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**A Message from Don Mihalek, FLEOA Legislative Committee**

An Urgent Message From  
FLEOA'S Legislative Committee.

**The Proposed  
"Officer Safety Act of 2012"  
Needs Your Help Now!**

Fellow Members:

You all know of the case involving hero ATF SA Will Clark who, while on duty in the US Virgin Islands and acting within the scope of his duties, used his weapon to stop a deadly threat. SA Clark was scouted by his agency yet was prosecuted for murder by a local prosecutor. Ultimately, his case was dismissed by the presiding Judge due to a lack of evidence, supporting the supposition that his prosecution was seemingly politically motivated.

Now, DSS SA Chris Deedy is also on the defense, charged with murder by a prosecutor who, with the media's help, publicly tried and convicted him by news hype and sound bite. The evidence now shows SA Deedy acted appropriately and in self defense. Yet the local prosecutor, without a full investigation, charged him for a crime and will not re-visit the evidence. This again is seemingly for political gain.

As a federal law enforcement officer, You are a target! This should not be the case.

FLEOA has acted and in this Congress has gotten bi-partisan support for the **“Officer Safety Act of 2012,” H.R. 4309 and S. 2276.**

S. 2276 was passed out of the Senate Judiciary Committee with a unanimous vote, but sits awaiting action on the full Senate floor.

H.R. 4309 is making the rounds in the House of Representatives and awaits House Committee action.

The time frame for passage of these bills is drawing to a close.

Congress will soon wrap up its August recess and return to Washington the week of September 10<sup>th</sup>. It is expected that they will only be in session for approximately 15 days during September, then return for a lame-duck session around the 12<sup>th</sup> of November.

This bill, which FLEOA initiated, would enhance the protections available to federal law enforcement officers who intervene to stop violent crimes and protect the public.

If the bill is not passed and signed into law by the President before the end of the 112<sup>th</sup> Congress, then we must start the process all over again next January.

This is why we need your help now.

We are asking all members to call their Representative in the House and both of their State Senators and ask them to **Cosponsor** H.R. 4309/S. 2276 **TODAY**. The Capitol Switchboard number to reach your Representative or Senators is (202) 224-3121.

Below are some points to use in your contacts with Members or staff.

#### **Points on the “Officer Safety Act”**

- I am a Constituent and member of the Federal Law Enforcement Officers Association and asking for Senator/Representative \_\_\_\_\_ to cosponsor the “Officer Safety Act of 2012” H.R. 4309 (House) or S. 2276 (Senate).
- This legislation is a priority for our organization and recognizes the need to protect the brave men and women in federal law enforcement who intervene, in good faith, to defend our citizenry from acts of violence.
- The “Officer Safety Act” provides a process for the removal of a state criminal prosecution in instances where a federal law enforcement officer protected an individual from harm in very limited circumstances.
- These include protecting an individual from a crime of violence, providing immediate assistance to an individual who suffered or was threatened with bodily harm, or preventing the escape of an individual who the officer reasonably believes has committed, or was about to commit, a crime of violence.
- The bill does not provide immunity, nor does it protect law enforcement officers who act maliciously.
- The need for Congress to pass this legislation was highlighted in the recent case in the U.S. Virgin Islands involving ATF Special Agent Will Clark and SA Chris Deedy both intervening in hostile situations while off duty. Both were charged by local authorities, even though they acted to protect themselves and another individual from serious bodily injury.

· The “Officer Safety Act” recognizes the public’s expectation that federally trained law enforcement officers have an obligation, even off duty, to respond immediately to violent crimes. At the same time, it gives them the assurance that they will have the same legal protections afforded to law enforcement officers who pursue their official duties.

Stay safe,  
FLEOA



This is a message from the  
**Federal Law Enforcement Officers  
Association**

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This is a Message from FLEOA

FLEOA  
P.O. Box 326  
Lewisberry, PA 17339

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