

FRATERNAL ORDER OF POLICE PRESIDENTIAL QUESTIONNAIRE

BARACK OBAMA RESPONSE

Section One:

Employees' Rights Issues

1. The Fraternal Order of Police strongly supports ***H.R. 82/S. 206, the "Social Security Fairness Act,"*** which would repeal both the "Windfall Elimination Provision" (WEP) and the "Government Pension Offset" (GPO) in current law. The WEP penalizes certain public employees who also worked in the private sector and paid into the Social Security system, through a substantial reduction in their benefits, because they also collect a government pension. The GPO provision in current law causes the reduction or elimination of the spouse's or widow(er)'s benefit from Social Security by two-thirds of the monthly amount received from the government pension. Are you a co-sponsor of this legislation? If elected, will your Administration actively support its enactment and will you sign the bill if it is passed by Congress?

I am a co-sponsor of the Social Security Fairness Act (S.206). The "Windfall Elimination Provision" and the "Government Pension Offset" hurt police officers, teachers, firefighters, and other public employees, and I will fight to enact legislation repealing both provisions as president. We have a responsibility to take care of workers who have devoted their lives to public service and we shouldn't be discouraging our young people from working in these essential jobs.

2. In 1999, the Commission to Strengthen Social Security (CSSS) issued a report which rejected a scheme to mandate participation in Social Security for newly hired State and local government employees currently outside the Social Security system. Will you pledge to oppose any plan and veto any legislation which includes a provision mandating participation in the Social Security system for either current or newly hired State and local government employees that do not currently participate in Social Security?

I pledge to oppose any plan to mandate that state and local government employees participate in the Social Security system. I've been a leader in efforts to oppose mandatory coverage. In 2005, I was one of eleven Senators—and the only presidential candidate other than Senator Dodd—to sign a letter urging the Senate Finance Committee not to support Social Security reform legislation that would require mandatory coverage for state and local employees.

3. The Fraternal Order of Police strongly supports legislation which provides minimal collective bargaining rights for public safety employees (i.e., law enforcement officers and firefighters). What is your position on public employee collective bargaining? The FOP strongly supports ***H.R. 980/S. 2123, the "Public Safety Employer-Employee Cooperation Act."*** What activities have you undertaken or what commitments have you given with respect to the consideration of this bill? If elected, will your Administration actively support its enactment and will you sign the bill if it is passed by Congress? Would you also support similar provisions that would allow uniformed and non-uniformed Federal law enforcement officers to unionize and engage in collective bargaining?

Public safety officers put their lives on the line every day and deserve the right to bargain collectively. In too many communities, firefighters, police officers and other public safety officers are unable to bargain over wages and working conditions. That is why I am an original co-sponsor of the

Public Safety Employer-Employee Cooperation Act. I will support it in the Senate and I will sign it as President.

My support for expanded collective bargaining among public safety officials is an important part of my larger agenda supporting workers right to organize. I am an original co-sponsor of the Employee Free Choice Act and voted for the legislation because I firmly believe that private-sector workers should also be able to choose whether they want to join a union without fear of intimidation, coercion, or threats to their livelihoods. I am convinced that millions of Americans would join a union if given a fair opportunity, but the National Labor Relations Act in its current form too often allows employers to violate workers' rights with impunity. EFCA is a bipartisan effort to make the process of organizing less vulnerable to employer lawbreaking by requiring card-check recognition and increasing penalties on employers that violate the law. I was disappointed that the Senate failed to pass EFCA. I will continue to support it in the Senate and I will sign it as President.

Over the course of this administration, President Bush has systematically wiped out labor-management cooperation and sabotaged federal workers' voice in the workplace. From revoking Executive Order 12871, which mandated labor-management partnerships in all federal agencies, to revoking the right of DHS employees to bargain collectively, the Bush administration has consistently and forcefully made it clear that it does not think workers should have a substantive voice in the workplace. As President, I will restore federal employees' right to organize and bargain collectively, and I will return to labor-management cooperation.

One part of this effort will be to direct the federal agencies under my control to remain neutral in federal employees' efforts to organize. All workers, including federal employees, should choose whether they want to join a union without fear of intimidation, coercion, or threats to their livelihoods. I have been a consistent supporter of federal employees' right to organize and have fought to protect their rights in the workplace. In 2006, I introduced the FAA Fair Labor Management Dispute Resolution Act, which would prevent the FAA Administrator from imposing contract changes on FAA employees and requires the use of binding neutral arbitration when negotiations stall.

I believe unions improve our government and help it to better serve both taxpayers and government's customers by giving workers a voice in the work they do. I would use the bully pulpit of the presidency to educate Americans on unions' important role in our society, including in our government. Collective bargaining plays a vital role in giving workers a voice in the work they do. When workers have a voice, they are able to increase productivity and reduce costs. We know from an Office of Personnel Management report that when labor and management cooperate in the federal government, productivity increases and costs are cut. The Bush administration's administrations assault on unions has only aggravated labor-management relations, reducing worker productivity and increasing costs to American taxpayers.

Strengthening workers' right to organize and bargain collectively shouldn't be controversial. It will be working Americans, united and organized, that will help us restore a sense of shared prosperity and security to this nation. The Public Safety Employer-Employee Cooperation Act, the restoration of federal employees' organizing and collective bargaining rights, and EFCA are a starting point, but there is more to do. I will appoint members of the National Labor Relations Board, the Federal Labor Relations Authority, and the National Mediation Board who respect the rights to organize and bargain collectively.

4. The Fraternal Order of Police strongly supports legislation which would articulate the rights of law enforcement officers who are, in a number of jurisdictions, denied their due process rights by police administrators and management. Are you a cosponsor of **H.R. 688/S. 449, the “State and Local Law Enforcement Discipline, Accountability and Due Process Act,”** which protects the due process rights of law enforcement officers in non-criminal, administrative proceedings? If elected, will your Administration actively support its enactment and will you sign the bill if it is passed by Congress?

I strongly support Senator Biden’s “State and Local Law Enforcement Discipline, Accountability and Due Process Act.” I will vote for it when it reaches the Senate floor and I will sign it as President. This legislation will accomplish two critical goals. First, it will safeguard the right of all law enforcement personnel to participate in our political process. Second, it will protect the basic due process rights of law enforcement officers. As a former professor of constitutional law, I am firmly dedicated to the protection of both political rights and due process rights for all workers, including those who put their lives on the line to defend others’ rights.

5. The Fraternal Order of Police strongly supports **H.R. 1073/S. 1354, the “Law Enforcement Officers Equity Act,”** which would expand the definition of “law enforcement officer” under the Civil Service Retirement System and the Federal Employees Retirement System to include all Federal police officers, as well as Customs and Immigration Inspectors. What is your position regarding the current disparity in the pay and benefits provided to law enforcement officers across the Federal government, and what measures will you support to ensure parity among the Federal government’s first responders? Are you a cosponsor of **H.R. 1073/S. 1354** and, if elected, will your Administration actively support its enactment? Will you sign the bill if it is passed by Congress?

I strongly support the Law Enforcement Officers Equity Act, and would sign it into law as president.

6. In August 2004, new rules governing the exemptions from overtime under the Fair Labor Standards Act (FLSA)—also known as the Part 541 or “white collar” exemptions—went into effect. The new rules, which the FOP strongly supports, make several important changes for public safety employees. For the first time ever, the regulations clarify that neither the regulations contained in 29 CFR nor the Section 13(a)(1) exemptions apply to police officers, firefighters, EMTs and other first responders who perform public safety work. The regulations go on to clarify why these employees, regardless of their rank or pay level, cannot be classified as executive, administrative or professional employees, and thus be exempted from receiving overtime pay. Will you pledge to support these regulations and oppose any Congressional or interest group effort to alter or otherwise weaken these exclusions for public safety officers? Will you pledge to veto any bill that would overturn or reduce these protections?

I strongly support the provisions of the Fair Labor Standards Act overtime exemption regulations which give special protection to first responders, including police officers and firefighters. I will direct my Secretary of Labor to leave these special regulatory protections in place and I would oppose any legislation which would allow their employers to deprive these first responders of their hard-earned overtime pay. It is worth remembering, however, that the Bush Administration was forced to include these special protections for first responders when it attempted to force through a sweeping anti-worker re-write of the overtime regulations that would have deprived millions of workers—including first responders—of their overtime pay. Thus, it may be necessary for my Secretary of Labor to revisit selected provisions of the Bush overtime regulations to ensure that all workers who need overtime protections, including first responders, are included within the scope of

the Fair Labor Standards Act. However, any modification of these regulations in my administration would leave the special protections for first responders in place.

7. In 2006, the Majority staff of the House Subcommittee on Federal Workforce and Agency Organization and the Senate Subcommittee on Oversight of Government Management, the Federal Workforce, and the District of Columbia released a concept paper for a Federal Law Enforcement Personnel System. The proposal would include a pay-for-performance system and pay banding. What is your view of the concept paper and would you support legislation derived from the paper's proposals?

Experience among federal employees already subject to "pay for performance" systems suggests that as implemented these systems have created significant problems without increasing productivity or rewarding individual performance. "Pay banding" exacerbates this problem as good performers are rewarded with initial higher annual raises, but quickly approach the top of their pay band—thereby limiting the amount of annual raises they can subsequently receive. This system can create a disincentive for continued good performance while undermining federal employees' willingness to collaborate with one another, generating unnecessary grievances, and interfering with sound management practices. I believe that federal law enforcement personnel should be compensated fairly for their work and encouraged to perform at their highest levels using multiple management tools and through collective bargaining agreements where currently applicable.

8. The Fraternal Order of Police is very critical of many aspects of the National Security Personnel System (NSPS) at the U.S. Department of Defense because it does not take into consideration the unique nature of law enforcement work. For this reason, the FOP has supported efforts by Members of Congress to end funding for its implementation. The FOP did win some reforms to the NSPS with the enactment of *H.R. 4986, the "National Defense Authorization Act for Fiscal Year 2008."* This bill included many far-reaching reforms to the NSPS, including modifications to the pay-for-performance system, protection of the collective bargaining rights of our officers and a new appeal process using the Merit Systems Protection Board (MSPB). Did you support these reforms and would your Administration be willing to further reform the NSPS, if not defund it completely?

I support the partial repeal of the National Security Personnel System (NSPS) included in the National Defense Authorization Act for Fiscal Year 2008. In particular, I support the reforms that blocked the exemption of 650,000 Department of Defense civilian personnel from the Federal Service Labor-Management Relations Statute, stopped the creation of a limited collective bargaining regime under the Defense Secretary's unilateral control, and created a new MSPB appeals process to assure that DOD's civilian personnel are assured of a fair process when they face discipline. My Administration will work with FOP and other stakeholders on further reforms to the NSPS.

9. The Fraternal Order of Police strongly supports the use of Defined Benefit (DB) pension plans for public employees and are concerned that these plans are under fire at the State and local level in favor of Defined Contribution plans, which do not have guaranteed benefits for retirees. Many State lawmakers have proposed legislation which would replace existing Defined Benefit plans with Defined Contribution plans, thereby reducing retirement benefits for employees. What is your position in respect to Defined Benefit and Defined Contribution plans and how might your Administration address this issue at the Federal level?

With respect to encouraging the adoption of defined-benefit plans by state and local governments, I believe that expanding organizing and collective bargaining among state and local government employees is the likeliest path to achieving this goal. Throughout our economy, unionized workers are far more likely to have retirement plans, including defined benefit plans, than unrepresented workers. When the Public Safety Employer-Employee Cooperation Act becomes law, state and local government employees will be able to give themselves the opportunity to demand defined-benefit pensions at the bargaining table and/or in the policymaking process. My administration will be vigilant in monitoring funding levels of employer pensions and will work with states to ensure that employers are providing appropriate funding.

The most important defined benefit pension system in our country is Social Security. I will work in a bipartisan way to preserve Social Security for future generations without expanding mandatory coverage to state and local government employees. I will oppose any effort to privatize Social Security. The focus of reform options should be on protecting the basic integrity and fairness of the Social Security program, which provides a vital safety net to millions of seniors and Americans with disabilities. Social Security is more than just a retirement plan; it is also a program of social insurance. The problems with Social Security are real but manageable.

10. The Fraternal Order of Police is the largest labor organization representing this country's law enforcement professionals and, as such, we have been involved with the Administration on a wide range of labor issues, including serving as a member of the Labor Advisory Council for Trade Negotiations and Trade Policy. We were also involved in an effort to evaluate a law enforcement training program in Iraq. As President, how will you involve and consult with our leadership relating to labor issues?

I am running for president in part because I am tired of playing defense when it comes to protecting this country's workers. I am ready to play offense for workers' right to organize and collectively bargain; for workers' ability to retire with dignity; and for workers' right to earn decent wages and benefits. The voice of labor will be heard in my administration. I view unions and labor organizations as partners in protecting our workers, not adversaries. And the Fraternal Order of Police will be an important partner in restoring workers' interests—including the interests of our nation's law enforcement officers—to the top of the agenda. I will forge a strong working relationship with the FOP on all matters that impacts the security of our borders, as well as those issues that impact how law enforcement provides for their communities and families.

Section Two: **Criminal Justice Issues**

1. The Fraternal Order of Police was the chief advocate for the passage of ***H.R. 218/S. 253, the "Law Enforcement Officers' Safety Act,"*** which was signed into law in July 2004. The law exempts qualified active and retired law enforcement officers from State and local prohibitions on the carrying of concealed firearms. Were you a cosponsor of either of these bills in the 108th Congress? How did you vote on *Senate Roll Call Vote #26? (108th Congress, 2 March 2004)*

I am a strong proponent of the need to protect our retired law enforcement officers by permitting those individuals to carry concealed weapons. I was not a member of Congress when the *Law Enforcement Officers' Safety Act* was enacted, but I strongly support that law. In the Illinois State

Senate, I voted to allow retired peace officers and military personnel who have served honorably for at least 10 years to receive a permit to carry concealed firearms.

2. The FOP supports **H.R. 2627/S. 376, the “Law Enforcement Officers’ Safety Act,”** which would make minor changes to 18 USC 926B and 926C—the Federal law of the same name. The FOP supports this amendment package to ensure that retired officers are treated fairly by their States with respect to implementing the Federal law and to clarify the authority of Federal law enforcement officers under 18 USC 926B and 926C. Are you a cosponsor of this legislation? If elected, will your Administration actively support its enactment and will you sign the bill if it is passed by Congress?

I applaud the work of Senator Leahy and others who have worked on S.376 to amend the *Law Enforcement Officers’ Safety Act* so that Congress’s purposes are not frustrated by inconsistent and differing state interpretations and procedures implementing the law. My administration will actively support its enactment and I will sign the legislation as president.

3. The FOP supports legislation like **S. 1235, the “Daniel Faulkner Law Enforcement Officers’ and Judges’ Protection Act,”** which would increase the penalties for threats and violence against law enforcement officers, judges, and courtroom personnel—including making the murder or attempted murder of a law enforcement officer employed by an agency that receives Federal funds a capital offense. The legislation also imposes time and other substantive limits on Federal courts’ review of *habeas corpus* petitions challenging a State court conviction for killing a law enforcement officer, judge, or other public safety officer and incorporates an existing provision of the Federal *habeas* statute that is used to determine whether a defendant may file a successive petition or seek a new evidentiary hearing in Federal court. The legislation also includes language identical to *H.R. 2627/S. 376* as described above. Are you a cosponsor of this legislation? If elected, will your Administration actively support its enactment and will you sign the bill if it is passed by Congress?

Protecting the safety of our law enforcement officers and judges will be a priority of my administration. After the horrific murder of an Illinois federal judge’s mother and husband, I worked with Senator Durbin to beef up security at our federal courthouses. We also secured \$12 million to improve security for federal judges and requesting a Government Accountability Office investigation into additional steps that can be taken to protect judges and those who serve and protect our judiciary.

4. The Fraternal Order of Police supports legislation that would limit the amount of damages that a criminal defendant could recover as a result of injuries that the criminal incurred in the course of committing or being apprehended for a felony or a crime of violence. Would your Administration support such legislation if it were introduced? Will you pledge to sign such a bill if it is passed by Congress?

In general, I am opposed to establishing arbitrary caps on civil damages.

5. For what crimes do you believe that the death penalty is appropriate?

I believe that the death penalty is an appropriate punishment for heinous crimes. I believe there are some crimes—such as the killing of law enforcement officers, mass murders, and the rape and murder of a child—so heinous, so beyond the pale, that the community is justified in expressing the full measure of its outrage by meting out the ultimate punishment. In the Illinois State Senate, I have

supported and voted for legislation to extend the categories of heinous crimes eligible for the death penalty—such as murders involving certain domestic violence cases, senior citizens, and family members of community policing volunteers. I was also the chief co-sponsor of legislation that would have made the commission of murder near a place of worship a crime eligible for the death penalty.

Because of my commitment to ensuring a fairly administered death penalty and to ensuring that proper convictions stand in court, I led efforts in Illinois to reform a broken system that sent 13 innocent people to death row. I did so by bringing law enforcement groups and civil rights advocates together to pass a law requiring videotaping of interrogations and confessions in capital cases.

6. In December 2006, as the FOP marked the 25th anniversary of the murder of Philadelphia Police Officer Daniel Faulkner by Wesley Cook, who is better known by his alias, Mumia Abu-Jamal, a small town in the suburbs of Paris decided to name a street after this killer. Similarly, a Chicago alderman proposed several years ago to name a street in honor of a Black Panther thug named Fred Hampton, who advocated the killing of police officers. If you were a Member of the House in the 109th Congress, how would you have voted on final passage for H. Res. 1082, which condemned the actions of St.-Denis, France in honoring Danny Faulkner's killer (*Roll Call Vote #527*)? As President, what actions would you and your Administration take to deter or condemn efforts by local, State, Federal or foreign governments to honor those who kill or urge the killing our nation's police officers? What actions will you and your Administration take to curb politically motivated attacks on law enforcement officers and what steps will you and your Administration take to reinforce the public confidence in police?

Our nation's law enforcement are our communities first line of defense from those who would do our citizens harm. I deplore acts to harm or kill our nation's police officers, and oppose efforts to glorify those who commit such acts. My administration will focus on honoring our nation's law enforcement officers, who day after day put themselves in harm's way, by ensuring that they receive the funding and support needed to equip and train them, provide them the technology they need to keep themselves and our communities safe, and to protect their right to unionize and collectively bargain.

7. The FOP has long been concerned about foreign governments providing shelter for criminals who committed murder or other serious violent crimes in this country, and subsequently fled to another. The FOP strongly opposes normalization of relations with Cuba until this issue is resolved, and we have been critical of other governments, including France, Israel, and Mexico, on this same point. At the FOP's Biennial National Conference in 2007, our membership adopted a resolution urging the President of the United States and the Congress to take any and all measures necessary to enforce the 1978 Extradition Treaty made between the United Mexican States and the United States of America, "including, but not limited to the cancellation or renegotiation of the Extradition Treaty" and imposition of sanctions "including but not limited to rescinding all financial aid and support to that Government and any and all benefits afforded to that Government under the North American Free Trade Agreement" to ensure that those who commit crimes of violence in the United States are extradited and prosecuted under the laws of the United States. What steps will you and your Administration take to place pressure on Mexico and other foreign governments that provide safe harbor for those who commit crimes of violence in the U.S. and will you pledge to make sure that your Administration fully addresses the issue of extradition of existing and future fugitives when considering agreements with foreign governments?

Cooperation with U.S. law enforcement efforts, including observance of the letter and spirit of the extradition treaty, is a key component of how we evaluate Mexico's relationship with the United States. The United States should use the full range of diplomatic and political resources at its disposal to emphasize the importance of such cooperation and achieve improvements where necessary. The leadership of the current Mexican government appears to have a pronounced interest in advancing law enforcement goals, offering us a unique opportunity to move forward in this critical area.

Last summer, I worked on behalf of the family of Dr. David Cornbleet, who was brutally murdered in his office in Chicago. After the murder, the killer, Hans Petersen, acquired a French passport and escaped to the French island of St. Maarten. I pushed the Secretary of State to urge the French government to turn Mr. Petersen over to the Cook County police for prosecution in the United States. The French government's failure to turn over Mr. Petersen is symptomatic of these problems and my Administration will use pressure to get these countries to cooperate so that justice will be served.

8. "Racial profiling," once a political buzzword and a favorite topic of the media, disappeared from the headlines following the attacks on the United States on 11 September 2001. The FOP has condemned the practice and asserted that it is not the policy of any U.S. law enforcement agency to base enforcement decisions solely on race. However, legislation like **H.R. 4611/S. 2481, the "End Racial Profiling Act,"** continues to be introduced in Congress. Are you a cosponsor of this bill? How do you define "racial profiling"? Do you believe that Federal legislation is necessary to address this issue and if so, what would the legislation do and how would it affect law enforcement activity at the State and local level?

Last year, the Department of Justice released a survey that found that blacks and Hispanics are more than twice as likely as whites to be searched, arrested, threatened, or subdued with force when stopped by police. Of those who had force used against them, 83 percent felt that the force was excessive. Although police departments have made considerable progress on this score, I believe that we have more work to do. As a state senator, I introduced and passed a law requiring the Illinois Department of Transportation to record the race, age and gender of all drivers stopped for traffic violations so that bias could be detected and addressed. The Illinois State Police supported this legislation, and have used its data-reporting requirements to build trust between law enforcement officers and the communities they serve. The ISP has also implemented pro-active initiatives to end or combat the perception of bias. I worked closely with the Illinois FOP on this legislation, and will similarly work with the national FOP in pursuing a federal counterpart.

I have co-sponsored the End Racial Profiling Act of 2007 (S.2481) to officially ban racial profiling and require federal, state and local law enforcement agencies to take steps to eliminate the practice—by collecting data and developing procedures to respond to complaints and discipline offending officers. I believe that this legislation is necessary to ensure that this practice is not used by any of our law enforcement agencies and to establish enforcement and accountability mechanisms to ensure that public confidence in our police officers remains high. As members of the FOP are well aware, trust between our nation's law enforcement officers and the people they serve is essential for the work police do every day. Without it, it is difficult to foster the cooperation and partnerships that are necessary to prevent, investigate, and prosecute crimes. I believe this legislation is essential to making clear that racial profiling has no place in our police departments and to send the message that our justice system is not biased towards people of color.

9. Would your Administration impose race-collection criteria on Federal law enforcement officers during enforcement actions?

As noted above, I believe we need to monitor our progress on eradicating racial profiling—both as a means to identify and address problems and to ensure confidence in our criminal justice system by promoting transparency. The End Racial Profiling Act will accomplish this by: (1) authorizing the Attorney General to issue regulations for the collection of data on racial profiling by federal, state, and local law enforcement offices; (2) requiring the Bureau of Justice Statistics to issue an annual report to Congress that analyzes the data collected; and (3) requiring the Attorney General to deliver his/her own annual report to Congress and the public on our progress in ending racial profiling. At the same time, the legislation protects police officers by prohibiting the release to the public of identifying information on officers involved in any cases.

10. In the past several Congresses, numerous pieces of legislation have been introduced which attempt to expand the definition of “hate crimes.” What is your position on this issue—is Federal legislation necessary and how should such crimes be defined? Would you consider making the murder of a law enforcement officer a crime of hate?

I have co-sponsored federal legislation that would expand federal jurisdiction to reach violent hate crimes perpetrated because of race, color, religion, national origin, sexual orientation, gender identity, or physical disability. As a state senator, I passed tough legislation that made conspiracy to commit hate crimes against the law. As president, I will ensure that the Criminal Section of the Civil Rights Division makes hate crime enforcement a priority. I believe we need to take all appropriate steps to ensure that those who murder law enforcement officers and their families are prosecuted and punished to the fullest extent of the law—including the death penalty where applicable and appropriate. I do not believe we need to extend hate crimes legislation to law enforcement officers.

11. In 1996 Congress passed the “Domestic Violence Offender Gun Ban,” or “Lautenberg Law,” as it is popularly known. The language was a small part of the huge “Omnibus Consolidated Appropriations Act,” a must-pass bill enacted on the final day of the 104th Congress. There were no hearings and very little debate on the measure which, for the first time in the history of federal gun control, affected law enforcement officers and members of the military. The law provides a Federal firearms disability for any person convicted, regardless of the date of conviction, for a misdemeanor offense in which domestic violence is an actual or statutory element. The law has had no demonstrable impact in the fight against domestic violence to date, is not being properly enforced on military personnel, and is aimed only at active duty law enforcement officers under the current enforcement strategy. Because of liability concerns, good police officers are losing their jobs for minor offenses committed long before the law passed. What is your position with respect to this law, and would you support legislation to amend it by making its application prospective from the date of original enactment for all persons? Would you sign such a bill if passed by Congress?

I do not support a repeal of this law.

12. Federal funding for State and local law enforcement is a very real concern, especially given the increased homeland security responsibilities of State and local agencies. The law enforcement and wider criminal justice community were severely impacted by the tremendous last minute cuts to our largest programs. With crime trending upward for the first time in more than a decade, how will you work to ensure continued Federal funding for traditional law enforcement programs and activities?

I will reverse this administration's ideological assault on federal funding for our nation's state and local law enforcement. I will fight strongly to restore funding to the Edward Byrne Justice Assistance Grants (Byrne/JAG) program, which has faced severe cuts under this administration. Funding Byrne/JAG is essential to avoid law enforcement layoffs and cuts to hundreds of anti-drug and anti-gang efforts across the country.

I am also an original co-sponsor of a bill with Senator Biden that will restore COPS funding. Beyond simply putting more police on the street, this legislation will provide money for technology grants to allow police departments to buy advanced crime mapping software and other key equipment. And it will help local district attorneys hire more community prosecutors—so that residents of at-risk municipalities have a direct line to the criminal justice system.

Additionally, I believe the federal government should support—through funding and dissemination of best-practices information—the innovative and evidence-based policing strategies that are being used in cities throughout the U.S. to fight gangs and reduce youth violence. Many of these strategies are designed with a view towards creating a relationship of trust and familiarity between law enforcement and the local community, so that police can act swiftly before crime occurs and can respond effectively once it does. New York, for instance, has had a lot of success with targeting police presence to areas that are particularly at-risk. And the Project Safe Neighborhoods initiative has had success reducing gun violence in certain Chicago neighborhoods, in large part as a result of innovative prevention initiatives that rely on public education to change attitudes and behaviors toward violence, outreach using rehabilitated ex-offenders and other trusted community members, and evaluation methods to monitor strategy.

13. The FOP has consistently maintained, throughout the several debates on homeland security funding legislation, that the first priority of the homeland security effort is preventing a terrorist attack and that the “all hazards” approach of the U.S. Department of Homeland Security (DHS) and the Federal Emergency Management Agency (FEMA) compromises this priority. The FOP believes that Federal funding does not sufficiently reflect the prevention goal and is geared instead towards purchasing equipment and training to respond to the aftermath of a critical incident. What is your view on the “all hazards” approach and how do you think it impacts law enforcement’s role in the war on terror and on access to Federal funds? As President, would DHS continue to function as if its top priority were to respond to an “all hazards” event, or would the Department’s priority be preventing terrorist acts on our soil?

It is imperative that the Department of Homeland Security be targeted at the prevention of terrorist events, which is why I have proposed taking FEMA out of DHS and having it be an independent agency. With so many missions, DHS has been unfocused. As President, I would ensure that we as a nation are prepared for the next “all hazards” event by having our emergency management capabilities operate outside of DHS.

14. The FOP strongly supported the REAL ID Act because law enforcement officers need to have confidence that the documents presented to them to establish the identity of a given individual are accurate. Officers rely on these documents during traffic stops and other law enforcement actions to access information related to that individual’s criminal history. Did you support the REAL ID Act as a Member of Congress? As President, will you continue to support it and ensure adequate funding to States for its implementation?

I support New Hampshire, South Carolina, and other states across the country that oppose this unfunded mandate. It is unclear how REAL ID will be implemented, but it is clear that states don't have the funds to pay for it. I am pleased that the Department of Homeland Security has extended the enforcement date and I hope that extension provides us with the time to fix this problem.

15. The Fraternal Order of Police and others in the law enforcement community have raised concerns about the standards for Personal Protective Equipment (PPE), specifically with the creation of consensus-based standards and changes in the State Homeland Security Grant Program and its Authorized Equipment List. Because of recent changes to the grant guidelines, law enforcement agencies are now unable to purchase personal protective equipment which they had been able to buy as recently as FY2003 because they do not conform to the National Fire Protective Association (NFPA) Standard 1994. Prior to FY2003, the NFPA Standard was only a recommendation and not a requirement, as it was recognized that a fire protective association was not well-suited to evaluate the PPE needs of law enforcement officers facing tactical situations. As President, how will you work with the FOP to give them a meaningful voice in the creation of consensus-based standards for law enforcement PPE and access to the equipment that they depend on to do their jobs safely? Would your Administration support the use of military specification standards for PPE as acceptable for civilian law enforcement use?

I agree that a "one size fits all" approach rarely works, and I am willing to examine the issue of PPE standards. I expect to work with the FOP and other law enforcement groups to ensure that our nation's law enforcement have access to the equipment best suited to their needs.

16. Because of the increased politicization of firearms issues and the lack of any meaningful public safety component in many legislative proposals, the membership of the FOP adopted a resolution stating that it would not support additional "gun control" legislation beyond our support for the measures signed into law in 1994. Will your Administration seek to push any additional "gun control" measures? If so, what public safety benefit do you expect to achieve and why should the FOP overturn its resolution on this issue?

I greatly respect the constitutional rights of Americans to bear arms. But I also believe that we can respect the Second Amendment and stem gun violence in our communities. It is especially important to stop the trafficking of illegal guns, and my legislative priorities will focus on the common-sense steps we can take to do just that.

First, we know that when law enforcement agencies operate in concert at the federal, state, and local levels, the chances of solving a crime increases. But since 2003, the Tiahrt Amendment has restricted the ability of the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) to share gun trace information with members of state and local law enforcement. The ATF has a wide-ranging database of gun information, yet Washington has threatened police officers with time in prison for attempting to access it. If we repeal this Amendment, it will give police officers the tools they need to fight the illegal gun trade and reduce crime.

Second, I support requiring background checks and closing the gun-show loophole that has been exploited by everyone from foreign terrorists to the Columbine High School shooters. Closing it would not impair the rights of lawful gun owners.

Finally, I believe we should reinstate and make permanent the expired federal assault weapons ban. We've witnessed the need for the ban in my hometown of Chicago, where Mayor Daley and the Chicago Police Department are backing a plan to equip officers with semi-automatic assault rifles in part because our officers have been outgunned by criminals equipped with AK-47s and similar weapons.

17. In 1995, Police Officer Stephanie Mohr, a canine officer with the Prince George's County Maryland Police Department, responded to a call in an area which had seen a tremendous increase in burglaries and drug trafficking. With other officers, she responded, and while subduing the suspects, released her partner who bit and injured a suspect who was illegally present in the U.S. She was charged with several violations of Federal civil rights law and, after a *second* trial, was convicted and sentenced to ten years. More recently, U.S. Border Patrol Agents Jose Alonso Compean and Ignacio Ramos, who are serving sentences of 11 and 12 years, respectively, were convicted of several Federal civil rights offenses on the strength of a single eyewitness account. The eyewitness was the victim—a drug dealer who had illegally crossed the border into the United States with more than seven hundred pounds of marijuana. The drug dealer was shot and injured after aiming a gun at the officers while fleeing back across the border. If elected President, will you pledge to review these cases carefully and seriously consider commutation of the sentences received by these law enforcement officers, who were unfairly prosecuted for actions they took in the line of duty?

If elected, my administration will review these cases closely and carefully.

18. Law enforcement is an exceedingly dangerous profession, with an average of one hundred and fifty (150) officers who die in the line of duty every year. Since 1962, the Federal government has recognized the sacrifices of law enforcement officers killed in the line of duty by designating 15 May as "National Peace Officers Memorial Day." Nearly thirty years ago, the National FOP began holding a Memorial Service on this day to honor the memories of the fallen officers and their loved ones. This event is held on the West Front of the U.S. Capitol and is attended by the families of the officers, as well as thousands of fellow officers and friends. For the last fifteen years, the keynote speaker for this event has been the President of the United States. Will you pledge to attend the May 15th Memorial Service event honoring the families and memory of our nation's slain heroes?

Yes, I will attend as president and will make it a point to honor National Peace Officers Memorial Day every year.

19. Since the Fraternal Order of Police is the largest labor organization representing this country's law enforcement professionals, how will you involve and consult with our leadership concerning any legislation, hearings, or other Congressional activity relating to criminal justice issues?

Tackling violent crime will be an important challenge of the next Administration. My Department of Justice will take on that task by partnering with FOP and our nation's law enforcement officers to ensure that we have enough police officers on the streets, to develop and scale-up crime-prevention techniques that have been proven to work, and to ensure that our officers have the technology and support they need to prevent and investigate crimes. The FOP has also played an invaluable role in our efforts to ensure a robust police force in Iraq, and that will continue under my administration. And as homeland security issues continue to take a forefront in our nation, the FOP's counsel is essential to our efforts to not only train and equip our nation's first responders, but also in respecting and honoring their labor.