

2014 RESOLUTIONS

ADOPTED AT THE 121st ANNUAL
CONFERENCE IN ORLANDO, FLORIDA



The following list summarizes the resolutions adopted by the IACP, listed according to division, section, or committee, at the 121st annual conference in Orlando, Florida.

Addressing Sexual Violence on College Campuses and Military Bases

Submitted by: Defense Chiefs of Police Section and University/College Police Section

DEF.001.T14

This resolution calls upon law enforcement leadership in the military, universities, and colleges to partner with local and state law enforcement to prioritize efforts to address sexual violence and strengthen the response to these crimes that occur in these communities. It also supports the continued partnerships and collaborations among the military, university, college, and local policing agencies, which are required to ensure the safety and security of our communities and hold perpetrators of sexual violence accountable in order to best serve those service members and students who place their trust in these institutions.

Department of Homeland Security in Support of the National Network of Fusion Centers

Submitted by: Committee on Homeland Security

CHS.002.T14

This resolution supports the National Network of Fusion Centers and calls upon federal agencies to work with, and support, the continued evolution of the National Network of Fusions Center. It also encourages federal, state, and local agencies to carefully review the United States House of Representatives Committee on Homeland Security Majority Staff Report on The National Network of Fusion Centers and adopt those recommendations that are appropriate for the agency and mission. This resolution promotes the vision of the National Network of Fusion Centers, which is to be a multidisciplinary, all-crimes/all-threats/all-hazards information sharing network that protects our nation's security and the privacy, civil rights, and civil liberties of our citizens.

Deployment of Law Enforcement Agencies under the Emergency Management Assistance Compact (EMAC)

Submitted by: Committee on Homeland Security

CHS.003.T14

This resolution supports the concepts of the Emergency Management Assistance Compact to facilitate law enforcement mutual aid assistance between U.S. states; and, that the agencies most affected and best suited to discuss and address the issues related to powers of arrest, use of weapons and deadly physical force, tort liability, and legal immunity for police actions taken by assisting law enforcement agencies when assistance is requested, are the lead law enforcement agencies of the involved states. Anytime that law enforcement resources are involved, the IACP supports the inclusion of the lead law enforcement agencies of both the requesting state(s) and providing state(s) in every step of the EMAC process including in the initial process of determining the appropriate level of assistance required, the intermediate process of preparing the required paperwork to make a formal EMAC request ("REQ-A") to ensure that matters related to powers of arrest, the use of weapons and deadly physical force, and tort liability and legal immunity for police actions taken are given due consideration and are clearly outlined, agreed upon, and resolved in the written EMAC request prepared for the requesting Governor's signature, as well as in the deployment process to insure all accountability and documentation requirements are met.

Increasing the Awareness of the Lethality of Strangulation

Submitted by: Victim Services Committee

VIC.004.T14

This resolution supports statutes and legislation that hold perpetrators accountable for the potentially lethal strangulation assaults. It also supports training efforts, documentation forms and processes, and multi-disciplinary partnerships for law enforcement that specifically address the occurrence, signs, symptoms, effective investigation, and the increased lethality of the power and control dynamics of strangulation assaults in cases of domestic and sexual violence.

Pretrial Release and Detention Process

Submitted by: Research Advisory Committee

RAC.005.T14

This resolution calls for law enforcement leaders to advocate in their jurisdictions, regions, and states for 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 purposes of improving public safety.

Sex Trafficking of Children and Minors Within the United States

Sponsored by: Juvenile Justice and Child Protection Committee, Victim Services Committee and Committee on Homeland Security

JUV.006.T14

This resolution calls for sex trafficking of children and minors to be understood as acts of abuse and violence against children and adolescents; that minors who are trafficked for sexual purposes should not be considered criminally responsible for the commercial sex act that they are the victims of, and that identification of victims as well as any interventions should do no further harm to these victims; and, opposes the criminalization of victims of sex trafficking as it relates to the commercial sex acts that they are the victims of. This resolution also calls for training at all levels of law enforcement, nationally and internationally, including educating front-line officers on how to recognize and respond to it in the field; and law enforcement to investigate both the supply side (pimps/traffickers) as well as the demand side (buyers) of sex trafficking. It also supports the building and strengthening relationships between law enforcement, the community, and victim service organizations to recognize, respond, refer, and assist victims; and calls for collaboration between local, state, and federal law enforcement agencies to share information and resources to identify and respond to victims and hold traffickers accountable. It also calls for the law enforcement community to advocate at the local, state, and federal legislative levels to increase the priority and allocation of local, state, and federal resources to combat the sex trafficking of children and minors; and encourages law enforcement agencies to develop a coordinated response and protocol on sex trafficking of children and minors in their communities.

Support for Local Implementation of Upgrades to Improve Quality of Criminal Investigations

Submitted by: Forensics Committee, Police Administration Committee, Police Investigative Operations Committee, Professional Standards, Image and Ethics Committee and Victim Services Committee

FOR.007.T14

This resolution urges all United States of America law enforcement and criminal justice agencies to consider the findings of the “National Summit on Wrongful Convictions: Building a Systemic Approach to Prevent Wrongful Convictions” report for applicability in their jurisdictions, and to use the report as the source document for future actions and recommendations to improve criminal investigative strategies, policies, and practices when determined appropriate by an individual law enforcement agency in order to ultimately prevent wrongful convictions. It also encourages all law enforcement and criminal justice agencies in countries separate of the United States of America to adopt the appropriate findings, conclusions, and recommendations contained in reports resulting from their inquiries and reviews to address the issues of wrongful convictions, and, where no such report exists, that they give just consideration to adopting as appropriate the findings, conclusions, and recommendations contained in the aforementioned report in order to ultimately prevent wrongful conviction.

Support for the Call for Law Enforcement Agencies to Adopt Rules and Procedures Calling for Follow Up Investigation When Notified of a DNA Match

Submitted by: Forensics Committee

FOR.008.T14

This resolution urges all law enforcement and criminal justice agencies to adopt rules and procedures calling for those agencies to fully investigate the results of all DNA testing and CODIS database investigative leads in a timely manner.

Support for the Drive to Save Lives/Drive to Zero Campaign

Submitted by: IACP Division of State and Provincial Police, State Association of Chiefs of Police, and Highway Safety Committee

SP.009.T14

This resolution supports the effort of the Drive to Save Lives/Drive to Zero campaign; and its multi-year ongoing effort by state police and highway patrols, county sheriffs, and municipal police agencies to prevent the needless deaths that occur on roadways each year.

Assisted Outpatient Treatment

Submitted by: State Associations of Chiefs of Police, Psychological Services Section and Police Physicians Section

SACOP.010.T14

This resolution recommends the authorization, implementation, appropriate funding, and consistent use of Assisted Outpatient Treatment laws to ensure treatment in the least restrictive setting possible for individuals whose illness prevents them from otherwise accessing such care voluntarily.

Opposing Increases in Size and Weight of Large Trucks

Submitted by: Highway Safety Committee

HSC.011.T14

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

Campaign to Establish Grassroots Awareness of Police Officers Killed in the Line of Duty

Submitted by: Public Information Officers Section

PIO.013.T14

This resolution will establish a campaign to provide the approved speedy release of accurate information by the IACP Public Information Officers Section (PIOS) to local and regional news media outlets to make every incident of a police officer injured or killed in the line duty a matter of grassroots awareness. The IACP will take a leadership role in encouraging its member chiefs to establish a long-term, ramped-up effort to utilize existing databases to gather and analyze the causes of police deaths and provide that statistical information to the PIOS for dissemination to all news media outlets in the region concerning every incident where a police officer is killed in the line of duty to help raise the consciousness of and garner the support of the community.

Raising Awareness of the Dangers of Fentanyl to Law Enforcement Personnel

Submitted by: Narcotics & Dangerous Drugs Committee

NDDC.015.T14

This resolution states concern about the dangers law enforcement personnel are subject to each time they come into contact with fentanyl, and encourages greater awareness regarding these dangers and the best practices for safety and protection.

Raising Awareness That Opioid Abuse May Lead To Heroin Addiction

Submitted by: Narcotics & Dangerous Drugs Committee

NDDC.016.T14

This resolution urges the law enforcement community to continue to emphasize the importance of education, treatment, and vigorous law enforcement as the primary tools for combatting opioid addiction, overdose, and death within our communities, while at the same time encouraging the use of naloxone to reverse the effects of opioid overdoses when required to save lives.

Opposition to the Enactment of H.R. 4709 – Removing the Attorney General's Authority to Issue Immediate Suspension Orders Under the Controlled Substances Act

Submitted by: Narcotics & Dangerous Drugs Committee

NDDC.017.T14

This resolution opposes the enactment of H.R. 4709 and urges the United States Senate and the White House to take all possible steps to prevent its enactment.

Supporting the Collection and Reporting of Data on THC Extraction Laboratories to the Drug Enforcement Administration

Submitted by: Narcotics & Dangerous Drugs Committee

NDDC.018.T14

This resolution supports law enforcement agencies collecting and reporting data on THC extraction laboratories to the Drug Enforcement Administration.

IACP Support for the Rule of Law in Addressing Technology, Privacy, and Public Safety

Submitted by: IACP Board of Officers

BD.019.T14

This resolution urges all law enforcement agencies and the Information Technology and Communications industries, as well as Congress and the President to embrace, support, and adopt the enhancement of public safety through legislation and policies that will ensure that technology providers have the technical ability to comply with lawful court orders to the same degree that other industries (banking, financial, etc.) are held and work with law enforcement to ensure the interests of the public's privacy and public safety are secure, now and in the future. Therefore, an updated CALEA and the Electronic Communications Privacy Act (ECPA), as well as reasonable data retention regulations, should be pursued to be used as foundational legislation to provide a balance that ensures safety and security; doesn't inhibit industry; and protects the rights of citizens.

Support for the Non-Abolition of ATF

Submitted by: *International Policing Division Steering Committee*

IPDSC.020.T14

This resolution supports the need of maintaining the highest standard of credibility, training, support, and coordination provided by ATF among law enforcement agencies worldwide and strongly disagrees with H.R. 5522, the ATF Elimination Act, or any effort to abolish the ATF or transfer its functions.

Support for the National Move Over Initiative

Submitted by: *Highway Safety Committee*

HSC.21.T14

This resolution supports the increased enforcement of Move Over legislation and international efforts to ensure the roadside safety of law enforcement officers, firefighters, utility workers, and other emergency personnel in countries around the world.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

Addressing Sexual Violence on College Campuses and Military Bases

*Submitted by: Defense Chiefs of Police Section and University/College Police Section
DEF.001.T14*

WHEREAS, the International Association of Chiefs of Police (IACP) is the world's largest membership organization of police executives that provides the professional voice of law enforcement and is comprised of numerous agencies that serve jurisdictions including closed communities such as the military, university, and college campuses; and

WHEREAS, the impact of sexual violence and rape on military, university, and college campuses impacts the psychological and emotional well-being of victims and corrupts the safety and security of these communities; and

WHEREAS, military, university and college campus law enforcement leaders must clearly establish community trust and effectively and comprehensively respond to reports of sexual assault by supporting a victim-centered approach towards those who experience sexual violence and a perpetrator-focused investigation to hold those who commit these offenses accountable; and

WHEREAS, the military, university and college campuses largely comprise these demographics and are linked in how they support social development, socialization and integration within each respective culture and environment; and

WHEREAS, the reporting of sexual assault on military installations¹, universities and college campuses is extremely low due to many factors², some of which include the trauma, shame, and self-blame victims may experience³; the fear of retribution and/or punishment by the perpetrator,

¹ US Commission on Civil Rights. "Sexual Assault in the Military." Retrieved from: http://www.usccr.gov/pubs/09242013_Statutory_Enforcement_Report_Sexual_Assault_in_the_Military.pdf (2013)

² "Sexual Violence on Campus" Prepared for US Senator Claire McCaskill by the U.S. Senate Subcommittee on Financial & Contracting Oversight – Majority Staff. Retrieved from: <http://www.mccaskill.senate.gov/SurveyReportwithAppendix.pdf> (2014)

³ Fisher, Bonnie; Cullen, Francis; Turner, Michael. "The Sexual Victimization of College Women." Retrieved from: <https://www.ncjrs.gov/pdffiles1/nij/182369.pdf>

supervisor, peers, and/or the criminal justice system; and the victim's concern that they may not be believed or even blamed for the assault⁴; and

WHEREAS, perpetrators of sexual assault may be predatory and serial in nature, target victims, and employ a variety of tactics to create victim vulnerabilities often facilitated with alcohol and drugs; isolate victims; use implied or overt threats, coercion, stalking tactics, and other behaviors to control victims⁵; and

WHEREAS, military, university and college campus law enforcement leaders must identify innovative tools and resources to effectively and collaboratively respond to sexual violence; develop strong, comprehensive response and investigative policies and procedures; provide current and comprehensive training and education on sexual violence to all department members and investigative personnel; create/collaborate with multi-disciplinary partnerships; and provide victims of sexual assault with resources, access to support, and a professional response; now, therefore, be it

RESOLVED, that the IACP duly assembled at its 121st Annual Conference in Orlando, Florida, calls upon law enforcement leadership in the military, universities, and colleges to partner with local and state law enforcement to prioritize efforts to address sexual violence and strengthen the response to these crimes that occur in these communities; and, be it

FURTHER RESOLVED, that the IACP fully supports the continued partnerships and collaborations among the military, university, college, and local policing agencies which are required to ensure the safety and security of our communities and hold perpetrators of sexual violence accountable in order to best serve those service members and students who place their trust in these institutions.

⁴ Planty, Michael et al. "Female Victims of Sexual Violence, 1994-2010" Retrieved from U.S. Department of Justice,

Office of Justice Programs, Bureau of Justice Statistics website: <http://www.bjs.gov/content/pub/pdf/fvsv9410.pdf>

⁵ Lisak, David. "Understanding the predatory nature of sexual violence." Retrieved from: <http://www.innovations.harvard.edu/showdoc.html> (2008).



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

Support of the National Network of Fusion Centers

*Submitted by: Homeland Security Committee
CHS. 002.T14*

WHEREAS, fusion centers are [post-9/11] information sharing centers that are state or locally operated entities, designated and recognized by each state's governor. The concept of the fusion center is defined as "a collaborative effort of two or more agencies that provide resources, expertise, and/or information to the center with the goal of maximizing the ability to detect, prevent, investigate, apprehend, and respond to criminal and terrorist activity."

WHEREAS, since 2004, state and major urban area fusion centers have been established throughout the nation to further aid in and improve information sharing among state, local, tribal, territorial (SLTT), private sector, and federal partners.

WHEREAS, in 2007, the Secretary for Department of Homeland Security and the Attorney General issued a letter to each governor, requesting the designation of "...a single fusion center to serve as the statewide or regional hub to interface with the federal government and through which to coordinate the gathering, processing, analysis, and dissemination of terrorism, law enforcement, and homeland security information..." Further, the letter requested the development of a strategy that "is consistent with federal efforts to constitute the Information Sharing Environment," which also includes any major urban area fusion center.

WHEREAS, the culmination of state and major urban area fusion centers across the country are referred to as the National Network of Fusion Centers (NNFC, or the National Network).

WHEREAS, per the 2013 "Majority Staff Report on the National Network of Fusion Centers," released by the United States House of Representatives Committee on Homeland Security, "The National Network [of Fusion Centers] is on a path of continued growth, improvement, and increasing value to both the Federal Government and the fusion centers' individual customers." The National Network is designed to connect the fusion centers as an enterprise through their information sharing efforts with federal partners and within their area of responsibility among state, local, tribal, territorial and private partners, creating a national asset, which serves as a front line of defense in protecting the homeland.

WHEREAS, many federal partners, including but not limited to the U.S. Department of Homeland Security (DHS), the U.S. Department of Justice (DOJ), the Federal Bureau of Investigation (FBI), the Office of the Program Manager for the Information Sharing Environment (PM-ISE), and the Office of the Director of National Intelligence (ODNI), have

supported this nationwide effort, providing assistance in various forms—such as training, technical assistance, funding, and/or personnel—to fusion centers, assisting in enhancing the value and impact of individual fusion centers, as well as the National Network of Fusion Centers, and mitigating center capability gaps. Therefore, be it

RESOLVED that the International Association of Chiefs of Police supports the National Network of Fusion Centers and be it

FURTHER RESOLVED, that the IACP calls upon federal agencies to work with, and support, the continued evolution of the National Network of Fusions Center; be it

FURTHER RESOLVED, the United States House of Representatives Committee on Homeland Security Majority Staff Report on The National Network of Fusion Centers provides a number of important and useful recommendations that, if adopted, could enhance the effectiveness of the fusion center network. The IACP calls on federal, state, and local agencies to carefully review the report and adopt those recommendations that are appropriate for the agency and mission; be it

FURTHER RESOLVED that the IACP promotes the federal partners continued support of state and major urban fusion centers by federal agencies in deployed personnel and systems, training, and collaboration; and be it

FURTHER RESOLVED that the IACP promotes continued collaboration between the National Network of Fusion Centers and federal partners to demonstrate the value and usability of fusion centers in achieving national goals and initiatives; and be it

FURTHER RESOLVED that the IACP promotes the vision of the National Network of Fusion Centers, which is to be a multidisciplinary, all-crimes/all-threats/all-hazards information sharing network that protects our nation's security and the privacy, civil rights, and civil liberties of our citizens.



International Association of Chiefs of Police

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

Deployment of Law Enforcement Agencies under the Emergency Management Assistance Compact (EMAC)

*Submitted by: Committee on Homeland Security
CHS.003.T14*

WHEREAS, the purpose of the Emergency Management Assistance Compact (EMAC) is to provide for mutual assistance between states entering into the compact in managing any emergency or disaster that is duly declared by the governor of the affected state or states, whether arising from natural disaster, technological hazard, man-made disaster, civil emergency, aspects of resource shortages, community disorders, insurgency, or enemy attack; and

WHEREAS, this compact also provides for mutual cooperation in emergency-related exercises, testing, or other training activities using equipment and personnel simulating performance of any aspect of the giving and receiving of aid by party states or subdivisions of party states during emergencies, such actions occurring outside actual declared emergency periods; and

WHEREAS, on behalf of the governor of each state participating in the compact, the legally designated state official who is assigned responsibility for emergency management has been deemed responsible for formulation of the appropriate interstate mutual aid plans and procedures necessary to implement this compact, and it is the responsibility of each party state to formulate procedural plans and programs for interstate cooperation in the performance of the responsibilities listed in the compact; and

WHEREAS, it is the designated state official's responsibility to review party states' individual emergency plans and develop a plan which will determine the mechanism for the interstate management and provision of assistance concerning any potential emergency; and

WHEREAS, each party state shall afford to the emergency forces of any party state, while operating within its state limits under the terms and conditions of this compact, the same powers except that of arrest, unless specifically authorized by the receiving state; and

WHEREAS, this request for mutual assistance, when it includes the use of the resources of a state or local law enforcement agency, must include and address the transference or granting of arrest powers and the use of weapons and deadly physical force to the law enforcement agencies of the providing state by the government of the receiving state; now, therefore, be it

RESOLVED that the IACP duly assembled at its 121st Annual Conference in Orlando, Florida, supports the concepts of the Emergency Management Assistance Compact to facilitate law enforcement mutual aid assistance between states; and, be it

FURTHER RESOLVED that the IACP supports that the agencies most affected and best suited to discuss and address the issues related to powers of arrest, use of weapons and deadly physical force, tort liability, and legal immunity for police actions taken by assisting law enforcement agencies when assistance is requested are the lead law enforcement agencies of the involved states; and, be it

FURTHER RESOLVED that anytime that law enforcement resources are involved, the IACP supports the inclusion of the lead law enforcement agencies of both the requesting state(s) and providing state(s) in every step of the EMAC process including in the initial process of determining the appropriate level of assistance required, the intermediate process of preparing the required paperwork to make a formal EMAC request (“REQ-A”) to insure that matters related to powers of arrest, the use of weapons and deadly physical force, and tort liability and legal immunity for police actions taken are given due consideration and are clearly outlined, agreed upon, and resolved in the written EMAC request prepared for the requesting Governor’s signature, as well as in the deployment process to insure all accountability and documentation requirements are met.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

Increasing the Awareness of the Lethality of Intimate Partner Strangulation

Submitted by: Victim Services Committee
VIC.004.T14

WHEREAS, strangulation is an indicator of the escalation of violence and associated with increased risk of serious injury and/or death in cases of intimate partner violence;^{1,2,3} and

WHEREAS, strangulation has been identified as one of the most lethal forms of domestic violence and sexual assault;⁴ and is used to exert power over a victim by taking from them control of their own body;⁵ and

WHEREAS, when strangled, unconsciousness and anoxic brain injury may occur within seconds and death within minutes; and

WHEREAS, oftentimes, even in fatal cases, there is no external evidence of injury from strangulation, yet because of underlying brain damage due to the lack of oxygen during the strangulation assault, victims may have serious internal injuries or die days or even weeks, later; and

WHEREAS, many first responders lack specialized training to identify the signs and symptoms of strangulation and often focus on visible, obvious injuries like stab wounds or contusions. This lack of training has led to the minimization of this type of violence, exposing victims to potential serious short- and long-term health consequences, permanent brain damage, and increased likelihood of death; and

¹ Allison Turkel. "And Then He Choked Me: Understanding and Investigating Strangulation." National Center for Prosecution of Child Abuse. Update. Volume 20, Number 8, 2007.

² Gael B. Strack and Casey Gwinn. "On the Edge of Homicide: Strangulation as a Prelude." Criminal Justice. Volume 26, number 3, Fall 2011.

³ Training Institute on Strangulation Prevention and the California District Attorneys Association. The Investigation and Prosecution of Strangulation Cases. 2013.

⁴ Allison Turkel. "And Then He Choked Me: Understanding and Investigating Strangulation." National Center for Prosecution of Child Abuse. Update. Volume 20, Number 8, 2007.

⁵ Training Institute on Strangulation Prevention and the California District Attorneys Association. The Investigation and Prosecution of Strangulation Cases. 2013.

WHEREAS, there is a need to develop more experts in the field of strangulation and to use those experts in court proceedings to educate juries and judges so that they understand the signs and symptoms associated with this crime, and the severity of this crime;⁶ and

WHEREAS, some jurisdictions nationwide have taken legislative measures to address the brutality and lethality of strangulation assaults, many states, to date, still do not adequately address strangulation in their law enforcement training and/or criminal statutes, underestimating the significance of the act of strangulation and potential lethality;^{7,8} and

WHEREAS, lacking specific legislation and specialized training, many near-fatal strangulation cases are prosecuted as misdemeanors crimes. However, given the lethality of strangulation, offenders should be held accountable with a penalty that is commensurate with the nature of their crimes which is the equivalent of attempted homicide or serious felonious assault;^{9,10} now, therefore be it

RESOLVED, that the International Association of Chiefs of Police assembled at its 121st Annual Conference in Orlando, Florida, supports statutes and legislation that hold perpetrators accountable for the potentially lethal strangulation assaults, and, be it

FURTHER RESOLVED, that the International Association of Chiefs of Police supports training efforts, documentation forms and processes, and multidisciplinary partnerships for law enforcement that specifically address the occurrence, signs, symptoms, effective investigation, and the increased lethality of the power and control dynamics of strangulation assaults in cases of domestic and sexual violence.

⁶ Training Institute on Strangulation Prevention and the California District Attorneys Association. The Investigation and Prosecution of Strangulation Cases. 2013.

⁷ Training Institute on Strangulation Prevention and the California District Attorneys Association. The Investigation and Prosecution of Strangulation Cases. 2013.

⁸ Strangulation in Domestic Violence Cases: Overcoming Evidentiary Challenges to Reduce Lethality, Melissa Paluch, Development in New York State Family Law, Spring 2013

⁹ Training Institute on Strangulation Prevention and the California District Attorneys Association. The Investigation and Prosecution of Strangulation Cases. 2013.

¹⁰ Strangulation in Domestic Violence Cases: Overcoming Evidentiary Challenges to Reduce Lethality, Melissa Paluch, Development in New York State Family Law, Spring 2013.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

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Pretrial Release and Detention Process

*Submitted by: Research Advisory Committee
RAC.005.T14*

WHEREAS, in 2011, the IACP membership ratified a resolution proposed by the Research Advisory Committee calling for a national law enforcement summit to address the need for bail reform and, in particular, the urgent need for more robust pretrial services that conduct dangerousness assessments for use by the judiciary when considering pretrial release as detailed within the publication launched by IACP in collaboration with the Bureau of Justice Assistance and the Pretrial Justice Institute, titled *Law Enforcement's Leadership Role in the Pretrial Release and Detention Process*; and

WHEREAS, in the United States, an estimated 12 million arrests are made each year, with the vast majority of those arrests being for non-violent crimes (United States Department of Justice); and

WHEREAS, the pretrial release and detention process currently utilized throughout most of the United States relies on limited information and the use of a bail schedule, without considering empirically developed information regarding individual risks posed by defendants; and

WHEREAS, only 10 percent of jurisdictions use a validated, empirically developed risk assessment to inform their pretrial release decisions (Pretrial Justice Institute); and

WHEREAS, many jurisdictions have limited legal options to detain individuals who pose an unmanageable pretrial risk or danger other than by setting a high secured bail amount in the hopes the defendant cannot pay; and

WHEREAS, our current resource/money-based pretrial release system enables over 50 percent of defendants who are rated higher risk to be released pretrial and defendants who are rated lower risk are more regularly detained (VanNostrand, Lowenkamp, & Holsinger); and

WHEREAS, pretrial detainees account for more than 60 percent of the inmate population in U.S. jails (Bureau of Justice Statistics); and

WHEREAS, the risk principle suggests that the most intensive interventions, such as pretrial detention or pretrial supervision, should be reserved for the highest and moderate risk individuals, respectively, and that such interventions are ineffective or harmful if applied to low risk individuals (Lowenkamp & Latessa); and

WHEREAS, defendants rated low risk and detained pretrial for longer than one day before their pretrial release are more likely to commit a new crime once they are released, demonstrating that length of time until pretrial release has a direct impact on public safety (VanNostrand et al.); and

WHEREAS, finding ways to improve pretrial release/detention decision making may prove to be the key to increasing public safety, significantly reducing unnecessary justice system costs, and providing a more just legal system; now, therefore, be it

RESOLVED, that the International Association of Chiefs of Police (IACP) calls for law enforcement leaders to advocate in their jurisdictions, regions, and states for: 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 purposes of improving public safety.

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VanNostrand, Marie, and Christopher T. Lowenkamp. *Assessing Pretrial Risk without a Defendant Interview*. www.arnoldfoundation.org. Laura and John Arnold Foundation, Nov. 2013. Web. 4 June 2014. <http://www.arnoldfoundation.org/sites/default/files/pdf/LJAF_Report_no-interview_FNL.pdf>



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

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Sex Trafficking of Children and Minors Nationally and Internationally

*Sponsored by: Juvenile Justice and Child Protection Committee, Victim Services Committee and
Committee on Homeland Security
JUV.006.T14*

WHEREAS, the International Association of Chiefs of Police (IACP) recognizes that sex trafficking of children and minors is a severe form of Human Trafficking, that, according to federal law, involves “(t)he 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”;¹ and

WHEREAS, the IACP recognizes that any child (under the age of 18) engaged in commercial sex should be treated as a potential and likely victim of trafficking; and

WHEREAS, IACP recognizes that, while there is a lack of reliable statistics on the incidence and prevalence of sex trafficking of children and minors within the United States,² it is a crime that is affecting children nationally and internationally; and

WHEREAS, IACP recognizes that sex trafficking of children and minors within the United States 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; and

WHEREAS, child victims of sex trafficking suffer chronic sexual abuse and exploitation, as well as emotional, psychological, and/or physical abuse; endure threats, coercion, and/or manipulation by traffickers which often leads to the victim forming a psychological bond with the trafficker similar to the trauma-bond in domestic violence and hostage situations (e.g. Stockholm Syndrome), which prevents the victims from identifying themselves as victims and asking for help (which may make the victims appear complicit in their own victimization); and

WHEREAS, traffickers, often referred to as “pimps,” include males and females of all types, who are coercive and skilled at manipulating victims and the criminal justice system in order to

¹ Victims of Trafficking and Violence Protection Act

² Institute of Medicine, “Confronting Commercial Sexual Exploitation and Sex Trafficking of Minors in the United States.” (2013)

gain power and control to ensure the continued operation of their criminal enterprise; now, therefore, be it

RESOLVED, that the IACP calls for sex trafficking of children and minors to be understood as acts of abuse and violence against children and adolescents; that minors who are trafficked for sexual purposes should not be considered criminally responsible for the commercial sex act that they are the victims of; and that identification of victims as well as any interventions should do no further harm to these victims; and, be it

FURTHER RESOLVED, that the IACP opposes the criminalization of victims of sex trafficking as it relates to the commercial sex acts that they are the victims of; and, be it

FURTHER RESOLVED, that the IACP calls for training at all levels of law enforcement, nationally and internationally, including educating front line officers on how to recognize and respond to it in the field; and, be it

FURTHER RESOLVED, that the IACP calls on law enforcement to investigate both the supply side (pimps/traffickers) as well as the demand side (buyers) of sex trafficking; and, be it

FURTHER RESOLVED, that the IACP supports building and strengthening relationships between law enforcement, the community, and victim service organizations to recognize, respond, refer, and assist victims; and, be it

FURTHER RESOLVED, that the IACP calls for collaboration between local, state and federal law enforcement agencies to share information and resources to identify and respond to victims and hold traffickers accountable; and, be it

FURTHER RESOLVED, that the IACP calls for the law enforcement community to advocate at the local, state and federal legislative levels to increase the priority and allocation of local, state and federal resources to combat the sex trafficking of children and minors; and, be it

FURTHER RESOLVED, that the IACP, assembled at the 121st Annual Conference in Orlando, Florida, strongly encourages law enforcement agencies to develop a coordinated response and protocol on sex trafficking of children and minors in their communities.



International Association of Chiefs of Police

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

**Support for Local Implementation of Upgrades to Improve Quality of Criminal
Investigations**

*Submitted by: Civil Rights Committee, Forensics Committee, Police Administration Committee,
Police Investigative Operations Committee, Professional Standards, Image and Ethics
Committee and Victim Services Committee
FOR.007.T14*

WHEREAS, law enforcement is the most visible component of the criminal justice system; and

WHEREAS, law enforcement commonly serves as the lead body in conducting a criminal investigation; and

WHEREAS, a community empowers and trusts law enforcement to impartially and fully investigate crime; and

WHEREAS, a criminal investigation is a search for the truth with goals to exonerate the innocent and to identify and apprehend the perpetrator of a crime predicated upon facts and evidence; and

WHEREAS, charging a person with a crime requires demonstration to a court of competent jurisdiction the existence of probable cause that leads a reasonable person to conclude that a definable criminal act occurred and that the accused was the likely perpetrator; and

WHEREAS, the quality and integrity of a criminal investigation has material impact on the final adjudication of a criminal allegation by a court of law in finding the accused either guilty or not guilty; and

WHEREAS, in rare instances a finding of guilt is reversed due to a wrongful conviction; and

WHEREAS, when there is a wrongful conviction, harm can be inflicted on the individual wrongfully convicted, family members, victims, witnesses, police officers, prosecutors, judges, and members of the jury; and

WHEREAS, conviction of the wrong person ensures that the guilty party is free to continue criminal behavior; and

WHEREAS, in the aftermath of a wrongful conviction, law enforcement frequently suffers the brunt of diminished community trust which is essential to the maintenance of public order; and

WHEREAS, the International Association of Chiefs of Police (IACP) has long recognized the importance of excellence in conducting criminal investigations; and

WHEREAS, IACP members from several countries have been dealing with the issues of wrongful convictions within their purview and have engaged in reviews and inquiries to understand and address wrongful convictions; and

WHEREAS, the IACP continues to provide a broad spectrum of support to law enforcement through comprehensive research, model policies, issue papers, training, agency audits and legislative initiatives all designed to improve and institutionalize the quality and integrity of criminal investigations across the law enforcement profession; and

WHEREAS, the IACP is a leader in forming and maintaining collaborative efforts as evidenced by continuing work with the United States Department of Justice, Office of Justice Programs, as well as private sector organizations to ensure excellence in criminal investigations; and

WHEREAS, the IACP, in full cooperation with the Office of Justice Programs and in response to membership interest, completed far-reaching work leading to the development of strategies and tactics to avoid law enforcement investigative action or inaction that may result in a wrongful conviction; and

WHEREAS, the findings, conclusions and recommendations of this far reaching work are published in a report titled, “National Summit on Wrongful Convictions: Building a Systemic Approach to Prevent Wrongful Convictions”; now, therefore, be it

RESOLVED, that the IACP duly assembled at its 121st Annual Conference in Orlando, Florida, urges all United States of America law enforcement and criminal justice agencies to consider the findings of the “National Summit on Wrongful Convictions: Building a Systemic Approach to Prevent Wrongful Convictions” report for applicability in their jurisdictions, and to use the report as the source document for future actions and recommendations to improve criminal investigative strategies, policies and practices when determined appropriate by an individual law enforcement agency in order to ultimately prevent wrongful convictions; and, be it

FURTHER RESOLVED, the IACP encourages all law enforcement and criminal justice agencies in countries separate of the United States of America to adopt the appropriate findings, conclusions and recommendations contained in reports resulting from their inquiries and reviews to address the issues of wrongful convictions, and, where no such report exists, that they give just consideration to adopting as appropriate the findings, conclusions and recommendations contained in the aforementioned report in order to ultimately prevent wrongful convictions.



International Association of Chiefs of Police

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

**Support for the Call for Law Enforcement Agencies to Adopt Rules and Procedures
Calling for Follow Up Investigation When Notified of a DNA Match**

*Submitted by: Forensics Committee
FOR.008.T14*

WHEREAS, law enforcement is the most visible component of the criminal justice system; and

WHEREAS, law enforcement commonly serves as the lead body in conducting a criminal investigation; and

WHEREAS, law enforcement relies upon forensic laboratories to analyze evidence as part of any criminal investigation including submitting to the Combined DNA Index System (CODIS); and

WHEREAS, one of the tests often conducted by labs is DNA testing; and

WHEREAS, crime laboratories forward results of testing back to the requesting agency; and

WHEREAS, once received, it is the responsibility of the receiving agency to conduct and further the investigation based on DNA and CODIS database results including getting confirmation samples of any CODIS matches in a timely manner; and

RESOLVED, that the IACP duly assembled at its 121st Annual Conference in Orlando, Florida, urges all law enforcement and criminal justice agencies to adopt rules and procedures calling for those agencies to fully investigate the results of all DNA testing and CODIS database investigative leads in a timely manner.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

Support for the Drive to Save Lives/Drive to Zero Campaign

*Submitted by: IACP Division of State and Provincial Police, State Association of Chiefs of Police, and Highway Safety Committee
SP.009.T14*

WHEREAS, the International Association of Chiefs of Police (IACP), led by the Division of State and Provincial Police, State Association of Chiefs of Police, and the Highway Safety Committee, recognize law enforcement leaders have an obligation to work together to reduce highway fatalities; and

WHEREAS, in 2013 over 33,000 lives were lost on our highways due to traffic related crashes, and highway fatalities ranked as one of the top 12 causes of death in the United States; and

WHEREAS, in an effort to safeguard the public as well as first responders and other emergency personnel whose duties require them to utilize the roadside, the Division of State and Provincial Police, State Association of Chiefs of Police, and Highway Safety Committee will lead an effort to reduce highway fatalities by 15 percent in 2014 through the Drive to Save Lives/Drive to Zero campaign; and

WHEREAS, the success of this campaign will be achieved by committing to data-driven enforcement; focusing on seat belt usage, speed enforcement, and targeting impaired and distracted driving. The campaign will also include enforcement actions against the unsafe driving behaviors of the operators of large trucks and buses; and

WHEREAS, this will be accomplished through educational and awareness programs, such as the Drive to Save Lives/Drive to Zero campaign and the nationwide Move Over campaign, high-visibility traffic enforcement, and the commitment to strengthening partnerships at all levels; now, therefore, be it

RESOLVED that the IACP duly assembled at its 121st Annual Conference in Orlando, Florida, supports the effort of the Drive to Save Lives/Drive to Zero campaign; and, be it

FURTHER RESOLVED the Drive to Save Lives/Drive to Zero campaign is a multi-year, ongoing effort by state police and highway patrols, county sheriffs, and municipal police agencies, to prevent the needless deaths that occur on roadways each year.



International Association of Chiefs of Police

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

Assisted Outpatient Treatment

*Submitted by: State Associations of Chiefs of Police, Psychological Services Section and
Police Physicians Section
SACOP.010.T14*

WHEREAS, law enforcement officers are often the first responders to individuals in mental health crises; and

WHEREAS, law enforcement officers continue to experience an increase in interactions with people with severe mental illness; and

WHEREAS, such interactions consume a disproportionate amount of limited law enforcement resources; and

WHEREAS, approximately 40 percent of individuals with severe mental illness are not receiving treatment, primarily because the illness affects their ability to voluntarily participate in needed care; and

WHEREAS, noncompliance with treatment, specifically non-adherence to medication, is strongly associated with hospitalization, suicide, victimization, violence and relapse; and

WHEREAS, noncompliance with treatment is also strongly associated with arrest and incarceration, resulting in a disproportionate representation of individuals with severe mental illness in the criminal justice system; and

WHEREAS, a 2014 report found that 10 times more persons with mental illness are in prisons and jails than are receiving treatment in state psychiatric hospitals; and

WHEREAS, Assisted Outpatient Treatment (AOT) provides court-ordered treatment in the community for high-risk individuals with severe mental illness and a history of treatment noncompliance, as a less restrictive alternative to inpatient hospitalization; and

WHEREAS, more than two decades of research and practice document AOT as an effective tool to improve outcomes for this focus population, including reduced hospitalizations, arrests, incarcerations, crime, victimization and violence while increasing treatment adherence and substance abuse treatment outcomes; and

WHEREAS, numerous state and local law enforcement associations support and have championed the passage and implementation of AOT programs; and

WHEREAS, the Department of Justice deemed AOT to be an effective evidence-based program for reducing crime and violence; and

WHEREAS, studies amply demonstrate AOT's effectiveness in reducing arrests and incarcerations, e.g., a recent study of New York State's signature AOT program ("Kendra's Law") concluded that the "odds of arrest in any given month for participants who were currently receiving AOT were nearly two-thirds lower" than those not receiving AOT; and

WHEREAS, AOT also produces significant taxpayer/system cost savings, ultimately increasing overall service capacity and leading to greater access for both voluntary and involuntary recipients. A cost-impact study in New York City found net cost savings of 50 percent in the first year and an additional 13 percent in the second year; a study in North Carolina reported similar cost savings of 40 percent; now, therefore be it

RESOLVED, that the International Association of Chiefs of Police (IACP) duly assembled at its 121st Annual Conference in Orlando, Florida, recommends the authorization, implementation, appropriate funding, and consistent use of Assisted Outpatient Treatment (AOT) laws to ensure treatment in the least restrictive setting possible for individuals whose illness prevents them from otherwise accessing such care voluntarily.

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International Association of Chiefs of Police

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

Opposing Increases in Size and Weight of Large Trucks

*Submitted by: Highway Safety Committee
HSC.011.T14*

WHEREAS, the International Association of Chiefs of Police (IACP) is concerned with the safety of motorists on U.S. highways and the reliability of the U.S. infrastructure, and

WHEREAS, in 2012, there were 3,921 people killed in traffic crashes involving large trucks, an increase of 4 percent from 2011, and 104,000 people injured, an increase of 18 percent from 2011;¹ and

WHEREAS, in 2012, large trucks were 23 percent more likely to be involved in fatal multiple-vehicle crashes as opposed to fatal single-vehicle crashes, than were passenger cars;² and

WHEREAS, in 2012, nearly 18 percent of all large-truck drivers involved in fatal crashes had at least one prior speeding conviction;³ and

WHEREAS, in 2012, only 4 percent of registered vehicles in the United States were large trucks or buses, yet they accounted for 12 percent of the traffic fatalities;⁴ and

WHEREAS, in 2012, 24 percent of fatal crashes in work zones involved a large truck;⁵ and

WHEREAS, in FY 2013, 3,491,423 truck inspections were performed nationwide, resulting in 6,261,799 violations and resulting in 942,046 “Out of Service” violations;⁶ and

WHEREAS, an increase in truck size and weight would place an increased burden on an already short-staffed number of trained commercial vehicle enforcement officers; and

WHEREAS, more than half of the bridges in the National Highway System are more than 40 years old and nearly 25 percent are rated as structurally deficient or functionally obsolete;⁷ and

¹ National Highway Traffic Safety Administration (NHTSA) Traffic Safety Facts 2012 – Large Trucks –DOT HS 811 868

² Ibid

³ Ibid

⁴ Federal Motor Carrier Safety Administration (FMCSA) Commercial Motor Vehicle Traffic Safety Facts, Strategies and Partnerships, November, 2013

⁵ Ibid

⁶ U.S. DOT, Federal Motor Carrier Safety Administration (FMCSA), Analysis & Information Online, Roadside Inspection Activity

WHEREAS, heavier trucks would deteriorate infrastructure more rapidly, would overtax the suspension and braking systems, impact steering and control, and increase injury severity due to increased kinetic energy in crashes, and

NOW THEREFORE BE IT RESOLVED, that the International Association of Chiefs of Police opposes any increase in the size and weight limits of large trucks on our nation's roadways.

⁷ U.S. DOT, Federal Highway Administration, Bridges and Structures, 2013



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

Campaign to Establish Grassroots Awareness of Police Officers Killed in the Line of Duty

*Submitted by: Public Information Officers Section
PIO.013.T14*

WHEREAS, one of the goals of SafeShield, an initiative by the IACP, is to gather empirical data in a way that is complementary to the continuing work of the FBI Law Enforcement Officers Killed Analysis Project and to seek ways in which the research can acquire the ability to provide timely officer alerts about emerging safety threats; and

WHEREAS, the SafeShield Committee has identified that the police culture is far too accepting of police deaths with a commonly expressed view that death is an inherent risk of policing; and

WHEREAS, there have been 67 police officers killed in the line of duty in the first half of 2014, a 31 percent increase as compared to the first half of 2013, and several incidents involving the killing of multiple police officers, it has made officer safety a large issue on the minds of everyone in the law enforcement family; and

WHEREAS, when officer tragically loses his/her life in the line of duty, it is devastating to families, friends and fellow officers; and

WHEREAS, law enforcement professionals today face criminals who have better weapons, more willingness to be violent, demonstrated disdain for authority and disregard for human life; and

WHEREAS, the number of police officers killed in the line of duty in 2013 was 105.

WHEREAS, according to Department of Justice statistics, on the average a law enforcement officer is killed in the line of duty somewhere in the United States every 53 hours and annually, for every 1,000 police officers, 77.8 are the victim of a violent crime while on duty; and

WHEREAS, the PIO Section Membership is positioned to inform the community of police officers killed in the line of duty through various news media outlets; and, now therefore, be it

RESOLVED, that the International Association of Chiefs of Police (IACP) duly assembled at its 121st Annual Conference in Orlando, Florida, will establish a campaign to provide the approved speedy release of accurate information by the IACP Public Information Officers Section (PIOS) to local and regional news media outlets to make every incident of a police officer injured or killed in the line duty a matter of grassroots awareness; and be it, now,

FURTHUR RESOLVED, that the IACP take a leadership role in encouraging its member chiefs to establish a long-term, ramped-up effort to utilize existing databases to gather and analyze the causes of police deaths and provide that statistical information to the PIOS for dissemination to all news media outlets in the region concerning every incident where a police officer is killed in the line of duty to help raise the consciousness of and garner the support of the community; and be it, now, ,

FURTHUR RESOLVED, that the IACP President order that copies of this resolution be forwarded to the President of the National Sheriffs Association with a plea for their member sheriffs to join the IACP in the passage of this resolution.



International Association of Chiefs of Police

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

Raising Awareness of the Dangers of Fentanyl to Law Enforcement Personnel

*Submitted by: Narcotics & Dangerous Drugs Committee
NDDC.015.T14*

WHEREAS, fentanyl is a Schedule II controlled substance as set forth in the Controlled Substances Act; and

WHEREAS, under medical supervision, fentanyl is used as both an anesthetic and for pain management. As an analgesic, fentanyl is 100 times more potent than morphine; and

WHEREAS, fentanyl is 30–50 percent stronger than heroin and some estimates conclude that it is even 100 times more powerful; and

WHEREAS, fentanyl pharmaceuticals are available as lozenges (fentanyl “lollipops”), transdermal patches, and injectables. The Food and Drug Administration has warned that fentanyl patches are dangerous even after they have been used because they still contain high amounts of strong narcotic pain medication; and

WHEREAS, fentanyl is diverted for illicit use by pharmacy theft, illegal distribution by patients and registrants, fraudulent prescriptions, and clandestine manufacturing; and

WHEREAS, from 1995 to 2002, fentanyl-related hospital emergency department visits increased from 22 to 1,506; and

WHEREAS, during a 2005–2007 fentanyl outbreak (most of which occurred in Chicago, Detroit, and Philadelphia), there were over 1,000 deaths; and

WHEREAS, the biological effects of fentanyl are indistinguishable from heroin, except that fentanyl may be hundreds of times more potent than heroin; and

WHEREAS, illicit users commonly administer fentanyl by injection. However, like heroin, fentanyl may be smoked or snorted. In addition, fentanyl can be absorbed into the body by inhalation, oral exposure/ingestion, or skin contact. If fentanyl comes in contact with skin, it can be subsequently transferred by inadvertent touching of the mouth, nose, or other mucous membranes; and

WHEREAS, inadvertent contact with fentanyl causes a significant public safety danger for law enforcement personnel who come into contact with the substance; and

WHEREAS, the adverse effects of accidental or improper contact with fentanyl include rapid (within minutes) and profound disorientation, respiratory distress, and even cardiac arrest; and

WHEREAS, illicit distributors are cutting heroin with fentanyl, producing a particularly hazardous formulation that is sometimes fatal to even longtime opioid abusers, as well as selling fentanyl combined with non-narcotic adulterants; and

WHEREAS, seized fentanyl is frequently a white or off-white powdered substance, and has been seized in kilogram brick packaging, and thus may be mistaken for powdered cocaine; and

WHEREAS, field tests may return false positive results for cocaine or heroin. As a result, law enforcement may not be aware that they are handling fentanyl and may not exercise the caution necessary to ensure their safety; and

WHEREAS, due to its rapid rate of absorption into the body, as little as 0.1 to 0.15 mg (the size of a few grains of table salt) of pure fentanyl can be deadly; and

WHEREAS, as a result, the improper handling of fentanyl is dangerous and can be fatal; and

WHEREAS, law enforcement must be aware of the dangers associated with fentanyl to avoid accidental contact that poses the risk of serious bodily injury or death; and

WHEREAS, law enforcement must wear protective clothing and equipment to avoid accidental or improper contact while testing for the presence of fentanyl; and

WHEREAS, law enforcement should use the Special Opiates Reagent Test (Narco Pouch 902) to either confirm or rule out the presence of fentanyl or another opiate; and

WHEREAS, in the event of a fentanyl overdose, naloxone is an opioid antagonist and antidote that may be administered to quickly and effectively restore breathing. Higher doses or several doses of naloxone may be necessary for fentanyl overdoses; and therefore, be it

RESOLVED, that the International Association of the Chiefs of Police duly assembled at its 121st Annual Conference in Orlando, Florida, 2014, is concerned about the dangers law enforcement personnel are subject to each time they come into contact with fentanyl, and encourages greater awareness regarding these dangers and the best practices for safety and protection.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

Raising Awareness That Opioid Abuse May Lead To Heroin Addiction

*Submitted by: Narcotics & Dangerous Drugs Committee
NDDC.016.T14*

WHEREAS, in 2010, enough opioid pain relievers were sold to medicate every adult in the United States continuously for one month, reflecting a 300 percent increase in the sales rate of opioid pain relievers over an 11-year period of time; and

WHEREAS, prescription drugs are commonly the first drug abused by new initiates of illicit drug abuse; according to National Survey on Drug Use and Health (NSDUH) data, of the estimated 2.9 million new illicit drug users in 2012, more than 1 in 4 initiated with non-medical use of prescription drugs, second only to marijuana; and

WHEREAS, the estimated number of emergency department visits for non-medical use of prescription opiates/opioids increased 81 percent between 2007 and 2011; and the number of (non-heroin) opiate-related treatment admissions to publicly-funded facilities increased 89 percent from 2007 to 2011; and

WHEREAS, in 2010, opioid pain relievers like oxycodone, hydrocodone, and methadone were involved in more than 16,600 overdose deaths—approximately 45 Americans every day; and

WHEREAS, in 2010, the number of opioid overdose deaths was approximately 4 times greater than the number of overdose deaths occurring just a decade earlier in 2000; and

WHEREAS, in 2010, opioid pain relievers were involved in nearly 17,000 deaths, and approximately 4,400 drug poisoning deaths resulted from heroin overdoses in 2011; and

WHEREAS, drug overdose deaths, including those from prescription drugs, has surpassed motor vehicle crashes as the leading cause of injury death in the United States; and

WHEREAS, there has been a troubling increase in the number of people using heroin, from 373,000 past users in 2007, to 669,000 in 2012; and

WHEREAS, data from the NSDUH collected annually from 2002 through 2011 reveals that the heroin incidence rate was 19 times higher among those who reported prior non-medical pain reliever use than among those who did not; and

WHEREAS, the Substance Abuse and Mental Health Services Administration (SAMHSA) has found that 4 out of 5 heroin initiates previously used prescription pain relievers for non-medical purposes; and

WHEREAS, because prescription pain pills cost \$20 to \$60 each while heroin costs \$3 to \$10 a bag, opioid abusers are increasingly moving to heroin as their drug of choice; and

WHEREAS, prescription drug availability in many areas has been curbed by enforcement and legislative action, opioid abusers are switching to heroin as availability is increasing; and the reformulation of OxyContin, making it more difficult to abuse, has led some opioid abusers to seek heroin as an alternative; and

WHEREAS, naloxone hydrochloride (hereinafter naloxone), an opioid antagonist, has successfully helped to reverse the potentially fatal respiratory depression caused by overdoses due to heroin, morphine, oxycodone, methadone, hydrocodone, codeine, and other opioids; and

WHEREAS, the use of naloxone by appropriately trained first responders and law enforcement officers to prevent the immediate loss of life due to an opioid overdose is encouraged. However, the use of naloxone cannot alleviate the long-term health and social consequences associated with opioid addiction or eradicate the crime that often supports an addict's drug habits; and

WHEREAS, the best approach to fighting opioid addiction, overdose, and death remains prevention through education, treatment, and vigorous law enforcement; and therefore, be it

RESOLVED, that the International Association of Chiefs of Police duly assembled at its 121st Annual Conference in Orlando, Florida, 2014, urges the law enforcement community to continue to emphasize the importance of education, treatment, and vigorous law enforcement as the primary tools for combatting opioid addiction, overdose, and death within our communities, while at the same time encouraging the use of naloxone to reverse the effects of opioid overdoses when required to save lives.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

Opposition to the Enactment of H.R. 4709 – Removing the Attorney General's Authority to Issue Immediate Suspension Orders Under the Controlled Substances Act

*Submitted by: Narcotics & Dangerous Drugs Committee
NDDC.017.T14*

WHEREAS, by passage of the Controlled Substances Act (CSA) over 40 years ago, Congress made the judgment that that the illegal distribution, and possession and improper use of controlled substances—including pharmaceutical controlled substances—have a substantial and detrimental effect on the health and general welfare of the American people; and

WHEREAS, the United States is in the midst of the most significant prescription drug abuse epidemic in our nation's history; and

WHEREAS, as a result of the ongoing prescription drug abuse epidemic, more Americans are becoming addicted to, and dying from, overdoses of prescription controlled substances than ever before; and

WHEREAS, the CSA requires all lawful distributors and dispensers of controlled substances to be registered with the Drug Enforcement Administration (DEA); and

WHEREAS, the current prescription drug epidemic is being fueled in large part by rogue DEA-registered distributors, pharmacies, and practitioners; and

WHEREAS, one of the critical tools created by Congress for preventing the diversion of pharmaceutical controlled substances is the immediate suspension order (ISO), which allows the Attorney General to immediately suspend a registration where he finds that doing so is necessary to prevent an imminent danger to the public health and safety; and

WHEREAS, H.R. 4709, passed by the United States House of Representatives in July 2014, would allow rogue DEA registrants to flood the illicit market with dangerous pharmaceutical controlled substances by effectively eliminating the Attorney General's authority to issue ISOs through the creation of a new definition of "imminent danger to the public health and safety" that is essentially impossible to prove; and

WHEREAS, the proposed new definition of "imminent danger" in H.R. 4709 requires a level of proof that is inconsistent with protecting the public health and safety; namely, that the registrant will distribute controlled substances with the intent that they be diverted; and

WHEREAS, the proposed new definition of "imminent danger" in H.R. 4709 fails to recognize that DEA registrants have a duty to take affirmative steps to prevent the diversion of controlled substances; and

WHEREAS, enactment into law of H.R. 4709 will likely increase the number of Americans who become addicted to, and die from the misuse of, pharmaceutical controlled substances; and therefore, be it

RESOLVED, that the International Association of the Chiefs of Police duly assembled at its 121st Annual Conference in Orlando, Florida, 2014, opposes the enactment of H.R. 4709 and urges the United States Senate and the White House to take all possible steps to prevent its enactment.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

**Supporting the Collection and Reporting of Data on THC Extraction Laboratories
to the Drug Enforcement Administration**

*Submitted by: Narcotics & Dangerous Drugs Committee
NDDC.018.T14*

WHEREAS, the state decriminalization, medicalization, and legalization of marijuana has led to a flooding of this substance into the public sector; and

WHEREAS, the increased access to marijuana has resulted in an exponential increase in the extraction of delta-9-tetrahydrocannabinol (THC), the psychoactive ingredient in marijuana; and

WHEREAS, the extraction of THC from marijuana allows drug traffickers to provide a higher potency, higher retail cost, unregulated, product to its consumers; and

WHEREAS, the end product has little odor and does not require a significant amount of ingredients, making detection of extraction laboratories and the end product more difficult; and

WHEREAS, the end product is easily portable and can achieve intense effects with small amounts, using a process that can consistently produce THC potency rates exponentially higher than those seen historically; and

WHEREAS, the end product, which resembles a honey-like or caramel-like substance, has also been found in electronic cigarettes and has retailed for as much as \$20–80/gram; and

WHEREAS, the lucrative nature of THC-extracted products (typically known as Hash Oil, Honey Oil, Butane Honey Oil (BHO), Dabs, Wax, or Ear Wax) has led to a proliferation of operations designed to expedite such extraction for repackaging and resale to the public; and

WHEREAS, these operations, or extraction laboratories (EL), have increased both the threat to public safety and to law enforcement; and

WHEREAS, state and local law enforcement agencies have reported an increase in EL seizures; and

WHEREAS, due to the use of extremely volatile and often colorless solvents that can accumulate on the floor to explosive levels and be easily ignited from static electricity, fan motors, discarded cigarette butts, or turning on a light, in combination with the potential of

mishandling the chemicals involved in making the product, and poor ventilation, the possibilities of fire or explosions is a high probability and an increasing reality; and

WHEREAS, such fires and/or explosions can cause heavy structural damage to immediate and surrounding buildings and present risk of serious bodily injury to first responders; and

WHEREAS, information concerning EL is vital to ensure the safety of law enforcement and to educate the public about the dangers of these products; and

WHEREAS, federal, state, local, and tribal law enforcement agencies (LEA) should collect and report data on EL seizures; and

WHEREAS, LEA will report pertinent EL data to a central repository at the Drug Enforcement Administration; and, therefore, be it

RESOLVED, that the International Association of Chiefs of Police, duly assembled at its 121st Annual Conference in Orlando, Florida, 2014, strongly supports law enforcement agencies collecting and reporting data on THC extraction laboratories to the Drug Enforcement Administration.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

IACP Support for the Rule of Law in Addressing Technology, Privacy and Public Safety

*Submitted by: IACP Board of Officers
BD.019.T14*

WHEREAS, law enforcement is the most visible component of the criminal justice system; and

WHEREAS, law enforcement commonly serves as the lead body in conducting a criminal investigation; and

WHEREAS, a community empowers and trusts law enforcement to impartially and fully investigate crime; and

WHEREAS, a criminal investigation is a search for the truth to charge the guilty and exonerate the innocent; and

WHEREAS, as services and technologies continue to evolve, law enforcement must retain the ability to lawfully obtain valuable evidence in a digital and/or electronic format; and

WHEREAS, law enforcement is faced with two overlapping challenges, to secure evidence from both lawfully authorized real-time interception data and court-ordered searches of stored data; and

WHEREAS, law enforcement must effectively compile and use this evidence to demonstrate to a court of competent jurisdiction the existence of probable cause that leads a reasonable person to conclude beyond a reasonable doubt that a definable criminal act has occurred, is occurring, or will occur and that the accused was the likely perpetrator; and

WHEREAS, the International Association of Chiefs of Police (IACP) has long recognized the importance of excellence in conducting criminal investigations; and

WHEREAS, the IACP continues to provide a broad spectrum of support to law enforcement through comprehensive research, model policies, issue papers, training, agency audits, public education and legislative initiatives all designed to improve and institutionalize the quality and integrity of criminal investigations across the law enforcement profession; and

WHEREAS, the IACP is a leader in forming and maintaining collaborative efforts as evidenced by continuing work with the communities, private sector businesses, academia and organizations to ensure excellence in public safety; and

WHEREAS, the IACP has a long history, dating to 1994, of assisting in the development and passage of balanced and thoughtful legislation such as the Communications Assistance for Law Enforcement Act (CALEA); now, be it

RESOLVED, the International Association of Chiefs of Police urges all law enforcement agencies, the information technology and communications industries as well as Congress and the President to embrace, support and adopt the enhancement of public safety through legislation and policies that will insure that technology providers have the technical ability to comply with lawful court orders to the same degree that other industries (banking, financial, etc.) are held and work with law enforcement to ensure the interests of the public's privacy and public safety are secure now and in the future.

FURTHER RESOLVED, an updated CALEA and the Electronic Communications Privacy Act (ECPA), as well as reasonable data retention regulations, should be pursued be used as foundational legislation to provide a balance that ensures safety and security; doesn't inhibit industry; and protects the rights of citizens.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

Support for the Non-Abolition of ATF

*Submitted by: International Policing Division Steering Committee
IPDSC.020.T14*

WHEREAS, the ATF provides valuable assistance to international law enforcement organizations through firearms tracing and identification; and

WHEREAS, ATF provides valuable explosive training and instruction to the international law enforcement community including training provided by the ATF National Center for Explosives Training and Research (NCETR), which is delivering a Homemade Explosives-Identification, Process, Disposal (HME-IPD) program in Europe; and

WHEREAS, the ATF provides critical assistance to international law enforcement organizations through its International Response Team (IRT), which responds to large scale international fires and bombings, such as the Israeli Embassy bombing in Argentina, the prison fire in Honduras, and the nightclub bombing in Bogota; and

WHEREAS, the ATF has played an important role in both domestic and international investigative operations, showing the quality of training and competency that the ATF is known for; and

WHEREAS, the ATF is recognized worldwide for its leadership and its expertise and consults with the global law enforcement community firearms experts to assist and solve major crimes; and

WHEREAS, the abolition of ATF is very likely to jeopardize the current crime-fighting capabilities established with partner law enforcement agencies around the world, with specific emphasis in the Caribbean and Central and South America; now, be it

RESOLVED, the IACP International Policing Division Steering Committee (IPDSC), which represents worldwide IACP interests through its diverse and global membership, strongly supports the need of maintaining the highest standard of credibility, training, support, and coordination provided by ATF among law enforcement agencies worldwide and strongly disagrees with H.R. 5522, the ATF Elimination Act, or any effort to abolish the ATF or transfer its functions.



INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

RESOLUTION

Adopted at the 121st Annual Conference
Orlando, Florida
October 21, 2014

Support for the National Move Over Initiative

*Submitted by: Highway Safety Committee
HSC.21.T14*

WHEREAS, the National Sheriffs' Association and the International Association of Chiefs of Police are concerned with the safety of law enforcement officers, firefighters, utility workers, and other emergency personnel as they perform their duties on our nation's roadways; and

WHEREAS, according to the Federal Bureau of Investigation's Law Enforcement Officers Killed and Assaulted, 1,715 law enforcement officers—17 percent—in the United States between 1987 and 2011 were victims of struck-by-vehicle incidents, i.e., at the time of their deaths they were conducting traffic stops or roadblocks, were directing traffic or assisting motorists, or were engaged in similar activities; and

WHEREAS, the National Sheriffs' Association was a founding member of the Move Over America initiative of 2007, working to save first responder lives, initiate or change state laws, and raise awareness of Move Over responsibilities of the motoring public; and

WHEREAS, in an effort to safeguard law enforcement officers, firefighters, utility workers, and other emergency personnel whose duties require them to utilize the roadside, all 50 states have enacted Move Over legislation that typically requires motorists to either change lanes or slow down when approaching a law enforcement or emergency services vehicle that is parked or stopped on the roadside; and

WHEREAS, the effectiveness of this legislation in every state is compromised by motorists' being unaware of the existence of these statutes, as is demonstrated by a national poll sponsored by the National Safety Commission, in 2007, that found that 71 percent of U.S. residents had not heard of such legislation; and

WHEREAS, the #MoveOver campaign reached more 29 million Twitter streams and initiated similar posts and videos on other social media sites including Facebook and YouTube from May 13 to May 20, 2014; and

RESOLVED, that the National Sheriffs' Association and the International Chiefs of Police support the increased enforcement of Move Over legislation; and

FURTHER RESOLVED, that the National Sheriffs' Association and the International Association of Chiefs of Police support international efforts to ensure the roadside safety of law

enforcement officers, firefighters, utility workers, and other emergency personnel in countries around the world.