatch Act Reform Act** and will work to have the bill reintroduced in the 112th Congress. The bill was previously introduced in the 111th Congress by Reps. Latta and Holden. The federal Hatch Act restricts the political activity of individuals principally employed by state, county or municipal executive agencies who have duties in connection with programs financed in whole or in part by federal loans or grants. An employee covered by the Act is prohibited from being a candidate for public office in a partisan election. The bill amends the Hatch Act to allow state and local law enforcement officers to run for the Office of Sheriff without having to quit their jobs; allows sheriffs in their official capacities to participate in political activities; and implements a statute of limitations for the Office of Special Counsel, of no more than 6 months, to file charges against a violation. NSA urges Congress to support the **State and Local Law Enforcement Hatch Act Reform Act** and pass this critical legislation in 2011.
- **ALLOCATING D BLOCK TO PUBLIC SAFETY:** NSA strongly supports the **Public Safety Spectrum and Wireless Innovation Act** introduced by Senator John Rockefeller (D-WV). This legislation would mandate the FCC allocate the D Block to public safety (rather than auctioning it) for the creation of the national public safety interoperable mobile broadband network; as well as providing the funding necessary to build the broadband network. The legislation builds on the growing support in Congress from Senators Joe Lieberman (I-CT.) and John McCain (R-AZ.); Representatives Peter King (R-NY) and Yvette Clarke (D-NY); and Representative Henry Waxman (30th Dist., CA), Chairman of the House Energy and Commerce Committee, whose draft language was the catalyst to identifying the necessary funding to build out and maintain a nationwide interoperable public safety broadband network. NSA strongly urges Congress to support and swiftly pass the **Public Safety Spectrum and Wireless Innovation Act** during the 112th Congress.
- **MENTALLY ILL OFFENDERS:** Over the last few decades, the nation's jails have become the largest mental health hospitals. Determined to find a solution to this problem and ensure that mentally ill offenders receive the help they need, NSA strongly supports the **Inmates with Mental Illness Treatment and Public Safety Act**. Scheduled to be introduced in 112th Congress, the bill would create a three year

demonstration project that would allow mentally ill inmates to retain their Medicaid, Medicare, and CHIP benefits during their incarceration in a jail or juvenile detention center. The demonstration will run in local and county jail in up to 20 sites in ten states. The project will help ease the financial burdens imposed on local governments while ensuring that mentally ill offenders receive the treatment they need.

- **COLLECTIVE BARGAINING:** NSA strongly opposes legislation that would federalize collective bargaining for public safety officers, thereby forcing sheriffs and peace officers to adhere to strict guidelines when dealing with the public safety workforce. The needs of law enforcement agencies and their communities vary significantly depending on their size and locality. Previously introduced legislation has failed to make this distinction, therefore doing law enforcement a great disservice. NSA believes that the decision to engage in collective bargaining should be solely left up to the states and localities, not a “one-size-fits-all” federal approach.
- **COMPREHENSIVE IMMIGRATION REFORM:** NSA has been closely monitoring the issue of comprehensive immigration reform (CIR) and will be working to develop a position paper on CIR for the 112th Congress. Additionally, NSA continues to advocate for enhanced border security initiatives—particularly to provide assistance to allow local law enforcement agencies to hire additional personnel dedicated to securing the borders to quickly get boots on the ground until the federal government can provide necessary personnel along the borders. NSA also supports the continuance of the 287(g) program and expansion of the Secure Communities program—both aimed at optimizing the criminal alien removal process.
- **287(G) PROGRAM FOR LOCAL LAW ENFORCEMENT TO ENFORCE IMMIGRATION LAW (DHS):** NSA urges Congress to provide adequate funding for the 287(g) program to train local law enforcement officers to enforce immigration law. This program enables local law enforcement to offer assistance to federal law enforcement to meet the demands to control the border and enforce immigration laws.
- **FUNDING FOR HIGH INTENSITY DRUG TRAFFICKING AREAS (HIDTA):** The High Intensity Drug Trafficking Areas (HIDTA) program, created by Congress with the Anti-Drug Abuse Act of 1988, provides assistance to federal, state, local, and tribal law enforcement agencies operating in areas determined to be critical drug trafficking regions of the United States. Since 1990, 28 regions in the United States, comprising 14 percent of U.S. counties, have been designated as HIDTAs. A HIDTA is regarded as a coordinating umbrella for federal, state and local agencies. The goal of the HIDTA program is to enhance integration and invest in partnerships between federal, state, and local agencies, while eliminating unnecessary overlap and duplication of efforts. NSA urges Congress to fully fund HIDTA at \$280 million.
- **COPS HIRING PROGRAM METHODOLOGY REVISIONS (DOJ):** NSA strongly urges Congress to encourage the COPS Office to consider revising the current methodology for awarding COPS grants, to ensure that funding is proportionally distributed among municipalities and counties with eligible applicants. The COPS Hiring program already requires a certain portion of its funds be allocated based on various categories to ensure a balanced and unbiased distribution of funds; therefore, the proposed revision would not compromise the integrity of the program. This revision is needed due to the lack of COPS grants awarded to sheriffs

compared to police departments in the recovery package. Although both police agencies and sheriff's offices demonstrated the same fiscal need for funding, sheriffs were only awarded 37 grants compared to the 342 grants awarded to police agencies. NSA also urges Congress to fully fund the COPS Hiring Program, as it is the only federal program available to assist sheriffs in hiring officers.

- **BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM (DOJ):** Byrne JAG is the only formula based program for local law enforcement and the backbone of many programs to control and prevent crime. The vast majority of states use this funding to operate and fund officers for multi-jurisdictional drug and gang taskforces. NSA urges Congress to fully fund the Byrne JAG Program at its authorized level at \$1.1 billion. Such funding will help to restore funding for the drastic cuts in the recent fiscal years and enable drug and gang taskforces across the country to continue their operations and avoid shutting down.
- **STATE CRIMINAL ALIEN ASSISTANCE PROGRAM (SCAAP) (DOJ):** SCAAP is a reimbursement program for local governments that shoulder the costs associated with processing and detaining illegal aliens—which is a federal responsibility. NSA urges Congress to fully fund this program at the authorized level at \$950 million.
- **CONTINUING TRAINING GRANT PROGRAM / COMPETITIVE TRAINING GRANT PROGRAM (CTGP) (DHS):** The Continuing Training Grant Program enables the continuation of current programs which provide training to local law enforcement agencies on emerging issues of national homeland security. The Competitive Training Grant Program is the only program dedicated to providing new training to local law enforcement agencies on emerging issues in homeland security. In recent years, funding for these critical programs has been substantially decreased – including the elimination of funding for the competitive training grants since FY'09. Given the ongoing need to address gaps in training for the nation's Sheriffs as a result of the ever-widening threats facing them and other public safety personnel, NSA urges Congress to fund this program at \$40 million for FY 2012, with a provision that enables up to \$10 million of the funding to go to new programs.
- **LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (LETPP) (DHS):** LETPP is the only program dedicated for local law enforcement agencies to enhance interoperable communications and information sharing to prevent terrorists from executing a threat. NSA urges Congress to fund this program as a stand-alone program rather than as an earmark out of other DHS programs.
- **COMMERCIAL EQUIPMENT DIRECT ASSISTANCE PROGRAM (CEDAP) (DHS):** CEDAP helps local law enforcement to meet the equipment needs of smaller and rural jurisdictions by providing communications interoperability, information sharing, chemical detection, sensors, personal protective equipment, technology, and training in using the equipment, devices, and technology. NSA urges Congress to fund this program to help law enforcement agencies in non-urban areas to also be fully prepared during times of disaster.
- **LOCAL LAW ENFORCEMENT INFORMATION SHARING FUNDING:** NSA fully supports Congressional funding for all information sharing programs which assist local law enforcement. This includes RISS, Pegasus, HSIN, LEO, N-DEx, etc. NSA urges Congress to fully fund these critical programs to assist local law enforcement information sharing efforts.