

# 2009 RESOLUTIONS

ADOPTED AT THE 116<sup>TH</sup> ANNUAL  
CONFERENCE IN DENVER, COLORADO



## ***SUMMARY OF 2009 RESOLUTIONS***

### **NARCOTICS AND DANGEROUS DRUGS COMMITTEE**

#### **Recognition of the Successful Actions of President Calderon in Drug Law Enforcement**

Commends Mexican President Calderon for his Comprehensive Strategy Against Drug Trafficking and strongly urges all governments and law enforcement agencies to continue support of his efforts to dismantle drug cartels and bring stability to Mexico's northern border region.

#### **Supporting Full Funding for Mobile Enforcement Teams**

Strongly urges the United States Congress and the Administration to provide continued funding of the MET initiative, as well as an increase in funding to levels permitting DEA to support and expand this essential program.

#### **Legislation Establishing an Electronic Log Book for Pseudoephedrine, Ephedrine, and Phenylpropanolamine Sales**

Urges the U.S. Congress to pass the necessary legislation to establish a nationwide real-time, electronic log book to record purchases of pseudoephedrine, ephedrine and phenylpropanolamine sales; to provide for the maintenance of and access to the real-time electronic log book; and to set criminal penalties for the intentional violation of the CMEA's quantity limitations.

#### **Decreased Consumption of Cocaine in the United States**

Recognizes the substantial positive impact that efforts by law enforcement authorities have had on the demand for and supply of cocaine within the United States. Supports law enforcement's continued pursuit of drug trafficking organizations; the further strengthening of domestic and international laws that prohibit the distribution and production of schedule I controlled substances, and the full funding of law enforcement initiatives which are an essential part of a global drug abuse strategy.

#### **Dietary Supplement Health and Education Act of 1994**

Supports legislation requiring more stringent regulation of products being marketed as dietary supplements, to include the requirement that FDA pre-approve all such products as being safe and effective prior to their being marketed to consumers within the United States.

#### **Opposition to Efforts to Label or Classify Marijuana as Medicine**

Opposes any attempt to circumvent the established medical and scientific criteria for determining when a drug has a bona fide medical purpose; opposes all laws and initiatives that legalize marijuana on the premise that the substance has medicinal value; encourages state, local and tribal law enforcement agencies to become involved in discussions about the dangers of marijuana use and to support public education efforts to dispel the myths that marijuana has medicinal value and can be smoked and ingested without causing physical harm; urges citizens to recognize that legalization of marijuana will lead to greater availability and use of marijuana, and an increase of criminal behavior and health risks; and urges all citizens to vote against initiatives and actively oppose existing legislation that seeks to legalize or decriminalize marijuana.

#### **Marijuana Dispensaries, a/k/a Cannabis Clubs**

Opposes the establishment of cannabis clubs or any other entities promoting the illegal distribution of marijuana and supports the DEA's continued investigation and DOJ's continued prosecution of marijuana traffickers, marijuana dispensaries operators, marijuana growers, and related organizations operating under the guise of providing medicinal products to those in need.

#### **Crack v. Powder Cocaine Sentencing Disparity**

Urges the continuation of mandatory sentences for crack and powder cocaine and urges that any modifications to eliminate the disparity between crack and powder cocaine sentencing be made by significantly adjusting downward the cocaine powder mandatory minimum amount to levels which correspond to the current levels for crack so that the law enforcement community will still be able to deal effectively with the violent crack organizations that plague our communities.

#### **Use of Stimulus Package Funds to Support Drug Task Forces**

Urges the continued funding allotted by the Economic Stimulus Act to fully fund state, local, tribal, and multi-jurisdictional drug task forces so that law enforcement may continue to effectively combat the destructive effects of drug crime in our communities.

### **HOMELAND SECURITY COMMITTEE**

#### **Support for Sustainability of Fusion Centers**

Strongly supports the continued substantive, fiscal and operational support provided to fusion centers by the federal governments and state governments.

### **HIGHWAY SAFETY COMMITTEE**

#### **Motorcycle Safety Enforcement Initiative**

Supports efforts to increase motorcycle safety through increased enforcement efforts and the enactment of safety legislation such as all-rider motorcycle helmet legislation in all nations.

### **PATROL AND TACTICAL OPERATIONS COMMITTEE**

#### **Plain English Communications during Incidents Requiring NIMS / ICS Operations**

Recommends that police and other member agencies adopt a policy of plain English, which is to use clear text, not radio codes, agency-specific codes, or jargon, during multi-agency or multi-disciplinary operations when using the NIMS / ICS protocols.

### **CIVIL LAW ENFORCEMENT/MILITARY COOPERATION COMMITTEE**

#### **Employing Returning Combat Veterans As Police Officers**

Calls for all federal, state, local and tribal law enforcement agencies and departments to continue to provide support to returning combat veterans in their successful transition back to their departments; calls upon all federal, state, local and tribal law enforcement agencies and departments to continue to provide support to those returning veterans who seek employment with those agencies and departments; calls upon IACP membership to fully support law enforcement community research into the effectiveness of current and future procedures toward disabled veterans and those who have served multiple combat tours; and calls upon federal, state, local and tribal law enforcement agencies to consider those honorably serving disabled

veterans for sworn and unsworn positions within their departments so they may continue to contribute their experience and expertise to the success of their law enforcement agency until retirement eligible.

## **CJIS COMMITTEE**

### **National Data Exchange (N-DEx)**

Recommends that all U.S. state, county, municipal, and tribal law enforcement agencies adopt and use the N-DEx IEPD as the standard for in-state and national incident, arrest, booking, and other justice data sharing; recommends that the FBI CJIS Division implement a formal process for use by all U.S. law enforcement agencies for proposing changes to the N-DEx IEPD, based on individual state needs; and recommends that all U.S. state, county, municipal, and tribal law enforcement agencies implement internal measures to ensure that the quality of data collected and stored in their internal records management systems, and ultimately shared through the N-DEx IEPD, represents the most complete and accurate information possible.

## **POLICE PHYSICIANS SECTION AND PSYCHOLOGICAL SERVICES SECTION**

### **National Law Enforcement Cancer Support Foundation**

Strongly supports the National Law Enforcement Cancer Support Foundation's mission and encourages law enforcement professionals faced with a diagnosis of cancer to use the resources of the Foundation.

## **POLICE INVESTIGATIVE OPERATIONS COMMITTEE**

### **To Enhance Local Law Enforcement's Abilities in all Aspects of Computer Forensics**

Requests that Congress and the White House increase support of the United States Secret Service National Computer Forensics Institute and the FBI's Regional Computer Forensic Laboratories to provide the training and resources necessary to address the concerns raised in the National Academy of Science Report; and recommends to Congress that funding is made available to expand the National Computer Forensics Institute and establish additional Regional Computer Forensic Laboratories.

## **LAW ENFORCEMENT TORCH RUN COMMITTEE**

### **Continued Support for Special Olympics**

Continues support of and commends law enforcements efforts towards the Special Olympics Program.

## **DIVISION OF STATE AND PROVINCIAL POLICE**

### **State Police Inclusion in Future Federal Hiring Programs**

Calls on all federal hiring programs to ensure that state police and highway patrol agencies are eligible participants, receiving full consideration, and that award evaluation criteria is inclusive of all law enforcement.



*INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE*

# RESOLUTION

---

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

**Recognition of the Successful Actions of President Calderon in Drug Law Enforcement**

*Submitted by: Narcotics and Dangerous Drugs Committee  
NDD.001.a09*

**WHEREAS**, Felipe de Jesus Calderon Hinojosa assumed office as President of Mexico on December 1, 2006; and

**WHEREAS**, President Calderon has led intensive drug enforcement operations against Mexican drug cartels since assuming office, resulting in the capture of numerous drug traffickers, the record seizures of marijuana, cocaine, heroin and other drugs, and the destruction of clandestine methamphetamine laboratories and airstrips, drug camps and marijuana and opium poppy farms; and

**WHEREAS**, Mexican drug cartels have become increasingly desperate and violent as a result of increased disruption of their organizations by successful law enforcement efforts in the United States and Mexico, increasing the risk of harm to Mexican law enforcement and government personnel and resulting in the death of more than 10,600 people since President Calderon took office, including at least 450 Mexican police officers and soldiers since January 2007; and

**WHEREAS**, President Calderon continues to provide strong leadership in a courageous effort to dismantle powerful Mexican drug trafficking organizations, in partnership with federal, state and local law enforcement authorities in the United States and throughout the world; now, therefore, be it

**RESOLVED**, that the International Association of Chiefs of Police (IACP) duly assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado, commends President Calderon for his Comprehensive Strategy Against Drug Trafficking and strongly urges all governments and law enforcement agencies to continue support of his efforts to dismantle drug cartels and bring stability to Mexico's northern border region.



## INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

# RESOLUTION

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

### **Supporting Full Funding for Mobile Enforcement Teams**

*Submitted by: Narcotics and Dangerous Drugs Committee  
NDD.002.a09*

**WHEREAS**, the coordinated efforts of federal, state, local and tribal law enforcement, working cooperatively with communities to address drug trafficking and abuse, are recognized as the most effective way to disrupt criminal organizations; and

**WHEREAS**, the U.S. Drug Enforcement Administration (DEA) Mobile Enforcement Team (MET) program's primary mission is to prioritize investigations targeting illicit drug sources of supply for criminal street gangs and violent crime organizations; and

**WHEREAS**, criminal street gangs and violent crime are of major concern to federal, state and local law enforcement agencies throughout the United States and the MET program addresses this concern by targeting the sources of supply for illicit drugs to these criminal organizations in an effort to dismantle or disrupt them; and

**WHEREAS**, MET teams are dispatched to areas that have a high incidence of violent crime related to street-level drug trafficking, areas plagued by a high volume of drug trafficking and areas of drug distribution around schools, playgrounds and other areas where youths congregate; and

**WHEREAS**, since the inception of the program, MET teams have been successful in reducing the impact of drug-related violence in diverse communities ranging from large metropolitan areas to smaller jurisdictions, which include Opa Locka, Florida; Irvington, New Jersey; Muskogee, Oklahoma; Florissant, Missouri; Silver City, New Mexico; and Dickinson, Texas; and

**WHEREAS**, as state and local law enforcement agencies continue to investigate more crimes with less financial, material, staffing and technical resources, the MET initiative provides critical financial and technical support to investigations; and

**WHEREAS**, in FY 2008, there were 11 MET deployments, which resulted in the arrest of 310 criminal street gang members and violent criminals and the disruption and dismantlement of 11 drug trafficking organizations; and

**WHEREAS**, in FY2009, DEA was able to allocate an addition \$10,000,000 to train, equip and support the MET initiative, including the addition of four additional MET teams operating throughout the United States; now, therefore, be it

**RESOLVED**, that the International Association of Chiefs of Police (IACP) duly assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado, strongly urges the United States Congress and the Administration to provide continued funding of the MET initiative, as well as an increase in funding to levels permitting DEA to support and expand this essential program.



## INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

# RESOLUTION

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

**Legislation Establishing an Electronic Log Book for Pseudoephedrine, Ephedrine, and Phenylpropanolamine Sales**

*Submitted by: Narcotics and Dangerous Drugs Committee  
NDD.003.a09*

**WHEREAS**, pseudoephedrine, ephedrine, and phenylpropanolamine are found in both prescription and over-the-counter products, including those frequently used to relieve nasal or sinus congestion caused by the common cold, sinusitis, hay fever, and other respiratory allergies; and

**WHEREAS**, the Combat Methamphetamine Epidemic Act of 2005 (CMEA) was enacted in 2006 to limit the availability of pseudoephedrine, ephedrine, and phenylpropanolamine, because these substances are commonly used to make methamphetamine, a powerful, highly addictive stimulant, often manufactured in covert, illegal laboratories throughout the United States; and

**WHEREAS**, the long-term use of methamphetamine may cause addiction, anxiety, insomnia, violent behavior, paranoia, hallucinations, delusions, depression, brain damage and death; and

**WHEREAS**, the CMEA banned the over-the-counter sales of products which contain pseudoephedrine, ephedrine, and phenylpropanolamine, such as cold and allergy medicines; limited the quantity of these products that each individual is permitted to purchase behind-the-counter during a specified period of time; and required sellers to maintain a purchase log book to track the amount of purchases made by each individual to ensure compliance with the CMEA's quantity limitations; and

**WHEREAS**, drug traffickers are bypassing the CMEA's quantity limitations by a practice called "smurfing," wherein several individuals purchase small quantities of products containing pseudoephedrine, ephedrine, and phenylpropanolamine from multiple sellers, thereby undermining the ability of each seller to track the total amount of purchases made by an individual purchaser; and

**WHEREAS**, some States have successfully prevented the practice of "smurfing" by enacting legislation requiring sellers to maintain a real-time, electronic log book for all such purchases; now, therefore, be it

**RESOLVED**, that the International Association of Chiefs of Police (IACP) duly assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado, urges the Congress of the United States to pass the necessary legislation to establish, under the appropriate federal regulatory

entity, a nationwide real-time, electronic log book to record purchases of pseudoephedrine, ephedrine and phenylpropanolamine sales; to provide for the maintenance of and access to the real-time electronic log book; and to set criminal penalties for the intentional violation of the CMEA's quantity limitations.



*INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE*

# RESOLUTION

---

---

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

**Decreased Consumption of Cocaine in the United States**

*Submitted by: Narcotics and Dangerous Drugs Committee  
NDD.004.a09*

**WHEREAS**, the National Drug Intelligence Center's 2009 National Drug Threat Assessment reports historic disruptions in the cocaine markets as a result of cumulative law enforcement progress in Colombia, Mexico, along the Southwest Border of the United States, and throughout the transit zone which is composed of the Caribbean Sea, the Gulf of Mexico, and the eastern Pacific Ocean; and

**WHEREAS**, international counter-drug partnerships, such as those with the Governments of Colombia and Mexico, have led to the successful interdiction of countless drug shipments and the disruption of significant drug trafficking organizations; and

**WHEREAS**, in the United States, the combined efforts of federal, state, local and tribal law enforcement agencies have yielded significant results in the interdiction of illegal drugs and seizure of drug-related assets; and

**WHEREAS**, the United Nations Office of Drugs and Crime reported that global production of cocaine declined during 2008, with similarly declining purity, increasing prices and decreased consumption in the United States and Europe; and

**WHEREAS**, current workforce drug testing data indicates that positive drug tests for cocaine declined by 38 percent from June 2006 to June 2008; and

**WHEREAS**, the members of the IACP recognize the importance of domestic and international drug law enforcement efforts as part of an overall strategy to reduce drug demand and dependency in the United States; now, therefore, be it

**RESOLVED**, that the International Association of Chiefs of Police (IACP) duly assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado, recognizes the substantial positive impact that efforts by federal, state, local and tribal law enforcement authorities, along with their international counterparts, have had on the demand for and supply of cocaine within the United States; and be it

**FURTHER RESOLVED**, that the IACP strongly supports law enforcement's continued, vigorous, relentless pursuit of drug trafficking organizations; the further strengthening of domestic and international laws that prohibit the distribution and production of schedule I

controlled substances, and the full funding of law enforcement initiatives which are an essential part of a global drug abuse strategy.



*INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE*

# RESOLUTION

---

---

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

**Dietary Supplement Health and Education Act of 1994**

*Submitted by: Narcotics and Dangerous Drugs Committee  
NDD.005.a09*

**WHEREAS**, a dietary supplement is a product intended to provide nutrients that are absent from or lacking in quantity from an individual's diet; and

**WHEREAS**, dietary supplements are not regulated as drugs, which require the Food and Drug Administration's (FDA) approval that the drugs are safe and effective before they may be marketed in the United States; and

**WHEREAS**, dietary supplements are marketed as foods which do not have FDA approval that the supplements are safe and effective prior to being marketed in the United States; and

**WHEREAS**, a dietary supplement may be marketed in the United States without any testing, as long as the supplement's label does not market the product as a cure, or capable of mitigating or treating disease; and

**WHEREAS**, there are products currently being marketed as dietary supplements that have been shown to cause serious health problems and/or worsen existing diseases and disorders; now, therefore, be it

**RESOLVED**, that the International Association of Chiefs of Police (IACP) duly assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado, strongly supports legislation requiring more stringent regulation of products being marketed as dietary supplements, to include the requirement that FDA pre-approve all such products as being safe and effective prior to their being marketed to consumers within the United States.



## INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

# RESOLUTION

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

### **Opposition to Efforts to Label or Classify Marijuana as Medicine**

*Submitted by: Narcotics and Dangerous Drugs Committee  
NDD.006.a09*

**WHEREAS**, there is an organized and well-funded movement in the United States and other countries to legalize or decriminalize the use of marijuana by marketing marijuana as medicine and by including it in a variety of candy, foodstuffs, and other products in packaging attractive to children; and

**WHEREAS**, these efforts have fueled a growing misconception that marijuana can be used safely, smoked and ingested, and is a cure-all for everything from headaches to bi-polar disease; and

**WHEREAS**, the scientific evidence surrounding smoked marijuana has been repeatedly reviewed by international experts and consistently found to have no medicinal use; and

**WHEREAS**, the Food and Drug Administration (FDA) regulates an existing, well-defined process for determining whether a substance may be labeled a medicine and for ensuring that medicinal products are safe, have an established purity level, and are effective; and

**WHEREAS**, the FDA has studied the effectiveness of smoked marijuana and determined that it is not suitable for use as a medicine; and

**WHEREAS**, the National Institute on Drug Abuse has reported that there are a number of studies which have shown an association between chronic marijuana use and increased rates of anxiety, depression, suicidal ideation, and schizophrenia; and

**WHEREAS**, the National Institute of Health found that a person who smokes 5 joints per week may be taking into their lungs as much tar and cancer-causing chemicals as a person who smokes a pack of cigarettes a day; and

**WHEREAS**, a 2007 Yale School of Medicine Study found that long-term exposure to marijuana smoking is linked to the same health problems as tobacco smoke, such as increased respiratory symptoms; and

**WHEREAS**, a study conducted by Columbia University found smoking marijuana weakens the immune system and raises the risk of lung infections; and

**WHEREAS**, the American Medical Association, the American Cancer Society, the American Academy of Pediatrics, do not endorse the use of marijuana for medical purposes; and

**WHEREAS**, the University of Mississippi found that the average THC content of marijuana has risen from 2.83% in 1985 to 9.96% in 2008; and

**WHEREAS**, on May 8, 2008, the British Government reclassified marijuana as a Class B drug, after observing an increase in crime and various health problems when marijuana was downgraded to a Class C drug; now, therefore, be it

**RESOLVED**, that the International Association of Chiefs of Police (IACP) duly assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado, opposes any attempt to circumvent the established medical and scientific criteria for determining when a drug has a bona fide medical purpose, and therefore, opposes all laws and initiatives that legalize marijuana on the premise that the substance has medicinal value; and be it

**FURTHER RESOLVED**, that, in keeping with the long-standing position of the IACP; which has been outlined in *A Police Chief's Guide to the Legalization Issues (1997 and 2001)*, and affirmed and re-affirmed in numerous IACP resolutions and position papers, the IACP strongly encourages state and local law enforcement agencies to become involved in discussions about the dangers of marijuana use and to support public education efforts to dispel the myths that marijuana has medicinal value and can be smoked and ingested without causing physical harm; and be it

**FURTHER RESOLVED**, that the IACP strongly urges that all citizens recognize that legalization of marijuana will lead to greater availability and use of marijuana, and an increase of criminal behavior and health risks; and be it

**FURTHER RESOLVED**, that the IACP strongly urges all citizens to vote against initiatives and actively oppose existing legislation that seeks to legalize or decriminalize marijuana.



## INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

# RESOLUTION

---

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

### **Marijuana Dispensaries, a/k/a Cannabis Clubs**

*Submitted by: Narcotics and Dangerous Drugs Committee  
NDD.007.a09*

**WHEREAS**, in an effort to enhance and better coordinate federal, state and local drug law enforcement efforts, the Drug Enforcement Administration (DEA) was established to be the lead United States federal drug enforcement agency in 1973, and since its creation, the DEA has had primary responsibility for ensuring the laws governing the use of controlled substances are faithfully executed; and

**WHEREAS**, it is the mission of the DEA to enforce all the controlled substance laws and regulations of the United States and to recommend and support non-enforcement programs aimed at reducing the availability of illicit controlled substances in the domestic and international markets; and

**WHEREAS**, the Supreme Court has repeatedly reviewed and upheld the authority and responsibility of the DEA to enforce the Controlled Substances Act (CSA), as it relates to the manufacture, distribution and trafficking of marijuana and possession of marijuana for said purposes, in cases such as: *United States v. Moore*, 423 U.S. 122 (1975); *Gonzalez v. Raich*, 545 U.S. 1 (2005); and *United States v. Oakland Cannabis Buyers' Cooperative (OCBC)*, 532 U.S. 483 (2001); and

**WHEREAS**, the Supreme Court's decision in OCBC makes clear that the marijuana activities of a California marijuana dispensary (hereinafter referred to as a "cannabis club") are illegal, and the Supreme Court rulings indicate unequivocally that the CSA's prohibitions on manufacturing, distributing, and possessing marijuana apply regardless of whether the person engaging in such activity: claims to have a "medical necessity;" claims to be acting in accordance with state law; or claims to be acting in a wholly intrastate manner; and

**WHEREAS**, cannabis clubs typically operate in violation of state law in addition to the CSA; and

**WHEREAS**, DEA's investigations of cannabis clubs are typically initiated as a result of one or more of the following factors: community complaints to a law enforcement agency; state and local law enforcement and/or city government requests for assistance; and tips generated by collateral drug trafficking/money laundering investigations; and

**WHEREAS**, state and local law enforcement agencies are reporting significant increases in violent crime and property claims at or near dispensaries, including robberies, burglaries, aggravated assaults, and burglary from autos; and

**WHEREAS**, cannabis clubs operators are not pharmacists; they do not have commensurate training and accountability to ensure the safety and purity of the products they illegally distribute; they do not provide accurate education regarding said products; and they do not comply with any regulations in place to protect the health and well-being of the public; now, therefore, be it

**RESOLVED**, that the International Association of Chiefs of Police (IACP) duly assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado, opposes the establishment of cannabis clubs or any other entities promoting the illegal distribution of marijuana; and be it

**FURTHER RESOLVED**, that the IACP supports the DEA's continued investigation and the United States Department of Justice's continued prosecution of marijuana traffickers, marijuana dispensaries operators, marijuana growers, and related organizations operating under the guise of providing medicinal products to those in need.



*INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE*

# RESOLUTION

---

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

**Crack v. Powder Cocaine Sentencing Disparity**

*Submitted by: Narcotics and Dangerous Drugs Committee  
NDD.008.a09*

**WHEREAS**, the five-year federal mandatory minimum sentencing amount for cocaine base (hereinafter “crack” is five grams and the corresponding amount for cocaine hydrochloride (hereinafter “powder cocaine”) is 500 grams; and

**WHEREAS**, the ten-year federal mandatory minimum amount for crack is 50 grams and the corresponding amount for powder cocaine is five kilograms; and

**WHEREAS**, crack is distributed on the street at the retail level in relatively small amounts that are both inexpensive and potent; and

**WHEREAS**, the marketing and the violence associated with the marketing of crack as compared to powder cocaine is significantly different; and

**WHEREAS**, in the fiscal year 2008, statistics from the United States Sentencing Commission show that 25.4 percent of crack cases involved defendants in criminal history category VI compared with 8.5 percent of powder cocaine defendants, while 27.4 percent of crack cases involved a weapon as opposed to 16.8 percent for cocaine cases; and

**WHEREAS**, to ensure effective law enforcement, crack sentences must remain closely related to the amounts of crack that are typically possessed for distribution; and

**WHEREAS**, federal mandatory penalties provide an unambiguous and useful deterrent to the trafficking of both crack and powder cocaine and provide a useful tool in encouraging drug traffickers to cooperate and potentially testify against the leaders of their organizations; and

**WHEREAS**, proposals to remove the federal mandatory minimums for crack and powder cocaine, and to otherwise eliminate the disparity for crack and powder cocaine by sentencing crack in the same manner that powder cocaine is currently sentenced, would threaten efforts to investigate and prosecute significant and violent drug offenders that deal crack; now, therefore, be it

**RESOLVED**, that the International Association of Chiefs of Police (IACP) duly

assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado, urges the continuation of mandatory sentences for crack and powder cocaine, and be it

**FURTHER RESOLVED**, that the IACP urges that any modifications to eliminate the disparity between crack and powder cocaine sentencing be made by significantly adjusting downward the cocaine powder mandatory minimum amount to levels which correspond to the current levels for crack so that the law enforcement community will still be able to deal effectively with the violent crack organizations that plague our communities.



## INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

# RESOLUTION

---

---

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

### **Use of Stimulus Package Funds to Support Drug Task Forces**

*Submitted by: Narcotics and Dangerous Drugs Committee*

*NDD.009.a09*

**WHEREAS**, the United States Economic Stimulus Act of 2008, was enacted on February 13, 2008, providing for the allocation to the states of approximately 3.8 billion dollars for law enforcement related purposes; and

**WHEREAS**, \$2 billion of the stimulus funding has been set aside to fund the Edward Byrne Memorial Justice Assistance Grants which provide help to prevent, fight, and prosecute crime; and

**WHEREAS**, an additional \$40 million has been set aside “for programs that provide assistance and equipment to local law enforcement along the Southern border or in High-Intensity Drug Trafficking Areas to combat criminal narcotic activity;” and

**WHEREAS**, federal law enforcement agencies in partnership with local, state, and tribal law enforcement agencies are on the front lines in combating international and domestic drug trafficking organizations; and

**WHEREAS**, the problems presented by the unprecedented flow of drugs into this country by international criminal syndicates and the continued production and distribution of drugs within the United States continues to be a threat in most areas of the United States; now, therefore, be it

**RESOLVED**, that the International Association of Chiefs of Police (IACP) duly assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado, strongly urges the continued funding allotted by the Economic Stimulus Act to fully fund state, local and tribal, and multi-jurisdictional drug task forces so that law enforcement may continue to effectively combat the destructive effects of drug crime in our communities.



## INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

# RESOLUTION

---

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

### **Support for Sustainability of Fusion Centers**

*Submitted by: Homeland Security Committee  
HS.010.a09*

**WHEREAS**, the IACP recognizes in the aftermath of the tragic events of September 11, 2001, a need exists to address the deficiencies that exist in the United States with the collection, analysis and dissemination of criminal intelligence; and

**WHEREAS**, the IACP convened stakeholders in a policy summit to address these deficiencies and to ensure that state, local and tribal law enforcement is involved in the intelligence process; and

**WHEREAS**, the policy summit bore out elements of and recommendations within the National Criminal Intelligence Sharing Plan (NCISP); and

**WHEREAS**, the NCISP put forth the following need, "...to identify an intelligence information sharing capability that can be widely accessed by local, state, tribal, and federal law enforcement and public safety agencies;" and

**WHEREAS**, that need drove the establishment of fusion centers as effective and efficient mechanisms to exchange information and intelligence, maximize resources, streamline operations, and improve the ability to fight crime and terrorism by merging data from a variety of sources; and

**WHEREAS**, the National Strategy for Information Sharing designates fusion centers as the focus within the state and local environment for the receipt and sharing of terrorism information, homeland security information, and law enforcement information related to terrorism; and

**WHEREAS**, many states, cities and regions have created local fusion centers to share information and intelligence within their jurisdictions as well as with the federal government; and

**WHEREAS**, the sustainability of fusion centers is a critical element of our nation's homeland security strategy and our respective community's security; now, therefore, be it

**RESOLVED**, that the International Association of Chiefs of Police, duly assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado strongly supports the continued substantive, fiscal and operational support provided to fusion centers by governments at both the state and federal level.



*INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE*

# RESOLUTION

---

---

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

**Motorcycle Safety Enforcement Initiative**

*Submitted by: Highway Safety Committee  
HSC.011.a09*

**WHEREAS**, in 2008, 5,290 motorcyclists were killed in the United States, which is a 2.2 percent increase over 2007, and a 131 percent increase over 1998; and

**WHEREAS**, in 2007, 28 percent of motorcycle rider [operator] fatalities in the United States had BAC levels of 0.08 g/dL or higher; and

**WHEREAS**, one out of four motorcycle riders involved in fatal crashes in 2007 was operating the motorcycle without a valid license at the time of the collision; and

**WHEREAS**, wearing a DOT-compliant motorcycle helmet has been estimated to be 37 percent effective in preventing fatal head injuries to motorcyclists; and

**WHEREAS**, enforcement is an essential component to a comprehensive motorcycle safety program; now, therefore, be it

**RESOLVED** that the International Association of Chiefs of Police (IACP) duly assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado supports efforts to increase motorcycle safety through increased enforcement efforts and the enactment of safety legislation such as all-rider motorcycle helmet legislation in all nations.



*INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE*

# RESOLUTION

---

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

**Plain English Communications during Incidents Requiring NIMS / ICS Operations**

*Submitted by: Patrol & Tactical Operations Committee  
PTO.012.a09*

**WHEREAS**, successful multi agency emergency responder operations are dependant up clear, concise communication; and

**WHEREAS**, in response to the attacks on September 11, President George W. Bush issued Homeland Security Presidential Directive 5 (HSPD-5) in February 2003 which called for a National Incident Management System (NIMS) and identified steps for improved coordination of Federal, State, local and private industry response to incidents and described the way these agencies will prepare for such a response; and

**WHEREAS**, NIMS also requires, since 2004, that all levels of government, including Territories and Tribal Organizations, adopt ICS as a condition of receiving Federal preparedness funding; and

**WHEREAS**, NIMS/ICS recognizes that not all agencies use the same codes or jargon, almost none of which are shared across multi-disciplinary boundaries; and

**WHEREAS**, a critical part of an effective multiagency incident management system is for all communications to be in plain English to minimize misunderstanding; now, therefore, be it

**RESOLVED** that the International Association of Chiefs of Police (IACP) duly assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado recommends that police and other member agencies adopt a policy of plain English, which is to use clear text, not radio codes, agency-specific codes, or jargon, during multi-agency or multi-disciplinary operations when using the NIMS / ICS protocols.



## INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

# RESOLUTION

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

### **Employing Returning Combat Veterans As Police Officers**

*Submitted by: Civil Law Enforcement/Military Cooperation Committee  
CLEMCC.013.a09*

**WHEREAS**, since September 11th, 2001 over 461,000 National Guard and Reserve personnel have deployed to Operation Enduring Freedom (OEF) (Afghanistan) or Operation Iraqi Freedom (OIF) in addition to over 1,225,000 active military personnel; and

**WHEREAS**, deployments of Active, Reserve, and National Guard service members to OEF and OIF are expected to continue through 2010 and possibly beyond; and

**WHEREAS**, thousands of Active, Reserve, and National Guard service members have returned to their departments and agencies to resume their law enforcement careers:

**WHEREAS**, thousands of law enforcement agencies remain challenged to properly transition or reintegrate these veterans back to sworn status by having insufficient plans, training, policies, and procedures affecting all phases of pre-deployment, deployment and post-deployment strategies; and

**WHEREAS**, law enforcement leadership recognizes that more research is required to gauge the effectiveness of current policies and procedures toward disabled veterans and those who have served multiple combat tours; and

**WHEREAS**, the International Association of Chiefs of Police recognizes the significance of the efforts of the law enforcement community to develop new veteran policies and procedures to successfully reintegrate veterans into their departments and therefore endorses the Employing Returning Combat Veterans as Police Officers project (V2C) and their future efforts; now, therefore, be it

**RESOLVED**, that the International Association of Chiefs of Police duly assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado calls for all federal, state, local and tribal law enforcement agencies and departments to continue to provide support to returning combat veterans in their successful transition back to their departments; and, be it

**FURTHER RESOLVED**, that the IACP calls upon all federal, state, local and tribal law enforcement agencies and departments to continue to provide support to those returning veterans who seek employment with those agencies and departments; and, be it

**FURTHER RESOLVED**, that the IACP calls upon IACP to fully support law enforcement community research into the effectiveness of current and future procedures toward disabled veterans and those who have served multiple combat tours; and, be it

**FURTHER RESOLVED**, that the IACP calls upon federal, state, local and tribal law enforcement agencies to consider those honorably serving disabled veterans for sworn and unsworn positions within their departments so they may continue to contribute their experience and expertise to the success of their law enforcement agency until retirement eligible.



## INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

# RESOLUTION

---

---

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

### **National Data Exchange (N-DEx)**

*Submitted by: CJIS Committee*

*CJIS.015.a09*

**WHEREAS**, the United States (U.S.) law enforcement community as a whole has articulated the need for a methodology and system to collect and share incident, arrest, booking, and other justice information necessary to help correlate suspects with crimes, increase the potential for improving case clearance rates, and other purposes of the justice system; and

**WHEREAS**, the culmination of this need has been the development of the National Data Exchange (N-DEx) program by the Federal Bureau of Investigation (FBI) Criminal Justice Information Systems (CJIS) Division; and

**WHEREAS**, the International Association of Chiefs of Police (IACP) recognizes that the FBI CJIS Division has developed the N-DEx Information Exchange Package Documentation (IEPD), in collaboration with state and local agencies, to serve as a standard means for contributing data to the N-DEx Program; and

**WHEREAS**, the IACP Criminal Justice Information Systems (CJIS) Committee, the FBI CJIS Division Acquisition Policy Board (APB) Information Sharing Subcommittee, and the Global Justice Criminal Intelligence Coordinating Council (CICC) have all approved and promoted the use of the N-DEx IEPD as the national standard for the sharing incident, arrest, booking, and other justice information. Then be it hereby

**RESOLVED** That the IACP, duly assembled at its 116<sup>th</sup> annual Conference in Denver, Colorado, recommends that all U.S. state, county, municipal, and tribal law enforcement agencies adopt and use the N-DEx IEPD as the standard for in-state and national incident, arrest, booking, and other justice data sharing. And be it

**FURTHER RESOLVED** The IACP recommends that the FBI CJIS Division implement a formal process for use by all U.S. law enforcement agencies for proposing changes to the N-DEx IEPD, based on individual state needs. And be it

**FURTHER RESOLVED** The IACP recommends that all U.S. state, county, municipal, and tribal law enforcement agencies implement internal measures to ensure that the quality of data collected and stored in their internal records management systems, and ultimately shared through the N-DEx IEPD, represents the most complete and accurate information possible.



*INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE*

# RESOLUTION

---

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

**National Law Enforcement Cancer Support Foundation**

*Submitted by: Police Physicians Section and Psychological Services Section  
PPS-PSS.017.a09*

**WHEREAS**, the International Association of Chiefs of Police places the highest of priorities on the safety, health, and welfare of members of the law enforcement community; and

**WHEREAS**, law enforcement professionals who are diagnosed with cancer are often faced with a scarcity of knowledge, contacts, information, support, and available resources; and

**WHEREAS**, the mission of the National Law Enforcement Cancer Support Foundation is to provide a free emotional support system, guidance, and resources to all members of the law enforcement community during a cancer experience; and

**WHEREAS**, the National Law Enforcement Cancer Support Foundation matches law enforcement officers diagnosed with cancer with law enforcement cancer support team members who have had the same or similar type and stage of cancer; and

**WHEREAS**, the National Law Enforcement Cancer Support Foundation provides on-going cancer education, emphasizing early detection and prevention to all law enforcement personnel; now, therefore, be it

**RESOLVED** that the International Association of Chiefs of Police (IACP) duly assembled at its 116th Annual Conference in Denver, Colorado, strongly supports the National Law Enforcement Cancer Support Foundation's mission and encourages law enforcement professionals faced with a diagnosis of cancer to use the resources of the Foundation.



*INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE*

# RESOLUTION

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

**To Enhance Local Law Enforcement's Abilities in all Aspects of Computer Forensics**

*Submitted by: Police Investigative Operations Committee  
PIO.018.a09*

**WHEREAS**, the International Association of Chiefs of Police represents Law Enforcement Executives from around the world; and

**WHEREAS**, the prevalence of electronic evidence is now a routine issue in all crimes and at most crime scenes; and

**WHEREAS**, the effects of Globalization more often requires that local law enforcement assume a greater role in prevention and detection of criminal acts where evidence may be found beyond current geographic jurisdictions; and

**WHEREAS**, the National Academy of Science Report entitled "Strengthening Forensic Science in the United States" called for various improvements in the development of forensic science which would include digital evidence; and

**WHEREAS**, the United States Secret Service operates a National Computer Forensics Institute in Hoover, Alabama which has provided critical training to hundreds of local law enforcement agencies across the nation; and

**WHEREAS**, from May 2008 to August 2009, the United States Secret Service has provided critical training to 564 state and local law enforcement officials representing over 300 agencies from 49 states and 2 U.S. territories in the arena of computer forensics at the National Computer Forensics Institute

**WHEREAS**, the Federal Bureau of Investigation operates fourteen Regional Computer Forensic Laboratories that are designed to support law enforcement agencies and investigation by serving as a computer forensics laboratory and training centers devoted to the examination of digital evidence; and,

**WHEREAS**, during FY 2008, the Regional Computer Forensic Laboratories conducted 4,524 forensic examinations of digital evidence and trained 4,991 law enforcement personnel in various digital forensic techniques; now therefore be it; now, therefore, be it

**RESOLVED**, that the IACP duly assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado requests that Congress and the White House now increase support of the United States Secret

Service National Computer Forensics Institute and the FBI's Regional Computer Forensic Laboratories to provide the training and resources necessary to address the concerns raised in the National Academy of Science Report; and, be it

**FURTHER RESOLVED**, that the IACP recommend to Congress that funding is made available to expand the National Computer Forensics Institute and establish additional Regional Computer Forensic Laboratories.



## INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

# RESOLUTION

---

---

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

### **Continued Support for Special Olympics**

*Submitted by: Law Enforcement Torch Run Committee  
LETR.019.a09*

**WHEREAS**, the International Association of Chiefs of Police has selected Special Olympics as its charity of choice; and

**WHEREAS**, Special Olympics is a not for profit organization which specializes in helping individuals with special needs achieve success in both sports and life; and

**WHEREAS**, the partnership between law enforcement and Special Olympics has recently completed its 25<sup>th</sup> year of working together to raise funds and awareness for athletes throughout the world; and

**WHEREAS**, during our 25 year partnership, law enforcement personnel throughout the world have raised more than \$237 million dollars to assist in that effort; and

**WHEREAS**, the Law Enforcement Torch Run for Special Olympics has become a community policing program which has assisted policing agencies in forming solid partnerships and relationships within their communities; and

**WHEREAS**, the leadership within the agencies who participate in law enforcement efforts is appreciated by the athletes, their families and the law enforcement personnel who participate; now, therefore, be it

**RESOLVED**, that the International Association of Chiefs of Police duly assembled at its 116<sup>th</sup> Annual Conference in Denver, Colorado continues to support and appreciate law enforcements efforts for this very worthwhile cause.



## INTERNATIONAL ASSOCIATION OF CHIEFS OF POLICE

# RESOLUTION

---

---

Adopted at the 116<sup>th</sup> Annual Conference  
Denver, CO  
October 6, 2009

### **State Police Inclusion in Future Federal Hiring Programs**

*Submitted by Division of State and Provincial Police*

*SP.020.a09*

**WHEREAS**, state police and highway patrol agencies play an integral and essential role in our efforts to protect our citizens and establish safer communities; and

**WHEREAS**, in addition to providing traditional law enforcement functions and answering calls for service throughout their states, these agencies also serve as the primary providers or the sole sources for such specialized services as emergency management, government security and executive protection, marine, aviation, canine, SWAT, explosive detection, and urban search and rescue units; and

**WHEREAS**, like their local counterparts, state police and highway patrol agencies are operating in an extremely challenging budgetary environment; and

**WHEREAS**, state budget reductions have resulted in the inability of many agencies to fill current and future vacancies at a time when state police and highway patrol agencies are being tasked with greater responsibility for issues including homeland security; and

**WHEREAS**, the International Association of Chiefs of Police's Division of State and Provincial Police applauds the efforts of the federal government to provide hiring funding for law enforcement through programs such as the COPS Hiring Recovery Program (CHRP); and

**WHEREAS**, we understand that the limited resources available to the CHRP made difficult choices necessary, the S&P is very troubled by the total exclusion of all state police agencies from the list of grant recipients; now, therefore, be it

**RESOLVED**, that the International Association of Chiefs of Police's Division of State and Provincial Police is resolute in its position that all federal hiring programs ensure that state police and highway patrol agencies are eligible participants, receiving full consideration, and that award evaluation criteria is inclusive of all law enforcement.