STATEMENT IN RESPONSE TO ATTORNEY GENERAL BARR’S REMARKS
TO THE FRATERNAL ORDER OF POLICE
August 16, 2019

As current and former elected prosecutors, law enforcement leaders, former senior Department of Justice officials, and former judicial leaders, we took an oath to defend the Constitution, seek the truth and uphold justice. We also understand and embrace our vitally important role in promoting the safety and well-being of our communities. That is why we feel compelled to express our disagreement with the deeply concerning remarks made by U.S. Attorney General William Barr to the Fraternal Order of Police on August 12, 2019.

Attorney General Barr labeled reform-minded prosecutors looking toward innovation and research to advance new thinking as “anti-law enforcement.” Using rhetoric that harkens back to the parochial “tough on crime” narrative of past decades that stoked fear and impeded progress, AG Barr criticized the initiatives of criminal justice leaders across the nation who advocate for diverting more individuals from the justice system; using discretion to redirect precious law enforcement resources better spent on public health and prevention than punishment; and improving fairness and accountability.

We join this public statement to make clear that a growing number of criminal justice, law enforcement and prosecution leaders reject AG Barr’s perspective; we do not view our jobs as waging a “war” against “criminal predators.”

We support and applaud the work of fellow law enforcement colleagues, prosecutors, judges and other dedicated public servants who comprise America’s justice system. Every day men and women in uniform risk their lives to protect our communities and embrace their role as “guardians” of the public’s trust; we are grateful for their courage and sacrifice. Our respect for these brave colleagues does not come at the cost of our respect for the truth or justice. Nor does it suggest that we should ignore lessons learned from decades of failed approaches.

Crime is at a historic low in America. Violent crime has fallen by nearly half over the last quarter century. This profound drop in crime is not due to a rise in incarceration. Indeed, hard data makes clear that too many cases come into the justice system unnecessarily, and too often incarceration exacerbates the likelihood of future criminal activity.

The United States remains an international outlier. We are home to five percent of the world’s population and 25 percent of the world’s prison population. It doesn’t need to — and shouldn’t — be this way, and the facts support the different approaches and new thinking that AG Barr imprudently maligned. There are far more effective and humane ways to respond to mental illness and drug use than with handcuffs and jail cells. And we know that public trust is a core element of public safety. Data-driven justice, the wise use of limited prosecutorial and law enforcement resources, fiscal responsibility, compassion and respect for human dignity all promote public safety.

Informed by this evidence, a new generation of prosecutors and law enforcement leaders are making their communities safer and healthier. They are using their discretion to prioritize the most serious crimes and move conduct better addressed with public health responses out of the justice system. They are
implementing policies that recognize the well-established science on juvenile and young adult development. They are advancing the safety of both officers and community members by emphasizing de-escalation rather than reactive violence, and working toward culture change within prosecution and policing. They are protecting the integrity of the justice system and rebuilding public trust by addressing past and present misconduct. Their methods are working and they have the support of their communities.

Our nation is on the road to meaningful and lasting criminal justice reform — as reflected in the bipartisan passage of the First Step Act and other changes sweeping the country. It is not the time for a return to fear-driven narratives that find no foundation in fact. We hope that Attorney General Barr and other national leaders will understand what facts, data and lessons learned from the past have taught us as we work to wisely use limited criminal justice resources to promote safer and stronger communities.

Sincerely,

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