



## FEDERAL LAW ENFORCEMENT OFFICERS ASSOCIATION

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January 6, 2017

The Honorable Orrin Hatch  
United States Senate  
Washington, DC 20510

The Honorable Dianne Feinstein  
United States Senate  
Washington, DC 20510

Dear Senators Hatch and Feinstein:

I am writing on behalf of the more than 27,000 members of the Federal Law Enforcement Officers Association to advise you of our strong support for legislation you intend to reintroduce entitled the "Probation Officer Protection Act." Thank you for your continued leadership on this important officer safety issue.

U.S. Probation Officers are fully trained and sworn federal law enforcement officers who have full powers of arrest, with or without a warrant, as it relates to a probationer's criminal conduct. This authority extends to the apprehension of individual probationers who violate the general prohibition in 18 U.S.C. 111 on assaulting, resisting, or impeding federal officers in the performance of their official duties. While formal arrests by Probation Officers are rare, the ability to direct offenders or temporarily restrain those who may pose a threat allows them to carry out their duties safely and effectively. Unfortunately, however, the authority of Probation Officers under current law does not extend to third parties who attempt to physically obstruct a court-ordered search or the execution of a lawful arrest warrant. In those instances where Probation Officers have been accosted by a violent third party in the performance of their duties, they are generally forced to retreat due to their lack of authority.

As the volume of approved searches they must conduct has markedly increased over the past year, the absence of any authority to restrain or direct the movements of third parties places Probation Officers at a greater and unnecessary risk of physical harm. That is why the "Probation Officer Protection Act" is so important. This legislation will fully authorize Probation Officers to arrest a third party if the Officer has probable cause to believe that the individual has forcibly assaulted, resisted, opposed, impeded, intimidated, or interfered with the officer while engaged in the performance of their official duties. Specifically, this legislation will extend their current authority to cover only violations of 18 U.S.C. 111, and does not in any way provide them the same general arrest authority that state-level probation officers have in many jurisdictions. In so doing, this legislation will enhance officer safety while also protecting probationers and third parties by preventing obstruction from escalating to actual violence.

On behalf of the membership of our organization, I would like to thank you both for your diligence and hard work on this important legislation. Please do not hesitate to contact me if I can be of any further assistance.

Sincerely,

*Nathan R. Catura*

Nathan R. Catura  
National President