6.00 Introduction

Providing for the public’s safety is ultimately the responsibility of municipal government and one of its highest priorities. “Public safety” means not only putting an end to the levels of crime and violence that impact the everyday lives of our residents, but just as importantly, delivering life-saving rescue services, preventing fires, and preparing for and responding effectively to domestic terrorism and natural disasters.

The primary goal of local public safety and crime prevention efforts is to ensure that the nation’s cities and towns provide a safe, healthy environment in which residents can live. To achieve this goal, federal, state and local officials must view the safety of the community in holistic terms. Officials must recognize the danger of focusing exclusively on prevention, intervention, or punishment. Public safety efforts are more likely to result in safer communities if all solutions are integrated into a single strategy.

Recent crime statistics demonstrate the significantly greater risks of direct criminal victimization of poor people. In addition, indirect victimization of crime also falls disproportionately on poor individuals. Neighborhoods with large concentrations of low income people are also generally the geographic areas of cities in which there are greater reports of crime, particularly street crime. Other chapters of the National Municipal Policy cover a variety of programs and initiatives to reduce poverty and address affordable housing issues. These should be viewed as a way to get at the root causes of crime and violence.

6.01 Crime Prevention

A. Problem Statement

Crime prevention is everyone’s responsibility. Crime and violence plague American cities and towns. Serious discussions continue to be held by all levels of government over the complex coordinated services that can make a difference, but substantive action has been slow in coming. These services include preschool education, recreation, neighborhood and employment programs targeted for youth, substance abuse treatment on demand, victims assistance programs, economic development, and job training and creation.

Prevention of crime and violence is the goal; public safety education is the key. This can be done by such efforts as implementing drug awareness programs, restricting access to guns, increasing recreational programs, returning schools to the “safe havens” they once were, providing children with successful role models, and celebrating positive successes of our youth. This nation needs to view young people as assets – not liabilities.

The attention of all levels of government should not only be aimed at the perpetrators of crime and violence, but also their victims. Toward this end, NLC supports direct federal funding to cities for local victims assistance efforts and programs funded through an office for victims of crime.

The practice of community policing is an important part of crime prevention and has helped to return a sense of unity between local law enforcement and the community.

B. Goals

Action must be taken to prevent crime and violence in our communities. To accomplish this, NLC:

- Strongly supports community policing efforts;
- Supports adequate and direct federal anti-drug, anti-violence and gang prevention funding to cities and towns that can be directed towards community policing efforts, anti-crime and violence activities, and rural enforcement programs;
- Urges a greater role for municipal elected officials in federal decision-making regarding the local use and expenditure of federal anti-crime and violence funds. This would allow flexibility to redirect financial resources from drug interdiction activities to prevention and treatment;
- Urges on-going reevaluation of state and federal laws and regulations related to public safety and crime prevention issues. This reevaluation should include a review of laws and regulations which address the age at which juveniles are charged as adults and should include the input of municipal elected officials;
- Urges the federal government to continue to gather information on hate crimes, family status, educational level and income as well as race in its crime statistics on perpetrators and victims and give the reporting of these variables equal prominence;
- Encourages federal law enforcement officials to investigate and prosecute cases in which crimes occur because of the real or perceived race, national origin, religion, gender, sexual
orientation or disability of a victim. Such investigation and prosecution should not supersede the right of state and local communities to legislate and prosecute in the area of hate crimes;

- Urges Congress to continue to support the efforts of the National Crime Prevention Council (NCPC) which has provided cities and towns with the hands-on, how-to, materials and publications to assist citizens in their efforts to organize and fight back against crime and violence;

- Urges the United States government to use all means at its disposal to secure the extradition of those alleged to have committed crimes against the people of the United States; and

- Encourages and supports federal efforts to address the growing forms of electronic or “cyberspace” crimes through the Department of Justice and other federal law enforcement agencies. Cooperation, specialized training and tracking equipment is essential for federal, state and local law enforcement personnel. Continued federal funding to train local governments and law enforcement agencies on how to deter, identify, and capture cybercriminals is essential to prevent and detect on-line crime.

C. Weapons and Ammunition Control

The growing abuse of firearms in cities and towns throughout this nation is the common denominator for most violent deaths. Firearms do not kill and maim without someone pulling a trigger. Controlling weapons and ammunition is just part of a more comprehensive effort necessary to reduce violent acts. NLC urges all levels of government to adopt statutory, regulatory, and policy actions to confront, curb, and eventually eliminate firearms violence in America. Specifically, NLC asks the federal government to:

- Require registration of all hand guns in the United States;

- Continue to enact initiatives and strengthen laws imposing mandatory sentences for the use of a firearm in the commission of any federal, state, or local crime;

- Strongly support enhanced gun control that will disrupt the illegal markets for firearms;

- Regulate, in a manner consistent with the Constitution, Internet facilitated firearms commerce and provide the same oversight as other types of commerce involving the sale and/or transfer of ownership of firearms; grant authority to the appropriate Federal agency to regulate and otherwise oversee the design, safety, and responsible marketing of firearms;

- Support flexible federal funding for local crime prevention programs that address gun violence and promote gun safety;

- Urge firearm manufacturers to be responsible corporate citizens by:
  1) including safety devices with their products and developing new technologies to make guns safer;
  2) selling only to authorized dealers and distributors, and allow their authorized distributors to sell only to authorized dealers;
  3) allowing no firearm sales at gun shows or similar events unless all background checks are completed;
  4) not selling firearms that can readily be converted into fully automatic weapons or that are resistant to fingerprints;
  5) not selling large (more than 10 rounds) capacity ammunition clips;
  6) maintaining an electronic inventory tracking plan; and
  7) forgoing firearms sales to licensed dealers known to be under indictment.

- Institute a federal ban on all manufacture, sale, importation or use of armor-piercing bullets that can penetrate bullet-proof vests except for legitimate use by the military and police officers. This legislation must include a precise definition of “armor-piercing handgun bullets” so that legitimate recreational ammunition will not be affected. The Department of Justice and Congress must devise and agree on such a definition as soon as possible;

- Support passage of federal, state, and local laws imposing substantial mandatory sentences, with no possibility of parole, probation, or suspended sentence for the use of armor-piercing bullets in the commission of any crime;

- Institute a ban on the manufacture, sale, importation, or transfer of all automatic assault type weapons and semi-automatic assault type weapons which can be rendered automatic except for legitimate use by the military and police officers;

- Apply a 30-day waiting period for the purchase or transfer of all guns so that local police agencies may check the criminal and mental health status of purchasers. A uniform, national computerized system to check criminal records in other states that maintains confidentiality must be implemented;
• Require federal licensing of gun dealers. Applicants for Federal Firearms Dealer licenses should be required to show proof of compliance with state and local laws to the Bureau of Alcohol, Tobacco, and Firearms (BATF) before the agency issues a gun dealer license. The BATF must be required to provide each general purpose government with a list of that jurisdiction’s Federally Licensed Firearms Dealers annually;
• Require that the background of an individual who redeems a weapon from a pawnshop be subject to the same scrutiny as an individual who purchases a firearm from a federal firearms licensee;
• Enact federal legislation that would allow states and/or local governments to adopt stricter standards and rules regarding purchase, storage and possession of firearms; and
• Enact federal legislation to prohibit an individual over the age of 18, but under the age of 21, from purchasing or possessing an assault rifle or handgun, including, without limitation, an assault pistol.

D. Youth Oriented Crime Prevention
It is essential that all levels of government, community leaders, the business community, and residents work together to create and sustain environments in which violence is not a pervading presence in the everyday lives of our nation’s children.

1. Early Childhood Education
All levels of government must work together to ensure that all children, regardless of economic status, are given the chance to begin healthy, violence-free lives. Prevention efforts that provide quality childcare and preparation for school will ensure young children get off to a good start. Studies have consistently shown that quality childcare reduces crime and violence in later years. The federal government must provide adequate funding for quality early childhood education in order to provide development opportunities and school readiness. (See also the HD Chapter for a compete discussion of quality childcare)

2. Education
The educational system can play a major role in the prevention of criminal activity. The educational system should improve and provide the quality of education for all youth. The federal government should continue to fund programs designed to motivate students to stay in school, including supporting programs which provide alternatives to the traditional school environment. By giving priority to prevention and intervention efforts and by recognizing that the current serious levels of youth violence have not always existed, the federal government can help to foster safe, healthy, long lives for our nation’s youth.

The federal government must continue to fund educational programs that address parent training, school-to-work opportunities and after-school activities for youth. Specific policies for youth programs, education, and employment are contained in the HD Chapter of the National Municipal Policy.

3. School Safety
The federal government must provide increased federal funding to augment local efforts aimed at improving school safety, such as School Resource Officers. The long-term effectiveness of programs that help to improve school safety can succeed with continued investments by federal, state, and local governments. The federal government must provide funding for the implementation of effective intergovernmental partnerships to truly achieve the goal of developing a comprehensive approach to school safety, including comprehensive mental health treatment and counseling for all youth and their families, sensitivity training programs, and other services that help prevent students from becoming perpetrators or victims of crime and violence.

The federal government should increase flexible funding for Title V, juvenile justice programs and innovative approaches to school safety that can be replicated by communities across the nation. The federal government must work with state and local authorities to establish more uniform guidelines and recommend mandatory reporting for crime and violent incidents in schools. School districts should be required to provide the U.S. Department of Education and other federal agencies, as well as state education agencies and state and local law enforcement agencies, with school incident reports. The school districts should also provide these agencies with an analysis of incidents and intervention techniques to create a national database of school crime and violence incidents and “best practices” for intervention.

This responsibility to report creates a difficult task of defining what a violent incident is. Intergovernmental cooperation, to establish reporting standards and criteria for federal, state, and local education and law enforcement agencies, would
establish benchmarks for consistent guidelines on reporting school crime and violence.

NLC calls for a consistent commitment among all levels of government, school systems, businesses, and community groups to ensure that public safety contributes to a good quality-of-life in all communities.

4. Mass Media and Media Violence

NLC urges the federal government to adopt an approach toward violence in the media that emphasizes alternative approaches which encourage and applaud pro-social values, demystify violence, and teach youth how to handle frustration, prevent suicide, and deal with conflict.

NLC supports entertainment rating systems that will provide advance notice of violent content in programming. NLC supports a federal public health campaign in schools that targets violence in a manner similar to that used to combat drunk driving.

The federal government must:
- Provide a clearinghouse that coordinates and evaluates recently conducted credible studies on the mental health implications of mass media violence; and
- Provide flexible, direct funding and/or assistance for Internet filtering capabilities for our nation’s libraries, schools, community centers and other local public facilities that provide children access to computers and other interactive media.

E. Domestic Violence

Domestic violence is a serious social crime and a criminal justice problem that significantly impacts our nation’s cities and towns in a variety of ways, including emergency shelters, schools, law enforcement and emergency medical service agencies, and the courts. Domestic violence crosses all socio-economic strata and should not be viewed as a private family matter, but in the context of other crimes and problems requiring prevention, intervention, and prosecution.

All levels of government must make domestic violence initiatives a priority on their agendas. Federal legislation should be enacted to provide funding for local government programs to address the problems of domestic violence through prevention, intervention, treatment, and effective prosecution. y legislation must take into account the potential impacts on already overburdened probation and parole departments.

NLC encourages the federal government to:
- Provide funding and assistance to maintain successful domestic violence programs already in existence, to initiate demonstration projects, and to aid local governments and organizations in modeling programs after successful holistic approaches;
- Establish a central point for the collection and dissemination of information on domestic violence programs taking place across the country that includes examples of what is and is not working, the progress of legislative initiatives at both the state and federal levels, recent studies on domestic violence issues, and other relevant information;
- Assist all levels of government in the development of programs that work with children exposed to domestic violence and in the development of general education programs for all children on domestic violence issues; and
- Fully fund the Violence Against Women Act programs, as well as, efforts which support the abolition of physical, sexual and psychological human rights abuse and oppression of women.

F. Driving Under the Influence

The enforcement of driving under the influence laws, adjudication of cases, treatment of offenders, prudent punishment of repeat offenders and the development of public awareness are all important state and local functions.

The role of the federal government, through the National Highway Traffic Safety Administration in assisting state and local governments should continue and be expanded. These efforts should focus public attention on the driving under the influence problem, facilitate public and private sector actions to counter the problem and provide administrative support for interstate coordination of driving under the influence countermeasure efforts.

6.02 Public Safety

A. Problem Statement

Public safety requires the commitment of all levels of government. Information sharing among levels of government must be comprehensive and timely. Through the joint efforts of local, state, and federal governments, as well as the responsible actions of individual residents and corporate citizens alike, the safety and well-being of our business and civic communities can be controlled successfully.
B. Goals
In order to keep our cities and towns safe:
- Cities must continue to partner and collaborate with state and federal government to help combat youth and gang violence;
- Cities should continue to work with state and federal government agencies to provide resources for transitional services to all prisoners reentering society;
- The federal government should assist cities and towns across the nation in acquiring modern emergency communications capabilities and advanced law enforcement technology; and
- Federal, state and local law enforcement must share information and intelligence across intergovernmental and jurisdictional boundaries.

C. Youth and Gang Crime and Violence
The number of juveniles taken into custody has increased dramatically and admissions to juvenile facilities are at their highest levels ever. Federal juvenile justice efforts within the Department of Justice have not had enough resources devoted to them to address the full range of problems in the area of youth victimization and youth crime.

Rising youth crime has also been associated with increased gang activity across the nation. Many schools and public facilities have become battle grounds for youth gang members. As gang activities have become increasingly mobile in crossing geographical boundaries, NLC urges the federal government to continue its work toward placing increased penalties on gang-related crimes, such as prosecuting offenders under organized crime statutes.

The federal government must prioritize establishing and maintaining effective juvenile crime and gang prevention programs on the local level by directly funding city, town, and multi-jurisdictional initiatives. Federal partnership and collaboration with cities and towns is the best way to take advantage of local leadership on this issue while encouraging innovative thinking and cooperation across jurisdictions and levels of government.

The federal role in juvenile justice should also focus on support services for state and local governments and information gathering and dissemination in the areas of rehabilitation of juveniles and progressive sanctions.

NLC supports:
- Federal assistance for the establishment and operation of youth courts to ensure swift and appropriate sanctions for certain juvenile offenses;
- Direct, flexible funding to municipalities for local juvenile justice and delinquency prevention initiatives with strict limitations on the amount of federal funds that can be used for administrative costs to ensure that a high percentage of the funds go to the local level; and
- Continued federal technical assistance to train local governments on how to apply for federal funds administered through states and units of local governments.

1. Juvenile Records
The federal government should establish and maintain a national system to track juvenile criminal records for use by local, state, and federal law enforcement agencies and provide assistance to states and local jurisdictions to update their record keeping procedures. Such collaboration would help local officials share and access juvenile records, identify and monitor habitual offenders, and address truancy rates.

2. Sentencing
NLC believes that, except in cases of federal crimes, the federal government should not be involved in juvenile sentencing – this is a state and local function. In particular:
- Decisions regarding the transfer of violent juveniles to the adult criminal justice system should be left to state and local governments;
- Parental responsibility laws are inappropriate at the federal level; and
- The federal government should not pass laws or regulations that significantly hinder the ability of local governments to develop and implement alternative sentencing programs for juveniles.

3. Corrections
The federal government should provide funding for mandates imposed on state and local governments that call for more accountability in punishing juvenile offenders. Currently not enough juvenile holding facilities are available to adequately meet the demands of the justice system. Overcrowding and the high costs of implementing specific separation requirements are problems that severely hinder rehabilitation efforts. More flexibility is needed in all areas of juvenile corrections, including juvenile detention facilities and the education of juvenile offenders. NLC urges the federal government to provide sufficient funding for all phases of all juvenile justice mandates to achieve desired results.
D. Prisoner Reentry
Each year prisoners are released back into society without access to immediate supervision and/or support. These prisoners face a multitude of problems including homelessness, a lack of job opportunities, educational deficits, mental health issues, substance abuse, infectious diseases, and no connection to their families and communities. Over half of all released prisoners will be rearrested causing increased costs and burdens for cities.

In order to combat this problem, the federal government must provide local and state governments with resources for transitional services to all prisoners in the areas of housing, education, mental health treatment, substance abuse counseling, employment opportunities, and healthcare. In addition, the U.S. Department of Justice should adopt a policy mandating that all federal prisoners be screened for drug/alcohol addiction, mental health problems, infectious diseases and other risk factors prior to release and then require these prisoners to seek continued treatment while on federal parole. Furthermore, the federal government should encourage state governments to require policies mandating that all state prisoners have DNA collected during the initial screening and exiting process in an effort to solve open cases. All prisoners should further be screened for drug/alcohol addiction, mental health problems, infectious diseases and other risk factors prior to re-entry into society.

For prisoner reentry to succeed, reintegration must be emphasized as soon as a prisoner enters a correctional institution. Emphasis must be placed on identifying a prisoner’s specific risk factors, providing treatment while in custody, and following up with community-based treatment once a prisoner is released. Programs must be implemented on both the federal and state level to involve the prisoner’s family unit or mentor in any decisions or treatment plans, both during incarceration and at the time of release. Federal grant money is needed to fund community-based intervention and treatment programs focusing on the issues of housing, job opportunities and training, mental health screening and treatment, substance abuse, healthcare, education, and family reunification. In addition, attention must be paid to the specific struggles and barriers associated with youth prisoner re-entry. Often, youth leaving the criminal justice system lack age-appropriate levels of education, needed social and developmental skills, and are returning to environments that do not foster rehabilitation and development. Emphasis must be placed on creating the necessary support systems and opportunities to help youth transition into adulthood, reintegrate into communities, and stop cycles of recidivism.

Successful federal, state, and local pilot projects must be expanded to address challenges related to prisoner reentry and the full spectrum of problems. The federal government should fund programs that include the cooperation of corrections officials, probation and parole officers, former offenders who can serve as mentors, families, police, prosecutors, the court system, mental health administrators, healthcare providers, housing agencies and rental advocates, substance abuse counselors, businesses, educational and vocational training providers, victim advocates, community- and/or faith-based organizations, neighborhood associations and coalitions, researchers and records personnel, and public affairs officers.

Congress should pass legislation guaranteeing that appropriate programs such as Medicaid, Social Security Disability, educational or vocational retraining, and other federal benefits, are available to eligible individuals on the first day of their release, ensuring access to the necessary services and resources vital to making a successful transition back into society.

E. Public Safety Technology and Intelligence
1. Public Safety Technology and Intelligence Goals
NLC urges the federal government to assist cities and towns across the nation in acquiring modern emergency communications capabilities and advanced law enforcement technology. Specifically, the federal government should:

- Make surplus equipment available to local governments (without undue restrictions on use) that would improve emergency response capabilities;
- Provide funding for research and training opportunities and publicize these opportunities;
- Make direct, flexible grants to local governments for local law enforcement and fire safety training and equipment;
- Conduct regular, well publicized training sessions and provide coordinated technical assistance to local public safety personnel operating public safety technologies;
- Encourage manufacturers to make public safety equipment available at reasonable costs to local government that can be easily upgraded for future purposes;
- Provide technical assistance and funds to local police for the adoption of advanced policing technology, particularly alternative use of force
options that help safely deescalate violent situations; and

• Provide technical assistance and support to established intergovernmental institutions to ensure a collaborative exchange of information that maximizes resources, streamlines operations, and improves the ability to fight crime and terrorism by merging data from a variety of sources.

NLC strongly urges flexibility in the use of federal public safety funds for upgraded technology and training. Many municipalities face great difficulty in purchasing necessary public safety equipment because of budget constraints or inability to qualify for available funds. New duties placed on law enforcement related to homeland security have constrained budgets further. NLC urges the federal government to assist all municipalities with public safety advancements without imposing stringent compliance guidelines.

2. Emergency Communications

Having the capability to transmit vital information to different emergency response personnel among all levels of government without interference and delay is key to disaster preparedness and emergency response. No man, woman, or child should lose his/her life because public safety officials cannot communicate with one another.

The federal government should take immediate action to provide local governments with the broadcast channels needed to enhance their communications capabilities. Reliable and interoperable wireless communications are essential to public safety’s mission to protect life and property.

The federal government should encourage regional planning for public safety communication needs and address the current shortage of spectrum channels with a long-term plan that ensures sufficient and appropriate spectrum to meet future public safety needs across the nation, communications equipment with open standards, and funding for the necessary building, operation, and maintenance of a national interoperable emergency communications system. If federal reallocation of radio spectrum forces a municipality to change radio frequencies and/or channels to preserve its public safety and emergency communications services, there should be prompt and fair compensation made for transfer costs, such as new equipment and additional personnel and training. (NLC’s policies on public safety communications are detailed further in the ITC Chapter of the National Municipal Policy.)

The federal government should also link all emergency warning systems across the nation, supplying all areas with appropriate equipment so that no area is left unprotected. Emergency alert systems should be used to ensure that any presidentially declared emergency, homeland security, and National Weather Services alerts are timely and accurate and provide direction on recommended protective measures local governments should take when the threat level is increased. Local governments should be reimbursed for any costs associated with heightened alerts.

NLC urges the federal government to ensure that all areas of the country have access to modernized 9-1-1 technology for emergency use. Currently, cities and towns that do not have timely emergency response services usually have not implemented a 9-1-1 system or their systems are antiquated. NLC also urges the federal government, in particular the Department of Justice and the Federal Communications Commission, to continue its efforts to improve the wireless 9-1-1 or E 9-1-1 services by working in partnership with state and local land use authorities, public safety officials, and the telecommunications industry. The telecommunications industry must fully develop and fund wireless emergency locator services and tracking systems and lead efforts to resolve interoperability problems that affect emergency communications systems throughout the nation. These efforts must continue to respect the premise of local autonomy, avoid burdensome mandates, and reflect the need for greater funding in underserved jurisdictions.

3. Law Enforcement Technology

The ability to transmit and access information quickly and easily helps local, state and federal law enforcement agencies prevent and reduce crime. The federal government should facilitate criminal records information sharing among all levels of governmental law enforcement agencies. Such an information system would provide law enforcement agencies a tool to track and apprehend transient, violent, repeat offenders, and/or suspected terrorists and share information with prosecutors, courts, corrections, parole agencies, and other relevant agencies. This integrated system would be particularly useful to localities in securing essential data during a time of emergency or disaster.

Advanced public safety technologies including mobile data terminals, geographic information systems, and biometric information repositories increase efficiency and can help return law
enforcement officers to the streets, enhancing community policing efforts. The collection and analysis of biometric evidence - particularly DNA-has proven a valuable tool in identifying suspects in both violent and non-violent crimes, as well as ruling out innocent individuals, and expansion of its use should be supported at the federal level.

Ultimately, the use of modern technology results in cost efficiencies because it allows for better management of workloads, streamlines processes, and provides rapid analysis, all of which reduce overtime among personnel. The federal government should facilitate the availability of these technologies to cities regardless of size.

In addition, modern technology is cost-effective because it manages workloads which reduce overtime among personnel. The federal government should facilitate the availability of these technologies to cities regardless of size.

4. Training
As local governments acquire new public safety technologies, the federal government should continue to promote interagency sharing of equipment during emergencies among all levels of government and provide training to local public safety personnel. To promote greater compatibility among training programs and curriculum, the federal government should lead efforts to ensure that public safety training programs provide a level of consistency among all agencies, which are essential to implement mutual aid and regional cooperation agreements. Federal assistance that enables local governments to improve public safety services will always be a key component to reducing crime, planning for and predicting disasters, and responding to emergencies.

5. Information Sharing
Access to both specific and aggregate information on public safety threats — ranging from acts of terrorism, to health threats, to gang violence trends — gathered by the federal government, should be shared with local law enforcement and other necessary agencies in potential impact areas.

The federal government must continue to improve standing task forces, centers, and institutions for sharing classified information on threats with first responders. Both federal financial and technical assistance, as well as on-site assistance of federal personnel, should be provided to local government, to assist in these information sharing institutions and joint analysis efforts.

The federal government should assist local law enforcement with acquiring the proper equipment, technology, and training to participate in information sharing activities, such as establishing fusion centers. The federal government should continue to refine policies and practices surrounding these institutions to ensure all activities respect civil liberties and privacy concerns.

F. Transportation of Hazardous Materials
The transportation of hazardous materials, including nuclear waste, must be made as safe as possible. Minimizing the danger of injury, environmental damage and other costs of such events requires knowledge of the materials so that appropriate measures can be taken and decisions made regarding evacuation or traffic diversion. NLC urges the federal government to provide adequate funds, training and equipment to all cities affected by the transportation and disposal of hazardous waste to assure the protection of public health and safety in the event of an accident.

The federal government must also ensure that the transport of high-level radioactive waste (HLW) be safely accomplished by employing state of the art technology, engineering and procedures.

1. Consolidation of Federal Programs
NLC supports federal efforts to consolidate hazardous materials policies and to designate the U.S. Department of Transportation (DOT) the lead federal department. NLC believes that when more than one federal agency regulates a hazardous material, the appropriate agencies must take steps to correct conflicting or inconsistent policies.

2. Standards
a. National Hazardous Materials Driver Standards
NLC supports federal hazardous materials driver training standards that are tailored to the transportation of specific materials. As a prerequisite to receiving a license, drivers of such vehicles must be required to certify that they have received special training.

b. Insurance
NLC supports existing federal regulations that require motor carriers to maintain sufficient liability coverage. NLC also supports continuation of federal law that provides supplemental liability coverage in the event of a catastrophic accident involving radioactive materials.
3. Notification and Communication
NLC encourages federal guidelines to clarify the level and frequency of notification and communications between state and local officials necessary to protect public safety. Currently available technologies and systems must be used to ensure immediate communication between transporters and all entities charged with responding to any incidences. Any carrier must be required to make an immediate notification to designated local emergency personnel when a hazardous materials incident occurs.

Federal, state, regional and local governments should cooperate in the development of a unified data and notification system.

4. Disaster Prevention and Training
First responders regularly respond to incidents involving the release or threat of release of hazardous materials in transport, therefore emergency response should continue to be the primary responsibility of state and local governments. The federal government must ensure that first responders have the resources and capacity to address and respond to any hazardous materials incidents.

In order to respond quickly and efficiently to any hazardous materials incidents federal, state and local governments should develop a centralized emergency response command structure within each of their jurisdictions to improve inter-jurisdictional communications when an accident does occur. There must be terrorism response plans for shipments of hazardous materials.

The federal government should set minimum training and education standards, require all stakeholders to participate, and offer technical and financial assistance to support these efforts. The federal government should evaluate and certify training programs used by regional, state and local emergency personnel.

5. Enforcement
NLC believes that the federal government should continue to be responsible for the enforcement of hazardous materials transportation regulations. The federal government must be more vigilant in its enforcement of its regulations regarding unregistered carriers and shippers.

States and localities should be allowed to adopt and enforce vehicle operating requirements and standards, including the imposition of fines or civil penalties for infractions of these federal requirements.

The Federal Railroad Safety Act should be amended so that the federal and state governments have concurrent authority to enforce federal rail safety regulations that relate to hazardous materials.

Finally, the Federal/State Rail Safety Participation program should be continued and adequately funded.

6. Financing
NLC urges Congress to appropriate sufficient federal funding to operate hazardous materials programs. NLC supports raising registration fees to pay for such programs while opposing federal preemption of local fees on carriers.

Motor Carrier Safety Assistance Program (MCSAP) grants from the Highway Trust Funds should be increased and made available to local governments.

G. Mental Health and Public Safety
1. Mental Illness and Criminal Justice
How the criminal justice community engages people with mental illness is a matter of national concern. Untreated mental illness often leads to volatile situations that require law enforcement to intervene. These interactions can require special training, be difficult to resolve, and create unique risks to the safety of all involved.

NLC supports federal resources to promote mental health consultation to law enforcement in the field, as well as formal training on how to identify the symptoms of mental illness and the most effective ways to interact with individuals displaying these symptoms. Federal programs that fund joint efforts between law enforcement and health officials to reduce repeat calls for service and better serve people with mental illness are also crucial to reducing unnecessary interactions between police and the mentally ill.

Mentally ill persons who do not receive psychiatric treatment and/or fail to comply with their medications regimen are significantly more likely to face arrest. For this reason, NLC supports funding for programs that improve the screening of incoming jail and prison detainees for mental illness; the diversion of individuals to mental health programs when appropriate; increasing the availability of grants for mental health courts and other diversion efforts; providing intensive treatment within incarceration, when necessary; and ensuring transitional services when leaving jail. These
programs ultimately reduce the likelihood that mentally ill individuals will return to incarceration or have a future interaction with law enforcement. (NLC’s policies on Mental Health are detailed further in the HD Chapter of the National Municipal Policy.)

2. Mental Health and Victims of Crime and Disasters

Major criminal incidents and emergencies have a significant impact on the psyche of citizens and first responders alike. Immediate support after traumatic incidents can ensure that witnesses provide first responders with more lucid descriptions of the event and prevent significant long-term mental health concerns. First responders to traumatic events also require psychological support. In both cases, psychological conditions, post-traumatic stress disorder, or substance abuse may develop or worsen if not addressed.

Psychological first aid, crisis counseling, and response worker support are all key to mitigating these issues. The federal government should assist with resources and the coordination of non-profit entities and state and local governments to ensure a continuum of care is available to victims of crimes and disasters—particularly after major emergencies and incidents. These efforts must include awareness and education of access to behavioral health treatment to prevent negative effects following a devastating event.

6.03 Homeland Security, Disaster Preparedness and Response

A. Problem Statement

The lives lost, property damaged, and economic hardships suffered due to criminal and terrorist acts and natural, manufactured and technological disasters pose severe problems for individual residents, communities, businesses and all levels of government. Local governments are the first level of government to respond to most disasters and emergencies and must be regarded as the focal point of all disaster mitigation and recovery activities. The federal government should provide funding directly to local governments for homeland security, emergency preparedness and response.

An effective system must be developed to ensure that federal and state emergency management officials conduct substantive consultations with local officials for key decision-making affecting homeland security, disaster preparedness and response at the local level.

Federal and state technical and financial assistance should be structured to allow local officials maximum flexibility in meeting identified needs. Regarding the homeland security funding formula, NLC supports the federal government continuing to fund risk-based threats in highly populated and high-threat areas. NLC also supports a minimum level of funding for state grants sufficient to allow jurisdictions to prepare for possible terrorist-based threats, with flexibility to use the funds for dual-use (risk and all-hazards) pursuant to their state homeland security plans.

The potential for hazardous or radioactive material spills, pipeline accidents, large scale social disorders, and domestic terrorism compels all levels of government to coordinate efforts to protect communities. Such coordination must result in a comprehensive national homeland security and disaster preparedness strategy. The Department of Homeland Security must continue to have a central office for coordinating local and state domestic preparedness activities. Regional plans and cooperation must be fostered through this central office.

B. Goals

In order to maintain viable communities and an economically sound nation, all levels of government must work together to reduce the likelihood of disaster losses incurred. Specifically, the federal government should:

- Continuously strive to improve the coordination of local, state, and federal disaster preparedness plans, including Emergency Management Assistance Compact (EMAC) operations;
- Assure continued availability of adequate property and casualty insurance and excess insurance coverage to all regions of the nation, at affordable rates without unreasonable exclusions or geographic redlining;
- Provide clear and appropriate division of responsibilities between local, state, and federal governments in presidentially-declared disaster areas, with clear channels and protocols between leaders, including maintaining the appropriate role of the U.S. military forces in supporting emergency response;
- Ensure FEMA has the funding, authority, clear mandate, and flexibility it needs to respond quickly and effectively; and
- Do nothing to impede efforts by first responders and state and local authorities.
C. Prevention, Planning, and Mitigation
The highest priority of all levels of government in addressing disaster and terrorism issues should be prevention and mitigation. Mitigation saves lives and reduces injuries; reduces economic losses; maintains and protects critical infrastructure; and reduces the liability borne by local governments and elected officials.

Knowing that improved safety from disasters in the future relies on what we can learn from the disasters of today, the federal government should collect data on the effects of disasters and lessons learned from the analysis of such data should be disseminated to aid state and local disaster-related efforts. Similarly, the federal government should provide assistance to state and local governments to help them conduct annual hazard and risk assessments to determine the vulnerability of particular areas or structures to disasters or terrorist acts based on historical and/or intelligence information.

The federal government can also help mitigate potential disasters by working closely with local governments to develop a useful uniform emergency warning system to ensure that as people travel throughout the nation, they will be informed of existing emergencies and advised how to respond. The federal government must also educate and train local emergency services on the effects of disasters and lessons on the warning system and what precautions need to be taken.

In addition, the federal government should fund and support a sustained effort to develop and improve the nation’s health and medical readiness, ensuring surge capacity in disaster situations. Our nation’s hospitals and other medical facilities operate at or near maximal capacity and lack the space and staff to adequately care for the influx of victims in a disaster situation. All levels of government must work together to pre-assess high-risk areas, build and pre-position the necessary medical infrastructure, including mobile and temporary response centers, and create clear and comprehensive health care related disaster plans. (See HD Chapter 4.08 “Health” for additional policy on public health and disaster planning)

The federal government should provide an adequate level of funding for local emergency preparedness and disaster planning and management. Such funding should allow a city to tailor its disaster preparedness planning to the special circumstances and needs of the area, particularly to any facilities and densely populated areas that have the potential to be terrorist targets, as well as provide local governments with appropriate emergency response equipment and communication as necessary.

In addition to directly assisting cities and towns in their mitigation efforts, NLC urges the federal government to:

- Require federal agencies to develop and coordinate pre- and post-disaster mitigation programs for the types of emergencies they manage;
- Provide fiscal, technical, and staff support for the development and operation of fusion centers and other standing information sharing institutions;
- Develop a comprehensive evaluation of risk factors for potential terrorist targets;
- Make their mitigation training programs more accessible and affordable and ensure that proven mitigation technology is more widely publicized and utilized;
- Support local governments in their efforts to encourage the public and private sectors to retrofit existing structures to reduce future losses from natural disasters and to locate new construction outside of high-risk areas such as flood plains, coastal areas or on or near earthquake faults;
- Encourage lending institutions to incorporate mitigation provisions as conditions for loans;
- Enact legislation that will allow for federal assistance in the accreditation of municipal levees in a cost-effective and responsible manner;
- Support federal programs to encourage public, private, and individual disaster plans, such as Citizen Corps;
- Sufficiently fund agricultural counterterrorism and food safety efforts; and
- Adopt strict standards for the enforcement and transport of hazardous materials.

D. Disaster Response and Recovery
Federal programs should be structured to support municipal governments with adequate funding and authority to immediately and effectively respond to all types of disasters, including training and equipping first responders and the public and private medical community.

The federal government must increase funding to local governments for response, including processes to resolve equity issues in disaster relief efforts. The federal government must review all regulations dealing with disaster relief that raise equity issues, and based on such a review, propose corrective action. Specifically, when multiple cities have been damaged by a disaster, a formula or waiver process...
should be available to resolve disaster-related damage in a fair manner. The federal government also should allow municipalities to request their municipality be declared a disaster independently of other local government entities.

Accidents or terrorist acts involving nuclear, biological or chemical (NBC) materials represent a special subset of disasters. The federal government must ensure that local governments and their first responders have the resources and capacity to address and respond to NBC incidents. The federal government should coordinate with state and local governments for public education regarding NBC incidents.

Additionally, the federal government should assist in the establishment and training of interdisciplinary, multi-jurisdictional search and rescue teams in each state to respond to and recover from natural and manufactured disasters.

When a city is asked by the federal government to provide services to citizens from jurisdictions outside their own in times of a declared state of emergency, it is the right of that city to recoup reimbursement from the federal government for expenses. Federal agencies must reimburse cities outside the declared state of emergency for costs related to disaster evacuation and sheltering, including straight time for city employees and the use of city-owned sheltering facilities at the direction of the federal government.

E. Training and Technical Assistance
The federal government must provide technical assistance and regional training devoted to disaster preparedness and response. This technical assistance should include the gathering and regular dissemination of information to local governments on general disaster issues and terrorist threats as well as specific disasters where they occur. This sensitive information must be shared with local government without jeopardizing national security. As part of its technical assistance efforts, the federal government should encourage regions to share resources and equipment needed for preparedness and response through mutual aid agreements and regional coordination.

F. Domestic Terrorism
The federal government should help local authorities by providing appropriate training to local governments in terrorism prevention. Public safety personnel must be taught and provided the necessary equipment to manage a situation involving weapons of mass destruction, including biological or chemical weapons.

Information or intelligence on likely or imminent acts of terrorism, gathered by any means by the federal government, must be shared across agency lines and with local enforcement agencies in potential impact areas. A policy for sharing certain classified information on threats or potential threats of terrorism with first responders must be implemented. Both federal financial assistance and federal personnel should be provided to the local government immediately when terrorist acts take place. The federal government must include local governments in federal plans and operations relative to issues in their jurisdictions and provide legal assistance to local governments that have high profile public or private targets within their boundaries.

G. Border Security
NLC supports increased coordination and cooperation between federal, state and local law enforcement agencies to achieve operational control of our nation’s borders. When all agencies work together and share information, our borders will become less porous and our nation will be safer. Local law enforcement should not be conscripted into Federal border patrol service. If the federal government does require local law enforcement to act on its behalf, absolute immunity and/or indemnification should be given so that localities are not liable for the actions taken on the federal government’s behalf. All costs associated with enforcement, training and equipment for these duties should be paid directly to the local jurisdiction by the federal government.

H. Immigration Enforcement
I. Interaction with Local Law Enforcement
Local police have a responsibility to cooperate with the federal government to apprehend specific persons identified as having committed a crime and violated US immigration laws. Local police should promptly report to appropriate federal immigration authorities any reasonable suspicions they have regarding persons already in their custody. However, local police should not be responsible for the enforcement of federal immigration laws or the ongoing detention of individuals merely suspected of violating those laws. Local personnel cannot be conscripted into federal service because the federal government has decided not to fund and staff its immigration enforcement agencies to meet demand. This type of action can divert local personnel from their primary duties, break important trust that has been built within the immigrant community and constitute a
cost shift onto local governments. The federal government should not transfer the responsibility of enforcing U.S. immigration laws to local police by making undocumented status in the U.S. a criminal offense.

The federal government has a responsibility to share information with local law enforcement on criminal immigrants. An accessible database that can track illegal immigrants must be developed and local police must be provided access and training on the database.

If the federal government does require local law enforcement to act on its behalf, absolute immunity must be given so that localities are not liable for the actions taken on the federal government’s behalf. All costs associated with enforcement, training or equipment for these duties must be paid directly to the local jurisdiction by the federal government.

2. Interaction with Local Officials
Other city personnel such as fire inspectors, educators, health personnel and social service personnel should not be responsible for reporting those persons who cannot produce proof of their legal presence in the United States.

3. Cost Recovery
Any costs associated with the detention of illegal immigrants on behalf of the federal government must be fully reimbursed to local governments. NLC strongly supports full funding of the State Criminal Alien Assistance Program (SCAAP), which provides funding for the costs of detaining illegal immigrants.

4. Visa Requirements
The federal government must address unlawful immigration by increasing enforcement over those individuals who enter the US legally with student, tourist or business visas and remain in this country after their visas expire. To effectively track all individuals entering and exiting the U.S. under the various visa systems, the federal government must enforce visa overstays through the full implementation and staffing of the US-VISIT and the Student and Exchange Visitor Programs (SEVIS). The US-VISIT program is a biometric security measure which tracks individuals prior to entry and exit within the U.S., the SEVIS program is a web based system which maintains information on international students and exchange visitors in the United States. An accessible immigration database should be maintained that identifies when the visa expires. Appropriate and timely review of the visa status of individuals visiting the US should help to address this concern, as well as a mandatory notification of change in address.

I. Profiling
All Americans have a right to expect equal treatment by law enforcement officers, prosecuting authorities, judges and correctional officials. Discriminatory enforcement of criminal laws has a corrosive effect on our cities and towns, undermining the confidence of the community in law enforcement and interfering with our efforts to prevent crime and prosecute offenders.

Unfortunately, our country has a long history of disparate treatment in our criminal justice system. Numerous studies confirm that racial minorities, especially African Americans and Latinos, are more likely to be arrested, more likely to be prosecuted and more likely to be incarcerated for offenses than whites accused of the same crime.

NLC supports federal legislation and action which eliminates discrimination in the enforcement of our criminal justice system. NLC opposes profiling of suspects based solely on race, ethnic origin, religion or other similar factors.

In addition, the federal government should assist local law enforcement agencies in their efforts to provide education and training for law enforcement officers regarding appropriate investigative and enforcement techniques.

6.04 Substance Abuse

A. Problem Statement
Substance abuse is a public safety concern. Cocaine, crack, heroin, PCP, amphetamines, methamphetamines, marijuana, and other illegal drugs— as well as the illegal use of alcohol and prescription drugs—are all straining the capabilities and resources of governments—especially public safety budgets.

Despite considerable efforts, there has been little discernible progress being made in reducing the social costs of drug abuse. Efforts to control drug trafficking have been, for the most part, unsuccessful. Local law enforcement efforts continue to be hampered by inadequate and ill-defined state and federal laws, limited resources, overcrowded prisons, and overburdened criminal justice systems.

Drug abuse prevention is under-funded, particularly at the federal level, and there is uncertainty and disagreement at all levels of government about what
constitutes prevention. Currently, federal funding is focused on programs which stress care to the chronic substance abuser, while providing only minimal attention to programs aimed at preventing the proliferation of illegal alcohol and drug use among America’s youth.

B. Goals
NLC supports a comprehensive strategy for substance abuse prevention, intervention, treatment and law enforcement, including alternatives to incarceration. NLC further urges that a balance in expenditures should be sought between prevention, treatment and corrections. NLC supports:

- Federal research into alternative sentencing programs for first-time non-violent drug use offenses;
- Funding for the creation of non-incarceration alternatives for first-time non-violent drug use offenses;
- Federal funding and standardized training for police, fire fighters, and public emergency medical personnel on identifying, seizing and clean up of methamphetamines labs;
- Reimbursement of the cost associated in the clean up and damages to property contaminated by methamphetamines;
- Funding for hazardous material equipment and training that reduces the occupational health issues associated with methamphetamine lab seizures and clean-up; and
- Technical assistance, national information sharing services, and direct fiscal support for Prescription Drug Monitoring Programs; and,
- Increasing the ease of access to and prevalence of safe, environmentally sound disposal of prescription drugs through convenient take-back options for all unwanted prescription drug medications.

C. Economic Deterrents
In order to effectively address the drug issue, the economic incentive is a critical element to any anti-drug strategy. To do so, NLC supports the following actions:

- Aggressively using all legal means to pursue actions against financial institutions that knowingly conduct financial transactions which involve proceeds from unlawful activity;
- Withholding foreign aid to source countries being uncooperative in interdiction efforts;
- Developing treaties with countries to restrict the flow of precursor chemicals into drug manufacturing countries; and
- Seizing the assets of individuals convicted for involvement in illegal drug activity. These funds should go to local law enforcement agencies.

D. Enforcement
Current enforcement efforts have simply not been effective in controlling the manufacturing, sale, distribution and use of illegal substances. NLC believes that better definitions in state and federal laws related to illegal drug and alcohol use will enhance enforcement efforts.

To improve this situation, sufficient federal resources must be committed to ensure that enforcement strategies are realistic and are coordinated with efforts in education, prevention, treatment and research.

NLC supports:

- The maintenance of adequate funding for local, federal and state law enforcement agencies to deal with drug-related problems;
- An increased focus on enforcement against those involved in cases that are determined as high-level manufacturing, sales and distribution of illegal drugs, especially those selling or furnishing illegal drugs to minors;
- Prosecution to the fullest extent of the law for those involved in crime and violence related to illegal drug use;
- Increased penalties for those convicted of drug offenses where firearms are possessed by the offender;
- Increasing the use of the Coast Guard and other federal public safety personnel in the interdiction, arrest, search, and seizure of narcotics and illegal drugs;
- Federal assistance in the arrest and prosecution of those responsible for the death or injury of public safety and/or armed services personnel involving official investigations of illegal drug operations;
- The utilization of extradition as a key tool in combating international trafficking;
- The deportation of aliens convicted of offenses related to the sale of illegal drugs after the court’s disposition has been fulfilled;
- The aggressive pursuit and prosecution of medical personnel prescribing, selling, administering, dispensing, mixing or otherwise preparing any prescription drug, including any controlled substance under state or federal law, for other than therapeutic purposes; and
- Federal assistance to encourage Prescription Drug Monitoring Programs in every state, and ensure these programs achieve data uniformity and
implement information sharing among the programs. The federal government should also assist in ensuring healthcare providers are aware of these programs and utilize the databases.

6.05 Municipal Fire Policy

A. Problem Statement
In the United States fire departments respond to nearly two million fires each year. Compared to other developed nations the U.S. is severe. Our cities have higher death rates and per capita loss due to fire than cities of comparable size abroad. It also causes more loss of life than all natural disasters combined. Fire-related injuries number in the tens of thousands each year. Since 1992, fire and fire casualty trends have declined.

Compounding this issue, many local communities are affected by the lack of resources required to provide the necessary levels of public fire safety education and training, and fire fighting personnel. Budget limitations, combined with the fire services expanding responsibilities in homeland security, emergency medical services, hazardous materials incidents response, search and rescue, and other emergency demands, translate to more duties and fewer dollars to support them.

Rural communities face particular challenges in handling the problems that fire presents. Almost all rural and small city fire protection is provided by local citizens on a volunteer basis, who have less time for training, pre-fire planning and prevention activities. In addition, the distances that must be covered in rural areas are greater and the availability of water supply is less, impeding response. Lastly, fewer new volunteers are signing up for duty, signaling a potential crisis in adequate volunteer personnel.

B. Goals
The highest priority in fire safety is the protection of life and prevention of injury to the general population and fire protection personnel.

Better management of our fire protection resources and a continued society-wide commitment to fire safety education and fire prevention are necessary. Proven technology such as smoke detectors and sprinkler systems should be more widely publicized and utilized.

Changing human behavior through fire prevention, including fire safety education and arson control, fire prevention and outreach programs and the distribution of smoke alarms are critical in addressing our fire problem.

To focus attention on this commitment, annual goals for reduction of property loss, life loss and injuries should be established and the U.S. Fire Administration should continue to report on progress toward and barriers to achieving these goals.

C. Federal Roles and Responsibilities
Fire protection will continue to be financed on the local level, but federal government programs established to help cities address fire-related problems should be funded at a level commensurate with the size of the U.S. fire problem. The federal government is in the best position to teach, train, and lead the fire service to higher levels of management skills. The U.S. Fire Administration and National Fire Academy should serve as a national focus for development and dissemination of fire-related research, development and training of both the general public and the nation’s firefighters.

1. The U.S. Fire Administration must:

- Continue to be the focus of federal fire programs and should be funded at a level commensurate with the size of U.S. fire problems. Its programs should be designed to develop the highest level of professionalism and management skill in the administration of local fire departments;
- Strive to improve the timeliness, accuracy and geographic coverage data of the National Fire Incident Reporting System. This data and resulting analysis should be shared with local fire departments and research organizations;
- Assist small cities in utilizing master planning procedures and developing fire reporting procedures;
- Give priority to the education of fire personnel in the areas of fire safety, public education, fire prevention, and management skills;
- Research the problems of fire control and continue developing improved safety equipment for firefighters. The information gained from this research, as well as information on new techniques and technologies, should be made readily available to local officials;
- Actively and regularly solicit the advice of elected municipal officials, municipal administrators, and fire professionals on priorities for research and development efforts; and
- Research methods to improve fire prevention and share the results of this research with municipal officials.
2. *The National Fire Academy must:*
   - Maintain training programs for improvement of management and leadership skills needed for the development of future fire service officers;
   - Continue and enhance training programs for firefighters in order to increase fire fighter safety and reduce the number of deaths and injuries;
   - Supplement state and local training efforts by developing model training programs for use by local fire fighting administrations and line personnel;
   - Receive sufficient funding to enable it to function both as a central educational facility and as a provider of training sessions for local fire administrations and line personnel;
   - Provide a forum in which fire executives can exchange information on fire administration and management techniques, as well as new fire fighting methods and technology;
   - Actively solicit the advice of elected city officials, administrative personnel and fire professionals on the design of its training programs; and
   - Continue and expand its “train the trainer” and other outreach programs to provide cost effective and current training materials to fire departments of all sizes, both paid and volunteer.

   - Give high priority to the improvement of the fire safety of consumer products; and
   - Encourage the use of voluntary performance standards, design and labeling practices and in extreme cases, make use of mandatory standards or product bans.

**D. Standard Setting**

The federal government should refrain from adopting or giving other status to fire standards developed by bodies not having adequate representation by elected officials. NLC urges that national committees constituted to develop fire service standards include significant representation of elected municipal officials and municipal fire protection professionals. Mandatory involvement of municipal officials will help to ensure that the resulting standards consider the implications of the proposed standards on local jurisdictions.

**E. Arson Control**

Those federal agencies who have the responsibility for the nation’s arson problem, particularly those with criminal justice and fire protection concerns, should implement policies and effective programs to reduce arson nationally. These policies and programs should continue to be coordinated through an inter-agency committee on arson control.

National arson criminal data should be accessible to state and local investigators, fire marshals, and law enforcement officials, and should encourage the comprehensive interstate reporting of arsonists. Federal arson-related training, program development, and research activities need to be improved. The U.S. Fire Administration should be authorized and provided with adequate appropriations to conduct a comprehensive arson training, program development, and technical assistance effort of national scope. Effective programs already developed should be updated and shared through direct technical assistance.

The federal government should develop and provide programs for the orientation and education of public officials, the judiciary, and prosecutors on arson issues in addition to training fire and police personnel.
IN SUPPORT OF EFFORTS TO FIGHT ILLEGAL GUNS

WHEREAS, 60 percent of the guns used in crimes are traced back to just one percent of gun dealers; and

WHEREAS, 85 percent of gun dealers have never had a gun used in a crime traced back to them; and

WHEREAS, local governments and law enforcement have the responsibility to curb illegal guns both through criminal and civil actions; and

WHEREAS, the ability of local governments and law enforcement to use trace data held by the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF) is crucial to shutting off the supply of guns to criminals; and

WHEREAS, Congress has enacted restrictions that prevent local governments, law enforcement, and research institutions from using the trace data to its greatest effect; and

WHEREAS, there are bills before Congress that would further weaken the ability of Federal, State and local governments and law enforcement to keep guns out of the hands of criminals; and

WHEREAS, on April 25, 2006 a bipartisan group of fifteen Mayors met in New York City at the Mayor’s Summit on Illegal Guns, co-chaired by Mayor Michael R. Bloomberg and Mayor Thomas M. Menino, to begin a nationwide effort to fight illegal guns; and

WHEREAS, as local officials we are bound to do everything in our power to protect our residents, especially our children, from harm; and

WHEREAS, the illegal use of guns is a significant threat to public safety.

NOW, THEREFORE, BE IT RESOLVED that the National League of Cities calls on Congress to reject legislative proposals that limit our cities’ ability to solve and prevent crime in our communities; and

BE IT FURTHER RESOLVED that local governments and law enforcement agencies be allowed to fully and publicly utilize ATF gun trace data because it is critical to successful criminal investigations and crafting strategies to reduce violent crime in our cities and towns; and

BE IT FURTHER RESOLVED that Congress should remove restrictions it has placed on the availability and use of trace data that prevents the data from being used for academic and not-for-profit research; and
BE IT FURTHER RESOLVED that as local officials we will adopt and work together to find innovative new ways to advance the following principles:

- Punish—to the maximum extent of the law—criminals who possess, use and traffic in illegal guns;
- Target and hold accountable irresponsible gun dealers who break the law by knowingly selling guns to straw purchasers;
- Oppose all federal efforts to restrict cities’ right to access, use, and share trace data that is so essential to effective enforcement, or to interfere with the ability of the ATF to combat illegal gun trafficking;
- Work to develop and use technologies that aid in the detection and tracing of illegal guns;
- Support all local, state and federal legislation that targets illegal guns; coordinate legislative, enforcement, and litigation strategies; and share information and best practices; and
- Expand the number of local officials engaged in this effort to combat illegal guns.
NLC RESOLUTION #2013-29

ENCOURAGING FEDERAL EFFORTS AND COLLABORATION TO PROTECT AGAINST AND RESPOND TO CYBER THREATS

WHEREAS, the growing number of attacks on our cyber networks has become "one of the most serious economic and national security threats our nation faces;"¹ and,

WHEREAS, cyberspace has been recognized by the federal government as a key strategic asset for the United States with its security being vital; and,

WHEREAS, in 2011 the General Accountability Office added “the Nation’s Cyber Critical Infrastructures” to its list of operations it identifies as “high risk... problems impeding effective government and costing billions of dollars each year;”² and,

WHEREAS, the federal government has warned that cyber-based infiltrations of the nation’s electric grid, water, sewer, and other critical infrastructure have already occurred, and have left behind software programs that could be used to disrupt the system; and,

WHEREAS, the August 14, 2003 Northeast power blackout, although in no way connected to a cyber-attack, showed how failure in even a small part of the grid can have cascading effects; and,

WHEREAS, municipalities manage critical infrastructure such as utilities and transit systems, as well as maintain sensitive databases on individuals, public works, and industries; and,

WHEREAS, information sharing across all levels of government and the private sector is lacking, often leaving municipalities unaware of the latest threats to data systems; and,

WHEREAS, municipalities are often not aware of steps that can be taken to mitigate threats to networks; and,

WHEREAS, changes in how we utilize electronic communications has resulted in important questions about civil rights and privacy protections; and,

WHEREAS, Congress has recognized the need for a greater federal role, introducing approximately 50 cybersecurity related bills in the 112th Congress; and,

WHEREAS, as a result of its 60-day Cyberspace Policy Review, the White House has proposed comprehensive cybersecurity legislation to Congress and intends to continue to mature the federal role in cyberspace.

NOW THEREFORE, BE IT RESOLVED that NLC believes there is a crucial federal role in cybersecurity related to national security, protection of sensitive information and intellectual property, and the availability and continuity of infrastructure; and,

BE IT FURTHER RESOLVED that NLC applauds the Administration and Congress for recognizing the increasing importance of securing cyberspace, taking initial steps to review federal policy on cyberspace, and reaching out to state and local governments, and the private sector, on this issue; and,

BE IT FURTHER RESOLVED that federal engagement with state and local governments, as well as the private sector, must increase to ensure the safety of e-commerce and to secure critical infrastructure from online threats; and,

BE IT FURTHER RESOLVED that the frameworks for facilitating the sharing of information on cyber threats among all levels of government, such as the Multi-State Information Sharing and Analysis Center (MS-ISAC) and other members of the National Council of ISACs, as well as with the private sector, must be encouraged; and,

BE IT FURTHER RESOLVED that the federal government should disseminate cyber-intrusion detection and prevention tools to intergovernmental partners, and be permitted, when requested, to provide assistance to localities and other entities in addressing and repairing damages from a major cyber-attack and for advice on building better defenses; and

BE IT FURTHER RESOLVED NLC urges Congress and the administration to safeguard civil liberties and privacy of its citizens while maintaining the safety and stability of the internet.
NLC RESOLUTION #2013-30

ON STOPPING HUMAN TRAFFICKING

WHEREAS, 150 years ago President Abraham Lincoln issued the Emancipation Proclamation, proclaiming the freedom of millions of slaves; and,

WHEREAS, the 13th Amendment to the Constitution officially abolished and continues to prohibit slavery and involuntary servitude in the United States; and,

WHEREAS, human trafficking is a modern day form of slavery that impacts people of all ages and of both genders, where services, labor, or sex are supplied by victims who are forced, defrauded or coerced to work through such methods as involuntary servitude, debt bondage, and forced labor; and,

WHEREAS, human trafficking is a high-profit and low-risk endeavor for the traffickers, estimated to bring in $32 billion a year internationally making it second only to the narcotics trade in international profitability; and,

WHEREAS, at the heart of this heinous crime are the myriad forms of enslavement – not the activities involved in international transportation—and hundreds of thousands of U.S. citizens and other permanent residents, including kidnapped and homeless youth, are considered to be at risk for or victims of trafficking; and,

WHEREAS, victims of human trafficking live among us in our cities and towns, but are typically captive and isolated, unaware of their rights, powerless to access services, and afraid to ask law enforcement and other authority figures for help; and,

WHEREAS, human trafficking occurs across the United States, in large cities as well as small towns, in affluent and poor neighborhoods; and,

WHEREAS, combating human trafficking requires a collaborative, comprehensive approach across all levels of government; and,

WHEREAS, the U.S. Congress passed the Trafficking Victims Protection Act in October 2000, updating human slavery statutes and creating for the first time a comprehensive Federal law to protect victims of trafficking and to prosecute their traffickers; and,

WHEREAS, municipalities support the subsequent efforts of the Department of Justice, the Department of Homeland Security, the Department of Health and Human Services, and the Department of State to work with state and local governments, as well as key service providers, to prevent human trafficking, apprehend and prosecute human traffickers, and support the victims of human trafficking.
NOW, THEREFORE, BE IT RESOLVED that the National League of Cities calls on the United States Congress to reauthorize and provide adequate funding for the Trafficking Victims Protection Reauthorization Act, which will give law enforcement additional tools and resources to prevent human trafficking, investigate human trafficking crimes, promote increased cooperation among federal agencies, between the U.S. and other countries, and between federal, state and local law enforcement.

BE IT FURTHER RESOLVED that Congress should pass legislation that would provide block grants to localities to fund comprehensive local approaches to stopping sex trafficking of minors through prevention, support for victims, and resources and support for the police and prosecutors who pursue justice against traffickers, pimps and others who participate in or coordinate these crimes.

BE IT FURTHER RESOLVED that the federal government should continue training key state, local government, and non-profit personnel, as well as make efforts to increase the public’s awareness of human trafficking.
NLC RESOLUTION #2013-31

ON THE CREATION OF A NATIONWIDE PUBLIC SAFETY BROADBAND NETWORK

WHEREAS, interference-free broadcast spectrum and reliable, nationally accessible wireless communications are essential to the public safety role of municipalities’ first responders; and

WHEREAS, with the passage of the Middle Class Tax Relief and Job Creation Act of 2012, Congress provided spectrum and $7 billion in funding to create a nationwide public safety data communications network on a single frequency band in the hopes of meeting the needs and requirements of our nation’s first responders; and

WHEREAS, the legislation also requires public safety cease use of the T-Band of spectrum (470–512 MHz) that is currently utilized for voice communications in many major metropolitan areas and hundreds of smaller municipalities within 11 years; and

WHEREAS, the First Responder Network Authority (FirstNet) Board of Directors is now tasked with the planning, construction, maintenance, and operation of a nationwide public safety wireless broadband network that will allow first responders to achieve better communication in their day-to-day work as well as during disaster response; and

WHEREAS, FirstNet has a duty under the Middle Class Tax Relief and Job Creation Act of 2012, to consult with regional State, tribal, and local jurisdictions regarding the distribution and expenditures of any amounts required to carry out its responsibilities; and

WHEREAS, the Administration should be commended for appointing FirstNet board members that have the necessary understanding of public safety, wireless networks, and the intergovernmental partnership to ensure a nationwide public safety broadband network becomes a reality; and

WHEREAS, according to experts, $7 billion is not enough to build out a network core and all 44,000 towers that will be required to achieve nationwide coverage; and,

WHEREAS, FirstNet has the ability to raise revenue for construction, operations, and maintenance of the network through entering into partnerships with public and private entities, broadened use of the network on a secondary basis, and enacting fees on users of the network; and

WHEREAS, each state has the option to opt-out of FirstNet’s proposed plan for construction of a radio access network in their State by submitting an acceptable alternative plan to construct their own radio access network; and,

WHEREAS, every municipality and other local entity in the nation will decide separately if, when, and how to adopt the public safety broadband network based on cost, coverage, and its perceived benefit to their first responders.
NOW, THEREFORE, BE IT RESOLVED, FirstNet and the Administration must work with state and local governments, as well as the first responder community, to identify their needs when it comes to the cost, coverage, and uses of the public safety broadband network; and

BE IT FURTHER RESOLVED, the federal government must provide municipalities that are required to vacate the T-Band of spectrum the funding, technical assistance, and resources necessary to identify suitable alternative spectrum and transfer public safety communication operations to that spectrum; and

BE IT FURTHER RESOLVED, the National League of Cities believes FirstNet should look at a wide variety of models, including co-locating equipment on existing towers, and sharing the spectrum on a secondary basis with private entities, public utilities, other city services, and citizens, to ensure nationwide construction of the network while maintaining ruthless preemption of other services for public safety and keeping costs low for first responders; and,

BE IT FURTHER RESOLVED, FirstNet and the Administration must work with mobile device manufacturers to ensure the availability of affordable public safety communications devices for network users.