

THE INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE



LEGISLATIVE AGENDA FOR THE 110TH CONGRESS

The International Association of Chiefs of Police

Founded in 1893, the IACP is the world's oldest and largest association of law enforcement executives, representing over 20,000 members in 100 countries.

The goals of the IACP are to advance the science and art of police services; to develop and disseminate improved administrative, technical and operational practices and promote their use in police work; to foster police cooperation and the exchange of information and experience among police administrators throughout the world; to bring about recruitment and training in the police profession of qualified persons; and to encourage adherence of all police officers to high professional standards of performance and conduct.

A core strength of the IACP is the unity with which it speaks on behalf of its members and the law enforcement profession. In an effort towards inclusiveness and brevity in addressing the broad scope of the police family, the following demographics are implied and considered when the phrase, "state, local and tribal" or "law enforcement" is employed. University and college; state and provincial; municipal; county; federal; Indian Country; public transit; marine; railroad; environmental; military; park police; capitol police; the various special investigative branches of prosecutorial agencies; and any legislatively authorized duly sworn and certified law enforcement agency.

Since 1893, the International Association of Chiefs of Police has been serving the needs of the law enforcement community. Throughout those past 100-plus years, the IACP has been launching historically acclaimed programs, conducting ground-breaking research and providing exemplary programs and services to our membership across the globe.

Professionally recognized programs such as the FBI Identification Division and the Uniform Crime Records system can trace their origins back to the IACP. From spearheading national use of fingerprint identification to partnering in a consortium on community policing to gathering top experts in criminal justice, the government and education for summits on violence, homicide, and youth violence, the IACP has realized our responsibility to positively effect the goals of law enforcement.

In light of this responsibility, the Executive Committee of the International Association of Chiefs of Police met to establish the association's legislative priorities for the 110th Congress. The following priorities have been designated by the Executive Committee as those most important to the association at the beginning of this Congress. As additional issues of interest to the IACP arise, the Executive Committee will establish positions on them.

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LAW ENFORCEMENT ACTION AGENDA

The section below provides a concise overview of IACP's top legislative priorities for the 110th Congress. Following this section a broader overview of the IACP's viewpoint on a wide range of issues of importance to the law enforcement community is provided.

Both sections include recommendations for congressional action.

□ **Establish a Law Enforcement and Terrorism Prevention Trust Fund**

The IACP is very concerned that the debate over funding for the various law enforcement and homeland security assistance programs has become increasingly partisan over the past several years. The IACP believes that this issue is too important to the safety of our communities and our nation to allow political differences to delay or reduce funding. Law enforcement and other public safety agencies must receive the resources they need to ensure that they have the equipment, assets, training, and manpower necessary to fulfill their mission.

For these reasons, the IACP urges Congress to adopt an approach similar to that used to combat crime in the early 1990s. As part of the 1994 Crime Bill, Congress established the Violent Crime Reduction Trust Fund, which set aside more than \$30 billion to fund the law enforcement assistance programs and other anti-crime initiatives created in the 1994 bill. This trust fund provided the law enforcement community with a consistent funding stream during the late 1990s. By designating these funds for crime control programs, Congress insulated these programs from both partisan politics and the budget cuts faced by other programs as the federal government strove to balance the budget.

□ **Fully Fund the Byrne Justice Assistance Grant Program at \$1.1 Billion**

The Byrne Justice Assistance Grant (JAG) Program provides funds to assist states and units of local government in controlling and preventing drug abuse, crime, and violence, and in improving the criminal justice system. The value of this program can be seen by examining the success of one of the most popular uses of Byrne JAG funds, multi-jurisdictional drug task forces. These multi-jurisdictional task forces help reduce the impact of drug and firearm traffickers, gangs, pharmaceutical diversion, and organized crime on America's communities. According to data compiled by the National Criminal Justice Association for the 2004 grant year, task forces funded in part by Byrne-JAG were responsible for:

- 1) 54,050 weapons seized;
- 2) 5,646 methamphetamine labs seized;
- 3) \$250 million in seized cash and personal property (does not include the value of narcotics seized);
- 4) Massive quantities of narcotics removed from America's streets, including:
 - 2.7 million grams of amphetamines/methamphetamine;

- 1.8 million grams of powder cocaine;
- 278,200 grams of crack;
- 73,300 grams of heroin;
- 75 million cultivated and non-cultivated marijuana plants;
- 27 million kilograms of marijuana.

□ **Fully Fund the Community Oriented Policing Service (COPS) Program at \$1.05 Billion**

Since its inception, the COPS program has provided law enforcement agencies with resources necessary to allow law enforcement agencies to mount effective anticrime programs, which also serve as effective antiterrorism programs. Since 1994, more than 13,000 of the nation's 18,000 law enforcement agencies have utilized 36,000 grants from the COPS Office. Some of the areas these funds have supported include:

- Assisting law enforcement agencies in the hiring of more than 118,000 officers. Of this total, 6,500 have been school resource officers;
- Providing more than 36,000 Technology Grants to help law enforcement agencies procure advanced technologies such as in-car computers and cameras, computer-aided dispatch systems, and laptop computers;
- Providing more than \$257 million to help local law enforcement agencies improve interoperable communication;
- Providing more than \$385 million to help state and local law enforcement combat methamphetamine and clean-up methamphetamine lab sites.

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

□ **Fully Fund the Law Enforcement Terrorism Prevention Program (LETPP) at \$500 Million**

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

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

enforcement officials believe the need to build response and recovery capabilities are secondary to the need to build our capacity to prevent terrorist attacks from happening.

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

□ **Promote Information and Intelligence Sharing**

In the United States, there are more than 700,000 officers who patrol our state highways and the streets of our communities daily. During the past 15 years, these officers and the law enforcement agencies they serve have made tremendous strides in reducing the level of crime and violence in our communities. This has been accomplished in part because these officers have an intimate knowledge of their communities and because they have developed close relationships with the citizens they serve. The IACP believes that as a result of their daily efforts to combat crime and violence, state, tribal, and local law enforcement officers are uniquely situated to identify, investigate, and apprehend suspected terrorists.

This central truth has been demonstrated on numerous occasions. Incidents such as the pre-attack traffic stops of September 11 hijackers Muhammad Atta, Ziad Samir Jarrah, and Hani Hanjour demonstrate that local law enforcement officers may encounter suspected terrorists in the course of their routine duties, while the arrests of individuals such as Timothy McVeigh and Eric Rudolph highlight the often critical role that local law enforcement officers play in the apprehension of terrorists

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

As part of this effort, the IACP calls on Congress to strongly support the Information Sharing Environment (ISE) Implementation Plan recently submitted by the Office of National Intelligence (ONI). The IACP believes that the ISE plan is a major step forward in intelligence integration and will allow the law enforcement community to better detect, disrupt, and prevent future acts of terrorism.

The IACP is particularly pleased that the ISE plan emphasizes the vital role that state, local, and tribal law enforcement must play in the development and dissemination of critical intelligence. This reinforces the IACP's longstanding belief that only through

effective information sharing can we hope to ensure that our hometowns and homeland are safer.

Establish a National Commission on Law Enforcement and the Administration of the Justice

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Recently, concerns over highly publicized incidents of use of force, racial profiling, corruption, and instances of unethical behavior of police officers and executives have laid the groundwork for many of our citizens to believe that these problems are widespread and deeply rooted. The concerns of our citizens encompass not only law enforcement but all the participants in the criminal justice system - to the courts, to prosecutors and corrections and probation officials. For all of these elements to perform in an effective manner that ensures justice and leads to orderly and peaceful communities, there must exist a trusting and confident relationship with all of our citizens in every part of the country.

In 1965, President Lyndon B. Johnson established the Commission on Law Enforcement and Administration of Justice recognizing, as he said, “the urgency of the nation’s crime problem.” The Commission labored for a year and a half, producing 200 specific recommendations involving federal, state, tribal, and local governments, civic organizations, religious institutions, business groups, and individual citizens that were intended to create a safer and more just society.

It is the IACP’s view that the work of the 1967 Commission, embodied in its report, “The Challenge of Crime in a Free Society,” was indeed effective. The commission and its recommendations marked the beginning of a sea change in our methods for dealing with crime and the public and built the framework for many of the exemplary programs that continue today.

It is IACP’s view that the time has come, once again, to create a national commission to conduct a comprehensive review of law enforcement and the administration of justice in the United States and to provide the nation with a measured response to crime and the threat of terrorism. It is our hope that the commission’s recommendations would serve to ensure justice, to maintain order and peace, increase both our hometown and homeland security, and to secure a trusting and confident relationship between all Americans and their criminal justice system.

The IACP believes that this commission should adopt the following principles to guide its work:

- The commission should include all of the elements of the criminal justice system in its examination;
- The commission should be comprised of individuals from within and outside the criminal justice system and that every effort be made to include – and to hear from every stakeholder in this process – individuals with the broadest possible perspective on the areas selected for review and concentration;

- ❑ The commission must be given all the resources it needs to conduct a rigorous and thorough investigation and that it be given sufficient time to conduct an exhaustive review;
- ❑ The commission should, as part of its review, study the threats, challenges, and opportunities created by these significant advances in technology over the last 30 years;
- ❑ The commission examination should be conducted in a thoroughly non-partisan manner.

❑ **Enhance Police Recruitment & Retention**

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

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

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

❑ **Reform the Communications Assistance for Law Enforcement Act (CALEA)**

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

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

The IACP urges Congress and the Administration to support legislative amendments to the Communications Assistance for Law Enforcement Act (CALEA) to ensure that the

digital telephony infrastructure contain the features necessary for law enforcement to successfully perform court authorized wiretaps. The IACP believes that carriers must be required to install, deploy and make available to law enforcement a CALEA solution to assist with lawfully authorized electronic surveillance of telecommunication services prior to or concurrent with the release of communications products to the public

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

□ **Reestablish the Assault Weapons Ban**

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

Assault weapons are routinely the weapons of choice for gang members and drug dealers. They are regularly encountered in drug busts and are all too often used against police officers. In fact, one in five law enforcement officers slain in the line of duty between January 1, 1998, and December 31, 2001, was killed with an assault weapon.

The IACP has been a strong supporter of the assault weapons ban since 1992, and our membership approved a resolution calling for its reauthorization at our 2003 conference. The membership took this action because we, as law enforcement executives, understand that semiautomatic assault weapons pose a grave risk to our officers and the communities they are sworn to protect.

□ **Establish a Certified Officers Clearinghouse**

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

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

officer could be divulged, accessed, and reviewed by prospective police and correctional employers.

□ **Improving Public Safety Communications Operability and Interoperability**

Time Sensitive Priority. The IACP urges the Congress to pass legislation authorizing the creation of a Public Safety Broadband Trust (PSBT) and the allocation of 30 MHz of additional public safety radio spectrum in the 700 MHz band for development of a national public safety broadband network to be administered by the PSBT. This network would allow for nationwide connectivity of existing public safety radio systems and would facilitate interoperability between all public safety agencies in a way not before possible. **This is a time sensitive matter because if the Congress does not pass the necessary legislation prior to the spectrum being auctioned for commercial purposes (auction required no later than January 2008) the opportunity for public safety will be lost forever.**

CRIMINAL JUSTICE SYSTEM REFORMS

BIAS-FREE POLICING & DATA COLLECTION

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

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

CRIMINAL HISTORY CHECKS

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

EXCLUSIONARY RULE

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

HATE CRIMES

The IACP supports legislation that would provide the federal government with the jurisdiction to investigate and prosecute the most serious bias motivated crimes in which the violence occurs because of the victim's race, color, religion, national origin, sexual orientation, gender or disability. However, federal jurisdiction must be limited to those cases where state, local and tribal authorities are either unwilling or unable to act.

INDIAN COUNTRY

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

JUVENILE JUSTICE & YOUTH VIOLENCE

IACP supports legislative proposals that build upon, fund, and implement the recommendations provided by the association’s 1996 Final Report on Youth Violence Summit. Furthermore, the IACP supports increased funding levels and flexibility in state, local and tribal government’s conditional use of federal juvenile funding programs. IACP supports policy that treats serious juvenile drug and gun offenses as armed career criminal act predicates, permits the discretionary prosecution and/or sentencing of serious violent crimes as adult offenses, amends existing law to allow for juvenile criminal records to be made available to schools and law enforcement for serious violent offenses, and imposes a mandatory minimum prison sentence for persons who use minors in drug trafficking, or who knowingly sell drugs and/or guns to minors. The association recognizes the need for a relaxation of the four core requirements of the current Office of Juvenile Justice and Delinquency Prevention.

In addition, the IACP urges Congress to fully fund crime prevention programs aimed at youths, including after-school programs, quality educational child care programs, and programs designed to improve parenting skills and prevent child abuse and neglect.

OFFENDER REENTRY PROGRAMS

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

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

SECURITY OFFICER STANDARDS

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

EDUCATION AND TRAINING

ENVIRONMENTAL CRIMES TRAINING

From illegal dumping to public littering, environmental crimes have received much more emphasis in the law enforcement community. Because of the potential impact of these crimes, the IACP supports the provision of appropriate training for law enforcement officers by the federal Environmental Protection Agency.

POLICE EDUCATION

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

The IACP strongly opposes the Police Corps program. The IACP believes that the Police Corps has proven to be an inefficient and ineffective use of the limited funds that are available to combat crime and train young people to become career law enforcement professionals.

POLICE LEADERSHIP TRAINING

The IACP strongly supports the creation of a federal assistance program that would provide funds to organizations that provide low or no cost leadership training to current or future law enforcement executives.

RURAL LAW ENFORCEMENT TRAINING

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

FIREARMS

ARMOR PIERCING AMMUNITION

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

BODY ARMOR

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

BRADY LAW

In 1994, the IACP strongly advocated for legislation to allow for a five-day waiting period to conduct thorough background checks on all prospective handgun purchasers. The IACP continues to strongly support the Brady Law.

Additionally, the IACP believes that juveniles must be held accountable for their acts of violence. Therefore, the IACP supports the passage of legislation, sometimes referred to as Juvenile Brady, which would permanently prohibit gun ownership by an individual, if that individual, while a juvenile, commits a crime that would have triggered a gun disability if their crime had been committed as an adult.

However, the efficacy of the Brady Act is undermined by oversights in the law that allow individuals prohibited from owning firearms to obtain weapons at events such as gun shows without undergoing a background check. The IACP believes that it is vitally important that Congress act swiftly to close these loopholes and preserve the effectiveness of the Brady Act.

BRADY EXTENSION ACT

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

CONCEALED WEAPONS

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

DOMESTIC VIOLENCE GUN DISABILITY

IACP strongly supports the rationale behind Section 658 of the Omnibus Spending Bill of 1996, but has reservations about some of the bill's unintended consequences. The association has no desire to exempt law enforcement officers, as a class, from the prohibitions of the law. We are concerned about possible inequities for all citizens who entered into plea-bargaining situations years ago without full knowledge of the later consequences, after this law became effective. However, the IACP is concerned with the lack of complete misdemeanor files and records, and the subsequent inability to make a determination of a weapons disability. The association is concerned about the civil or criminal liability that might arise from the failure to adequately locate and analyze the misdemeanor records.

FIREARMS ENFORCEMENT

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

FIREARMS OFFENDER REGISTRY

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

ILLEGAL FIREARMS TRAFFICKING/ FIREARMS TRACING

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

The IACP is opposed to the "Tiahrt Amendment" restricts the ATF's ability to share vital gun trace information with its state and local counterparts, which severely limits the ability of those

agencies to conduct critical investigations designed to identify and apprehend corrupt firearms dealers and the traffickers they supply.

The IACP strongly believes that these provisions, and others like them, put our citizens and our officers at risk. Therefore, the IACP strongly supports efforts to repeal the Tiahrt amendment and any piece of legislation containing provisions that would weaken law enforcement's ability to trace illegal firearms.

FUNDING

FEDERAL LAW ENFORCEMENT SUPPORT

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

STATE POLICE AND HIGHWAY PATROL ELIGIBILITY FOR BLOCK GRANT FUNDING

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

HIGHWAY SAFETY

CHILD PASSENGER SAFETY

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

IMPAIRED DRIVING

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

In addition, the IACP supports legislation and policies that would increase the ability of law enforcement agencies to identify and apprehend drugged drivers. Specifically, the IACP supports legislation that would specify that a person operating a motor vehicle with any detectable amount of a controlled substance present in their system can be charged with drug impaired driving.

NATIONAL REGISTRY OF COMMERCIAL DRIVERS

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

POLICE PURSUIT

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

HOMELAND SECURITY

COMMERCIAL EQUIPMENT DIRECT ASSISTANCE PROGRAM FUNDING

The Commercial Equipment Direct Assistance Program (CEDAP) was created to provide law enforcement technologies directly to smaller jurisdictions throughout the United States. CEDAP was designed to benefit agencies that may otherwise be ineligible for funding and allows these agencies to select and procure specialized equipment. That equipment includes communications interoperability systems, information sharing software, chemical detection and sensor devices and personal protective equipment. CEDAP also provides the training and technical assistance to ensure that recipients are able to use the equipment effectively.

In 2005, \$8 million was available for this program and \$24 million for 2005-2006. However, future funding is undetermined at this time. The IACP believes that federal funding for CEDAP must be sustained at \$50 million or more per year.

DRIVER'S LICENSES

The IACP supports federal legislation that would establish national standards for the issuance of driver's licenses, if the following conditions are met. The legislation should:

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

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

IMMIGRATION ENFORCEMENT: THE ROLE OF STATE, TRIBAL AND LOCAL LAW ENFORCEMENT

Many law enforcement executives believe that state, tribal and local law enforcement should not be involved in the enforcement of civil immigration laws since such involvement would likely have a chilling effect on both legal and illegal aliens reporting criminal activity or assisting police in criminal investigations. They believe that this lack of cooperation could diminish the ability of law enforcement agencies to effectively police their communities and protect the public they serve.

Other law enforcement executives believe that it is appropriate for state, tribal and local law enforcement to play an active role in immigration enforcement because individuals who are in the country illegally have violated the law and should be treated in the same fashion as other criminals. They feel that it is the duty of state, tribal and local law enforcement to assist the federal government and to apprehend and detain these individuals.

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

However, it is important to set forth the elements necessary to secure the support of the IACP for legislative proposals addressing the question of immigration enforcement by non-federal law enforcement agencies.

The IACP believes that at a minimum, any legislation seeking to have state, tribal and local law enforcement agencies participate in immigration enforcement must contain the following essential elements.

Voluntary:

Because the question of state, tribal or local law enforcement's participation in immigration enforcement is an inherently local decision, the IACP believes that any legislative proposal to enlist the assistance of non-federal agencies in immigration enforcement must be based on the completely *voluntary cooperation* of state/local law enforcement agencies.

Therefore, any legislative proposals that seek to coerce cooperation through the use of sanction mechanisms that would withhold federal assistance funds from states or localities is unacceptable to the IACP.

Authority Clarification:

In order to clarify the authority of state, tribal and local law enforcement to act in matters related to immigration enforcement, it is necessary for the federal government to issue a clear and complete statement that outlines the role of state, local and tribal law enforcement agencies in this effort and enumerates the legal authority of state, local and tribal law enforcement officers to act in these matters.

In addition, in cases involving aliens with civil violations, it is the IACP's belief that if the federal government wants to have state, tribal and local law enforcement officers apprehend and detain these deportable aliens, then it must first secure a federal criminal arrest warrant for these individuals. In this fashion, state, tribal and local law enforcement officers will be certain that the actions they take in dealing with these individuals is consistent with their legal authority and the policies of their agencies.

Incentive Based Approach:

Legislative proposals addressing immigration enforcement should provide law enforcement agencies with an incentive to perform immigration enforcement. Under such an incentive based approach, agencies that agree to perform immigration enforcement activities as set forth in the legislation would be eligible to receive federal assistance funds that may be used for a variety of uses related to immigration enforcement. For example, agencies should be authorized to use these funds to:

- 1) Cover the personnel costs associated with the enforcement effort.
- 2) Cover the costs of training programs for their law enforcement officers.

- 3) Cover the costs associated with housing and transportation of these individuals prior to their release into federal custody.

Liability Shield:

Legislative proposals addressing immigration must provide:

- 1) Personal liability immunity to state, tribal and local law enforcement officials for enforcing federal immigration laws within the scope of their duties.
- 2) Immunity for state, tribal or local agencies enforcing immigration laws unless their personnel violated criminal law in such enforcement.

Training Resources:

The legislation should also ensure that the federal government will provide the financial assistance necessary to develop and provide a training program for state, local and tribal law enforcement officers on federal immigration law and how they should respond when they encounter suspected illegal aliens and absconders. (However, specific-training requirements, including the number of hours or topics to be covered, should be the responsibility of law enforcement administrators, who should design training programs appropriate to their agencies.)

REGIONAL INFORMATION SHARING SYSTEMS

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

REPEAL INTEREST PAYMENTS FOR STATE HOMELAND SECURITY GRANTS

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

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

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

WEAPONS OF MASS DESTRUCTION

The IACP realizes that law enforcement agencies must respond to the threat posed to our communities by Weapons of Mass Destruction. Therefore, the IACP urges the Administration and the Congress to authorize, and provide funding for, programs, equipment and training that would assist federal, state, and local authorities respond to attacks from weapons of mass destruction. Additionally, the IACP believes that law enforcement should be included as an integral part of the

national security strategy as it relates to combating and responding to terrorist activities. Finally, the IACP calls on the United States Government to work in collaboration with other nations to develop plans to both prevent and respond to these types of attacks.

NARCOTICS AND DANGEROUS DRUGS

CLANDESTINE LABORATORY CLEANUP FUNDING

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

DRUG TRAFFICKER ASSET FORFEITURE

Criminals who engage in drug trafficking and money laundering face the risk of having the proceeds of their illegal activities or the instruments used to commit the crime forfeited to the law enforcement agencies that apprehend them, after appropriate administrative or judicial proceedings. The IACP will not support any proposal which weakens one of the most valuable tools law enforcement has in combating drug trafficking and money laundering.

FULL FUNDING FOR ALL FEDERAL AGENCIES INVOLVED IN COMBATING DRUG CRIME

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

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

HIGH INTENSITY DRUG TRAFFICKING AREA PROGRAM FUNDING

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

HIDTA-designated areas encompass approximately 13 percent of U.S. counties and have a presence in at least 43 states. These areas are on the front lines in confronting international drug trafficking and money laundering organizations and also lead investigative and enforcement efforts against the nation's domestic drug threats.

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

IACP strongly urges Congress to maintain funding for the HIDTA Program at the FY 2005 funding level.

MOBILE ENFORCEMENT TEAM PROGRAM FUNDING

The Mobile Enforcement Team (MET) Program was created in 1995 as a response to the overwhelming problem of drug-related violent crime in the United States. The MET Program assists local law enforcement by: identifying major drug traffickers and organizations that commit violent crimes; collecting, analyzing and sharing intelligence with state and local counterparts; cultivating investigations against violent drug offenders and gangs; arresting drug traffickers and assisting in the arrests of violent offenders and gangs; seizing the assets of violent drug offenders and gangs; and providing support to federal, state, and local prosecutors.

Since 1995, MET teams have seized over 2,800 pounds of cocaine, 1,300 pounds of methamphetamine, 240 pounds of heroin, and 11,900 pounds of marijuana. In FY 2005 alone, 41% of all MET cases involved methamphetamine. In FY 2006, MET teams have successfully disrupted 21 methamphetamine trafficking organizations, dismantled 14, and arrested 619 individuals.

Therefore, the IACP strongly urges Congress to maintain full funding for the MET Program.

NEEDLE EXCHANGE PROGRAMS

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

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

STATE DRUG LEGALIZATION EFFORTS

Legalizing drugs would not reduce violent and property crime. Rather, it would mislead public perception of the risks and costs of drug use; increase the demand for, availability and use of, and addiction to drugs; and weaken, if not remove, the social sanction reinforced in legislation. The IACP opposes any effort at the federal, state, tribal or local level to legalize drugs and controlled substances, and endorses an anti-drug campaign that blends drug enforcement, drug education, and drug treatment.

The IACP also strongly opposes recent initiatives to legalize the use of marijuana and other Schedule I substances for medicinal purposes. It is the IACP's belief that these are inconsistent with established scientific and medical protocols for establishing the medical value of dangerous drugs.

POLICE ADMINISTRATION

ADA REVISIONS

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

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

FLSA REFORM

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

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

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

The second area of concern involves what the Department of Labor considers "compensable hours" for non-exempt or hourly employees. Many departments have been forced to pay large overtime awards to employees who were performing activities that neither the officer nor the

agency believed to be compensable at the time of performance. However, after a new agency or court interpretation is released these activities are ruled to be compensable, thus requiring the agency to pay the employee overtime awards. Situations such as this completely eviscerate the agencies' ability to manage its budget and its personnel.

GPO/WEP OFFSET

Currently, some police officers are not entitled to dual pension and Social Security benefits they and their spouses have earned. Under the provisions of the Government Pension Offset (GPO) public pensions are treated as Social Security benefits. Under this framework, a public employee can not receive the full benefits of the non-SSA pension and any spousal benefits they are entitled to. Usually, the GPO applies a formula that will serve to reduce the Social Security benefits, but it can also eliminate Social Security benefits entirely.

The Windfall Elimination Provision (WEP) affects someone who works under a non-covered pension system but who has also earned Social Security from other jobs. Under this scenario an affected employee has their Social Security benefited reduced in correlation with the size of the non-SSA pension.

The IACP believes that non-covered pensions should not affect the right of law enforcement officers and their families to collect Social Security benefits. The IACP urges Congress to repeal these provisions and ensure that law enforcement officers and their families receive the benefits to which they are entitled.

POLICE LIABILITY

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

POLICE OFFICERS' BILL OF RIGHTS

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

The IACP also opposes legislation that would mandate federal collective bargaining rules for state, tribal and local law enforcement agencies if they fail to meet the certain minimum standards.

PUBLIC AVIATION

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

SOLICITATION OF FUNDS BY POLICE ORGANIZATIONS

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

TECHNOLOGY AND COMMUNICATIONS

CRIMINAL JUSTICE INFORMATION NETWORKS

The IACP recognizes that the ever-increasing interstate and transnational nature of crime and terrorism requires that law enforcement agencies worldwide work in close collaboration with one another. Therefore, the IACP strongly urges the Administration and the Congress to support efforts, such as the Global Justice Information Network Advisory Committee, to improve the integration and compatibility of local, state, federal and international criminal justice information systems. Coordination of these systems will enhance the ability of law enforcement agencies to quickly access information necessary to combat crime in our increasingly mobile society.

DNA EVIDENCE

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

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

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

ENCRYPTION

Telecommunications systems are being increasingly utilized by technologically advanced criminals to mask their illicit activities. Despite being armed with a court-approved warrant, law enforcement oftentimes does not possess the legal, technological means to intercept and/or acquire strongly encrypted communications. Throughout the debate on encryption legislation, the IACP has stressed the need for provisions that would provide law enforcement with the ability to gain timely access to encrypted conversations and information that threaten public safety. IACP believes that the passage of any encryption legislation, without the inclusion of these vital safeguards, would severely weaken the ability of law enforcement to combat society's most dangerous criminals. IACP urges Congress and the Administration to ensure that any encryption legislation that is enacted contain provisions that provide for immediate access to information encrypted in the furtherance of criminal activity and protects the ability of law enforcement agencies to perform court authorized electronic surveillance and the search and seizure of information stored in computers.

In addition, the IACP urges the Congress and the Administration to provide the funding necessary to establish and adequately staff the FBI's technical support center. The technical support center will serve as a centralized technical resource for federal, state, and local law enforcement in responding to the increasing use of encryption by criminals.

FORENSIC LABORATORY IMPROVEMENT

The IACP fully supports the National Forensic Sciences Improvement Act, which provides grants to existing local and state forensic laboratories to improve productivity, quality measures, overall operation and achieve professional certification based on generally accepted forensic science performance standards, common definitions, and protocols. This act will increase the ability of state, local and tribal laboratories to keep pace with increased service demands and fully meet quality assurance requirements that pose a substantial threat to the timely administration of justice.

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

THE NATIONAL DATA EXCHANGE SYSTEM

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

PUBLIC SAFETY COMMUNICATIONS & INTEROPERABILITY

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

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

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