



NRA LAW ENFORCEMENT QUARTERLY

NATIONAL POLICE SHOOTING CHAMPIONSHIPS

It is time for the National Police Shooting Championships (NPSC). Plan to join us in Albuquerque, New Mexico for the premier law enforcement shooting competition. You can be a first-time shooter and win prizes, including firearms and trophies, as you will compete against officers of your own skill level.

The NPSC will be held at the NPSC Police Pistol Combat ranges at Shooting Range Park in Albuquerque, New Mexico. You do not have to have a Police Pistol Combat Classification to register, and there are no qualifying requirements. The competition is open to all public law enforcement officers.

Open to any eligible law enforcement member, the Championships will begin with an NRA Tactical Police Competition event on September 19 and 20 (shoot one of the two days) and the New Mexico Challenge event on September 19 for officers from New Mexico who have never fired in a PPC Match before and for Alumni Shooters of the New Mexico Challenge.

NPSC onsite competitor check-in and the NPSC Shotgun Championship Match will begin on Sunday, September 20. The NPSC Handgun Range will also be open on Sunday for zeroing and practice relays.

The NPSC Handgun Championship Matches will begin after opening ceremonies on Monday, September 21 and continue through Wednesday, September

23. Competitors can select to fire in just one match or fire in all of the Championship match events.

This year we have a new host hotel, the Embassy Suites, located at 1000 Woodward Place, NE, Albuquerque, NM 87102, with a rate of \$83 plus tax per night and includes:

- Complementary reception from 5:30 to 8:30 with beverages and light snacks from Thursday, September 17 through Wednesday, September 23.
- Free internet access.
- Free Breakfast. Will open at 5:00 a.m. on NPSC match days.
- Full restaurant, lounge bar, fitness center, business office, coffee shop café, gift shop newsstand, game room, and indoor pool.

We are also offering free training classes for the competitors, including armorer schools presented by Double Star, Glock, SIG Sauer, and Smith & Wesson.

There will be a competitors' welcome on Sunday evening at the Embassy Suites, sponsored by the Albuquerque Visitors Bureau and the Embassy Suites.

Additionally, there will be presentations by NRA attorney James Baranowski on the Law Enforcement Officers Safety Act (LEOSA, or HR218).

For more information, please visit our web site at <http://npsc.nra.org>.



The Blockbuster Decision of *Riley v. California*

BY SARAH GERVASE
NRA ASSISTANT GENERAL COUNSEL

Every law enforcement officer should be aware of the U.S. Supreme Court's June 2014 decision in the case of *Riley v. California*. Some criminal justice experts are calling it the most significant decision affecting law enforcement in the last 50 years. The U.S. Supreme Court has now closed off one significant way law enforcement officers had been able to gather evidence of criminal activity and to help prosecute the offenders.

The decision in *Riley* is a refreshingly straightforward and easy to read criminal justice opinion. The Court's point is not hidden in legalese or difficult case-by-case analysis: "Our answer to the question of what police must do before searching a cell phone seized incident to an arrest is accordingly simple – get a warrant." Only in exigent circumstances may police search suspects' cell phones upon arrest without a warrant to do so.

The facts in the *Riley* case were also fairly simple. A police officer pulled over David Riley for having expired registration tags. Upon learning that Riley's license had been suspended, the officer had Riley's car impounded and found two unlawfully possessed firearms while conducting the inventory search. During the following search incident to arrest, police also discovered items and smart phone entries police associated with the Bloods street gang. Two hours after the arrest, a further search of the cell phone revealed more evidence of gang activity and of Riley's possible involvement in an earlier shooting. Riley was consequently charged with attempted murder, firing at an occupied vehicle, and assault with a semi-automatic firearm. At trial, Riley attempted to suppress the evidence that police had obtained from the cell phone as a violation of his 4th Amendment rights, claiming that the search had not been conducted with a warrant and had not been justified by exigent circumstances. A second case considered at the same time as the *Riley* case involved a less sophisticated flip phone but raised the same question of the constitutionality of an incident-to-arrest search.

The Court briefly went through the 4th Amendment's general warrant requirement and its case law governing the incident to arrest search exception. Incident to arrest searches have been allowed for two primary reasons: to protect officer safety and to preserve any evidence the arrestee may have. Officers would be put in jeopardy if they could not search the area immediately surrounding the suspect for weapons, and any evidence of criminal acts could easily be lost, concealed, or destroyed after the arrest.

The Court did recognize concerns for officer safety. Police may still examine a phone to see if it poses any physical dangers, say to determine if there is a razor blade hidden in the cell phone case. The Court also noted that searching the phone could alert police officers that an arrestee's co-criminals are on their way to the scene, but dismissed that possibility as one that the state had not proven of genuine concern. Overall, the Court minimized these dangers by simply noting that "digital data stored on a cell phone cannot itself be used as a weapon to harm an arresting officer or to effectuate the arrestee's escape."

The Court spent more time on the second rationale for warrantless searches incident to arrest – the potential loss or destruction of important evidence. The first point the Court made was that there was no risk that the arrestee himself could delete evidence once police had secured the phone. The court noted that data remote wiping and data encryption could still occur, but the Court found that neither potential problem was proven to be that common. Even if there were a possibility of remote wiping, the Court reasoned that, because officers must conduct the arrest, secure the scene, and handle other matters related to the arrest, it is not likely that their inability to search the phone immediately would make much of a difference anyway. In those cases when remote wiping is still a concern, the Court wrote that law enforcement already has its own technological means to prevent it.

As in its previous 4th Amendment cases, though, the Court balanced these legitimate law enforcement concerns against an arrestee's privacy interests. In this case, the Court noted how much personal information people have stored on their cell phones. Cell phones contain the location history of their owners, addresses, notes, messages from romantic interests, calendars, Internet searches that reveal personal information, photographs that allow viewers to virtually reconstruct cell phone owners' lives, and other information the Court considered a "digital record of nearly every aspect of their lives – from the mundane to the intimate." Searching a cell phone, the Court wrote, is a far greater intrusion upon an individual's privacy interests than is the search of an area immediately surrounding the suspect, the suspect's pockets and any objects inside, and even an exhaustive search of that individual's home.

The U.S. Supreme Court acknowledged the needs of police, expressly noting that "we cannot deny that our decision today will have an impact on the ability of law enforcement to combat crime." The Court simply stated

that law enforcement must obtain a warrant before searching an arrestee's cell phone, a process the Court recognized as having become increasingly easy and efficient. Moreover, law enforcement may still claim exigent circumstances in individual cases when searching a cell phone is necessary to prevent serious injury to others, to pursue a fleeing suspect, or to prevent the immediate destruction of evidence. In all other cases, however, law enforcement must now obtain a warrant before conducting searches of a cell phone incident to arrest.

It remains to be seen how much leeway lower courts will give to law enforcement to search cell phones in the future. The Court spoke unanimously in *Riley*. Not a single Justice believed that the privacy interests in such cases were outweighed by law enforcement needs. At the very least, that strong of an opinion could lead to lower courts taking a much more protective view of digital privacy than they have in the past.

Another open question is what will happen in those cases when law enforcement searched defendants' cell phones before the *Riley* decision. Will lower courts find those searches unconstitutional even though they occurred before *Riley*? The answer may depend upon where in the country those searches occurred. Generally, evidence will not be excluded under the good faith exception to the exclusionary rule if a search is expressly authorized by the courts at the time when the search was conducted. That is the case here with cell phone searches incident to arrest. That evidence can still be used against a defendant. Other courts take this further and allow evidence even if the searches were not expressly authorized by the courts at the time the searches were conducted. This means there is a real possibility that very few defendants whose cell phones had been searched prior to the *Riley* decision will have any evidence against them thrown out.

This case will affect the way many local police agencies conduct searches incident to arrest. However, the Court did not delve into questions of what the NSA and other national security agencies may do with the collection or inspection of aggregate data. Those questions will be decided sooner or later, but in this case, the Court remarked only in a short footnote that this *Riley* decision does not answer them.

Sarah Gervase is Assistant General Counsel at the NRA. She graduated from Harvard College and Notre Dame Law School, and is the proud sister of a law enforcement officer.



C.O.P.S. National Conference on Law Enforcement Wellness & Trauma



November 13-15, 2015 - Grapevine, Texas (Dallas Metro Area)

The C.O.P.S. National Conference on Law Enforcement Wellness and Trauma is coming up on November 13-15, 2015, in the Dallas, Texas area! This comprehensive conference covering a wide range of topics on officer wellness and traumas has never been offered before!

We hope every agency is able to attend this inexpensive conference to take advantage of all that is offered!

Session topics include, but are not limited to:

- Navigating the stresses of a law enforcement career
- Starting a peer support program
- Social media during a crisis
- The injured officer and coming back from a critical incident
- Preparing for a line-of-duty death
- Staying centered amidst negativity
- Police suicide
- Law enforcement officer benefits
- Leadership during a crisis
- Officer fitness and nutrition
- Police Chaplain programs

Do you want to attend the C.O.P.S. National Conference,
but your agency has a limited travel and training budget?

CALL 573-346-4911 FOR DETAILS!

Register your agency now at WWW.NATIONALCOPS.ORG

C.O.P.S. will also hold TWO retreats for Surviving Co-Workers in 2015!

Co-Workers for Couples Retreat (NEW!)

August 20-23

YMCA Trout Lodge - Potosi, MO

This new retreat will concentrate on helping the marriage and family of the surviving co-worker and allow couples to discuss their grief in a relaxed, confidential environment.

(This retreat is for surviving co-workers and their significant other.)

Co-Workers Retreat

October 2-5

YMCA Trout Lodge - Potosi, MO

"There isn't just one thing about the retreat that helped. It's the whole retreat: the mental health professionals, the activities, and just talking to people who get it."

-Surviving Co-Worker (St. Louis, MO)

(This retreat is for surviving co-workers only.)

NPSC RAFFLE FIREARMS!

Thanks to Republic Forge Firearms (<http://republicforge.com>) for its support of the National Police Shooting Championships! Last year Republic Forge donated one of their outstanding 1911 pistols as the Grand Prize in our raffle. This year they have upped their game by donating a pistol and one of their Sabatti Tactical Rifle in .308 caliber (The rifle does not include an optic.)



IOP SUMMER PROMOTION
JUN 1-AUG 31 2015

FNH USA

RECEIVE YOUR CHOICE OF TWO (2) FREE BOXES OF HORNADY'S CRITICAL DUTY® AMMUNITION WITH PURCHASE OF ANY FNS™-9/40, OR FNX™-9/40 THROUGH FNH USA'S IOP PROGRAM

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FNS™-9 COMPACT FNX™-9

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OR
40 Rounds of Hornady Critical Duty® .40 S&W

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FNHUSA.COM/LEPROMO  **DISTINCT ADVANTAGE™**

BY JIM SUPICA
DIRECTOR, NRA NATIONAL FIRE-
ARMS MUSEUM

How to dispose of confiscated and forfeited firearms is a question that nearly every department faces. When guns are indiscriminately scheduled for destruction, there is a tremendous potential for waste of both financial value and historical significance.

The NRA Museums Division welcomes donations of firearms from law enforcement agencies throughout the country.

There are three NRA Museums. The NRA National Firearms Museum is located at the NRA Headquarters Building in Fairfax, Virginia and has been in operation for 80 years. The newest museum is the NRA National Sporting Arms Museum located at Bass Pro Shops in Springfield, Missouri, and the Frank Brownell Museum of the Southwest is located at the NRA Whittington Center in Raton, New Mexico. All three museums are open every day of the week.

The Museum's collection includes 8,000 firearms. Over 350,000 visitors each year visit the museums, including youth groups, students field trips, and veteran and law enforcement groups. They view exhibits showcasing America's firearms heritage, including law enforcement displays, emphasizing the role safe, responsible firearms ownership plays in both history and daily life.

Guns in the Museum collection that are not on active display may be loaned to other museums, used in traveling displays, or included in the Interpretive Collection which may be used for special range events or shooting displays.

One of the guns in the interpretive collection is a high condition Colt Python .357 Magnum revolver. The Python is often referred to as the Cadillac of revolvers, and it is a valuable and desirable firearm.



SAVING HISTORY

Coulda-been manhole cover brings range joy to veterans

This Python was recently used on the NRA Range by the Museum staff as one of the guns made available for a special Veterans Day Shoot. NRA extended an open invitation to all U.S. veterans from all eras and all branches of the service to visit the range on Veterans Day for a shooting event. NRA provided a number of special firearms and free ammunition to all veterans who wished to participate. There was no charge, and each veteran was sent home with a goodie bag.

The Python was a favorite of the veterans, many of whom commented on the outstanding shooting characteristics of this finely crafted firearm.

However, the Python almost didn't make it to the Veterans Day Shoot. It was a law enforcement-confiscated firearm that had been scheduled for destruction. Fortunately, a gun-savvy officer realized that this was too fine an artifact to reduce to scrap metal, and arranged for its donation to the National Firearms Museum.

The NRA Museums staff is eager to work with law enforcement agencies that are considering possible donations of firearms. They are glad to re-

view lists of firearms scheduled for disposal to help identify items that may be of special historical or technological interest.

Any firearms are eligible for donation. Guns that are not needed for the Museum collection may be deaccessioned through specialty firearms auction houses with Federal Firearms Licenses in full compliance with all federal, state, and local laws and regulations, with the funds going to The NRA Foundation for educational purposes. If a department wishes to only donate guns that will actually be retained in the Museum collection, the staff will be glad to advise which firearms would be retained for display and interpretive purposes so that only those may be donated.

You can contact National Firearms Museum Director Jim Supica or Senior Curators Doug Wicklund or Phil Schreier at 703-267-1620, or email NFMStaff@nrahq.org. Better yet, come visit one of the Museums and see for yourself the type of contribution your department can make to historical preservation and firearms education. Most of the collection can be viewed online at NRAmuseums.com.

THANK YOU, GLOCK!



We would like to take a moment and let our readers know about the tremendous support that GLOCK provides to the National Rifle Association. For many years, GLOCK has made yearly cash donations to the NRA that total in excess of \$500,000.

Additionally, GLOCK has been a major supporter of the NRA's Law Enforcement Division and provides 30 pistols each year to our National Police Shooting Championships, in addition to other contributions.

We deeply appreciate GLOCK's support of the NRA!

Retired and Off-Duty Officer Self-Defense Insurance

The NRA Endorsed Insurance Program is proud to recognize the sacrifices made by law enforcement officers. To show their appreciation, the program is offering a discounted self-defense coverage for retired law enforcement officers and off-duty police officers who are NRA members. The coverage starts at only \$50 annually and is designed to affordably protect retired and off-duty officers. With limits up to \$250,000, officers can receive coverage for criminal and civil defense costs, the cost of civil suit defense, and criminal defense reimbursement.

Purchasing this coverage is easy! Simply visit www.lawenforcementselfdefense.com and select the option to purchase coverage on the right. For more information or to speak directly to a representative call the NRA Endorsed Insurance Program toll-free at 877.672.3006.

Program Administered by Lockton Risk Services

Now includes spouse coverage at no additional charge!

2015 NRA Law Enforcement Firearm Instructor Development Schools

<http://LE.NRA.org/Training> • LE@nrahq.org • (703) 267-1640

New schools are added often. Check website frequently for current Training Schedule.

Range fee, if any, is payable to some hosting agencies; amount varies.

NRA Tuition = \$595 per person

HANDGUN & SHOTGUN

Aug 17-21 London, OH
 Aug 24-28 Old Fields, WV
 Sep 14-18 Las Vegas, NV
 Sep 14-18 Florence, AL
 Sep 14-18 Valhalla, NY
 Sep 14-18 New Smyrna Beach, FL
 Sep 21-25 Mineral Point, PA
 Sep 21-25 Memphis, TN
 Oct 5-9 Bethlehem, PA
 Oct 12-16 San Antonio, TX
 Oct 12-16 Pearl, MS
 Oct 19-23 Tuscaloosa, AL
 Oct 19-23 Defiance, MO (pub LE)
 Oct 19-23 Dahlonega, GA
 Oct 26-30 Great Meadows, NJ
 Nov 2-6 San Diego, CA
 Nov 16-20 Florence, AL
 Nov 16-20 Sugar Creek, MO
 Jan 04-08, 2016 Upper Marlboro, MD
 Mar 7-11, 2016 Florence, AL
 May 16-20, 2016 Florence, AL
 June 6-10, 2016 Garden Plain, KS
 Sep 12-16, 2016 Tuscaloosa, AL
 Oct 17-21, 2016 Florence, AL

HANDGUN

Aug 24-28 Prescott Valley, AZ
 Sep 28-Oct 2 Kansas City, KS
 Sep 28-Oct 2 Richmond, CA
 Oct 5-9 Jordan, MN
 Oct 26-30 New Smyrna Beach, FL
 Nov 2-6 San Antonio, TX
 Nov 30-Dec 4 Mesa, AZ (pub LE only)
 Mar 14-18, 2016 Garden Plain, KS
 May 2-6, 2016 Richland, WA

PATROL RIFLE

Aug 17-21 Coden, AL
 Aug 24-28 Monroeville, PA (pub LE)
 Sep 14-18 Bethlehem, PA
 Sep 21-25 Summerville, SC
 Sep 28-Oct 2 Cuyler, NY
 Oct 5-9 Clarion, PA
 Oct 5-9 Memphis, TN
 Oct 12-16 Cottonport, LA
 Oct 12-16 Issaquah, WA
 Oct 19-23 Florence, AL
 Oct 19-23 Palm Bay, FL
 Nov 2-6 Manchester, NJ
 Nov 2-6 Honolulu, HI
 Nov 16-20 Las Vegas, NV
 Nov 16-20 Pearl, MS
 Nov 30-Dec 4 San Antonio, TX
 Feb 22-26, 2016 Garden Plain, KS
 Mar 21-25, 2016 Florence, AL
 May 2-6, 2016 Tuscaloosa, AL
 May 16-20, 2016 Richland, WA
 June 13-17, 2016 Defiance, MO(pub LE only)
 June 20-24, 2016 Garden Plain, KS
 Sep 19-23, 2016 Florence, AL

PRECISION RIFLE

Aug 31-Sep 4 Montrose, CO (pub LE only)
 Oct 26-30 Dallas, TX
 Nov 02-06 Rock Hill, SC
 Dec 7-11 Las Vegas, NV
 Apr 4-8, 2016 Prescott, AZ
 Apr 18-22, 2016 Florence, AL

SELECT-FIRE

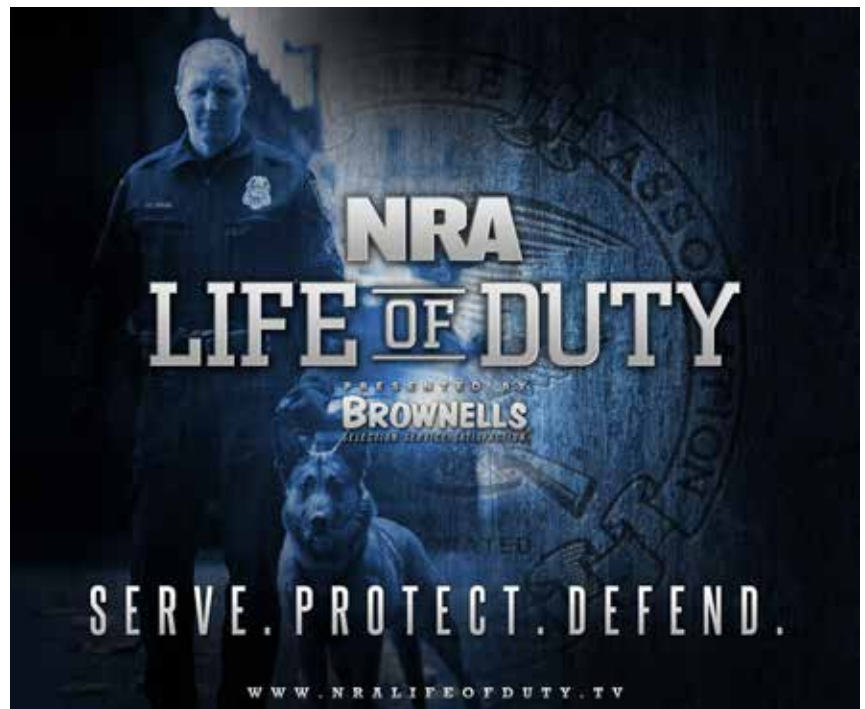
Sep 28-Oct 3 Bethlehem, PA
 Oct 5-9 Littleton, CO
 Dec 7-11 Florence, AL
 Nov 14-18, 2016 Florence, AL

TACTICAL SHOOTING

Aug 17-21 Littleton, CO
 Aug 24-28 Palm Bay, FL
 Aug 31-Sep 4 Clarion, PA
 Sep 21-25 Marana, AZ
 Sep 21-25 Bethlehem, PA
 Oct 5-9 Las Vegas, NV
 Oct 19-23 Summerville, SC
 Nov 2-6 Staunton, VA
 Nov 16-20 Prescott Valley, AZ
 Aug 8-12, 2016 Tuscaloosa, AL
 Oct 31-Nov 4, 2016 Columbus, GA
 Dec 5-9, 2016 Florence, AL

TACTICAL SHOTGUN

Sep 14-18 Coden, AL
 Sep 28-Oct 2 Wellsboro, PA
 Oct 12-16 Smithton, PA
 Oct 26-30 Las Vegas, NV
 Nov 16-20 San Diego, CA
 Dec 7-11 Richmond, CA
 Apr 11-15, 2016 Tuscaloosa, AL
 May 23-27, 2016 Garden Plain, KS



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NRA Law Enforcement Firearm Manuals and Training Aids



To order training aids and materials on CD:
<http://LECDs.nra.org>

To order printed manuals:
<http://materials.nrahq.org/go>



DISCIPLINES AVAILABLE:
Handgun Handgun/Shotgun
Patrol Rifle Tactical Shotgun
Precision Rifle

Sales of these items are restricted to NRA Certified Instructors, sworn Law Enforcement Officers, bona fide Law enforcement agencies, armed security companies, and the U.S. military. Once your order is received, you may be contacted by a member of the Law Enforcement Activities Division to verify eligibility.