



June 22, 2020

The Honorable Nancy Pelosi
Speaker
U.S. House of Representatives
Washington, DC 20515

The Honorable Mitch McConnell
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Kevin McCarthy
Minority Leader
U.S. House of Representatives
Washington, DC 20515

The Honorable Charles Schumer
Minority Leader
United States Senate
Washington, DC 20510

Dear Speaker Pelosi and Leaders McConnell, McCarthy, and Schumer:

As the chief law-enforcement officers of our states, along with law enforcement partners, we write to express our unwavering support for law enforcement across the country and to ask for your assistance in tempering the anti-police rhetoric that is jeopardizing the safety of our officers. We especially rely on you, as the leaders of the most important legislative body in the world, to discourage dangerous disinformation and to help us restore the country's faith in the overwhelming majority of law-enforcement officers who perform their jobs honorably and bring stability to our cities and states.

The tragic and preventable death of George Floyd at the hands of four Minneapolis police officers shined a national spotlight on bad actors within the law-enforcement profession. At the same time, data simply does not support claims that law enforcement is systemically racist or structurally biased. Despite the lack of available evidence to support the anti-police narrative, it proliferates

and has spawned radical reactions such as the current calls to “defund the police,” as well as increases in violence against police—ranging from assaults to murders.

Last year in the United States, a country with a population of 330 million people, 1,004 civilians were fatally shot by police officers.¹ The vast majority of these officer-involved shootings were justifiable, and most involved an armed or dangerous individual. There were nine fatal shootings of unarmed blacks (down from thirty-eight in 2015) and nineteen fatal shootings of unarmed whites (down from thirty-two in 2015).² Those deaths represent 0.1% of all black homicide victims and 0.3% of all white homicide victims.³

The data indicate that exceedingly few encounters with police involve force. For example, only 2% of people who had any contact with police anytime in the prior twelve months said that officers used *or even threatened to use* force against them, according to the 2015 Police-Public Contact Survey conducted by United States Bureau of Justice Statistics.⁴ Over 58,000 officers were assaulted while performing their duties in 2018, according to FBI data collected from only two-thirds of law-enforcement agencies.⁵ That is an assault rate of 10.8 per 100 officers.⁶ Moreover, assaults with deadly weapons against the police occurred thirty-three times per day.⁷

Recent history confirms that when myths about the police are not strongly repudiated by our nation’s leaders, law-enforcement officers lose their lives. In 2016, following a national campaign against law enforcement—like what we are experiencing today—the number of officers shot and killed in the line of duty

¹ *Police-Shootings Database*, WASH. POST, <http://washingtonpost.com/graphics/investigations/police-shootings-database/> [<http://perma.cc/LNP7-EKAK>] (last visited June 11, 2020).

² *Id.* It should be noted that the *Washington Post* “defines ‘unarmed’ broadly to include such cases as a suspect in Newark, N.J., who had a loaded handgun in his car during a police chase.” Heather Mac Donald, *The Myth of Systemic Police Racism*, WALL ST. J., June 2, 2020, at A19. Hence, even these relatively low figures tend to overstate the reality.

³ See FED. BUREAU OF INVESTIGATION, U.S. DEP’T OF JUSTICE, CRIME IN THE UNITED STATES, 2018, at expanded homicide data tbl.1 (2019), <http://ucr.fbi.gov/crime-in-the-u.s/2018/crime-in-the-u.s.-2018/tables/expanded-homicide-data-table-1.xls> [<http://perma.cc/HZ5W-X7GH>].

⁴ BUREAU OF JUSTICE STATISTICS, U.S. DEP’T OF JUSTICE, NJC 251145, CONTACTS BETWEEN POLICE AND THE PUBLIC, 2015, at 16 (2018), <http://www.bjs.gov/content/pub/pdf/cpp15.pdf> [<http://perma.cc/9ERP-7LG6>].

⁵ FED. BUREAU OF INVESTIGATION, U.S. DEP’T OF JUSTICE, LAW ENFORCEMENT OFFICERS KILLED AND ASSAULTED, 2018 (2019), <http://ucr.fbi.gov/leoka/2018/topic-pages/officers-assaulted> [<http://perma.cc/D2K9-NT8F>] (noting that “the FBI collected assault data from 11,788 law enforcement agencies” regarding “federal, state, city, county, university and college, and tribal law enforcement officers”); BUREAU OF JUSTICE STATISTICS, U.S. DEP’T OF JUSTICE, NJC 249681, NATIONAL SOURCES OF LAW ENFORCEMENT 1 (2016), <http://www.bjs.gov/content/pub/pdf/nsleed.pdf> [<http://perma.cc/J6XE-9XNJ>] (noting that “[l]aw enforcement in the United States is made up of about 18,000 federal, state, county, and local agencies”).

⁶ FED. BUREAU OF INVESTIGATION, *supra* note 6.

⁷ See FED. BUREAU OF INVESTIGATION, U.S. DEP’T OF JUSTICE, LAW ENFORCEMENT OFFICERS KILLED AND ASSAULTED, 2018, at tbl.85 (2019), <http://ucr.fbi.gov/leoka/2018/tables/table-85.xls> [<http://perma.cc/7JVF-ELYB>].

increased by 56% in that year alone.⁸ Twenty-one of those deaths were ambush-style shootings of law-enforcement officers.⁹ Who can forget the five officers murdered in attacks in Dallas, Texas, and the three officers murdered in Baton Rouge, Louisiana, in only a ten-day period? In recent weeks of national unrest, 750 officers have already been injured defending their communities from the violence that has swept our country.¹⁰ Two members of the law enforcement community have already lost their lives.¹¹

The law-enforcement agencies of our states and localities are constantly evolving to ensure that their training, resources, and practices will best protect the safety of both the citizenry and the officers. These men and women regularly receive advanced certifications and degrees, use new equipment and technology, and engage in regular trainings. We know this because many of our offices oversee law-enforcement training and enforce these high standards statewide. Many law-enforcement agencies have taken great strides to diversify their forces, institute policies that build trust and encourage problem-solving, and be proactive in addressing racial and cultural disparities.

There is no level of government better equipped to assess the challenges that law enforcement is facing or what improvements can be made than the government closest to the people. The powers reserved to the States under the Tenth Amendment have been long recognized to include the power to establish and enforce laws protecting the welfare, safety, and health of the public—in other words, the police power. Congress should take care to recognize the ultimate authority of the States over matters relating to policing, even as state, local, and federal partners work together cooperatively towards the common goal of public safety.

In closing, it is possible to support law enforcement and also speak out against the actions of those individuals who dishonor the badge. These two concepts are not mutually exclusive and is why there has been virtually no support from law enforcement for the horrific decisions made by the officers involved in Mr. Floyd's death. Individuals, including members of Congress, are dangerously fanning the flames of emotion by tacitly or explicitly supporting the "Defund the Police" (or worse) movement. These comments are inciting chaos through the

⁸ Camila Domonoske, *Number of Police Officers Killed by Firearms Rose in 2016, Study Finds*, NPR (Dec. 30, 2016), <http://npr.org/sections/thetwo-way/2016/12/30/507536360/number-of-police-officers-killed-by-firearms-rose-in-2016-study-finds> [<http://perma.cc/89U8-4S7G>].

⁹ *Id.*

¹⁰ *Face the Nation* (CBS television broadcast June 7, 2020) (interviewing U.S. Attorney General William Barr).

¹¹ Daisy Nguyen, *Officer Killed Near California Protest Identified*, USA Today (June 1, 2020), <https://www.usatoday.com/story/news/nation/2020/06/01/george-floyd-protests-officer-killed-near-oakland-protest-identified/5308024002/>; Minyvonne Burke, *Retired St. Louis Police Captain Killed by Looters While Trying to Protect Friend's Shop*, NBC News (June 3, 2020), <https://www.nbcnews.com/news/us-news/retired-st-louis-police-captain-killed-looters-while-trying-protect-n1223386>

myth that Americans will be better off without the “thin blue line”—law enforcement—that stands between society and anarchy. Ultimately, it is the prerogative of cities and states to choose the best course of action for their citizens. As for us, we stand with law enforcement and for a safer future for all Americans.

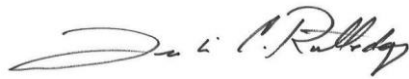
Sincerely,



Steve Marshall
Alabama Attorney General



Jeff Landry
Louisiana Attorney General



Leslie Rutledge
Arkansas Attorney General



Wayne Stenjehem
North Dakota Attorney General



Curtis Hill
Indiana Attorney General



Dave Yost
Ohio Attorney General



Lynn Fitch
Mississippi Attorney General



Mike Hunter
Oklahoma Attorney General



Doug Peterson
Nebraska Attorney General



Alan Wilson
South Carolina Attorney General



Ken Paxton

Texas Attorney General

WESTERN STATES SHERIFFS ASSOCIATION

SOUTHWESTERN BORDER SHERIFFS ASSOCIATION