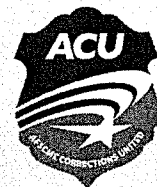
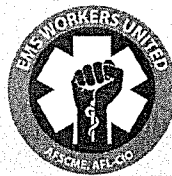
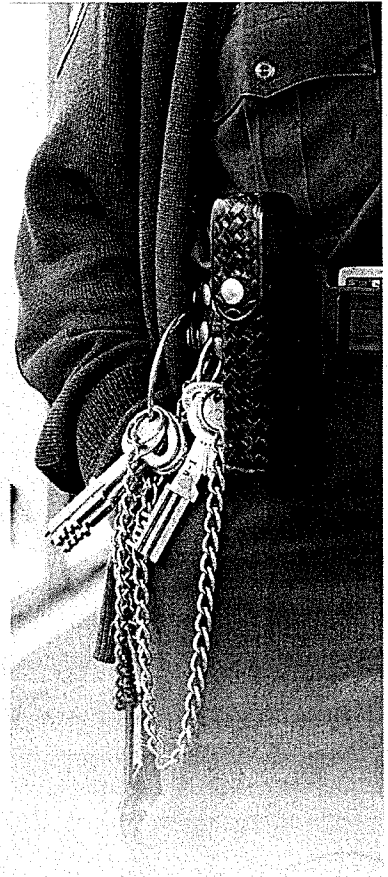
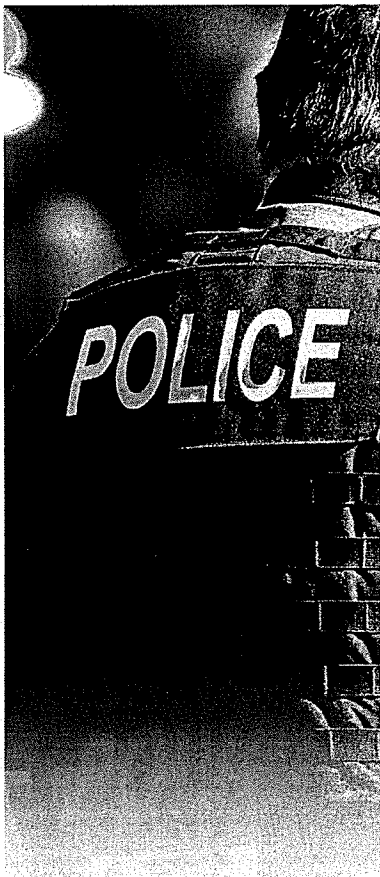


AFSCME

PUBLIC SAFETY TOOLKIT



“Everyone should have the freedom to join a union, police officers included. Period”.

**– Lee Saunders,
AFSCME President**



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SUMMARY/HISTORY:

AFSCME rejects the false premise that we must choose between civil rights and public safety. A free, healthy society can and must have both. AFSCME is one of the few institutions in the United States with a deep history in both advancing public safety officer representation and being on the vanguard of civil rights.

The first law enforcement affiliate AFSCME chartered was in Connecticut in 1945. In 1963, AFSCME members participated in the civil rights March on Washington. In 1968, Dr. Martin Luther King Jr. was assassinated while he was in Memphis, Tennessee supporting striking sanitation workers at AFSCME Local 1733. In 1981, AFSCME women in San Jose, California, were the first in the nation to strike for gender pay equity. Throughout the 1990s and 2000s, AFSCME units from across the country successfully negotiated domestic partner benefits as well as non-discrimination clauses protecting sexual orientation and gender identity. While advancing civil rights on all fronts, AFSCME continued to advocate (and win) the expansion of collective bargaining rights for public employees, including public safety officers where no rights existed

before. Just last year in Nevada, AFSCME was the lead union in the largest expansion of collective bargaining rights for *any* public employees in the last 20 years. Immediately following this historic victory, thousands of Correctional Officers certified their union with AFSCME to begin the process of raising public safety standards across the state.

In addition to being a champion for representational rights, AFSCME continues to lead on officers' health and safety. From members participating in *The President's Task Force on 21st Century Policing* and advocating for the departmental adoptions of ballistic vests and mental health programs, to, most recently, the lobbying for line-of-duty presumptive inclusion of COVID-19 in the federal Public Safety Officers Benefit (PSOB) program and supporting anti-ambush legislation.

As COVID-19 spread across the United States, AFSCME members have continued to serve on the front lines of their communities. Workgroups were quickly set up to address the various job sectors and the common issues facing AFSCME members during these unprecedented and trying times. A Public Safety and First Responder Group



Across the country, AFSCME members are continuing to serve their communities during the COVID-19 pandemic.

was formed in which affiliates discussed specific issues facing their law enforcement and EMS memberships, as well as best practices and strategies on how to keep us safe and protected as possible. Discussions included but were not limited to PPE issues, outdoor and socially distanced roll calls, facility temperature checks, and working with employers on providing hotel accommodations. The group also focused on advocating that COVID-19 be designated a presumptive work event, which resulted in the formulation of an open letter to the nation's governors. The group's work and advocacy was featured in the unionwide publication AFSCME Stronger – Our Response to [COVID-19 Booklet](#).

Following the killing of George Floyd, the resulting protests, and calls by communities across the country for changes in how law enforcement operates and engages with the public, the group also discussed various police reforms and how best to make sure public safety members' voices were at the table. In addition to the working group, additional sub-groups have also formed, all with the same goal of ensuring AFSCME's public safety voice is well represented.

In August 2020, AFSCME's long-standing commitment to public safety and civil rights was reaffirmed and strengthened by our union's highest governing body, the delegates of the 44th International Convention. AFSCME members resoundingly passed a resolution that rejects the defunding of police, supports collective bargaining and due process rights for officers, upholds the core principles of qualified immunity, demands more life-saving equipment such as personal body armor, and advocates for a series of well-regarded reforms to confront systemic and individual racism and rebuild trust between police departments and the communities they serve.

It is our union's belief that for meaningful and long-lasting reforms to truly succeed, public safety officers must be at the table. Top-down methods either through new laws, regulations or management policies alone will not fully effectuate the changes many front-line officers and the communities they serve seek to achieve. Increased mutual respect, equality in all encounters, fairness and transparency, standardized procedures, enhanced trainings, and support for further community engagement

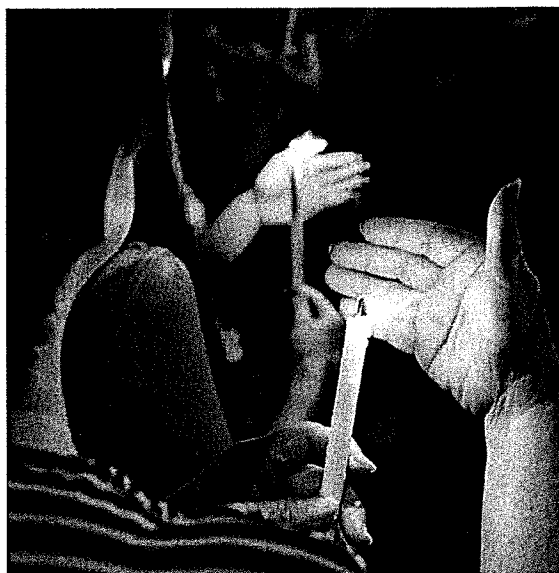
and development, all have higher chances of success when rank and file officers are part of the development process and implementation.

This toolkit identifies some areas where public safety officers can use their seat at the bargaining table to engage in smart, precise and impactful policies that will help achieve many community goals while also maintaining an officer's rights and well-being.

ADVOCACY FOR OFFICER HEALTH AND SAFETY:

According to verifiable reports, as of December 2020 more than 200 public safety officers and EMS personnel have died from COVID-19 in the line of duty. That's over three times the number killed by firearms this year. For EMS, this would put COVID-19 over auto accidents as a leading cause of work-related death. AFSCME and its affiliates mobilized support for the federal Public Safety Officer Pandemic Response Act (HR 6509), which succeeded in making COVID-19 a presumptive line-of-duty occurrence within the Department of Justice Public Safety Officers Benefit (PSOB) program. Efforts continue to expand the program to include private-sector EMS members.

AFSCME also worked with its affiliates and authored an open letter to governors in support of efforts to secure COVID-19 workers compensation presumption measures at the state level. Collectively, these measures make it easier for front-line public safety officers to access financial support during their COVID-19 treatment and recovery, or for their loved ones to access survivor benefits in the event of their death. A copy of the open letter to the governors is attached in this kit and can be used as a template for affiliates in states who have yet to adopt COVID-19 workers compensation presumption. AFSCME Health & Safety COVID-19 fact sheets



More than 200 public safety officers and EMS workers have died due to the ongoing COVID-19 crisis.

have also been created and specifically tailored for Law Enforcement, Corrections and EMS personnel.

AFSCME also continues to be a leading organization on officer mental health funding and programs. Because of the dangers and stresses faced by public safety officers, AFSCME has championed federal and state legislation that creates best practices for reducing officer suicide and/or addiction, expanding peer-to-peer counseling and establishing post-traumatic stress disorder as a workplace injury.

ASSERTING OUR VOICE AT THE TABLE IN POLICE REFORM:

State legislatures have been actively pursuing and implementing police reform measures since the summer. As the largest union representing public service workers including law enforcement,

AFSCME public safety officers are bringing our voice on reform discussions across the country.

AFSCME supports improvements in policing practices that promote safety and justice for officers and the communities they serve. Examples of innovative approaches include no-fault incident reviews, peer intervention and bystander training, partnering law enforcement with clinicians and standardization of use of force

No-Fault Incident Reviews

No-fault incident reviews rethink how police departments avoid mistakes that harm individuals and diminish trust between police and the communities they serve. Drawing from examples of sentinel event reviews in the aviation, medicine and energy sectors, police departments have begun to experiment with and implement a no-fault process to identify cultural and systemic failures that lead to certain incidents or near-misses. A broad range of stakeholders is brought into the process to ensure all perspectives are heard. With a non-punitive approach, participants are encouraged to trade blame-seeking and defensiveness for candor in acknowledging failures and openness to better procedures, incentives and mindsets.

No-fault reviews do not replace the regular disciplinary process. In fact, they aren't appropriate in all cases, and are not a safe harbor from discipline for gross negligence or malfeasance. What no-fault reviews do offer is a better way to learn from errors that leads to institutional improvement. This approach can be particularly effective in examining incidents where all actors complied with departmental policy but the outcome still had negative effects on officers or members of the community they serve and protect.

Cities such as Baltimore, Milwaukee, Philadelphia, Tucson and Seattle are experimenting

with or implementing this approach in their criminal justice systems.

Peer Intervention and Active Bystandership

Police departments that want to promote safe work practices, officer wellness and justice in their communities must recognize that they need to equip and support officers if they expect them to enforce those standards with fellow officers. Increasingly, departments are turning to peer intervention and active bystandership training to teach officers how to intervene to stop a wrongful act before it occurs.

Georgetown University Law School's Active Bystandership for Law Enforcement (ABLE) Project provides free training that prepares police officers to successfully intervene to prevent harm and ensures the department as a whole supports peer intervention. Departments can have officers trained by fellow officers and other experts in the principles and practices of active bystandership and peer intervention at no charge, as long as the department commits to a set of standards, including community support, implementation of the program in academy training, promotion of the training, accountability for misconduct and retaliation and support for officer wellness.

Peer intervention leaders make clear that these programs are not internal affairs, discipline or "tell on your partner" programs. They are intended instead to give officers the tools and support to deal with moral dilemmas and the stresses and frustrations that build up over a career.

Police departments in Baltimore, New Orleans and Philadelphia are among those that have implemented peer intervention programs. The Washington State Criminal Justice Training Commission also participates in the Georgetown ABLE program.



Police departments are partnering with clinicians in order to promote safer work practices.

Clinicians in the Field

Police departments and communities are rethinking how to address situations where a person is experiencing a mental health crisis. A law enforcement response is not necessarily the most appropriate to assist someone in crisis and to maintain public safety. Police officers themselves say that their training often fails to equip them to deal with individuals who require mental health interventions. In recognition of this mismatch between the need in the community and public safety resources, states and communities are developing new response models involving health care and mental health clinicians.

One of the longest-running partnerships between police and clinicians is the Yale-New Haven Child Development-Community Policing Program. The program, begun in 1991 with U.S. Department of Justice funding, trains officers in child development and the impact of violence on children, and it trains clinicians in policing, including ride-alongs. Police can consult with clinicians at all times for guidance

on calls, and officers and clinicians meet weekly to review cases and monitor intervention strategies. As a result of the program, police refer more cases to clinicians when children are exposed to violence and are at high risk of post-traumatic stress disorder and other developmental difficulties. Dozens of local police departments across the country have now adopted this model.

Other clinician-law enforcement partnerships include: co-responder teams of police officers and mental health professionals who work entire shifts and respond to calls together; mobile crisis teams of mental health professionals who help stabilize individuals during law enforcement encounters and crisis situations; case management teams of law enforcement and mental health professionals that work together to reduce repeat interactions with police; crisis stabilization centers where law enforcement can take people experiencing mental health crises as an alternative to jail and hospital emergency departments; and crisis intervention

teams of experienced law enforcement officers with specialized training to respond to mental health situations.

AFSCME members in clinical, social service and law enforcement agree that clinician partnerships are not intended to replace law enforcement, but to learn from each other and work together in order to improve how we serve the community.

Use of Force

Providing clear policies on when officers may and may not use force is critical for all law enforcement agencies. As the Police Executive Research Forum (“PERF”) has noted, federal and state law “outlines broad principles regarding what police officers can legally do in possible use-of-force situations, but it does not provide specific guidance on what officers *should* do.” It then falls on the individual police agencies to provide more specific guidance and the “rules of the road.” The standardization of use of force guidelines would provide greater clarity to individual officers on the street as the current disjointed system causes confusion among both law enforcement practitioners and the communities they serve.

Key concepts include:

Training to emphasize de-escalation, using tactics that defuse incidents and minimize both the need to resort to force and the risk of harm to the officer. It also seeks to develop clear requirements for reporting and reviewing use of force to continually improve officers’ skills in achieving peaceful resolutions and proportional response. In addition, many agencies are amending their use of force policies related to peer intervention and active bystandership.

AFSCME affiliates who represent public safety officers should develop an internal union

response policy for when members are in a use-of-force incident. Such a policy should include but not be limited to immediate notification of local union and council representatives when possible. The union representative should respond to the scene, determine who is involved, check on the officer’s well-being and notify the employee assistance program if applicable. Also, please refer to the supplemental legal defense coverage under AFSCME’s Advantage program.

THE IMPORTANCE OF FUNDING THE FRONT LINES FOR PUBLIC SAFETY:

AFSCME strongly supports funding public safety and first responders in the face of massive state and local budget shortfalls due to the pandemic. In a June 2020 International Association of Chiefs of Police report, an astounding 95% of responding agencies are anticipating budget reductions in 2021 with 59% expecting a 10% or greater cut and 25% bracing for a reduction of cuts over 20%. Over 30% stated that staffing was going to be the most impacted by the reductions.

During the last economic crisis, which this crisis is projected to equal or surpass, 57% of affected law enforcement agencies were subject to a 40+ hour furlough (i.e., a week or more). Some 66% of agencies reported eliminating pay raises for officers as a budget-cutting measure that was still in effect two years later for 57% of them. Operationally, one study found that over a quarter of the agencies stated there had been a reduction in investigation follow-ups, specifically related to property crimes, fugitive tracking, non-felony domestic assaults, financial crimes, computer crimes, narcotics and traffic cases. Deep budget and service cuts also extended into correctional facilities where, according to the Congressional Research Service, states all across

the country laid off staff, closed facilities and sold jails and prisons to private for-profit firms such as CoreCivic (formerly CCA) and GEO.

Emergency medical systems across the country have already been taxed to their limits. Increased usage from COVID patients and resulting expenses, combined with already tight reimbursement rates and declining revenues for other usual services, has created a precarious and possibly dangerous situation for millions of Americans and the front-line heroes providing their care.

In response to the devastating impact COVID-19 is having on state and local economies, our jobs and the vital services that AFSCME members provide to keep our communities safe and healthy, the union's top priority has been advocating for the passage of significant federal fiscal relief. The legislation would seek to not only provide critical resources to maintain local services, but also recognize the sacrifice and heroics of our front-line heroes by including hazard pay, emergency OSHA standards to protect at-risk workers and strengthen the use of the Defense Production Act to obtain and distribute needed equipment, tests and medical supplies.

PUBLIC SAFETY FEDERAL PRIORITIES:

AFSCME's federal public safety agenda is guided by the core principles of promoting officer safety and well-being, expanding officer bargaining rights, increased funding and trainings, and supporting policies and programs that build trust between departments and the communities they serve.

AFSCME-supported legislation includes harsher penalties for those who intentionally attack officers, a union voice on the job for the thousands of officers currently denied one by radical state laws, and the unyielding support for critical grants to local departments to fund the front lines. Such grants are

used to purchase life-saving equipment including ballistic vests, develop trainings that strengthen and improve community relations and implement officer wellness programs that address both physical and mental health.

Please [click here](#) to review the full list of AFSCME-supported public safety bills and programs.

NATIONAL LAW ENFORCEMENT OFFICERS MEMORIAL:

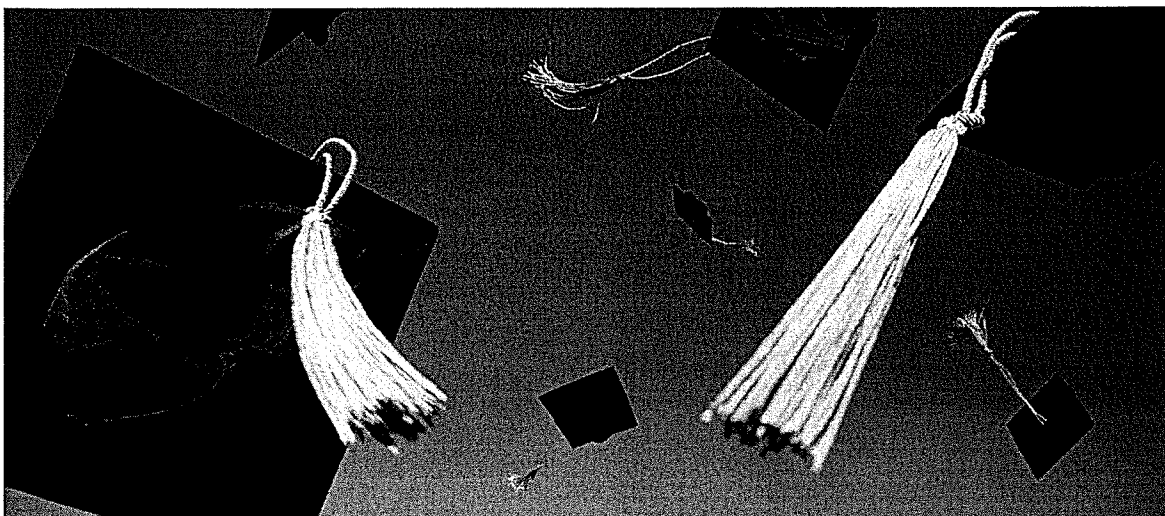
[The National Law Enforcement Officers Memorial](#) in Washington, D.C., at Judiciary Square, honors over 21,000 U.S. law enforcement officers who have died in the line of duty throughout American history. AFSCME has been a long-standing partner of the memorial and has donated over \$100,000 in support. AFSCME has over 175 police and correctional members on the wall, and each May, corrections, police and EMS professionals are honored for their sacrifices and heroics.

AFSCME ADVANTAGE:

Legal Defense

AFSCME continues to fight for better pay, benefits and safe workplaces, and to uphold the standard of professionalism for our public safety members across the country. The Public Safety Protection Plan provided in partnership with the Peace Officers Research Association of California (PORAC) Legal Defense Fund (LDF) gives added protection for on-the-job legal actions.

PORAC-LDF is the nation's oldest, largest and most respected public safety legal plan. Serving more than 135,000 members nationwide, PORAC-LDF remains committed to protecting the rights and benefits of its members since 1974.



Through the AFSCME Free College benefit, you and your family members can now earn an associate degree completely online – for FREE.

Free College

College education is not required to be a successful Public Safety Officer. However, as in other fields, studies have confirmed that possessing higher education experience or degrees has proven advantageous to officers' earnings and careers. Beyond promotional opportunities or contractual educational pay incentives, studies have also found that officers with higher education are disciplined less, use force less, have improved communication and problem-solving skills, in addition to being able to adapt better to organizational changes.

AFSCME was one of the first unions in the nation to offer its members and their families the ability to obtain free college associate (AA) degrees, including a degree in criminal justice.

The members-only benefit also places a high value on prior law enforcement training and public safety experience where eligible AFSCME member-students in the criminal justice program can complete their degree faster. In 2020, AFSCME

entered into a partnership with Central State University to offer a free bachelor's completion program. AFSCME members now have the ability to complete a free four-year degree in criminal justice and those who have certified previous public safety experience may use it to count towards their degree.

ADDITIONAL AFSCME INTERNATIONAL RESOURCES

Available for Affiliates with Public Safety Members:

- AFSCME's Federal Government Affairs Department assigns its lobbyists to handle law enforcement and corrections issues on Capitol Hill.
- AFSCME has used "patch through calls" that essentially create a 1-800 phone line to bypass the Capitol Hill switchboard to allow members direct contact with their representatives.
- AFSCME's Research and Collective Bargaining Department provides labor economists to testify on behalf of law enforcement locals in arbitration and research public safety-related issues.
- AFSCME contributes federal political funds to pro-public safety candidates, regardless of political party.
- AFSCME Fallen Heroes Fund
- AFSCME supported First Responders Children's Foundation.
- AFSCME Education department holds local law enforcement training.
- AFSCME Stronger Public Safety and First Responders Workgroup members have access to a shared folder that includes best practices in internal organizing, contract and policy templates, and other information to support public safety locals.
- AFSCME's Communications Department will assist affiliates with communication services such as press releases, websites and other related items.



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