

IACP

POLICY PRIORITIES

for the *115th* U.S. Congress



About the IACP

The International Association of Chiefs of Police (IACP) is a professional association for law enforcement worldwide. For more than 120 years, the IACP has been launching internationally acclaimed programs, speaking on behalf of law enforcement, conducting groundbreaking research, and providing exemplary programs and services to members across the globe.

Today, the IACP continues to be recognized as a leader in these areas. By maximizing the collective efforts of the membership, IACP actively supports law enforcement through advocacy, outreach, education, and programs.

Through ongoing strategic partnerships across the public safety spectrum, the IACP provides members with resources and support in all aspects of law enforcement policy and operations. These tools help members perform their jobs effectively, efficiently, and safely while also educating the public on the role of law enforcement to help build sustainable community relations.

About IACP's Policy Priorities

The following policy priorities have been designated as the global issues most important to the association. These policy priorities were developed by the IACP governing body, with input from the law enforcement field. This document is meant to aid IACP members in discussions with elected officials regarding key criminal justice related issues.

ESTABLISHMENT OF A NATIONAL CRIMINAL JUSTICE COMMISSION

For more than 20 years, the IACP has advocated for the creation of a commission that would follow in the footsteps of the 1965 Presidential Commission on Law Enforcement and the Administration of Justice. The 1965 commission produced 200 specific recommendations involving federal, state, and local governments; civic organizations; religious institutions; business groups; and individual citizens that were intended to create a safer and more just society.

The IACP believes that the work and recommendations of that commission marked the beginning of a fundamental change in U.S. law enforcement methods for dealing with crime and the public and built the framework for many of the highly effective law enforcement and public safety initiatives that have been in place since that time.

Today, law enforcement agencies are faced with unprecedented challenges, and, for far too long, our nation's law enforcement and criminal justice system has lacked a strategic plan to guide an integrated public safety and homeland security effort in the years ahead.

It is for these reasons that the IACP strongly supports the establishment of a National Criminal Justice Commission to conduct a comprehensive examination of all aspects of the criminal justice system including, but not limited to, the prevention of crime, law enforcement, community-police relations, prosecution, defense, corrections, and offender reentry.

In conducting this critical review, the commission would have the opportunity to examine and develop recommendations addressing the broad range of new and emerging challenges that confront law enforcement today—from cybercrime to non-traditional organized crime, from violent street gangs to homeland security. In addition, the commission would be charged with reviewing the impact, difficulties, and opportunities that are presented to the criminal justice community by technological innovations.

The United States needs a strategic plan that embraces the reality that protecting our communities depends on our ability to fight both crime and terrorism while maintaining community policing concepts. It is the IACP's belief that establishing a national commission is the vital, first step in this process.

Action Step:

- Support legislation similar to the National Criminal Justice Commission Act (S. 1119/H.R. 2330) that was introduced in the 114th Congress.

COMMUNITY-POLICE RELATIONS

Law enforcement leaders across the United States strive daily to build strong, trusting community-police relationships. Although many departments have made great strides in community policing, it is clear that more needs to be done. True change in the area of perceived or real social injustice will take time and commitment from the police profession and their communities, as well as lawmakers and other elected officials.

Recent events are a strong reminder that we must never be complacent in our efforts to sustain trust across police and the communities they serve. We must continue to reevaluate, recommit, and renew our focus on sustaining trusting relationships with all segments of the community.

Action Steps:

- Support and provide funding for the creation of a National Criminal Justice Commission to review and evaluate all components of the criminal justice system for the purpose of making recommendations to the country on comprehensive criminal justice reform.
- Provide funding support for the creation, growth, and sustainment of the FBI use-of-force data collection effort and the collection of data through the National Incident-Based Reporting System (NIBRS). Additionally, support local data collection initiatives, state-level data collation efforts, and, ultimately, the management of the data at the national level.
- Provide support for Crisis Intervention Team (CIT) training and implementation in state and local agencies.
- Provide funding to support current police officers with tuition reimbursement to further their education and enhance their existing skills as dedicated career law enforcement personnel.
- Provide adequate funding for grant programs that enhance law enforcement's ability to effectively reduce crime, ensure officer safety, and bolster the capacity of law enforcement agencies so they can continue to build trust and promote transparency with the community. Programs include, Byrne-JAG, COPS hiring, grants for equipment such as body-worn cameras, and the Bulletproof Vest Partnership Act.
- Fund efforts for a public service announcement (PSA) campaign that would enhance understanding between law enforcement agencies and their communities.

USE OF FORCE AND DATA COLLECTION

The IACP is a staunch supporter of the collection of national data on police and suspect use of force. From 1998 to 2000, the IACP, in partnership with the National Institute of Justice and the Bureau of Justice Statistics, designed and implemented the first ever pilot national database on police and suspect use of force. At the end of this pilot effort, over 400 agencies had contributed data to the database, yielding critical information on thousands of citizen and police encounters. The IACP allocated significant funding to keep the database active after federal funding support was discontinued. Unfortunately, the slow growth of the number of contributing agencies caused the IACP to disband the effort by 2002. Since that time, it is important to note that many of the 18,000 state, county, and local law enforcement agencies have continued to collect use-of-force data and in many cases share those data with their communities.

It is evident that a national need exists to continue to collect data on the use of force both by and against police. It is an embarrassment that these data are currently being kept only via open source data by the media. The absence of a national database on police and subject use of force, in today's environment is untenable, and action is required.

The IACP supports the work of the FBI Use of Force Data Collection Task Force. The task force, which comprises law enforcement leadership organizations and other federal agencies, has already made solid progress in the design of a new database model.

Action Steps:

- Support funding efforts for the creation, growth, and sustainment of a national database. Funding is needed to support local data collection initiatives; state-level data collection efforts; and, ultimately, the management of the data at the national level.
- Support legislative proposals and efforts that include both the collection of data on the use of force by police and against police.

ENSURE ADEQUATE FEDERAL FUNDING ASSISTANCE FOR STATE, LOCAL, AND TRIBAL LAW ENFORCEMENT

Law enforcement officers are continually expected to do more with less resources. Federal funding assistance distributed through competitive and formula grants are a vital resource to the law enforcement agencies that are responsible for safeguarding communities.

Unfortunately, there has been a steady decline in funding for federal government assistance programs due to the increase in assistance to state, local, and tribal local law enforcement.

The following grant programs are essential to law enforcement agencies, and the IACP supports providing adequate funding to these valuable programs.

Department of Justice

- **Edward Byrne Memorial Justice Assistance Grant (Byrne-JAG):** 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. 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 proposals that would restrict the flexibility of this program.
- **Community Oriented Policing Services (COPS) Program:** Since its inception, the COPS program has provided law enforcement agencies with the resources necessary 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 not only to hire and retain police officers, but also to ensure that they are well trained, well equipped, and positioned to safeguard citizens.
- **Bulletproof Vest Partnership Grant Act:** The IACP supports legislation to reauthorize and fund the Bulletproof Vest Partnership Grant Act that has enabled the purchase of more than a million vests for law enforcement officers throughout the United States.

- **Violence Against Women Act (VAWA):** IACP supports funding of programs and initiatives to address issues surrounding domestic violence, dating violence, sexual assault, and stalking.
- **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, 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 this program that seeks to improve the quality and timeliness of forensic laboratory services.

Department of Homeland Security

- **Federal Emergency Management Agency Preparedness Grants:** Preparedness grant programs through the Department of Homeland Security's Federal Emergency Management Agency (FEMA), such as the State Homeland Security Grant Program (SHSGP), Urban Area Security Initiative (UASI), Port Security Grant Program (PSGP), and Transit Security Grant Program (TSGP), are essential resources to aid state, local, tribal, and territorial governments, as well as transportation authorities, as they work to improve the nation's readiness in preventing, protecting against, responding to, recovering from, and mitigating terrorist attacks, major disasters, and other emergencies.

Action Steps:

- Fully fund critical programs outlined above in the Department of Justice and the Department of Homeland Security Budgets.
- Oppose any congressional proposals or federal regulations that would withhold grant funds as a penalty for noncompliance with federal criminal justice policies.
- Oppose any legislation that would restrict the flexibility of current grant programs.
- Oppose the consolidation of grant programs.

REDUCE FIREARMS VIOLENCE AND TARGET ILLEGAL GUNS

Gun violence is not a new issue—it is a continuing tragedy that destroys innocent lives, families, and communities. Ranging from random shootings and suicides to retaliatory assaults and targeted mass killings, violence committed with firearms universally challenges law enforcement and taxes resources. It is also taking a toll on our nation's law enforcement officers, who risk their own lives to protect the public.

A comprehensive approach is needed in order to prevent further gun violence in our communities.

Action Steps:

- Support legislation and policies that prohibit the sale or transfer of armor piercing ammunition.
- Support legislation that expands background checks, and require background checks for all firearm purchasers.
- Limit high-capacity ammunition magazines to 10 rounds.
- Support legislation that strengthens penalties for straw purchasing and make firearms trafficking a federal crime.
- Support legislation to create a mandatory five-day waiting period prior to the completion of a handgun purchase.
- Oppose any federal legislative proposals that would either preempt, mandate, or both preempt and mandate the liberalization of individual states' carrying a concealed weapon (CCW) laws pertaining to the carrying of concealed weapons in other states without meeting that state's requirements.
- Support legislation to prohibit the mail order sale of bulletproof vests and body armor to all individuals except sworn or certified law enforcement officers.
- Support legislation that increases resources to better allow state, local, and tribal law enforcement agencies and the U.S. Department of Justice to enable greater prosecution of individuals for Brady Act violations.
- Support 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.
- Support 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.
- Oppose any legislation that would limit or reduce the ability of U.S. law enforcement agencies to combat the sale of illegal guns.

TERRORISM PREVENTION

The global threat of terrorism is evolving. Years of concerted effort on behalf of law enforcement and military forces have appeared to reduce the capabilities of terrorist organizations to mount large-scale 9/11-like attacks and have instead led them to shift their tactics to lone wolf, self-radicalized violence.

Communities of all sizes are dealing with groups that espouse violent interpretations of their beliefs, radicals hoping to identify and groom new recruits, and individuals who radicalize to violence. Because of this new reality, it is more important than ever before that law enforcement leaders are given the tools they need to incorporate successful strategies to counter violent extremism (CVE) and prevent acts of terrorism from taking place.

Action Steps:

- Provide funding for the Law Enforcement Terrorism Prevention Program (LETP).
- Provide funding for the National Fusion Center Network.
- Support funding for the Regional Information Sharing Systems Program.
- Support funding for the National Data Exchange System.
- Support the inclusion of cybercrime reporting to the Uniform Crime Reporting system.
- Support funding for Federal Emergency Management Agency Preparedness Grants.
- Oppose any proposal to consolidate the current suite of homeland security grant programs into one program.
- Reject any proposal that eliminates the mandatory 25 percent LETP component for the Urban Areas Security Initiative (UASI) and the State Homeland Security Grant Program (SHSGP).
- Support a “carve out” for the law enforcement community equal to or greater in size to the current 25 percent LETP. This carve out would be similar to how 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).

BARRIERS TO ACCESS ELECTRONIC EVIDENCE

Access to interconnected mobile devices and other advanced communications systems has transformed how we live, work, and communicate, enabling global communication with the touch of a finger to a smartphone screen. This interconnectivity has also provided a new tool for criminals and created new challenges for law enforcement investigators. The issue of “Going Dark”—law enforcement’s decreasing ability to lawfully access and examine digital evidence at rest and evidence in motion due to technical and non-technical barriers—is increasingly placing public safety at risk.

The expansion of communications technology means that crime scenes—the ones that state and local law enforcement respond to every day—are much more complex than ever before. Crime scenes from homicides, kidnappings, assaults, and incidents of domestic violence—crimes that impact thousands of victims, families, and communities annually—now more often than not, include digital communications evidence. The “footprints” left at the “scene” are no longer just physical pieces of evidence, but digital traces that can be accessed from anywhere in the world through smartphones or computers. These are the modern-day fingerprints that law enforcement uses to uncover offenders and increase public safety. Law enforcement needs access to digital information to solve crimes, locate perpetrators, protect victims, and ensure successful prosecutions.

Not only does law enforcement lack the technical ability to access communications and information pursuant to a lawful court order, but industry is also, by design, incapable of accessing or retrieving the information. This inability to access digital communications data not only inhibits access to evidence in federal criminal and terrorism cases, but also keeps state and local law enforcement from being able to do their job. The ability of the police to build criminal cases is dependent on discovering facts and evidence that will identify the person(s) responsible for the crime. Technologies and strategies that keep them from accessing digital evidence when legally authorized are putting public safety at risk.

Action Steps:

- Update the Electronic Communications Privacy Act (ECPA) to provide for immediate compliance when law enforcement certifies an imminent threat to life and safety.
- Support a federal penalty for carriers and manufacturers that fail to comply with a lawful request for assistance.
- Include a clear definition of exigent circumstances and emergencies in any legislative proposal.

COMBAT ILLEGAL NARCOTICS

Communities throughout the United States face issues related to substance abuse every day. The rise in prescription drug abuse, increased heroin addiction, the movement by some states to legalize medical and recreational marijuana, and the emergence of new drugs add to this problem. Substance abuse within communities also precipitates other problems, such as individuals committing crimes to fuel their addictions. And finally, jails—where many drug-addicted individuals end up—are not always the appropriate place to provide services for individuals going through withdrawal or the recovery process.

In addition, the growing violence and economic power of criminal organizations and terrorist groups that engage in the production, traffic, and distribution of drugs are extremely alarming and pose a threat to many communities.

Action Steps:

- Provide funding for the Comprehensive Addiction and Recovery Act (P.L. 114-198).
- Oppose efforts to legalize, decriminalize, declassify, or classify as a medical substance any illegal drug—including marijuana.
- Provide funding to support naloxone being made available to first responders to help minimize the number of deaths that occur from overdoses on heroin, morphine, oxycodone, methadone, hydrocodone, codeine, and other opioids.
- Enact laws clarifying that the presence of any illegal drug in a driver's body is per se evidence of impaired driving.
- Support anti-drug efforts that blend drug enforcement, drug education, and drug treatment.
- Fully fund all federal agencies involved in combating drug crime.
- Fully fund High Intensity Drug Trafficking Area Programs.
- Support efforts for a unified Prescription Drug Monitoring Program to combat prescription drug abuse.

SENTENCING AND CORRECTIONS REFORM

The safety of communities is the paramount priority for law enforcement, and that concern includes keeping violent offenders off the streets and working with prior offenders on rehabilitation efforts so that when they are released they return as productive and upstanding citizens.

It is imperative that any criminal justice reform movement be thoughtful and achieve a proper balance of preserving and expanding mandatory minimums for violent offenders and career criminals, while reducing recidivism and addressing the burgeoning prison population.

Action Steps:

- Proposals should include language that would create a National Criminal Justice Commission to perform a comprehensive review of the state of the entire U.S. criminal justice system, seek out areas of weakness and inefficiency, and develop solutions to help provide a strategic plan to combat crime and promote public safety. Support legislation similar to the Sentencing Reform and Corrections Act of 2015, S. 2123.
- Legislative proposals should not include any provision that would reduce the enhanced mandatory minimum for firearms offenses or make changes to the Armed Career Criminal Act. Any savings accrued from modifications to federal sentencing should be reinvested into efforts by federal, state, and local law enforcement and prosecutors.
- Fund programs and efforts to reduce recidivism including job training, educational opportunities, and mentoring services.
- Include language in any proposal that ensures that before being eligible for any safety valve provision, all pertinent information will be gathered, particularly information from local authorities who are at the forefront of local community safety. Suggested language is as follows, “the government shall conduct a particularized inquiry of the facts and circumstances of the original sentencing of the defendant in order to assess whether a reduction in sentence would be consistent, including a review of any prior criminal conduct or any other relevant information from federal, state, and local authorities.”

ASSET FORFEITURE

For over 30 years, the Asset Forfeiture Program has allowed law enforcement to deprive criminals of both the proceeds and tools of crime. The resources provided by the equitable sharing program have allowed agencies to participate in joint task forces to thwart and deter serious criminal activity and terrorism, purchase equipment, provide training, upgrade technology, engage their communities, and better protect their officers.

Action Steps:

- Oppose any proposal that eliminates or reduces the equitable sharing program.
- Proceed with caution when making any procedural changes to the way the civil asset forfeiture program operates, such as allowing a claimant to demand an initial hearing to challenge the probable cause supporting the seizure, even when that probable cause already has been found by a grand jury or a court.

HIGHWAY SAFETY

For most of the citizens that law enforcement agencies are sworn to protect, the greatest threat to their safety comes from traveling in a vehicle.

According to data from the National Highway Traffic Safety Administration (NHTSA), in 2014, 29,989 people were killed in an estimated 6,064,000 police-reported motor vehicle traffic crashes. NHTSA's data also show that, in 2014, an estimated 2,338,000 people were injured on U.S. roadways. Injury crashes can have a far-reaching impact including wage loss and medical costs.

Tragically, these fatalities and injuries are, to a great extent, preventable. Crucial risk factors such as speeding; distracted driving; not wearing seat belts or using child restraints; poor road design; and, most critically, driving under the influence of alcohol or drugs can be reduced and even eliminated.

That is why effective highway safety enforcement programs are so vital to our efforts to protect our communities.

Action Steps:

- Provide funding to support the National Highway Traffic Safety Administration.
- Implement incentive grants for states that pass progressive highway safety laws and achieve specific performance goals and use the threat of reduction in federal highway funding only as a last resort.
- Oppose any federal effort that would legalize, decriminalize, declassify, or classify as a medical substance any currently illegal drug—including marijuana. The public safety risks heavily outweigh any purported benefits legalizing drugs may have.
- Support the development of a National Registry of Commercial Drivers that would be available to licensing agencies, law enforcement, and the motor carrier industry.





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