

Georgia US Senate CANDIDATE QUESTIONNAIRE

The following questionnaire, prepared by the Georgia FOP Legislative Committee, is being provided to both current US Georgia Senators and to those candidates seeking the position in the upcoming 2020 election. Thanks to each of you for taking the time to answer questions from our membership.

The following is a brief summation of the top legislative priorities of the Fraternal Order of Police:

- ***Social Security issues: Support H.R. 141/S. 521, the “Social Security Fairness Act” and Oppose Mandatory Participation in Social Security***

The FOP strongly supports the repeal of both the “Windfall Elimination Provision” (WEP) and the “Government Pension Offset” (GPO). The FOP vehemently opposes legislation which would mandate participation in Social Security for public employees or new hires who are currently outside the Social Security system.

- ***Support the “State and Local Law Enforcement Discipline, Accountability and Due Process Act”***

The FOP strongly supports a “bill of rights” for law enforcement officers who are, in a number of jurisdictions, denied their due process rights by police administrators and management in noncriminal proceedings. There is a need for a minimum level of procedural protections for law enforcement officers accused of administrative wrongdoing because of the gravity of potential harm to officers created by this lack of uniform safeguards.

1. The Fraternal Order of Police strongly supports ***H.R. 141/S. 521, the “Social Security Fairness Act,”*** which would repeal both the “Windfall Elimination Provision” (WEP) and the “Government Pension Offset” (GPO) in current law. The WEP penalizes certain public employees who also worked in the private sector and paid into the Social Security system, through a substantial reduction in their benefits because they also collect a government pension. The GPO provision in current law causes the reduction or elimination of the spouse's or widow(er)'s benefit from Social Security by two-thirds of the monthly amount received from the government pension. The FOP has called for Congress to repeal the WEP and GPO as part of a legislative package in response to the COVID-19 pandemic to simultaneously end a gross unfairness against retired public employees and help to stimulate the economy by eliminating a reduction in the Social Security benefits for these Americans. We believe that the repeal of these two provisions will help our vulnerable retirees and will help stabilize our nation’s economy. If elected,

will you actively support this measure?

First and foremost, I recognize how critical Social Security is to Americans and it is important that we take steps now to preserve this program for future generations. However, this should not mean reducing the benefits of any American who worked for and earned their full Social Security benefits. These provisions – GPO and WEP – are outdated, and on behalf of those who have dedicated their lives to public service, it is incumbent that Congress take steps to address their consequences on Social Security benefits for public sector workers and their loved ones.

2. What is your position on “qualified immunity?”
If you are against it, are you against it for every occupation who currently has qualified Immunity which includes teachers and others?
Why would you oppose this?

Qualified immunity exists for a reason, and I strongly believe fully repealing this provision would be extremely dangerous for our law enforcement officers and for our communities. If we were to do away with qualified immunity entirely, we would be removing a key protection for our brave law enforcement officers and would be disincentivizing hardworking folks from serving in law enforcement. We are already seeing law enforcement officers stepping away from the job as a result of many state and local elected officials refusing to have their backs. Doing away with qualified immunity would demand these officers live in fear of constant litigation in their personal capacities and would create an unnecessary obstacle as our brave law enforcement officers work to protect our communities. While Democrats in Congress have been working to eliminate qualified immunity, I have been proud to strongly oppose these efforts and to vote against their dangerous bill that would have ended this critical protection.

3. The Fraternal Order of Police strongly supports legislation which would articulate the rights of law enforcement officers who are, in too many jurisdictions, denied their due process rights by police administrators and management. If elected, will you actively support such legislation?

I absolutely support – and will continue to support – legislation that lays out the rights of our law enforcement officers. In fact, I am a proud cosponsor of H. Res. 1093, which would establish a Bill of Rights to support our law enforcement officers across the country as they work to protect our communities. I am also a proud cosponsor of H. Res. 1071, an important resolution that categorically rejects calls to defund police and recognizes the great sacrifice made by law enforcement officers. Especially during these times, it is critical that we in Congress do everything possible to uplift and support our nation’s brave men and women serving in law enforcement. It is past time to recognize the work of our law enforcement officers and I firmly support the articulation of law enforcement rights to ensure the bravest amongst are given the rights they fight to protect for others.

4. More than 90% of our nation's law enforcement officers responding to the COVID-19 pandemic are employed by local and State governments. Efforts to protect public health at this time have had a devastating economic impact on local and State governments which need direct Federal financial support to ensure that vital services like public safety remain available. Congress has provided unprecedented aid to businesses and other segments of our economy, but not enough has been made available to our State and local governments. As a US Georgia Senator will you support local and State governments and ensure they have the financial means to provide full public safety services?

Over the last several months, I have worked hand-in-hand with President Trump to provide much-needed relief to American families, small businesses, health care professionals, and states and localities, with much of this relief going to Georgia. That said, it's clear that recent relief terms have been too inflexible and restrictive for state and local governments. Moving forward, I think it is critical that state and local governments have more flexibility with the Federal COVID dollars they receive, so that they can spend them where and how their communities require.

5. The current pandemic represents a new, physical threat to our law enforcement officers, but the heightened vigilance, rising crime and mental stress endured by these officers is as old as the profession itself and often exacts a toll on their mental health. Our law enforcement agencies need to do more than simply protect their officers' physical safety, they must also do more to improve their mental wellness and resiliency. The Office of Community-Oriented Policing Services (COPS) issued a report to Congress pursuant to the enactment of the Law Enforcement Mental Health and Wellness Act. How will your office seek to implement the recommendations in this report?

As the son of a Georgia State Trooper, I have seen firsthand the sacrifices our men and women in blue make to keep our communities safe. The mental health and wellbeing of our law enforcement officers is of paramount importance, which is why I have worked fervently to support the Office of COPS' recommendations throughout my time in Congress by supporting legislation, like the Supporting and Treating Officers in Crisis (STOIC) Act, which was signed into law by President Trump last year. This critical legislation now operates to ensure our nation's officers have access to adequate and quality mental health treatment and support, including bolstering suicide prevention efforts. Now more than ever, as our law enforcement officers are literally under attack, it is Congress's obligation to do everything we can to support and uplift them. I will continue seeking out opportunities to address the wellbeing of our law enforcement officers as long as I have the pleasure of serving Georgia.

6. Law enforcement is facing a high level of hostility from the communities we protect and serve. A defund the police movement has become a narrative used by some to do away with funding to our local police. Hateful rhetoric and those calling for violence are having

an impact—ambush attacks on law enforcement and police shootings continue to increase. The public image of policing and police officers have been terribly distorted. How will you as a US Senator demonstrate support and commitment to our states and nation’s law enforcement officers?

The hateful and violent attacks on our police officers over the last several months have been sick, dangerous, and downright abhorrent. I have consistently called out those perpetuating calls to “defund the police” and stood up against those who have attacked – both verbally and physically – our brave law enforcement officers. In Atlanta, I fought against the former Fulton County District Attorney, Paul Howard, as he pursued charges against two Atlanta Police Officers for purely political reasons and unlawfully abused his power. I have consistently urged both the U.S. Attorney General and the Georgia Attorney General to investigate Howard’s actions, and I’m glad to see the GBI is looking into it. We cannot turn our backs on our law enforcement officers who put their lives on the line for us each and every day, which is why I have been fighting for justice in this case since the very beginning.

As the son of a Georgia State Trooper, I have witnessed firsthand the incredible sacrifices our law enforcement officers make to serve and protect their communities each and every day, and I believe our leaders need to be standing up and speaking out on behalf of our police. I stand ready to defend police officers at every turn and will continue supporting measures in Congress that uplift and support them.

7. The Fraternal Order of Police supports legislation that would limit the amount of damages a criminal defendant could recover as a result of injuries that the criminal incurred in the course of committing or being apprehended for a felony or a crime of violence. Would you support such legislation if it were introduced?

I believe Congress should address excessive liability judgments and, should such legislation be introduced, I would be happy to consider it fully.

8. “Racial profiling” is a favorite topic of media reports on police. The FOP has always condemned the practice and asserted that it is not the policy of any U.S. law enforcement agency to base enforcement decisions solely on race. However, legislation like **H.R. 4339/S. 2355, the “End Racial Profiling Act,”** continues to be introduced in Congress. How do you define “racial profiling”? Do you believe that Federal legislation is necessary to address this issue and if so, what would the legislation do and how would affect law enforcement activity at the State and local level?

Racial profiling is a straightforward definition: The targeting of individuals based on the color of their skin. Despite the narrow definition of this phrase, Democrats have attempted to include gender and other non-race related qualities into this definition, further increasing liability for law enforcement officers. I know that law enforcement officers and agencies across the nation are more than capable of addressing racial profiling where it occurs without the intervention of Congress.

9. Several organizations and many progressive mayors have accused State and local law enforcement agencies receiving Federal assistance through the 287(g) programs of using these funds to “target communities of color, including disproportionate numbers of Latinos in particular places, for arrest.” The FOP rejects these assertions as hateful and counter to the law enforcement mission. The 287(g) program is a powerful example of a successful cooperative effort between State and local law enforcement and the Federal government. For State and local agencies, the Federal resources provided by the program allow them to pursue investigations relating to violent crimes, human trafficking, gang/organized crime activity, sexual-related offenses, narcotics trafficking and money laundering. It also allows the Federal government to tap into the resources and capabilities of State and local agencies to identify and remove serious and violent criminals who have illegally entered the United States. Given the chance would you continue to support or expand this program if giving the opportunity in the Senate?

The 287(g) program is a critical program for our Federal, state, and local law enforcement agencies to coordinate on immigration enforcement and I would gladly continue my support this program in the Senate. I look forward to working with FOP and Georgia’s law enforcement agencies to determine necessary expansions for this important program.

10. The FOP supports legislation like ***H.R. 1325, the “Protect and Serve Act,”*** would create a new Federal offense for those who deliberately target law enforcement officers with violence and is a direct response to the increased number of law enforcement officers who have been targeted for attack? According to several Federal studies, the number of officers shot in the line of duty has been increasing steadily since at least 2012. The number of deaths attributed to gunfire has remained mostly stable, thanks to advances in anti-ballistic technology and medical trauma science. The fact remains, however, that more officers are shot every year and far too many of these attacks are the result of ambushes and unprovoked attacks. Will you pledge to support this legislation?

The Protect and Serve Act addresses an important shortcoming in our criminal code by creating Federal penalties for those who ambush law enforcement officers. I am a proud cosponsor of this important bill and look forward to championing this goal in the Senate.

11. What type of Police reforms, training, or retraining are you for or against?
The Georgia FOP is open to dialogue which is what we think makes us all better as a nation.

I believe our law enforcement officers across the nation are working diligently to protect their communities and they undoubtedly make great sacrifices to do just that. At the state and local level, I believe our law enforcement officers are best suited to determine the

training and education needed to best serve our communities. I believe the role of the Federal government is to ensure our state and local agencies have the resources they need to institute any necessary reforms and training.

That said, I was proud that my bill, the Comprehensive Justice and Mental Health Act, was signed into law back in 2016. This law now provides for training to ensure first responders and law enforcement officer are able to adequately assess and respond to individuals suffering from mental illness. I am proud that bill has operated to provide increased collaboration with law enforcement agencies and the community to ensure those suffering with mental illness get the help and support they need.