



September 3, 2020

Senate of Virginia
Richmond, VA 23219

RE: Support for Policing Reform Legislation

Members of the Senate of Virginia:

On behalf of Giffords, the gun violence prevention organization led by former Congresswoman Gabby Giffords, I am writing to express support for policing reform legislation currently before the Virginia Senate, including SB 5024 (Lucas) and 5030 (Locke). Our organization is dedicated to the core principle that every person deserves to live free from fear of violence and brutality, including violence perpetrated by agents of the state charged with protecting the public trust and safety.

Millions of Americans have marched and mobilized, recently and for decades before, to call attention to the urgent need to reform police standards and practices to better protect human life, ensure equal accountability and protection under the law, and demand fairness, decency, transparency, and trustworthiness from our law enforcement agencies.

Legislation currently before Virginia's Senate would help answer these demands for reform and better protect Virginians from both police violence and community violence, including:

- SB 5024 (Lucas), which would enact legislation mirroring federal civil rights law to authorize Virginia's Attorney General, in conjunction with the Department of Law's Division of Human Rights, to investigate and seek appropriate judicial relief to eliminate patterns or practices of unlawful conduct by law enforcement;
- SB 5030 (Locke), which would make comprehensive changes to law enforcement standards and training regarding use of force, de-escalation, and intervention to prevent unlawful force; expand data collection and transparency requirements to address racial profiling and patterns of misconduct; restrict the militarization of law enforcement equipment; restrict use of no-knock warrants and chokeholds; and strengthen the Criminal Justice Services Board's ability to decertify and dismiss officers found, through due process, to have committed serious misconduct;

We have endorsed similar reforms at the federal level in the George Floyd Justice in Policing Act, which passed the US House of Representatives in June, and urge Virginia lawmakers to lead where the US Senate so far has not.

Policing reform is a gun violence prevention issue both because police shootings result in the death of about 1,000 Americans every year and because oppressive and unaccountable law enforcement conduct also fuels broader root causes of violence in many communities. Reform is needed to help prevent police violence and abuse, reform policing practices that fuel broader root causes of violence, build earned trust between communities and law enforcement, and save people's lives.

For years, Americans have been presented with a false choice between policing that is just and accountable on the one hand and policing that is effective on the other. But to ensure public safety and protect human life, law enforcement agencies need active partnership from the communities they are meant to serve. The research, and the recent experience of many of our nation's cities, show that when police departments lack or lose this trust and partnership, a dangerous, downward spiral of disengagement ultimately leads to spikes in violence and vigilantism that threaten the safety of residents and officers alike.

Research has long shown that communities where law enforcement is perceived to be illegitimate, untrustworthy, and unresponsive have much higher rates of homicide and shootings, even after controlling for other relevant factors. The evidence is also clear that policing is most effective at its most vital task—keeping people safe and alive—when it is performed with a commitment to respect, equity, transparency, procedural justice, and meaningful partnership with victims, witnesses, and community service providers.

In January of this year, Giffords Law Center published an in-depth research report, *In Pursuit of Peace: Building Police-Community Trust to Break the Cycle of Violence*, highlighting the link between oppressive and unaccountable police practices and spikes in community violence. When communities are unable to trust or rely on law enforcement to justly and effectively keep them safe, witness cooperation and engagement with officers diminish, homicide investigations become less informed and less effective, more shootings and murders go unsolved and undeterred, and a desperate few turn to violent vigilante justice to substitute for the failures of the formal justice system.

According to the US Justice Department, a majority of violent victimizations in the US are never reported to law enforcement,ⁱ and among Americans seriously injured in violent crimes involving weapons, nearly one-third do not report that crime to the police.ⁱⁱ This is not because victims and witnesses don't feel terrified or outraged, but because they often do not view their police force as legitimately capable of or interested in keeping them safe. A groundbreaking 2016 study showed how police violence against one man caused devastating community wide-impacts: after a high-profile incident of police brutality in Milwaukee (and a police department's subsequent failure to hold responsible officers accountable), researchers documented a large and durable drop in 911 calls to city police, particularly from Black residents, coinciding with a significant spike in

shootings and homicides.ⁱⁱⁱ Dozens more people likely died across the city because of officers' vicious brutalization of one man.

Estrangement from law enforcement agencies and the justice system is therefore a leading root cause of violence in our communities. And for many, especially BIPOC Americans, the status quo is utterly failing to effectively prioritize and protect human life and well-being.

But progress is possible. In 2015, the national blue-ribbon Task Force on 21st Century Policing prepared a comprehensive report with dozens of recommendations for law enforcement agencies and policymakers to build trust and better protect our communities. By implementing such reforms and refocusing law enforcement efforts around prevention of violence, police departments and community leaders across the country have contributed to meaningful, lifesaving reductions in both excessive force and community violence in a short period of time.

We endorse legislation currently before the Virginia Senate that will help incorporate critical reform recommendations made by the Task Force across all agencies in Virginia, and justly improve public safety as a result.

For these reasons, we urge you to support policing reform legislation, including SB 5024 and SB 5030.

Sincerely,

Ari Freilich
State Policy Director

ⁱ US Department of Justice, Bureau of Justice Statistics (2019). Criminal Victimization, 2018.

ⁱⁱ Lynn Langton, "Special Report: Victimizations Not Reported to the Police, 2006–2010," US Department of Justice Bureau of Justice Statistics, August 2012, 5, <https://www.bjs.gov/content/pub/pdf/vnrp0610.pdf>. See also, Jillian B. Carr and Jennifer L. Doleac, "The geography, incidence, and underreporting of gun violence: new evidence using ShotSpotter data," Brookings Institution, April 2016, https://www.brookings.edu/wp-content/uploads/2016/07/Carr_Doleac_gunfiwre_underreporting.pdf.

ⁱⁱⁱ Matthew Desmond, Andrew V. Papachristos, and David S. Kirk, "Police Violence and Citizen Crime Reporting in the Black Community," *American Sociological Review* (2016): 1–20, <https://assets.documentcloud.org/documents/3114813/Jude-911-Call-Study.pdf>.