



July 14, 2020

The Honorable Carolyn B. Maloney
Chairwoman
Committee on Oversight and Reform
U.S. House of Representatives

The Honorable James Comer
Ranking Member
Committee on Oversight and Reform
U.S. House of Representatives

The Honorable Nita M. Lowey
Chairwoman
Committee on Appropriations
U.S. House of Representatives

The Honorable Kay Granger
Ranking Member
Committee on Appropriations
U.S. House of Representatives

Dear Chairwoman Maloney, Chairwoman Lowey, and Ranking Members Comer and Granger:

On behalf of Civil Rights Corps, The Leadership Conference on Civil and Human Rights, and the 77 undersigned partner organizations, we write to express our opposition to Operation Relentless Pursuit (ORP), a program that encourages the criminalization and over-policing of Black and Brown communities while doing nothing to increase public safety. The murders of George Floyd, Breonna Taylor, Ahmaud Arbery, Tony McDade, and countless others have inspired nationwide demands to shrink the footprint of the criminal-legal system and end its abuses, including those by police departments. If we are to meet these demands and provide genuine safety to all communities, the federal government must begin investing in non-carceral, community-led programs rather than continuing to increase funding for police departments with deeply rooted histories of racial violence and injustice. We urge Congress to conduct robust oversight of the intended uses of the program's Fiscal Year 2020 funds and the impacts they will have on over-policing, incarceration rates, and public safety in these communities. We also request that Congress adopt report language in Fiscal Year 2021 appropriations legislation prohibiting the use of any Department of Justice (DOJ) funds for Operation Relentless Pursuit in the future.

Launched in December 2019, Operation Relentless Pursuit is projected to funnel \$71 million this year to law enforcement in seven cities – Albuquerque, Baltimore, Cleveland, Detroit, Kansas City, Memphis, and Milwaukee – under the guise of combatting violent crime.¹ To date, DOJ has already allocated – but not dispersed – \$51 million in Community Oriented Policing Services (COPS) Office funds and \$10 million in Bureau of Justice Assistance (BJA) funds to state and local law enforcement agencies for ORP in these jurisdictions.² Operation Relentless Pursuit replicates the most devastating aspects of the Violent Crime Control and Law Enforcement Act of 1994, which flooded America's streets with cops and dramatically increased incarceration rates, especially in Black and Brown communities.³ ORP funds a

¹ U.S. Department of Justice. (Dec. 18, 2019). *Attorney General William P. Barr Announces Launch of Operation Relentless Pursuit*. <https://www.justice.gov/opa/pr/attorney-general-william-p-barr-announces-launch-operation-relentless-pursuit>

² U.S. Department of Justice. (May 11, 2020). *Justice Department Releases \$61 Million in Awards to Support Efforts to Combat Violent Crime in Seven U.S. Cities*. <https://www.justice.gov/opa/pr/justice-department-releases-61-million-awards-support-efforts-combat-violent-crime-seven-cities>

³ See, e.g., Eisen, L. (Apr. 14, 2016). *The Complex History of the Controversial 1994 Crime Bill*. *Brennan Center for Justice*. <https://www.brennancenter.org/our-work/analysis-opinion/complex-history-controversial-1994-crime-bill>

similar influx of police officers and federal agents, bolsters prosecutors' offices, and incentivizes additional federal criminal prosecutions by requiring departments receiving funds to investigate and prosecute certain federal crimes, such as drug trafficking and gang involvement. These actions are not constructive ways to achieve true public safety but serve only to continue the legacy of systemic racism and criminalization of minority communities.⁴

Moreover, ORP exacerbates this legacy by directing millions of federal dollars to police departments with longstanding histories of brutality and discrimination. Four of the seven jurisdictions currently receiving ORP funds are either currently operating under consent decrees or have been in the last five years.⁵ For example, the Baltimore Police Department remains under a consent decree for systemic constitutional violations that “produce[d] severe and unjustified disparities in the rates of stops, searches and arrests of African Americans” and reflected a pattern of excessive use of force.⁶ Similarly, the Detroit Police Department spent 13 years under two consent decrees for use of excessive force and illegal detentions,⁷ and the Cleveland Police Department has been under an active consent decree since 2015 for its use of excessive force⁸ – a practice evidenced by the tragic death of 12-year old Tamir Rice, who was shot and killed by a police officer while playing with a toy gun in 2014.⁹ Rather than subsidizing failing departments in this way, the federal government should direct its resources to efforts that reduce officer-involved responses to crises that are better served by non-police first responders, strengthen civil rights, and provide real support to communities.

The evidence suggests that community-based investments in non-carceral programs – not investments in the criminal legal system – are most effective at keeping people safe and enhancing community well-being.¹⁰ In Eugene, Oregon, for example, local non-profit Crisis Assistance Helping Out on the Streets (CAHOOTS), has trained mental health professionals to respond to nearly one-in-five 911 calls, saving \$14 million in ambulance transport calls and emergency room care last year alone.¹¹ This effective, non-

⁴ See U.S. Government Accountability Office (2005), Community policing grants: COPS grants were a modest contributor to declines in crime in the 1990s, <https://www.gao.gov/new.items/d06104.pdf>.

⁵ See, *U.S. v. City of Cleveland*, Settlement Agreement. (May 26 2015). https://www.justice.gov/sites/default/files/crt/legacy/2015/05/27/cleveland_agreement_5-26-15.pdf; *U.S. v. Police Department of Baltimore City*, et. al. (Jan. 12, 2017). <https://www.justice.gov/opa/file/925056/download>; *U.S. v. City of Albuquerque*, Settlement Agreement. (Nov. 10, 2014). <https://www.justice.gov/sites/default/files/usao-nm/legacy/2015/01/20/DOJ-ABO%20Settlement%20Agreement%20EXECUTED.pdf>; U.S. Department of Justice. (June 12, 2003). Justice Department Files Consent Decrees Concluding Investigation of Detroit Police. https://www.justice.gov/archive/opa/pr/2003/June/03_crt_352.htm

⁶ U.S. Department of Justice, Civil Rights Division. (Aug. 10, 2016). *Investigation of the Baltimore City Police Department*. <https://www.justice.gov/crt/file/883296/download>

⁷ Baldas, T. (Mar. 31, 2016). Detroit police finally rid of federal oversight. *Detroit Free Press*.

<https://www.freep.com/story/news/local/michigan/detroit/2016/03/31/detroit-police-finally-rid-federal-oversight/82491776/>

⁸ *U.S. v. City of Cleveland*, Settlement Agreement. (May 26 2015).

https://www.justice.gov/sites/default/files/crt/legacy/2015/05/27/cleveland_agreement_5-26-15.pdf

⁹ U.S. Department of Justice, Civil Rights Division. (Dec. 4, 2014). *Investigation of the Cleveland Division of Police*.

https://www.justice.gov/sites/default/files/opa/press-releases/attachments/2014/12/04/cleveland_division_of_police_findings_letter.pdf

¹⁰ See, e.g. Sharkey, P. et al. (2017). Community and the Crime Decline: The Causal Effect of Local Nonprofits on Violent Crime. *American Sociological Review* Vol. 82(6) 1214-1240 DOI:10.1177/0003122417736289; Bondurant, S. et al. (2018). Substance abuse treatment centers and local crime. *Journal of Urban Economics*, 104©, 124-133. DOI:

10.1016/j.jue.2018.01.007; Heller, S. et al. (2017). Thinking Fast and Slow? Some field experiments to reduce crime and dropout

in Chicago. *The Quarterly Journal of Economics*. 132(1) 1-54. <https://doi.org/10.1093/qje/qjw033>.

¹¹ Read, R. (June 12, 2020). As protestors call for defunding police, Northwest cities seek to reimagine law enforcement. *Los Angeles Times*. <https://www.latimes.com/world-nation/story/2020-06-12/portland-eugene-defund-police-alternative>.



police first responder model has been scaled in cities across the country.¹² Innovative programs like CAHOOTS have shown what communities have long known: incarceration and over-policing generally serve to undermine public safety,¹³ whereas safe, accessible, and stable housing, well-funded schools, and accessible behavioral health care improve it. The federal government should be funding these strategies, not reverting to policy approaches that have substantively failed and devastated so many communities.

As Congress works to undertake meaningful policing and public safety reforms, it should examine the efficacy and racially inequitable effects of current programs, beginning with ORP. We support the work of advocates nationwide, particularly in the seven cities selected, to ensure that their jurisdictions refuse ORP funds. As a way of supporting this work, legislators must use their power to ask questions that expose the damaging consequences of programs like ORP. They must ask how jurisdictions plan to use any awarded funds, how such activities will affect public safety, and what potential impacts they will have on community members, including impacts on arrests, incarceration rates, the use of discriminatory policing practices, and racial disparities in outcomes.

We urge legislators to support local leaders and advocates who are fighting to keep their communities safe. In the meantime, we ask that the Oversight Committee conduct oversight of ORP's planned use of Fiscal Year 2020 funds and hold DOJ accountable for its actions, including for the harms that its actions have disproportionately perpetrated on Black and Brown communities. We also urge the Appropriations Committee and all members of Congress to oppose any funding for Operation Relentless Pursuit moving forward, by adopting report language in the Fiscal Year 2021 Commerce, Justice, Science and Related Agencies legislation to prohibit DOJ from devoting any federal resources to ORP. Finally, we request that Congress end its reliance on carceral structures as a way of approaching public safety, instead supporting increased funding allocations for areas like housing, education, health care, and other programs that will have long-lasting effects on the strength of our communities.

Sincerely,

The Leadership Conference on Civil and Human Rights
334 East 92nd Street Tenant Association
9to5
A. Philip Randolph Institute
American Civil Liberties Union
American Association of People with Disabilities
Autistic Women and Nonbinary Network
Bay Village Anti-Racism Network

¹² Samuel, S. (Jun. 15, 2020). Calling the cops on someone with mental illness can go terribly wrong. Here's a better idea, *Vox*. <https://www.vox.com/future-perfect/2019/7/1/20677523/mental-health-police-cahoots-oregon-oakland-sweden>

¹³ See, e.g. Stemen, D. et al. (July 2017). The prison paradox: more incarceration will not make us safer. Vera Institute, https://www.vera.org/downloads/publications/for-the-record-prison-paradox_02.pdf; Roeder, O. et al. (2019) What caused the crime decline? Brennan Center for Justice, https://www.brennancenter.org/sites/default/files/2019-08/Report_What_Caused_The_Crime_Decline.pdf; U.S. Government Accountability Office (2005), Community policing grants: COPS grants were a modest contributor to declines in crime in the 1990s, <https://www.gao.gov/new.items/d06104.pdf>.



Black and Brown Activism Defense Collective
Black Church PAC
Center for Disability Rights
Center for Popular Democracy
Center on Race, Inequality, and the Law at NYU School of Law
Christian Peacemaker Teams
Church of Scientology National Affairs Office
Citizen Action of New York
Coalition of Black Trade Unionists
Community Alliance on Prisons
Defending Rights & Dissent
Detroit Community Technology Project
Drug Policy Alliance
Equal Rights Advocates
Equality California
Equity Matters
Fair and Just Prosecution
Faith In Action LIVE FREE Project
Farmworker Association of Florida
Florida Legal Services, Inc.
Government Information Watch
Human Rights Campaign
Human Rights Watch
InterReligious Task Force on Central America and Colombia (IRTF Cleveland)
Japanese American Citizens League
Justice Roundtable
Justice Strategies
King County Department of Public Defense
Lamda Legal
Law Enforcement Action Partnership
League of Women Voters of the United States
Legal Action Center
Legal Aid Justice Center
Matthew Shepard Foundation
Muslim Public Affairs Council (MPAC)
NAACP
National Association of Social Workers
National Center for Transgender Equality
National Council of Churches
National Council on Independent Living
National Education Association
National Juvenile Justice Network
National Law Center on Homelessness & Poverty
National Legal Aid & Defender Association



National Partnership for Women & Families
Northeast Ohio Black Health Coalition
Ohio Poverty Law Center
Our Data Bodies
Our Revolution Ohio
Ohio Valley Environmental Coalition (OVEC)
Policing and Social Justice Project
Prison Policy Initiative
Project on Government Oversight
Public Justice Center
Robert F. Kennedy Human Rights
Rural Coalition
Silver State Equality – Nevada
San Jose State University Record Clearance Project
Southern Poverty Law Center Action Fund
Stand for Children
Showing Up for Racial Justice
The Center for Constitutional Rights
The Daniel Initiative
The Justice Collaborative
The National Council for Incarcerated and Formerly Incarcerated Women and Girls
Voto Latino
Washington Lawyers' Committee for Civil Rights and Urban Affairs
Workers Center of Central NY
World Without Genocide at Mitchell Hamline School of Law
White People 4 Black Lives (WP4BL)

cc:

William P. Barr, Attorney General
U.S. Department of Justice