

January 26, 2009

Dear Member of Congress:

On January 15<sup>th</sup>, the House Appropriations Committee released the draft of the American Recovery and Reinvestment Act. In this draft, \$3 billion in funding was earmarked for State and Local Law Enforcement Assistance through the Edward Byrne Memorial Justice Assistance Grant Program, and an additional \$1 billion is set aside for hiring law enforcement officers under the Community Oriented Policing Services (COPS) program. The undersigned organizations applaud the Appropriations Committee for recognizing that economic stimulus can be achieved through improving public safety and justice systems. However, we believe that focusing solely on law enforcement is misguided and could be counterproductive in terms of improving the state and national economy; we urge the reallocation of this \$4 billion to a broader, more comprehensive set of services and programs that not only will improve economies, but improve public safety and decrease spending on jails, prisons and law enforcement. Below are some key points for you to consider when making your spending decisions:

1. Byrne Grants and COPS programs have not been shown to have a significant positive impact on public safety. According to the United States Government Accountability Office, "Factors other than COPS funds accounted for the majority of the decline in crime during this period [the 1990s]. For example, between 1993 and 2000, the overall crime rate declined by 26 percent... [with] 1.3 percent decline due to COPS."<sup>1</sup> Other studies of the impact of the grants on crime have been inconclusive. Congress should focus on funding what works, not just what might be popular with local officials.
2. There has been no significant increase in crime that would support beefing up law enforcement. In fact, violent crime in the U.S. continues to drop: The most recent FBI Crime reports show a 3.5 percent drop in violent crime during the first half of 2008. It is unclear why, with resources so scarce right now, Congress would invest in more police when there is not a clearly demonstrated need.
3. These programs have often resulted in increased arrests and incarceration of nonviolent drug users. In particular, the program funds hundreds of regional anti-drug task forces across the country. While reducing drug production and violence related to drug trafficking are important law enforcement activities, too often those who are caught up by these task forces are individuals who should be in treatment, not jail. The U.S. prison population tripled from 1985 to 2005;<sup>2</sup> with the average cost of a prison bed over \$30,000 per year, these federal programs can actually end up costing states money without increasing public safety.
4. Improving re-entry services can increase public safety and help people contribute to the economic recovery. Many states and municipalities are contemplating cuts to services that help people re-entering the community from prison or jail. The inability of formerly incarcerated people to successfully transition back to the community leads to unacceptably high rates of recidivism. Rather than focusing solely on federal grants to

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<sup>1</sup> United States Government Accountability Office. (October 2005). COPS Grants Were a Modest Contributor to Declines in Crime in the 1990s. [www.gao.gov/highlights/d06104high.pdf](http://www.gao.gov/highlights/d06104high.pdf)

<sup>2</sup> U.S. Department of Justice, Bureau of Justice Statistics, Corrections Populations at a Glance, <http://ojp.usdoj.gov/bjs/glance/tables/corr2tab.htm>; National Association of State Budget Officers, State Expenditure Reports, [www.nasbo.org](http://www.nasbo.org)

law enforcement, Congress should help states invest in re-entry programs such as mentoring, job training, housing, and substance abuse and mental health services.

5. Congress should invest in programs and policies that have positive and long-lasting effects on communities. Education and job creation in America's poorest communities is one of the most effective public safety strategies. Only 46 percent of incarcerated individuals have a high school diploma or its equivalent, as compared to 82 percent of men aged 18 to 34.<sup>3</sup> Other evidence-based programs include community-based substance abuse and mental health treatment; and prevention programs for youth. Putting resources toward these positive opportunities is the most effective way of increasing public safety, while also creating jobs by investing in communities.
6. Fund diversion programs. If Congress wants to support public safety and law enforcement, they should provide funding for Crisis Intervention Training for officers; this can help reduce the arrest and incarceration of people whose "crime" was having a mental illness. And treatment diversion programs can be a cost effective way to safely keep people out of prison and jail and in the treatment they need.

Investments in community-building social institutions like education and employment have not only been shown to improve public safety, but such investments broadly meet with law enforcement approval. In a 2002 poll, 71.1 percent of surveyed chiefs of police, sheriffs and prosecutors agreed that providing more educational and after-school programs would make the greatest impact in reducing youth crime and violence.<sup>4</sup> Only 14.9 percent said that hiring more police would have the greatest impact.

Finally, we would like to also note that past Byrnes and COPS grants have had the unintended consequence of perpetuating racial disparities and civil rights abuses. This is especially true of the regional anti-drug task forces, which have very little state or federal oversight and therefore are prone to mismanagement and, in some cases, corruption.

The undersigned organizations urge you to reconsider using the economic stimulus money to fund Byrne and COPS grants, and implore you to instead use these scarce funds to invest in a comprehensive approach to improving public safety that will enrich communities and improve the economic well-being of all Americans. Thank you.

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<sup>3</sup> C. W. Harlow, Education and Correctional Population, US Department of Justice, Bureau of Justice Statistics (Washington, DC: 2003), NCJ 195670; US Census Bureau, "Educational Attainment in the United States: March 2002, Detailed Tables (PPL-169)," Table 1a. Available online at [census.gov/population/socdemo/education/ppl-169/tab01a.pdf](http://census.gov/population/socdemo/education/ppl-169/tab01a.pdf).

<sup>4</sup> National Law Enforcement Leadership Survey, Fight Crime-Invest in Kids, August 2002, [www.fightcrime.org/reports/nationalkidspoll2002.pdf](http://www.fightcrime.org/reports/nationalkidspoll2002.pdf)

American Civil Liberties Union  
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American Humane Association  
Alexandria, VA

American Psychological Association  
Washington, DC

Center for Children's Law and Policy  
Washington, DC

Drug Policy Alliance  
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Interfaith Drug Policy Initiative  
Washington, DC

Justice Policy Institute  
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Open Society Policy Center  
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National Black Police Association  
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National Council on Crime and Delinquency  
Oakland, CA

The Rebecca Project for Human Rights  
Washington, DC

The Sentencing Project  
Washington, DC

Students for Sensible Drug Policy  
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United Methodist Church  
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