



NATIONAL FRATERNAL ORDER OF POLICE®

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CHUCK CANTERBURY
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EXECUTIVE DIRECTOR

29 March 2019

The Honorable William J. Pascrell, Jr.
U.S. House of Representatives
Washington, D.C. 20515

The Honorable John H. Rutherford
U.S. House of Representatives
Washington, D.C. 20515

Dear Representatives Pascrell and Rutherford,

I am writing on behalf of the members of the Fraternal Order of Police to advise you of our support for H.R. 1866, the "Probation Officer Protection Act." This legislation, which was passed by the House on a 229-177 vote in the previous Congress, will grant probation officers authority to arrest third parties commit a Federal offense by attacking, obstructing or impeding a Federal probation officer in the performance of official duties.

Probation officers supervise men, women and juveniles who are convicted of a crime. Instead of a judge sentencing these offenders to prison, the judge sentences them to close supervision while continuing to live and work with the general public. Like their Federal colleagues, Federal probation officers are fully trained law enforcement officers with police powers. However, there is a significant gap in their authority with respect to third parties who are not under their direct supervision. A probation officer conducting a supervisory visit in a group home or shared domicile may be exposed to other individuals who may be hostile to law enforcement for any number of reasons. If a third party accosts the Federal probation officer, they have committed a Federal crime and is subject to arrest. However, the probation officer does not currently have the authority to do so under section 3606 of Title 18, United States Code. Your legislation would address this issue.

In cases where third parties interfere with a supervisory visit, the probation officer may be in immediate physical jeopardy but their only option under current law is to extricate themselves from the situation and call State or local law enforcement for assistance. It is at variance with common sense that a fully trained Federal law enforcement officer, if attacked, must retreat and call for assistance so another officer can make an arrest. In addition, the probation officer could not assist any police officer responding to the scene except with respect to the offender under his supervision. This can only escalate a dangerous situation, and subjects everyone involved in the situation to greater risk.

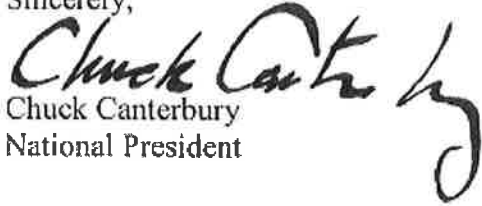
With the enactment of the First Step Act, legislation the FOP was proud to support, more and more offenders will be under supervised release by probation officers. The living situation of these offenders will vary widely and the probation officers, now with a significantly higher case load will be walking into unknown situations almost as a matter of routine. Without the authority to make arrests for those committing the Federal crime of interfering in the

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performance of official duties, it will be very difficult for probation officers to meet their responsibilities safely. This is a simple and common sense change to the authority of these dedicated officers and the FOP is proud to support it.

On behalf of more than 345,000 members of the Fraternal Order of Police, I want to thank you both for introducing this legislation. If I can be of further help, please do not hesitate to contact me or my Executive Director Jim Pasco, in my Washington office.

Sincerely,

A handwritten signature in black ink that reads "Chuck Canterbury". The signature is written in a cursive, flowing style with a large, prominent "C" at the beginning and a long, sweeping tail that loops back under the name.

Chuck Canterbury
National President