



**NATIONAL ASSOCIATION OF POLICE ORGANIZATIONS, INC.**

*Representing America's Finest*

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## **Testimony of William Johnson**

**Executive Director, National Association of Police  
Organizations**

**“Officer Safety & Wellness Listening Session”  
President’s Task Force on 21<sup>st</sup> Century Policing**

**Newseum  
Washington, D.C.**

**February 23, 2015**

Professor Robinson, Commissioner Ramsey, and members of the Task Force, thank you for inviting me to speak today. My name is Bill Johnson, and I serve as the Executive Director of the National Association of Police Organizations, "NAPO". NAPO represents over 241,000 sworn law enforcement officers from across the country and I am here today to testify on behalf of NAPO's members.

I especially appreciate this opportunity to provide information to you on the topic of "Officer Safety and Wellness," as our members' safety and wellness will be significantly impacted by this panel's recommendations. Our members, rank-and-file police officers from across the United States, continue to perform their duties admirably in the most dangerous environments. They deserve every resource available to stay safe and in good health while working under extremely difficult circumstances.

Due to time limitations, I will focus my remarks on: workplace due process; labor/management partnerships; safety equipment; and officer stress. I hope we can continue this dialogue later, as these important topics deserve a prolonged and robust conversation.

To begin, NAPO continues to fight for a nationwide law enforcement officer bill of rights to ensure procedural due process for our law enforcement officers. Due to the enormous responsibilities they exercise, sworn law enforcement officers are held to an extremely high standard of personal and professional conduct. However, many officers are denied the same basic due process rights that other citizens enjoy.

Throughout the country, many states lack coherent guidelines and procedures for law enforcement departments to follow to protect law enforcement officers' due process rights when they are under investigation. In fact, in only about half of the states, do officers enjoy some legal protections against false accusations and abusive conduct. This leaves hundreds of thousands of officers with limited or no due process rights. Officers, like any other persons, can be expected to treat others the way they are treated themselves. If officers are consistently exposed to a corrosive climate of suspicion, distrust, second-guessing and heavy-handed or arbitrary discipline, then we cannot feign surprise when those same officers accrete a similar worldview of

the social environment outside the department. On the other hand, everyone benefits when a sense of fairness, mutual respect, and benefit of the doubt is recognized as not just being expected *from* officers, but as being owed *to* them as well.

A law enforcement officer bill of rights would require that law enforcement departments establish effective procedures for receipt, review, and investigation of complaints against law enforcement officers. If disciplinary action is foreseeable, officers would be notified of the investigation, the nature of the complaint, and the recommendations of the investigators. Furthermore, officers would be guaranteed the right to reasonable limits on time, duration and location of interrogations. The imposition of discipline would be reviewable by a neutral third party. The officer would also enjoy the same right to counsel that other citizens in our nation expect and enjoy.

These are basic rights of a citizen in a free society that fairness demands must be afforded to police officers as well. In addition, implementing a law enforcement officer bill of rights, with its attendant processes for the receiving and handling of complaints, would assure individuals that management takes community concerns seriously and conducts fair inquiries. This would bring transparency to the process, and assist in the development of trust between police officers, their employing agencies, and the communities they serve.

**Recommendation: Establish a national law enforcement officer bill of rights to ensure procedural due process.**

Additionally, it is critical for management to effectively communicate goals and initiatives, as well as understand the rank-and-file perspective. The mutual communication of these goals and perspectives can be most efficiently achieved through the medium of recognized unions and associations. It is difficult to build trust when unions and associations are demonized and belittled. If the union leadership were not accurately conveying the views of the officers on the street, they would be swiftly ousted by their own membership. It is therefore both wise and practical for agency management to recognize, and work with, the representatives of the rank-and-file officers, who are actually carrying out the policies of the agency.

**Recommendation: Encourage agency leaders and the public to recognize and take advantage of the benefits of police unions and associations.**

Moreover, it is important to the life of any police organization to develop and select leaders from the rank-and-file. Simply by virtue of the job they do, they understand better than anyone else many of the challenges that are faced by officers in the communities they serve. Selecting leaders from the rank-and-file will contribute to effective labor/management partnerships in the future. An effective partnership between labor and management can allow an environment of mutual respect and understanding to thrive, which will be translated to work in the field.

**Recommendation: Select leaders from the agency's own rank-and-file, as these officers have the best understanding of the challenges faced in their communities, as well as the most promising methods of building mutual trust.**

As our officers work to build relationships with their communities, they must be provided every protection necessary to ensure their safety. NAPO has worked tirelessly to reauthorize and fully fund the Bulletproof Vest Partnership (BVP) grant program. As members of this panel are aware, the BVP program helps state and local law enforcement agencies purchase bullet resistant body armor for officers working in the field. While many officers are protected by bullet-resistant body armor, an alarming number of officers, many in small departments across the United States, are not afforded this same protection due to local budget constraints. This program must be reauthorized and fully funded in order to ensure officers are equipped and protected as they perform duties in very dangerous environments, where individuals are increasingly willing to attack officers.

**Recommendation: Ensure every officer is equipped with properly fitted and current body armor.**

NAPO recognizes that the Department of Justice, in funding the purchase of body armor, requires receiving agencies to have on the books a "mandatory wear" policy. Similarly, most if not all agencies also have in place policies requiring the use of seat belts whilst operating vehicles. Obviously, NAPO supports the goal of greater use of body armor and seatbelts. However, it is important to note that even a "mandatory" policy does not and should not be

equated with a “zero tolerance” method of enforcing that policy. No one of us is smart enough to conceive of every possible circumstance in which an officer will find herself. There are some circumstances where it is reasonable for an on-duty officer to remove her seatbelt or body armor. Cases we have seen, and which quickly come to mind, include the situation where a wounded officer cannot survive the wait for an ambulance, and other officers place their wounded comrade in a police car and quickly drive him to the nearest emergency room, providing direct pressure on the gunshot wounds the whole way. The officers providing first aid could not physically do so if they were confined by the normal wearing of seat belts. The policy is technically violated, but it would clearly be unjust to enforce it in such a circumstance. Similarly, an officer removes his body armor vest and dives into a harbor to save a drowning woman. Keeping the vest on would impair his own ability to swim. Again, technically the policy is violated, but justice would require recognition that a higher goal is served thereby.

Finally, failure to wear a bullet resistant vest or seatbelt should not impact a surviving family member’s ability to receive Public Safety Officers’ Benefits Act (“PSOB”) death benefits. The purpose of the PSOB is to provide sustenance for the surviving family members of an officer killed in the line of duty, not to discipline an already deceased officer, nor to attempt to deter by fear other officers from violating a local policy. The better approach, NAPO believes, would be to amend the PSOB policy to provide that when an officer loses his or her life, and was in compliance with vest and seat belt usage policies, the death benefit would be enhanced for the survivors. This would help achieve the goal of utilization of safety equipment, while at the same time not penalizing innocent survivors for the failures of a now-dead family member.

**Recommendation: Officers’ families should not be penalized by the inappropriate application of mandatory wear policies.**

NAPO is also working to expand the PSOB program to include coverage if an officer’s death resulted from the effects of Post Traumatic Stress Disorder (PTSD). Officers are forced to deal with a career’s worth of human misery, weakness and sorrow. The abused child, the adolescent rape victim, the mother killed by a drunk driver, the baby hit by stray bullets, the grandmother beaten half to death for a few dollars. These aren’t stories in the news for the officers involved. They do not have the luxury of turning away, they have to respond to the situation and take

responsibility for it. This is what passes for “normal” in their work world. The work that officers do each day and the environments in which they are placed take a huge toll on the human mind, body, and soul. Many of our officers suffer from PTSD. While we continue to work diligently to ensure these officers receive the help, treatment, and support they need, if an officer’s death is the result of PTSD, that officer’s family should receive PSOB death benefits.

**Recommendation: An officer’s family should receive PSOB death benefits if the officer’s death was a result of PTSD.**

I appreciate the opportunity to share these insights with you, and urge you to carefully consider them moving forward, as our officers will be impacted by your recommendations more than any other group. I look forward to answering your questions.