



LAW ENFORCEMENT LEADERS

To Reduce Crime & Incarceration

December 14, 2015

Governor Nikki Haley
Office of the Governor
1205 Pendleton Street
Columbia, SC 29201

Dear Governor Haley,

I write to introduce you to a new group called Law Enforcement Leaders to Reduce Crime and Incarceration.

We represent over 150 law enforcement leaders – police chiefs, sheriffs, district attorneys, U.S. Attorneys, attorneys general, and others – from all 50 states. Together our members have more than 1,000 years of law enforcement experience. Though some may find it counterintuitive, our experience tells us that the country can reduce crime while also reducing unnecessary arrests, prosecutions, and incarceration. Our group recently launched at a press conference televised across the country and featured on the front page of *The New York Times*.

I have attached our *Statement of Principles* which highlights our policy agenda. We advocate for reforms at the federal and state level to accomplish these goals. Please feel free to reach out to our Senior Coordinator, Nicole Fortier (contact information below), if you feel the perspective of law enforcement would be useful as you consider legislation.

We look forward to working with you.

Sincerely,

Ronal W. Serpas
Chairman, Law Enforcement Leaders
Former Superintendent, New Orleans Police Department
Former Chief, Nashville Police Department

LAW ENFORCEMENT LEADERS TO REDUCE CRIME AND INCARCERATION

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www.lawenforcementleaders.org

The New York Times

Police Leaders Call to Cut Prisons' Rosters

By TIMOTHY WILLIAMS
OCTOBER 20, 2015

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More than 130 police chiefs, prosecutors and sheriffs — including some of the most prominent law enforcement officials in the country — are adding their clout to the movement to reduce the nation's incarceration rate.

Asserting that “too many people are behind bars that don't belong there,” the officials plan to announce on Wednesday that they have formed a group to push for alternatives to arrests, reducing the number of criminal laws and ending mandatory minimum prison sentences. Members of the group are scheduled to meet Thursday with President Obama.

The group includes the police chiefs of the nation's largest cities, including William J. Bratton of New York, Charlie Beck of Los Angeles and Garry F. McCarthy of Chicago, as well as prosecutors from around the country, including Cyrus R. Vance Jr., the Manhattan district attorney.

Democrats and Republicans alike have pressed to temper the economic and social costs of mass incarceration, which has been driven by harsher penalties approved by Congress and state legislatures from the 1970s to the 1990s, when crime rates were far higher than today.

But the group, Law Enforcement Leaders to Reduce Crime and Incarceration, represents an abrupt public shift in philosophy for dozens of law enforcement officials who have sustained careers based upon tough-on-crime strategies.

“This is kind of the missing piece to the puzzle,” said Inimai M. Chettiar, director of the Justice Program at the Brennan Center for Justice, a nonpartisan public policy group affiliated with the New York University School of Law, which helped form the organization.

The law enforcement leaders now say reducing incarceration will improve public safety because people who need treatment for drug and alcohol problems or mental health issues will be more likely to improve and reintegrate into society if they receive consistent care, something relatively few jails or prisons offer.

Mr. Bratton said that New York State and city law enforcement agencies “were well ahead of the curve in understanding that you can't arrest your way out of the problem.”

The organization will release a report on Wednesday. “With momentum for criminal

justice reform accelerating, we want to leave no doubt where the law enforcement community stands: We need less incarceration, not more, to keep all Americans safe,” the group said.

The organization is counting on its members' more than 1,000 years of law enforcement experience to help persuade the public, courts and members of Congress and state legislatures to roll back tough laws and rigid judicial practices that have built a criminal justice system with one of the highest incarceration rates in the world and costing \$80 billion a year to maintain.

Police departments and district attorneys have a great deal of discretion when it comes to making arrests and filing charges for minor crimes. But because the public and government officials demand zero tolerance for crimes like shoplifting and possession of small quantities of drugs, such offenses continue to be prosecuted and often come with jail sentences.

The policies have disproportionately affected African-American men. A 2013 study by the Sentencing Project found that police strategies that target black men and judges' harsher sentences for minorities meant that one in three African-Americans born that year could expect to spend time in prison, compared with one in 17 white men.

“After all the years I've been doing this work, I ask myself, ‘What is a crime, and what does the community want?’” Superintendent McCarthy, a chairman of the group, said. “When we're arresting people for low-level offenses — narcotics — I'm not sure we're achieving what we've set out to do. The system of criminal justice is not supporting what the community wants. It's very obvious what needs to be done, and we feel the obligation as police chiefs to do this.”

Chicago has seen a spike in shootings and homicides recently, but major crime has dropped by 39 percent since 2011, according to police statistics.

The organization says its proposals will not hinder the ability of law enforcement to arrest and prosecute people who have committed violent acts or other serious crimes.

The law enforcement officials point out studies showing that more than one-third of prison and jail inmates have mental health or substance abuse problems, and are often in jail for crimes like drug possession and shoplifting.

In addition to mass incarceration's damaging social consequences, the group faulted the policy's economics as unsustainable.

A number of states in recent years have closed jails as state and local governments have struggled with budget shortfalls. Courts have ordered California, among other jurisdictions, to reduce overcrowding by offering early parole, modifying sentences or reducing the cost of bond to thousands of inmates.

“We're talking about using a scarce resource — beds in jails and prisons — in the most effective way,” said Benjamin David, a member of the group and the district attorney for New Hanover and Pender Counties in North Carolina. “I would say to people, ‘Who would you rather have in there — a bank robber or an addict who is aggressively panhandling downtown?’ This is not a political issue, it is a moral issue.”

The law enforcement officials said they would press Congress and state legislatures to reclassify some nonviolent felonies as misdemeanors and to eliminate some petty offenses from criminal codes. These changes, they said, would allow them to focus resources on those who have committed serious and violent crimes.

The group has also pledged to repair rifts with the communities they serve and to advocate eliminating mandatory minimum sentences to give judges greater authority in punishments.

“We are in the middle of a sea change focusing on who is in our prisons, why are they in there, and who is making the decisions,” said Mr. Vance, a member of the group's steering committee. “At the end of the day, this is just common sense. This is nothing radical.”

The group pointed to Florida's Criminal Mental Health Project as an example of a program that had successfully provided mental health treatment to those who were arrested and in need of care instead of sending them to jail.

The program, which provides training for the police to help people suffering from mental illness, led Miami police officers to arrest just nine of more than 10,000 people in response to mental health calls in 2013, according to the Eleventh Judicial Circuit in Florida, which operates the project. Previously, the majority of those cases would have led to arrests.

Most people are brought to crisis stabilization facilities instead of jail, according to the project. The reduction in inmates has helped allow Miami-Dade County to close one of its jails.



LAW ENFORCEMENT LEADERS

To Reduce Crime & Incarceration

We represent over 160 founding members – police chiefs, prosecutors, sheriffs, attorneys general – from all 50 states, dedicated to urging the country to reduce incarceration while reducing crime.

MISSION STATEMENT

As current and former leaders of the law enforcement community – police chiefs, sheriffs, district and state’s attorneys, U.S. Attorneys, attorneys general, and other leaders – protecting public safety is a vital goal. From experience and through data-driven and innovative practices, we know the country can reduce crime while also reducing unnecessary arrests, prosecutions, and incarceration. We can also reduce recidivism and strengthen relationships with communities. With the goal of building a smarter, stronger, and fairer criminal justice system, we are joining together to urge a change in laws and practices to reduce incarceration while continuing to keep our communities safe.

FOUNDING MEMBERS

- **Cedric Alexander**, former President, National Organization of Black Law Enforcement Executives; Police Chief, DeKalb County, Georgia; former Police Chief, Rochester, New York
- **Anita Alvarez**, State’s Attorney, Cook County, Illinois
- **Steven Anderson**, Police Chief, Nashville, Tennessee
- **Randall Aragon**, Police Chief, Fairbanks, Alaska; former Police Chief, La Marque, Texas; former Police Chief, Conway, Arkansas; former Police Chief, Lumberton, North Carolina
- **Toney Armstrong**, Director of Police Services, Memphis, Tennessee
- **Anthony Batts**, former Police Commissioner, Baltimore, Maryland; former Police Chief, Oakland, California; former Police Chief, Long Beach, California
- **Charles Beck**, Police Chief, Los Angeles, California
- **William Bones**, Police Chief, Boise, Idaho
- **William Bratton**, Police Commissioner, New York, New York; former Police Chief, Los Angeles, California; former Police Commissioner, Boston, Massachusetts
- **David Brown**, Police Chief, Dallas, Texas
- **Kenton Buckner**, Police Chief, Little Rock, Arkansas
- **Jim Bueermann**, President, Police Foundation; former Police Chief, Redlands, California
- **Chris Burbank**, former Police Chief, Salt Lake City, Utah
- **Zach Carter**, Corporation Counsel, New York, New York; former U.S. Attorney, Eastern District of New York
- **John Chisholm**, District Attorney, Milwaukee County, Wisconsin

- **Kay Chopard Cohen**, Executive Director, National District Attorneys Association; former Assistant Attorney General, Department of Justice, Iowa
- **Steve Conrad**, Police Chief, Louisville, Kentucky
- **Brendan Cox**, Police Chief, Albany, New York
- **Dwayne Crawford**, Executive Director, National Organization of Black Law Enforcement Executives
- **Bobby Cummings**, Police Chief, Wilmington, Delaware
- **Thomas Dart**, Sheriff, Cook County, Illinois; former State Representative, Illinois House of Representatives; former State Senator, Illinois
- **Ben David**, District Attorney, 5th Prosecutorial District, New Hanover County & Pender County, North Carolina
- **Kevin Davis**, Commissioner, Baltimore Police Department, Maryland
- **Richard Deane, Jr.**, former U.S. Attorney, Northern District of Georgia; former President, National Association of Former United States Attorneys
- **Allison DeFoor**, former Sheriff, Monroe County, Florida
- **John Diaz**, former Police Chief, Seattle, Washington
- **T.J. Donovan**, State's Attorney, Chittenden County, Vermont
- **Richard Doran**, former Attorney General, Florida; former Assistant Deputy Attorney General for Criminal Law, Florida
- **Edward Dowd, Jr.**, former U.S. Attorney, Eastern District of Missouri; former President, National Association of Former United States Attorneys
- **Bonnie Dumanis**, District Attorney, San Diego County, California
- **Stuart Dunnings III**, Prosecuting Attorney, Ingham County, Michigan
- **Alfred Durham**, Police Chief, Richmond, Virginia
- **Jerry Dyer**, Police Chief, Fresno, California
- **Harry Earle**, Police Chief, Gloucester Township, New Jersey
- **Mark Earley**, former Attorney General, Virginia; former President and CEO, Prison Fellowship
- **Dean M. Esserman**, Police Chief, New Haven, Connecticut; former Police Chief, Providence, Rhode Island
- **Brandon K. Falls**, District Attorney, Jefferson County, Alabama
- **Paul Fishman**, U.S. Attorney, New Jersey (**U.S. Attorney liaison, non-member**)
- **Robert Fiske, Jr.**, former U.S. Attorney, Southern District of New York
- **Paul Fitzgerald**, Sheriff, Story County, Iowa; former President, National Sheriff's Foundation
- **Fred Fletcher**, Police Chief, Chattanooga, Tennessee; former Police Commander, Austin, Texas
- **Ed Flynn**, Police Chief, Milwaukee, Wisconsin; former Police Commissioner, Springfield, Massachusetts; former Police Chief, Arlington, Virginia; former Police Chief, Chelsea, Massachusetts; former Police Chief, Braintree, Massachusetts
- **Neill Franklin**, Executive Director, Law Enforcement Against Prohibition; former Police Commander, Baltimore, Maryland
- **Michael Freeman**, County Attorney, Hennepin County, Minnesota

- **Doug Gansler**, former Attorney General, Maryland; former State's Attorney, Montgomery County, Maryland
- **George Gascón**, District Attorney, San Francisco County, California; former Police Chief, San Francisco, California; former Police Chief, Mesa, Arizona
- **Michael Geier**, Police Chief, Rio Rancho, New Mexico
- **Sim Gill**, District Attorney, Salt Lake County, Utah
- **Brian Gootkin**, Sheriff, Gallatin County, Montana
- **Remon Green**, Police Chief, Texas Southern University, Texas
- **Greg Hamilton**, Sheriff, Travis County, Texas
- **Ron Hampton**, former Chair, National Black Police Association; former Executive Director, National Black Police Association
- **Hal Hardin**, former U.S. Attorney, Middle District of Tennessee; Board of Directors Member, National Association of Former United States Attorneys
- **Jim Hart**, Sheriff, Santa Cruz County, California
- **Janeé Harteau**, Police Chief, Minneapolis, Minnesota
- **Susan Hawk**, District Attorney, Dallas, Texas
- **Timothy Heaphy**, former U.S. Attorney, Western District of Virginia
- **Heidi Heitkamp**, former Attorney General, North Dakota; U.S. Senator, North Dakota
- **Michael Herring**, Commonwealth's Attorney, Richmond, Virginia
- **Michael Hestrin**, District Attorney, Riverside County, California
- **Andrew Holmes**, former Sheriff, Smith County, Kansas
- **Peter Holmes**, City Attorney, Seattle, Washington
- **Walter Holton**, former U.S. Attorney, Middle District of North Carolina
- **John Hummel**, District Attorney, Deschutes County, Oregon
- **Joseph Jaffe**, former District Attorney, Sullivan County, New York
- **Robert D. James, Jr.**, District Attorney, DeKalb County, Georgia
- **Brendan V. Johnson**, former U.S. Attorney, South Dakota
- **James E. Johnson**, former Undersecretary for Enforcement, Department of the Treasury; former Deputy Chief, Criminal Division, Southern District of New York
- **Will Johnson**, Police Chief, Arlington, Texas
- **G. Douglas Jones**, former U.S. Attorney, Northern District of Alabama
- **B. Todd Jones**, former Director, U.S. Bureau of Alcohol, Tobacco, Firearms and Explosives; former U.S. Attorney, District of Minnesota
- **Chuck Jordan**, Police Chief, Tulsa County, Oklahoma
- **Kevin Joyce**, Sheriff, Cumberland County, Maine
- **Robert Kappelman**, Police Chief, North Bend, Oregon
- **Tracie Keese**, Co-Founder and Director of Research Partnerships, Center for Policing Equity; former Police Captain, Denver, Colorado
- **Bernard Kerik**, former Police Commissioner, New York, New York
- **Larry Kirk**, Police Chief, Old Monroe, Missouri
- **Peter J. Koutoujian**, Sheriff, Middlesex County, Massachusetts; former State Representative, Massachusetts House of Representatives
- **Brian N. Kozak**, Police Chief, Cheyenne, Wyoming

- **George Kral**, Police Chief, Toledo, Ohio
- **Harry Kubojiri**, Police Chief, Hawai'i County, Hawai'i
- **David LaBahn**, President and CEO, Association of Prosecuting Attorneys; former Deputy District Attorney, Humboldt County, California; former Deputy District Attorney, Orange County, California
- **Paul Laney**, Sheriff, Cass County, North Dakota
- **Cathy Lanier**, Police Chief, Washington DC
- **William Lansdowne**, former Police Chief, San Diego, California
- **Jody Lay**, Police Chief, Terrell, Texas
- **Rodolfo Llanes**, Police Chief, Miami, Florida
- **Joseph Lombardo**, Sheriff, Las Vegas, Nevada
- **Leon Lott**, Sheriff, Richland County, South Carolina
- **Joseph Lumpkin**, Police Chief, Savannah, Georgia; former Police Chief, Athens-Clarke County, Georgia; former Police Chief, Albany, Georgia; former Police Chief, Toccoa, Georgia
- **Chris Magnus**, Police Chief, Richmond, California; former Assistant Sheriff, Law Enforcement Services Group, Las Vegas, Nevada
- **David Mahoney**, Sheriff, Dane County, Wisconsin
- **Tom Manger**, President, Major Cities Chiefs' Association, Police Chief, Montgomery County, Maryland; former Police Chief, Fairfax County, Virginia
- **Salvatore R. Martoche**, former U.S. Attorney, Western District of New York
- **Sherry Matteucci**, former U.S. Attorney, District of Montana
- **Garry McCarthy**, Police Superintendent, Chicago, Illinois; former Police Director, Newark New Jersey; former Operations Deputy Commissioner, New York, New York
- **Charles McClelland**, Police Chief, Houston, Texas
- **Timothy J. McGinty**, County Prosecutor, Cuyahoga County, Ohio
- **William McManus**, Police Chief, San Antonio, Texas
- **Bernard Melekian**, Undersheriff, Santa Barbara County, California; former Director, C.O.P.S.; former Police Chief, Pasadena, California
- **Risco Mention-Lewis**, Deputy Police Commissioner, Suffolk County, New York; former Assistant District Attorney, Nassau County, New York
- **Joel Merry**, President, Maine Sheriffs' Association; Sheriff, Sagadahoc County, Maine
- **Anne Milgram**, former Attorney General, New Jersey
- **Stephanie Morales**, Commonwealth's Attorney, Portsmouth, Virginia
- **Wendy Olson**, U.S. Attorney, District of Idaho (**U.S. Attorney liaison, non-member**)
- **Matthew Orwig**, former U.S. Attorney, Eastern District of Texas
- **Mark Osler**, former Assistant U.S. Attorney, Eastern District of Michigan
- **Kathleen O'Toole**, Police Chief, Seattle, Washington; former Police Commissioner, Boston, Massachusetts
- **Angela R. Pacheco**, District Attorney, Santa Fe, Rio Arriba, and Los Alamos Counties, New Mexico
- **Melba Pearson**, President, National Black Prosecutors Association
- **Lawrence Pedowitz**, former Assistant U.S. Attorney, Southern District of New York

- **Andrew Peralta**, President, National Latino Peace Officers Association; Lieutenant, Las Vegas, Nevada
- **Jim Peschong**, Police Chief, Lincoln, Nebraska
- **James Petro**, former Attorney General, Ohio
- **Brad Pigott**, former U.S. Attorney, Southern District of Mississippi
- **Richard J. Pocker**, former U.S. Attorney, Nevada
- **Kenneth Polite**, U.S. Attorney, Eastern District of Louisiana (**U.S. Attorney liaison, non-member**)
- **Bryan Porter**, Commonwealth's Attorney, Alexandria City, Virginia
- **Timothy Purdon**, former U.S. Attorney, North Dakota
- **Rick Raemisch**, former Sheriff, Dane County, Wisconsin; former Assistant District Attorney, Dane County, Wisconsin
- **Sue Rahr**, former Sheriff, King County, Washington; former Director, Board of Directors, National Sheriffs' Association; former Police Chief, Shoreline, Washington
- **Charles H. Ramsey**, Police Commissioner, Philadelphia, Pennsylvania
- **Troy Rawlings**, County Attorney, Davis County, Utah
- **Troy Riggs**, former Director, Department of Public Safety, Indianapolis, Indiana
- **Stephen Robinson**, former U.S. Attorney, Connecticut; former Principal Deputy General Counsel, Federal Bureau of Investigation
- **A.C. Roper**, Police Chief, Birmingham, Alabama; former Assistant Chief of Police, Hoover, Texas
- **Jeffrey Rosen**, District Attorney, Santa Clara County, California
- **Richard Rossman**, former U.S. Attorney, Eastern District of Michigan; Executive Director, National Association of Former United States Attorneys; former Chief of Staff, Criminal Division, United States Department of Justice
- **Dan Satterberg**, Prosecuting Attorney, King County, Washington
- **Michael Sauschuck**, Police Chief, Portland, Maine
- **Eric Schneiderman**, Attorney General, New York
- **Susan Segal**, City Attorney, Minneapolis, Minnesota
- **Ronal Serpas**, former Police Superintendent, New Orleans, Louisiana; former Police Chief, Nashville, Tennessee; former Police Chief, State Patrol, Washington
- **William Shaheen**, former U.S. Attorney, District of New Hampshire
- **Jiles Ship**, former President, National Organization of Black Law Enforcement Executives
- **Kami Chavis Simmons**, former Assistant U.S. Attorney, District of Columbia
- **David Soares**, District Attorney, Albany County, New York
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- **David Steingraber**, former Police Chief, Menomonee Falls, Wisconsin
- **Darrel Stephens**, Executive Director, Major Cities Chiefs' Association; Police Chief, Charlotte-Mecklenburg, North Carolina
- **Donald Stern**, former U.S. Attorney, Massachusetts; former President, National Association of Former United States Attorneys
- **Greg Suhr**, Police Chief, San Francisco, California

- **Bryan Taylor**, Prosecuting Attorney, Canyon County, Idaho
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- **Ken Thompson**, District Attorney, Kings County, New York
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- **John Urquhart**, Sheriff, King County, Washington
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- **Roberto Villaseñor**, Police Chief, Tucson, Arizona
- **Edward G. Warin**, former U.S. Attorney, District of Nebraska
- **Donald Washington**, former U.S. Attorney, Western District of Louisiana; Board of Directors Member, National Association of Former United States Attorneys
- **Donnell White**, Board Member of Police Commissioners, Detroit, Michigan
- **Robert White**, Police Chief, Denver, Colorado
- **Jim Winder**, Sheriff, Salt Lake County, Utah
- **William Wilmoth**, former U.S. Attorney, Northern District of West Virginia
- **Thomas B. Wine**, Commonwealth's Attorney, Jefferson County, Kentucky
- **Stephen Zappala, Jr.**, District Attorney, Allegheny County, Pennsylvania
- **Shelley Zimmerman**, Police Chief, San Diego, California

STAFF

- **Nicole Fortier**, Senior Coordinator
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