

WASHINGTON ASSOCIATION OF SHERIFFS & POLICE CHIEFS

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Serving the Law Enforcement Community and the Citizens of Washington



June 27, 2018

Greetings from Your Executive Director:

I am sending this e-mail out with a **few time-sensitive issues** from this morning. The first, as you likely already heard, is that the Supreme Court issued a significant ruling this morning in the **Janus case**. Here is the text and some links from PERF that provide a good summary:

This morning, the U.S. Supreme Court handed down a decision that has important implications for public employee labor unions, including police unions, in the case of Janus v. American Federation of State, County, and Municipal Employees, Council 31.

At issue was whether public employees' First Amendment rights to freedom of speech are violated if they are required to pay union dues or "agency fees" that are used to finance political activity or speech that the employees do not agree with or support. Today, in a 5-to-4 decision, the Supreme Court settled that question, as follows:

"States and public-sector unions may no longer extract agency fees from nonconsenting employees. The First Amendment is violated when money is taken from nonconsenting employees for a public-sector union; employees must choose to support the union before anything is taken from them. Accordingly, neither an agency fee nor any other form of payment to a public-sector union may be deducted from an employee, nor may any other attempt be made to collect such a payment, unless the employee affirmatively consents to pay."

The text of the Supreme Court decision, and a New York Times story about the case, are available at the links below.

U.S. Supreme Court decision: [JANUS v. AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, COUNCIL 31](#)

New York Times: [Supreme Court Delivers a Sharp Blow to Labor Unions](#)

I spoke with our legal counsel this morning and he advised that you should **make sure your city or county legal advisor knows about the case and provides some guidance for you and your managers** if you are asked by employees about the ruling and what it means-- your represented employees will undoubtedly be receiving information from their guilds and union groups, and we should just make sure that any information you or your managers provide is accurate and does not violate contract rules.

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Second, many of you are aware that **Byrne JAG funds have been tied up with a court case** involving the City of Chicago and “sanctuary” city status- the good news is that the Seventh Circuit made a ruling that will cause the Dept. of Justice to release those funds, possibly today. A text of an e-mail sent to the National Sheriff’s Association yesterday from the DOJ said, in part, “Mandate confirmed. We are rolling out all non-held Byrne JAG awards right now and hope to have them all out in the next two to four hours.” So if you have one of these grants I wanted to make sure you had the most timely information.

<https://www.law.com/nationallawjournal/2018/06/18/u-s-justice-dept-returns-to-scotus-to-challenge-another-national-injunction/>

Finally, here is a link to a story in the Seattle Times in which the Judge calls out and sanctions the attorneys who had publicly accused two Seattle officers of perjury in what is clearly a stunt intended to smear the officers and the department in this civil case. Good to see the Judge rule so specifically and with very strong language:

<https://www.seattletimes.com/seattle-news/crime/judge-calls-perjury-allegations-against-officer-in-charleena-lyles-lawsuit/>

Have a great week-

Work Hard- Have Fun- Stay Safe

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