

## **FIRE POLICE FAIRNESS ACT**

On May 15, Senators Richard Blumenthal (D-CT) and Patrick Toomey (R-PA) introduced S. 2871, the Fire Police Fairness Act. S. 2871 is identical to H.R. 3918, which was introduced in the House of Representatives last October by Representative Joe Courtney (D-CT) with a bi-partisan group of 19 original cosponsors. The Fire Police Fairness Act establishes "fire police officer" as a new category. The Fire Police Fairness Act establishes "fire police officer" as a new category of public safety officer, defined as an individual who, "is serving in accordance with State or local law as an officially recognized or designated member of a legally organized public safety agency..." and "provides scene security or directs traffic in response to any fire drill, fire call, or other fire, rescue, or police emergency...".

Fire police officers are typically volunteer members of fire departments who perform traffic incident management duties at emergencies and planned special events. According to a 2011 report from the National Fire Protection Association, from 1991-2010 there were 68 line-of-duty deaths suffered by fire police officers in the United States.

Historically, fire police officers were considered public safety officers based on the fact that they respond to emergencies in an official capacity as members of volunteer fire departments. In 2006, the Department of Justice implemented new PSOB regulations that established a narrow definition of "firefighter" that resulted in some fire police officers losing eligibility for PSOB. Although many fire police are able to qualify for PSOB as firefighters or police officers, there have been cases where a fire police officer suffered a fatal injury while responding to an incident as a member of a fire department and the PSOB application was denied.