

Testimony of
Mr. Arthur Gordon

July 23, 2002

On behalf of the Federal Law Enforcement Officers Association (FLEOA), we thank the Chairman, Ranking Member and members of the Committee for inviting us. We are pleased to be here today to express our support for Senate Bill 2480, the Law Enforcement Officers Safety Act of 2002, a common sense bi-partisan legislative proposal that enables retired federal agents to defend themselves and their families as well as to continue to protect the American Citizen.

My name is Art Gordon. I am an officer on the National Executive Board of the Federal Law Enforcement Officers Association, a professional association made up of volunteers, exclusively representing criminal investigator and special agents from the Department of Justice, the Department of Treasury and many other federal agencies. There are approximately 32,000 federal agents in America. Although I am an agent with the Bureau of ATF, Baltimore Field Division, I am not here today representing the agency, only FLEOA. Personally, I have 27 years of service as an ATF Agent, and have been a firearms instructor for ATF for 17 years. In addition, I have served in ATF's Headquarters Firearms Training for 2 ½ years where I assisted in writing many of the current firearms training courses currently used by ATF Agents across the United States. I have Bachelor of Science in Criminal Justice and a Master of Arts in Criminal Justice and Forensic Science from George Washington University. I have been eligible to retire for the past 3 years.

FLEOA supports The Law Enforcement Officers Safety Act of 2002, S.2480, for several reasons. One of these reasons is for exactly what the title of the bill states: LAW ENFORCEMENT OFFICER SAFETY. Over the years, every federal agent from every single agency has arrested people who only remember the face of the agent who arrested him or her. And there is no doubt about it, arresting someone means getting into their face... putting on handcuffs is a very personal matter. We also have to process the person through the criminal justice system, and sometimes testify against them in court. Over the years, an agent can do this hundreds of times; and the faces of the people arrested can blur. However for the person only getting arrested once, twice or even a half dozen time - those days tend to stand out in their memory. The ultimate nightmare for an agent is to be walking with his or her family and be approached by someone who states:

"Hey Agent, remember me?"

These are the words that would make any cop's heart skip a beat, until we learn if the person is friend or foe. If the person has nefarious intentions and the agent is retired ... well lets say that this is a nightmare that we do not want to see the conclusion of.

FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION

The Law Enforcement Safety Act of 2002 will give the retired agent not only the chance to totally defend him or her self, but will also permit them to protect any citizen if they stumble across a crime occurring. Back in 1999, Senator Grassley authored the Federal Law Enforcement Good Samaritan Act. This Committee under the leadership of Senators Leahy and Hatch approved that legislative proposal, and it was signed into law. This law allowed off-duty federal agents to take reasonable action if a crime occurs in their presence.

Senate bill 2480 is an extension of that common sense law - for if I retired yesterday, is there any difference in me today? A federal agent usually qualifies with their everyday firearm at least four times a year, and qualifies with various other weapons throughout each year. Also included in training exercises are "shoot/don't shoot" scenarios and the legal aspects of using deadly force. The current requirements for federal agents hired before 1984 to retire is 20 years of service and to be the age of fifty. For agents hired after 1984, they can retire with 25 years of service at any age, or the 20 years of service at the age of fifty. I am sure all present here today will agree that life does not end at fifty, there are many more productive years left. In fact, many federal agents continue in the profession either working as private investigators, state or local criminal justice agencies, or become teachers utilizing their experiences in the field to instruct the next generation. The American Taxpayer invests a lot in its federal law enforcement officers, especially once you count the initial training in Quantico, VA, or Glynco, GA; add in the four times a year firearms qualification, plus the multitude of other training courses, and this results in an investment that the American Citizen deserves to continue to get something back from.

At the start of every Congressional session, FLEOA surveys its members querying them on what issues are important to them. For each of the past few congressional sessions, this issue has been in the top three. FLEOA has approximately 60 chapters across America, and over the years the President of FLEOA has attended hundreds of chapter meetings. This issue has always been one that members have brought up because they truly have been concerned about this.

For all these reasons, FLEOA believes Senate Bill 2480 should be approved in this committee and on the full floor of the Senate and signed into law.

On behalf of Mike Miskinis, Chapter President of FLEOA's Utah Chapter, retired Secret Service Agent; Frank Puleo, Chapter President of FLEOA's Vermont Chapter, currently an Agent with the HHS-OIG but also a future retiree; and for all the members of the Federal Law Enforcement Officers Association, I thank you for holding this hearing, and I look forward to answering any questions of the committee.

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