

May 12, 2023



The Honorable Chuck Schumer
Senate Majority Leader
S-230, The Capitol
Washington, DC 20515

The Honorable Mitch McConnell
Senate Minority Leader
317 Russell Senate Office Building
Washington, DC 20510

Dear Majority Leader Schumer and Minority Leader McConnell,

On behalf of The Leadership Conference on Civil and Human Rights and the undersigned organizations, we write to express our strong opposition to H.J. Res. 42, the resolution disapproving of the D.C. Council's passage of the Comprehensive Policing and Justice Reform Amendment Act (CPJRAA) of 2022.¹

This resolution is another in a long line of attacks on democracy in the District of Columbia. D.C. citizens pay federal taxes and comply with all the other duties of citizenship, yet they are deprived of not only any voting representation in Congress, but also of control over their own local governance. With this vote, Congress would yet again micromanage the affairs of the District and relegate the more than 700,000 residents of D.C. to second-class citizenship — and without a single vote representing D.C.

D.C. autonomy and D.C. statehood are civil rights and racial justice issues.² D.C. residents deserve the same right as any other citizens to decide the laws that are best for their community. It remains painfully clear that the right to vote is meaningless if the will of D.C. residents can be overturned by a Congress that gives them no say in the matter. The Congress must listen to Mayor Bowser and the D.C. Council and reject this attempt to roll back duly passed D.C. legislation.³

Washingtonians are best situated to address police reform policies in their own community and deserve to determine these policies without congressional interference. The CPJRAA includes commonsense reforms to increase police accountability and government transparency, and it directly responds to the calls from District communities for additional law enforcement oversight. Many of the reforms in this bill echo provisions in the George Floyd Justice in Policing Act, as well as President Biden's and President

¹ **The Leadership Conference on Civil and Human Rights will score the Senate's vote in its Voting Record for the 118th Congress.**

² See, e.g., Hearing on H.R. 51, the Washington, D.C. Admission Act. "Statement of Wade Henderson, Interim President and CEO, The Leadership Conference on Civil and Human Rights." United States House of Representatives Committee on Oversight and Reform. March 22, 2021. <https://civilrights.org/resource/statement-of-wade-henderson-to-the-house-committee-on-oversight-and-reform-on-h-r-51-the-washington-d-c-admission-act/>.

³ Flynn, Meagan & Silverman, Ellie. "D.C. leaders begin lobbying Congress against effort to block policing bill." *The Washington Post*. March 18, 2023. <https://www.washingtonpost.com/dc-md-va/2023/03/18/dc-congress-lobby-policing-bill/>.

Trump’s executive orders on policing — including limiting chokeholds, improving access to body-worn camera recordings, restricting access to military-grade weapons, and creating a public discipline database of information related to sustained allegations of police misconduct.⁴ D.C., like many other jurisdictions, initially passed these reforms in response to the murders of George Floyd and Breonna Taylor and the need to enact systemic police reform.⁵ In the wake of the murder of Tyre Nichols and other instances of police brutality, Congress must not block D.C. from heeding the calls of its residents and enacting police oversight legislation.

Legislation like this is not anti-police, but rather increases public confidence in law enforcement both by deterring abuses of power and demonstrating that law enforcement is not above the law. Holding police officers accountable for violating the law does not lead to an increase in crime.⁶ In fact, it may help bolster public safety: Between 2010 and 2020, Washington, D.C. paid out more than \$91 million in police misconduct settlements.⁷ Yet, according to an audit, between 2015 and 2021, D.C. was forced to rehire 37 Metropolitan Police Department officers who were fired due to sustained misconduct allegations, with the city awarding them more than \$14.3 million in back pay.⁸ Police oversight is crucial to preventing and holding officers accountable for misconduct against the very people they have sworn to protect.

This resolution and other attacks on D.C.’s autonomy are emblematic of larger efforts to allow state and federal legislatures to exert control and authority over Black localities and roll back democratically authorized criminal-legal and police reforms.⁹ **We call on you to fight this trend and vote NO on this disapproval resolution.** If you have any questions, please feel free to contact Chloé White, senior policy counsel, justice, at white@civilrights.org.

⁴ D.C. Act 24-781 (D.C. 2021-2022). https://lims.dccouncil.gov/downloads/LIMS/47448/Signed_Act/B24-0320-Signed_Act.pdf. See H.R. 1280, the George Floyd Justice in Policing Act of 2021. 117th Cong.; Exec. Order 14074. “Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Safety. 87 Fed. Reg. 32945. May 21, 2022; Exec. Order 13929. “Safe Policing for Safe Communities.” 85 Fed. Reg. 37325. June 16, 2020.

⁵ “Legislative Reforms to Strengthen Accountability, Reduce Reliance on Policing, and Invest in Black and Brown Communities.” *Legal Defense Fund (LDF)* (last accessed March 28, 2023). <https://www.naacpldf.org/george-floyd-anniversary/>.

⁶ Lo, Kenny & Figgatt, Sarah. “Violent Crime Rates Declined in 10 Jurisdictions Following Comprehensive Police Reform.” *Center for American Progress*. Nov. 16, 2020. <https://www.americanprogress.org/article/violent-crime-rates-declined-10-jurisdictions-following-comprehensive-police-reform/>.

⁷ Alexander, Keith L., et al. “The hidden billion-dollar cost of repeated police misconduct.” *The Washington Post*. March 9, 2022. <https://www.washingtonpost.com/investigations/interactive/2022/police-misconduct-repeated-settlements/>.

⁸ Gathright, Jenny. “D.C. Police Were Forced to Rehire More Than Three Dozen Officers Accused of Misconduct, Auditor Finds.” *DCist*. Oct. 6, 2022. <https://dcist.com/story/22/10/06/dc-police-auditor-report-hiring-firing-misconduct/>. D.C. Police Chief Robert Contee has noted his frustration with the disciplinary system and having to rehire such officers. *Ibid*.

⁹ See, e.g., Khalil, Ashraf, & Fields, Gary. “DC conflict reflects wider efforts undermining local control.” *Associated Press*. March 3, 2023. <https://apnews.com/article/district-of-columbia-congress-crime-voting-race-5bb3af2306e6e8f5493475750b4289b3>.

Sincerely,

The Leadership Conference on Civil and Human Rights
Advancement Project
Alabama State Association of Cooperatives (AL)
American Civil Liberties Union
American Humanist Association
Americans for Democratic Action (ADA)
Amnesty International USA
Autistic Women & Nonbinary Network
Bend the Arc: Jewish Action
Brennan Center for Justice at NYU School of Law
Center for American Progress
Center for Disability Rights
Center for Law and Social Policy (CLASP)
Center for Policing Equity
Center for Popular Democracy
Church World Service
Clearinghouse on Women's Issues
Color Of Change
CURE (Citizens United for Rehabilitation of Errants)
The Daniel Initiative
DC for Democracy
DC Vote (DC)
Dream.Org
Drug Policy Alliance
Equity California (CA)
Fair and Just Prosecution
Feminist Majority Foundation
Hip Hop Caucus
Human Rights Campaign
Innocence Project
Japanese American Citizens League
Japanese American Citizens League – DC Chapter (DC)
Jewish Council for Public Affairs
Justice Strategies
LatinoJustice PRLDEF
Lawyers' Committee for Civil Rights Under Law
League of Women Voters of the District of Columbia
League of Women Voters of the United States
MALDEF (Mexican American Legal Defense and Educational Fund)
MomsRising
More Than Our Crimes

Multifaith Initiative to End Mass Incarceration
NAACP
NAACP Legal Defense & Educational Fund, Inc.
National Association of Criminal Defense Lawyers
National Center for Lesbian Rights
National Center for Transgender Equality
National Council of Churches
National Council of Jewish Women
National Disability Rights Network (NDRN)
National Education Association
National Employment Law Project
National Homelessness Law Center
National Immigration Project
National Juvenile Justice Network
National Organization for Women
National Urban League
Nollie Jenkins Family Center, Inc. (MS)
People For the American Way
Police Out of Transportation Coalition (DC)
Rebuilding Independence My Style (DC)
SPLC Action Fund
State Wide Education Organized Committee (NJ)
Vera Institute of Justice
Washington Lawyers' Committee for Civil Rights and Urban Affairs (DC)