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## Public Hearing Set for Important Pawnbroker Legislation

**T**he **Pawnbroker bill** will have a public hearing in the Criminal Practice Subcommittee of the House Judiciary Committee on April 3rd, 2001 at noon.

The TACP is working with the Safety Coalition, which is a group comprising the TACP, the District Attorney's Conference, and the Sheriff's Association. This coalition has been working diligently together to draft, coordinate, and move this and three other pieces of legislation.

*(See TACP's Legislation on following pages.)*

**"The Pawnbroker bill is one of our best opportunities to get legislation that TACP sponsors and supports passed,"** says TACP Executive Director and Legislative Liaison Maggi McLean.

This proposed legislation is designed to protect the public and assist law enforcement officials in efforts to secure the return of stolen property to the rightful owners. The key element of the bill requires pawnbrokers to take the thumbprint of the pledgor at the time of the pawn transaction. The thumbprint protects both the pledgor and the pawnbroker — *identity theft is the fastest growing crime in America today.*

Thumbprints are to be maintained in each pawnshop and are not in the care or custody of the local law enforcement agency. The bill also delineates electronic transfer of information to the appropriate law enforcement agency and provides software at no cost to the pawnshop owners for such transfer reports.

This legislation would also reduce the effective annual interest rate pawnbrokers charge from 264% to 144%.

In any criminal prosecution for theft of any property which has been recovered from a pawnshop and returned to its rightful owner, the court would provide for restitution from the defendant to such pawnbroker for any losses suffered by the pawnshop as a result of the return of property to the rightful owner.

This membership has the ability to make a stand, make their voice heard, and make their mark. **IT IS CALLED GRASSROOTS LOBBYING!** You can call, write, email or fax your legislators and members of the Judiciary Committee and express your support for the pawnshop legislation and why it is important to you or your department that the thumbprint legislation pass.

### Public Hearing set for:

**April 3, 2001**

**Noon**

**House Judiciary  
Criminal Practice Sub Committee**

**Hearing Room 31  
Legislative Plaza**

*TACP Members shall be dedicated to the highest ideals of honor and integrity to maintain the respect and confidence of their Government officials, subordinates, the public, and their fellow members of law enforcement*

## President's Message

J.D. Sanders  
Director of Public Safety  
Martin, Tennessee



## Contact Your Legislators

**T**he Tennessee Association of Chiefs of Police has become a force in the legislative process in Tennessee. Many times representatives and senators will contact our Executive Director to find out what the position of our Association is on a bill. They are interested in not only our position, but also why we have taken that particular stand. They themselves are looking for talking points and factual data that can be used to influence others. These calls show me the significant influence we can have in Nashville and Washington if we take the time to reach out to our legislators. In fact, when I have personally approached legislators to try and enlist their support on an issue I have often been faced with

"I need to see what MY CHIEF thinks before I can commit to any position." This is why it is imperative that each of us establishes a link of communication with our legislator, either in person, by telephone, or written statement.

I urge each of you to look over the legislative information included in this

***It is imperative that each of us establishes a link of communication with his or her legislator, either in person, telephone, or written statement.***

newsletter and contact your representatives and senators and provide them information on the numerous criminal justice issues confronting them. If we don't, we can be assured that the other side will!

CHIEFS DAY ON THE HILL is the perfect opportunity for you to meet or see your legislator and watch the legislature in action. The House and Senate members will recognize the Chiefs of Police in the chambers.

Remember, you are a constituent and your vote is just as important as your opinion. ***You can be the most effective lobbyist. We need your help. Please take time to make those contacts and be a part of Chiefs Day on the Hill.***

## Tips For Contacting Your Legislator

### DO's

**Do ask to speak directly with the legislator**, and say who you are, mention your professional status and that you are his/her constituent.

**Do state the purpose of your call**, citing the bill number(s) if possible. Explain how the proposed legislation affects you personally or the members of your organization, and why you support or oppose it.

**Be Understanding.** Try to understand the problems and pressures a legislator is under.

**Be Friendly.** Stay in touch with the legislator throughout the year, and contact him or her when you need a vote on a critical issue.

**Be Reasonable.** Recognize that the legislator is receiving different opinions from other constituents.

**Be Thoughtful.** When your legislator votes to support you on an issue, regardless of whether you win or lose, commend him and thank him or her for their effort.

**Be Realistic.** The legislative process is one of compromise. It is a give-and-take process that most frequently results in compromise. Recognize that you may not achieve all of your legislative "wants", and be ready to settle for less.

### DON'Ts

**Don't hint that a certain bill is not worthwhile** or that it might corrupt the people who are likely to benefit from its passage.

**Don't demand, be rude or threatening.** If your legislator disagrees with you on one issue, he or she may support you on another. This is the way the legislative process works.

**Don't be deceptive.** Your legislator or the legislative staff will know soon enough if you have your facts straight or if you are trying to make your plea more attractive by shading the facts in your favor.

**Don't preach to or pester the legislator.** Outline your facts and make a clear, succinct, factual presentation. Be actual and factual.

**Don't assume a rigid or uncompromising position.** Your legislator represents all of his or her constituents – not just you or your organization – and does not deserve your condemnation because he/she is unable to support your legislative issue. Remember, the legislative process is one of compromise.

**Don't be shy about asking what the legislator's position is.** In many instances, your legislator will thank you for your views, and say the matter will be taken under advisement. However, if he/she expresses a position that is the same as yours, express appreciation. If different, express your disappointment.

**Don't consider that contacting your legislator is a frightening experience.** Remember, he or she wants to hear from you.

***Your vote and your support are important to him or her ... to stay in office.***

# TACP's Legislation

## **SB 1216/ (Clabough) HB1802 (Buck) PAWNSHOP THUMBPRINT BILL.**

Requires Pawnbrokers to thumbprint pledgor at time of transaction, revises eligibility requirements for obtaining pawnshop license, increases fee to transfer license. Specifies pawnshop must provide safe place for pawned items for at least 30 days. TCA Secs. 39-14-0000

**Senate Status:** Referred to Senate Commerce, Labor & Agriculture.

**House Status:** Set for Public Hearing 4/3/01 Criminal Practice Sub Committee of House Judiciary.

## **SB 1425 (Person) / HB 140 (Scroggs) GROUP CRIME BILL.**

Adds new sections which reclassify violent offenses and provides clarifying definitions for "acting in concert" and "crime of force or violence." States that a crime of force or violence committed by two or more persons shall be classified one classification higher than if committed alone. Includes a severability clause. TCA Secs. 39-12-0000; 39-13-0000

**Senate Status:** Referred to Senate Judiciary.

**House Status:** Criminal Practice Subcommittee recommended 3/14/01. Sent to Judiciary Committee.

## **SB 0298 (Haynes) / HB 0372 (Westmoreland) FIREARM BILL.**

Increases the penalties for carrying or unlawful possession of a weapon. Increases penalties for possessing or employing a firearm during the commission of a felony. Precludes eligibility for suspension of prosecution, pretrial diversion, judicial diversion, suspension of sentence or probation, for certain offenses, until such time a such person has fully served day for day a least the minimum sentence. Creates offense for knowingly discharging a firearm from a vehicle which causes bodily injury or causes property damage to a habitation. TCA Secs. 39-17-1300

**Senate Status:** Referred to Senate Judiciary.

**House Status:** Civil Practice Subcommittee recommended. Set for House Judiciary Committee 3/21/01.

## **SB 1843 (Kyle) / HB 1715 (B. Turner) HOME INVASION BILL.**

Broadens offense of especially aggravated robbery to include robbery occurring in whole or in part inside residence of victim. Makes especially aggravated robbery a Class A Felony. TCA Secs. 39-13-0000; 39-13-0403

**Senate Status:** Referred to Senate Judiciary.

**House Status:** Referred to House Judiciary.

## *From the Executive Director ...*

*Dear Members:*

*During the recent transition to a full time professional executive director, it has come to my attention that some members are missing membership cards, TACP badges, membership invoices and other important materials. Please contact me by email or fax with your concerns and I will work with you to remedy your problem or complaint in a timely manner. Let me thank you in advance for your patience and understanding during these first few months.*

*In addition to setting up a new office and working on legislation, we have been busy updating the website to make it more informative and user friendly. The web address is: [www.tacp.org](http://www.tacp.org) and I encourage each of you to check back often and see the changes.*

*We are also starting a collection of patches to make a wall hanging for the office. We would like to have a couple of department patches from each of our members if possible. Please send them to the TACP office.*

— Maggi McLean



## **Save the Date!**

**107th IACP  
Annual Convention  
October 27-31, 2001  
Toronto, Canada**

*Conus Rate Total Per Diem \$193 (Hotel & Food)*

### **Hotels submitted for IACP Hotel Lottery:**

Royal York Hotel:	<a href="http://www.fairmont.com">www.fairmont.com</a>
Marriott Eaton Centre:	<a href="http://www.marriott.com/marriott/yyzec">www.marriott.com/marriott/yyzec</a>
Delta Chelsea Hotel:	<a href="http://www.deltachelsea.com">www.deltachelsea.com</a>
Hilton Toronto:	<a href="http://www.hilton.com">www.hilton.com</a>
Metropolitan Hotel:	<a href="http://www.metropolitan.com">www.metropolitan.com</a>

***TACP will make Group Reservations  
once the IACP awards us our hotel.  
Contact Maggi for details!***



## TACP Oath of Honor

*On my honor, I will never betray  
my badge, my integrity, my character,  
or the public trust.*

*I will always have the courage to hold  
myself and others accountable  
for our actions.*

*I will always uphold the constitution and  
the community I serve.*

# Calendar of Events 2001

**March 17-21**

SACOP Meeting  
IACP Convention Hotel Lottery  
Washington, DC

**April 11-13**

Vendor Day and Chiefs Day on the Hill  
Sheraton Nashville Downtown

**June 14-17**

TACP Annual (Family) Conference  
Paris Landing State Park

**August 1-3**

TACP Meeting  
Sheraton Nashville Downtown

**October 10-12**

TACP Meeting  
Sheraton Nashville Downtown

**October 27-31**

IACP 107th Convention  
Toronto, Canada

**December 12-14**

TACP Meeting  
Sheraton Nashville Downtown

***Visit us on the web @ [www.tacp.org](http://www.tacp.org)***

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