

# SUBJECT TO DEBATE

A NEWSLETTER OF THE POLICE EXECUTIVE RESEARCH FORUM



**PERF Members Call for Aid to Local Police; Congress Moves to Include \$4 Billion in Stimulus Bill** PAGE 4

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44 PERCENT CITE INCREASES IN CRIME DUE TO ECONOMIC CRISIS

## 63 Percent of Local Police Departments Are Facing Budget Cuts, PERF Survey Shows

NEARLY TWO OUT OF THREE POLICE AGENCIES RESPONDING to a new PERF survey said they are currently making plans for cutting their budgets, and 44 percent of the police departments report increases in certain types of crime which they believe can be attributed to the national economic crisis.

Of the 233 responding police agencies, 63 percent said they are preparing plans for an overall cut in their total funding for the next fiscal year. In a large majority of cases, the police officials indicated that they are not merely making contingency plans or thinking about cuts as an academic exercise; of those who said they are planning cuts, 88 percent said they have already been told to expect cuts by their mayor, city council, or other governing authority.

On average, the responding agencies said they are planning a cut of 6.24 percent in their overall funding level.

PERF conducted the study in late December and early January in order to measure the extent to which the faltering national economy is impacting local police departments' budgets and operations, and to explore police executives' views about whether the economy is affecting crime levels. As this issue of *Subject to Debate* went to press, PERF was releasing the survey results to major news media organizations. PERF also was planning a January 28 Summit of police executives and other officials in Washington to discuss these issues.

Even as police officials are planning how they will implement cuts in their total funding for the upcoming fiscal year, the survey showed that many *already* have trimmed funding in various areas. Specifically:

- 53 percent of responding agencies said they already have implemented a **hiring freeze** for non-sworn personnel, and 27 percent said they have implemented a freeze for sworn positions.
- 62 percent said they have already cut **overtime** spending. PERF explained to the news media that this may be more significant

than it appears, because police departments often use overtime to increase patrol levels temporarily in response to a crime spike in a particular neighborhood, or to meet their minimum staffing levels. (In fact, 52 percent of the agencies responding to PERF's survey said they "regularly rely on overtime to meet minimum safe staffing.")

- 49 percent said they have already cut back or eliminated plans to acquire **technology**.
- 47 percent said they have already reduced or discontinued various types of **officer training**.
- 34 percent said they have discontinued, reduced in size, or delayed classes for **new police recruits**.
- 24 percent are already reducing police employment levels through **attrition**.
- 12 percent said they are considering **laying off** police employees or forcing retirements, and 10 percent said they have already used unpaid furloughs of employees to reduce spending.

These measures that have already been implemented are especially important in light of the fact that 52 percent of the responding agencies reported that they operate on a fiscal year that begins on July 1. That suggests that many of the responding departments are currently operating on funding that their elected officials approved back in the spring or early summer of 2008, months *before* the economic crisis hit.

The survey revealed further signs of trouble in questions about how chiefs are planning to apportion their upcoming budget cuts among various operations or functions. The survey showed the

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# Stopping to Think About Race And the Changes in Policing in My Lifetime

YESTERDAY I WENT TO GREET A GROUP OF FOUR dozen Miami officers returning from Washington, where they helped with the Inauguration of President Obama. As I watched them all getting off the plane, I couldn't help but be struck by their diversity. African-American officers, Latino officers, white officers, female officers—it looked like the City of Miami.

Things have changed a lot since I joined the NYPD back in 1967. In the 1960s, as a result of the civil rights movement and civil unrest, there was a realization that police departments, like other organizations, needed and wanted to become integrated, so that as much as humanly possible, they would reflect the populations they served. That was a social goal at the time, and it was a good and worthy goal. But what many of us did not realize at the time was that there were a lot of other benefits that would accrue from that.

Let me explain what I mean by that with a few personal recollections. When I became a young police trainee in 1967, in the station houses, the n-word was thrown about quite a bit. But with the integration of the NYPD and other police departments across the country, having African-American police officers in the station houses and at crime scenes resulted in some self-policing of what people said. White officers may still have had their private thoughts and private prejudices, but they no longer articulated those biases with an African-American officer standing next to them. Similarly, in the area of unnecessary physical force, I think that was affected as well. Officers were not as likely to use more force than was necessary if there was a confrontation on the street or an arrest situation.

Obviously, this was all for the good. I recall there was one particular block in the precinct where I worked in the South Bronx, where, for a variety of reasons, the tension between the residents, all of whom were African-American, and the police, was palpable. And we had confrontation situations on a regular basis. I remember in about 1972, there was an African-American sergeant who was assigned there, and I remember him coming up to the scene of a confrontation, and I noticed what a calming effect that had on the residents, who saw that “Hey, here's one of our own.” So you could see not only the benefits

of having African-American officers at the scene of these confrontations, but having an African-American *boss* in charge—it really calmed things down.

While this integration was happening, there was some resistance and resentment, particularly among some of the old-timers who had been on the force for 10 or 15 years. But where you *didn't* see the resistance was among the young officers, who had gone through the Academy with more and more African-Americans, and then more and more Latinos, and more and more females. For them, it was no big deal.

So it took a good 20 or 25 years, this effort to integrate police departments, and it continues to today. The social goal of having police departments integrated, and having them reflect the population that they serve, was in and of itself a good goal. But it also had benefits that we never really expected, that went beyond what even the most far-sighted people thought about at the time. The entire concept of community policing is unimaginable without good racial relations.

And so it was interesting when I went to meet my officers who had been in D.C. working for Chief Cathy Lanier up there, protecting the President and helping with security at the Inaugural parade. As the officers got off the plane, it was a sight you would not have seen in

police departments anywhere in America 30 years ago. It was a thoroughly mixed group of African-Americans, Latinos, whites, and female police officers.

A week ago, we had a dedication ceremony in Miami at a facility that used to be called the “Negro Precinct Station.” Back in the day, and not that long ago, it was a separate, stand-alone police station in the Overtown area, with its own courthouse and lockup, where *only* African-American officers were assigned, and in some cases they were forbidden to arrest a white person. Now it has been renovated and made into a museum.

There's still racial injustice in America, and the battles against racism and sexism will never be completely won. But like a lot of other Americans who just watched the first African-American President take office, I look back on how different things were not very long ago—within my own lifetime—and I am thankful for the progress that has been achieved. 🏛️



Chief John F. Timoney, PERF President

# 2008 Legislative Year in Review

By Kevin E. Greene

FOLLOWING IS A SUMMARY OF A NUMBER OF POLICING-related developments in Congress during 2008:

## Sexual Exploitation of Children

Congress enacted legislation in September designed to protect children against sexual predators. Sponsored by then-Senator Joseph Biden, the *Providing Resources, Officers, and Technology to Eradicate Cyber Threats to Our Children Act of 2008*, or *PROTECT Our Children Act of 2008* (S. 1738, Public Law 110-401), directs the Attorney General to:

- Develop and implement a National Strategy for Child Exploitation Prevention and Interdiction;
- Establish a National Internet Crimes Against Children (ICAC) Task Force program, consisting of state and local law enforcement task forces dedicated to developing effective responses to online enticement of children by sexual predators, child exploitation, and child obscenity and pornography cases.
- Provide training and technical assistance to ICAC task forces and other federal, state, and local law enforcement agencies.

The law also authorizes grants to state and local ICAC task forces to hire personnel, establish and support forensic laboratories, support investigations and prosecutions of Internet crimes against children, conduct investigatory and prosecutorial training sessions, and fund any other activities directly related to preventing, investigating, or prosecuting Internet crimes against minors. The law also authorizes the establishment of a National Internet Crimes Against Children Data System to assist state and local law enforcement agencies in the investigation and prosecution of child exploitation cases.

## Investigation of Civil Rights-Era Homicides

Signed into law by President Bush on October 7, 2008, the *Emmett Till Unsolved Civil Rights Act of 2007* (H.R. 923, Public Law 110-344) directs the Attorney General to designate a Deputy Chief in the Criminal Section of the Civil Rights Division of the Justice Department responsible for coordinating with state and local law enforcement officials regarding the investigation and prosecution of violations of criminal civil rights statutes in which the alleged violation occurred before 1970 and resulted in death.

The bill was named for a teenager who was murdered while on a summer vacation in Mississippi in 1955. Sponsors of the measure said their intent is to shed light on unsolved civil rights-era murders and to demonstrate that the United States is committed to prosecuting those who perpetrated crimes based on racial hatred, regardless of when they were committed.

## Collective Bargaining

The House of Representative approved the *Public Safety Employer-Employee Cooperation Act of 2007* (H.R. 980) on July 17, 2007 by a vote of 314–97. However, the measure stalled in the Senate when a motion to invoke cloture, thereby ending debate, failed on May 15, 2008.

This measure, opposed by PERF and other law enforcement

organizations, would provide collective bargaining rights for public safety officers employed by state or local governments.

The Bush Administration also opposed the legislation. In a letter to Senate Majority Leader Harry Reid and Senate Minority Leader Mitch McConnell, the Administration stated that “because [H.R. 980] represents an unprecedented federal intrusion into state and local decision-making, potentially disrupts our nation’s carefully developed emergency-response functions, and raises serious Constitutional questions under the Tenth Amendment, the Administration strongly opposes this legislation.... While the Administration does not object to states deciding to allow collective bargaining, we believe that state and local governments are themselves most appropriately positioned to deal with the complex issues in determining the nature and range of collective bargaining rights, especially at the local level.”

On January 9, 2009, Rep. Dale Kildee introduced the Public Safety Employer-Employee Cooperation Act of 2009.

## New Congressional Honor for Police Officers

Introduced by Sen. Joseph Biden on January 29, the *Law Enforcement Congressional Badge of Bravery Act*, (S. 2656, Public Law 110-298), authorizes the Attorney General to award a Congressional Badge of Bravery to a federal, state, or local law enforcement officer who is cited by the Attorney General for performing an exceptional act of bravery while in the line of duty. A law enforcement officer so nominated must have (1) sustained a physical injury while engaged in lawful duties and performing an act of bravery that put such officer at personal risk or (2) performed an act of bravery that placed such officer at risk of serious physical injury or death. The Senate and the House overwhelmingly approved the measure on June 26 and July 22, respectively. President Bush signed the measure into law on July 31.

## Firearms

Several gun-related measures were introduced in 2008, but none was enacted into law. These bills, if enacted, would have:

- Reinstated for 10 years the ban on the manufacture, transfer, or possession of semiautomatic assault weapons and large-capacity ammunition-feeding devices. The bill included an exception for federal, state, or local governments and law enforcement agencies. [*Assault Weapons Ban Reauthorization Act of 2008*, H.R. 6257]
- Reduced gun trafficking by prohibiting bulk purchases of handguns. [*End Gun Trafficking Act of 2008*, S. 3634]
- Prohibited gun dealers from manufacturing, importing, or transferring a semiautomatic pistol that was not capable of micro-stamping ammunition. [*National Crime Gun Identification Act*, H.R. 5266].
- Amended the *Brady Handgun Violence Prevention Act* by requiring registration of gun show promoters. [*Gun Show Background Check Act of 2008*, S. 2577]

## Body Armor

Signed into law by President Bush on October 10, 2008, the *Bulletproof Vest Partnership Grant Act of 2008* (H.R. 6045, Public Law

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# PERF Members Call for Aid to Local Police; Congress Moves to Include \$4 Billion in Stimulus Bill

AS BARACK OBAMA PREPARED TO TAKE OFFICE AS the 44th President, the 111th Congress began work on what many consider its first priority: enacting an economic stimulus bill.

Local police executives are urging that Congress include funding for the COPS program and other assistance to local law enforcement as part of the stimulus package.

On January 8, two PERF members—Philadelphia Police Commissioner Charles Ramsey and Burlington, Vt. Chief Michael Schirling—testified before the Senate Judiciary Committee regarding the impact of the recession on local police operations and on crime.

On January 15, a key member of Congress, House Appropriations Committee Chairman David Obey, released the text of a proposed \$825-billion stimulus bill that would include \$4 billion for local law enforcement: \$3 billion for Byrne Justice Assistance Grants plus another \$1 billion for COPS hiring grants. Congressman Obey said the COPS funding would provide for the hiring of about 13,000 new police officers across the nation. The bill was developed in partnership with the incoming Obama Administration as well as House Democratic leaders.

The following week, the Senate Appropriations Committee released its version of the stimulus package, with \$3.95 billion for state and local law enforcement.

Following are excerpts from the testimony of Commissioner Ramsey and Chief Schirling, as well as comments by Senate Judiciary Committee Chairman Patrick Leahy (D-Vermont).

## SENATOR PATRICK LEAHY: It Is Essential That We Restore COPS and Byrne Grants

Later this morning, President-elect Obama will be speaking about the economic crisis and the need for an immediate stimulus package. And so it is fitting that in the Judiciary Committee's first hearing of this new Congress, we consider the urgent need for more federal assistance to state and local law enforcement, especially during this economic crisis.

With unemployment on the rise, cities and towns are cutting budgets, including critical funding for police. We must act quickly and decisively to shore up state and local law enforcement, or face a reversal of the great strides we made to reduce crime in the 1990s.

Law enforcement depends on local tax revenues, which have started to fall with the economic downturn. Police forces will need to cut their already depleted ranks even further without help. So as crime escalates, there will be fewer officers and resources to protect our families and communities, unless we act now.

It is essential that we restore the COPS program and the Byrne Justice Assistance Grant program to the levels that worked so effectively in the 1990s.



Senate Judiciary Committee Chairman Patrick Leahy confers with Burlington, Vt. Chief Michael Schirling and Philadelphia Police Commissioner Charles Ramsey prior to the hearing

## COMMISSIONER CHARLES H. RAMSEY: Federal Government Needs a Sustainable Relationship with Local Police

Thank you for this opportunity to discuss the future of our nation's law enforcement agencies at such a critical time in our history. I cannot overstate the importance of developing a sustainable relationship between the federal government and our state and local police agencies.

My testimony here today reflects not just the experience of the Philadelphia Police Department; our experience, especially at this time, is not unique. Federal support for municipal police organizations has been declining steadily since the horrific attacks of September 11, 2001, in favor of homeland security funding. From 2001 until now, local police have received 81 percent less financial support, from \$2.1 billion to \$400 million, for initiatives such as additional personnel hiring and technology grants.

I would submit, however, that this is not an either/or proposition. In looking forward, the federal government can and should support local police in both grants for crime reduction and homeland security. At its highest, the Philadelphia Police Department received almost \$32 million in federal grants for crime reduction in 1996. Last year in 2008, we received \$3.5 million in federal funding.

No city or state has been spared from this recession. Local governments across the country are facing extraordinary budget shortfalls, necessitating cutbacks in services, programs, and personnel. The public safety sector is not immune, and the consequences for our cities, large and small, are very real.

Local police agencies are the primary agency in any municipal government for preventing, responding to, and reducing crime, violence, and terrorism. A strong and economically viable city will

have a strong, capable, and well-trained local police agency as its foundation. With cities and states universally scaling back their police operations, infrastructure, reducing or cancelling academy classes, cutting back investigative and patrol overtime, slowing their financial investment in technology, and implementing hiring freezes for sworn and civilian positions, all of us—police, local, state and federal government—have a stake in ensuring that public safety for the citizens in this country is not compromised.

Providing federal support to local and state law enforcement agencies during this economic downturn is an investment in the growth and success of this nation's future. If we are to build a sustainable future for our cities and states—and that is one of the core issues here, sustainability—then the federal government must partner with local police departments in offering dependable and meaningful support. Safety and security are essential: essential for the American people and essential for a viable and effective government. Quite frankly, we're not just discussing local policing today. We are discussing how the federal government can partner with municipal government in making it the strongest it can be.

Criminologists, social scientists and statisticians have rigorously studied policing in this country for over 40 years. One area that has received much inquiry is the positive impact of targeted policing initiatives through increased personnel in particularly crime-ridden areas. I've also been in this profession for over 40 years, and based on my experience, the most influential deterrent to crime is a highly visible and well-trained uniform patrol division.

More personnel not only deter would-be criminals from breaking the law, but contribute a sense of safety and well-being to our law-abiding citizens that is intangible and invaluable.

The return on investment by the mere proactive presence of well-trained police on the street, coupled with the technological and human resources to investigate and analyze crime, is a very powerful and robust combination. This is exactly the area where local police agencies are being impacted operationally by the state of the economy.

The opportunities afforded to local police agencies via federal grants for personnel hiring through the COPS program are so vitally important to all of us now. It is not just sworn positions, however, that are needed for effective crime fighting. Increasing the number of civilian positions in the area of forensic sciences—specifically ballistics, DNA analysts and technicians, and intelligence and crime analysts—also provides an essential complement to our local police agencies. Bringing these civilian positions into police organizations permits a greater number of sworn officers to remain where they are needed most, in uniform patrol.

When city and state governments have faced serious fiscal constraints historically, public safety operations have typically been one of the last sectors to be impacted. Government officials, recognizing the importance of safety and security in their cities, will cut back other programs and services prior to impacting police operations.

I believe it is a testament, therefore, of the severity of this financial crisis that police operations across the country are being adversely affected. Collectively, we cannot overlook this very simple fact. When we as a nation have to compromise the safety of our citizens, it's time to re-examine our priorities at the national level.

There is an opportunity here, despite the difficulty we face, and the federal government can assist us in building this partnership by reinstating funding that has proved invaluable in our past.

### **CHIEF MICHAEL E. SCHIRLING: Some Community Policing Programs Started with Federal Seed Money**

My name is Michael Schirling and I have the privilege of serving as the Chief of Police in Burlington, Vermont. Burlington is a community of approximately 40,000, located on the eastern shores of Lake Champlain about 35 miles south of the Canadian border. Through our 144-year history of providing law enforcement services to Vermont's largest city, our ranks have grown to 100 officers and 36 civilian personnel.

Over the last 10 years, our policing paradigm has shifted from a response-based model to one embracing the core tenets of community policing—partnership and problem solving—with an eye toward preventing crime and mitigating disorder on our streets and in our neighborhoods.

Over the last 10 years our officers and staff have had a variety of successes utilizing the community policing model, including:

- Successful neighborhood policing, utilizing geographic assignment of officers and supervisors to ensure a greater sense of connection with the community and “ownership” of neighborhood-level problems;
- More robust connections with youth via our School Resource Officer program and other youth initiatives;
- Well-developed relationships with our local colleges and universities;
- Successful efforts to support victims and survivors of crime utilizing a community-based Parallel Justice program;
- Partnership with our Community Justice Center to create alternative, community-based, restorative sanctions for low-level offenders;
- Creation of a Community Support Program that offers mediation and intervention services to citizens in conflict, in an effort to reduce the number of crimes and referrals to our already burdened court system;
- Partnership in a mental health street-worker project in our downtown, to help manage service-resistant individuals suffering from mental health and substance abuse problems, while ensuring a vibrant retail and entertainment district;
- Participation in a grassroots community group (titled the Uncommon Alliance) working to mitigate the impact of real and perceived bias in policing and to foster trust with members of our increasingly diverse community;
- Robust working relationships with federal, state, and local agencies throughout Vermont to tackle tough issues and complex cases involving violent crime and drug distribution;
- Work with the Vermont Department of Corrections on cutting-edge offender reentry initiatives; and

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strongest level of agreement (4.39 on a scale of 1 to 5) with the statement, "Sworn officer positions should be the *last* thing cut in the budget." Respondents generally said they would *not* cut sworn positions even to maintain critical elements of their training, equipment, or technology budgets.

And yet, when survey respondents were asked how they would apportion cuts in their overall budgets, they indicated on average that 28 percent of the dollar cuts would come out of funding for sworn personnel. Another 14 percent would come out of funding for civilian personnel, and 11 percent would come out of overtime funding. **In other words, for every dollar that police departments are planning to cut from their total budgets, 53 cents will come out of personnel—sworn, civilian, or overtime funding.**

The survey asked police executives about any plans they are making for reorganizing their departments in order to save money:

- 43 percent said they are planning to rely to a greater extent on **less-costly civilian employees**, rather than sworn officers.
- 36 percent said they are planning ways of discontinuing or delaying the police response to certain types of **calls for service** (such as encouraging residents to file reports of minor crimes online rather than in-person to an officer).
- 29 percent said they are planning to discontinue **special units**, such as street crimes units, narcotics task forces, community policing units, and so on.

- Partnership with federal, state, and local law enforcement in a multi-disciplinary task force approach to child sexual exploitation and sexual violence against women.

Many of these successful initiatives have had the support of federal funding in the past. Some were created using critical federal seed money.

There has been progress in our national efforts to stem the tide of crime. However, much work remains to be done, and recent setbacks in many areas of the country cloud that progress.

The current economic recession will have a significant impact on local and state funding streams that are stretched to their limit. Maintaining safe communities is arguably one of the key elements of economic vitality and growth for any community. Ensuring that resources exist to enable our department, as well as America's 18,000 other law enforcement agencies and 800,000 police officers, to continue to combat crime and disorder day to day, will require a renewed commitment to historic funding streams such as the Community Oriented Policing Services Program (COPS) awards and the Edward R. Byrne Memorial Justice Assistance Grant Program (Byrne-JAG).

Without renewed assistance, the current economic trend will cause already strained resources to be taxed even further and diminish hopes of continued progress.

- 16 percent said they are planning to reduce **public access hours** at district stations.

## CHANGES IN CRIME PATTERNS

When police officials were asked whether their jurisdiction has experienced increases in crime levels in recent months that they believe can be attributed substantially to changes in the economy and/or their police budgets, 44 percent said they had experienced such increases in crime. (55 percent responded "no," and 1 percent said they did not know.)

Of the 100 responding agencies who said they have experienced increases in crime attributable to the economy:

- 39 percent said they have seen an increase in **robberies**.
- 32 percent said they have seen increases in **burglaries**, such as incidents in which appliances and other equipment are taken from vacant homes.
- 40 percent said they have seen increases in **thefts**, such as thefts of GPS devices from cars and other "opportunistic" crimes.

"We know that when police departments saw increases in violent crime in 2005 and 2006, they were able to respond quickly by using overtime to flood crime hot spots with additional patrol and sending specialized units in," PERF Executive Director Chuck Wexler said in a news media advisory. "This helped to bring crime back down again in 2007 and the first half of 2008. The threat posed by the economic crisis is that a lot of departments will no longer have these options available to keep crime and violence down." 

Funding sources such COPS and Byrne-JAG should allow law enforcement agencies to craft creative, meaningful policing strategies tailored for their respective communities. Some communities will require funding for police officers, while others may require support personnel, such as computer forensic examiners, mental health and substance abuse clinicians, or other specialized practitioners. Many communities desperately need operational technology funding for projects ranging from radio system enhancements to mobile data terminals or technology infrastructure. Others will need assistance in facilitating education and prevention endeavors, arguably our best dollars spent to keep communities safe.

Still others are working in police facilities that are substandard and do not meet the needs of contemporary policing and community engagement activities. Toward that end, I believe these unique circumstances require the unusual step of federal funding for facility and infrastructure projects.

Federal, state, local, university and tribal law enforcement are doing all that we can to protect our communities from increasing crime rates and the specter of terrorism, but we cannot do it alone. We need the full support and assistance of the federal government. It is essential for key law enforcement programs like COPS and Byrne to be fully funded in 2009 and in the years that follow. As we work toward economic recovery, the safety of America's communities, large and small, is a critical component to economic stability and growth. 

110-421) extends the Bulletproof Vest Partnership Grant Program (BVP) through fiscal year 2012. The law was set to expire in 2009.

Created by Congress in 1998, BVP is administered by the Bureau of Justice Assistance (BJA). This important program has enabled hundreds of state and local law enforcement agencies to purchase life-saving armor vests. At a May 13 hearing, the Senate Judiciary Committee heard testimony from two law enforcement officers about their first-hand experiences with ballistic body armor and the importance of the program.

Legislation introduced by Sen. Patrick Leahy in December 2007 would have authorized the director of BJA to waive a “matching funds” requirement for the program in the case of fiscal hardship. That legislation (S. 2511) was approved by the Senate Judiciary Committee on May 15 but was not taken up by the full Senate prior to adjourning.

### DNA Backlog

On October 8 President Bush signed into law a reauthorization of the Debbie Smith DNA Backlog Grant Program. Named for a woman who was raped near her home in Williamsburg, Va. in 1989, the *Debbie Smith Reauthorization Act of 2009* (H.R. 5057, Public Law 110-360) authorizes \$151 million for each of the fiscal years 2009 through 2014 to help state and local governments eliminate the current backlog of unanalyzed DNA samples in the nation’s crime labs.

### Methamphetamine Production

Enacted into law on October 14, the *Methamphetamine Production Prevention Act of 2008* (S. 1276, Public Law 110-415) requires sellers of legal chemicals used in the production of methamphetamine to record all commercial transactions in an electronic logbook. Required information would include the purchaser’s name and address, signature, date and time of the sale, and the name and quantity of each product sold.

Cosponsored by Sens. Richard Durbin and Charles Grassley, this law closes a loophole in the 2006 *Combat Meth Epidemic Act*. Although the 2006 law restricted the sale of pseudoephedrine (PSE)-based cold medicines and required all purchasers to sign a

paperbound logbook, producers of meth were able to circumvent the process through “smurfing”: traveling across state lines in order to buy the maximum legal amount of medicines containing PSE, the key ingredient in meth, from multiple retailers. The new law establishes a more efficient electronic logbook to capture all sales in real time and thwart “smurfing.”

### Police Response to Persons With Mental Illness

Signed into law by President Bush on October 14, 2008, the *Mentally Ill Offender Treatment and Crime Reduction Reauthorization and Improvement Act of 2008*, (S. 2304, Public Law 110-416), reauthorizes the Mentally Ill Offender Treatment and Crime Reduction Act of 2004 through the 2014 fiscal year, and authorizes new grants to train and assist state and local law enforcement officers and campus security personnel in how to respond to incidents involving individuals who are mentally ill.

### Prisoner Reentry and Recidivism

Congress overwhelmingly reauthorized legislation aimed at helping released offenders reintegrate back into the community. The *Second Chance Act of 2007: Community Safety Through Recidivism Prevention* (H.R. 1593, Public Law 110-199) aims to reduce recidivism by helping former prisoners obtain housing, employment, education and health care. President Bush signed the measure into law on April 9.

In addition to programs to help offenders re-enter communities, the law authorizes initiatives at the Federal Bureau of Prisons to prepare federal inmates for successful re-entry into the community.

### Homeland Security

Introduced by Rep. David Reichert on May 28, 2008, the *Personnel Reimbursement for Intelligence Cooperation and Enhancement of Homeland Security Act of 2008*, or *PRICE of Homeland Security Act of 2008*, amends the Homeland Security Act of 2002 by expanding federal grants to state and local governments working with federal law enforcement in gathering terrorism-related intelligence. It also removes personnel caps and employment limits, thereby giving states and localities greater flexibility in hiring and retaining intelligence staff. The Senate passed the measure on September 29. President Bush signed it into law (PL 110-412) on October 14. 



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**Plan to Attend PERF's Annual Meeting**

March 26-28, 2009  
Ritz Carlton Washington Hotel  
Washington, D.C.  
(Mention PERF to obtain special meeting rate  
of \$225 when you call 800-241-3333.)

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