



LAW ENFORCEMENT LEADERS

To Reduce Crime & Incarceration

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Hon. Jerrold Nadler
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November 12, 2020

**RE: Law Enforcement Leaders Support for the Community-Based Response Act of 2020,
H.R. 8474**

Dear Chairmen Scott, Pallone, and Nadler; Ranking Members Foxx, Jordan, and Walden; and Representative Bass:

We write on behalf of Law Enforcement Leaders to Reduce Crime & Incarceration in support of the Community-Based Response Act of 2020 (the “Act”), H.R. 8474, which offers a critical opportunity to invest in alternative public safety strategies. Our national coalition includes over 200 current and former law enforcement officials, across the political spectrum, dedicated to protecting and improving public safety and reducing unnecessary incarceration.

Law enforcement is frequently tasked with responding to emergency situations with limited options and training on how to assist people in crisis. Typically, police who respond to calls for service have two options — they can either leave or make an arrest to defuse the situation, which, practically speaking, often results in arrest.¹ Drawing on our years of service in law enforcement, we know that many people who are arrested would be better served by a public health response, not criminal justice system involvement.²

To encourage the development of alternatives to a “traditional” law enforcement response, the Act would establish a grant program to support community partnerships for the purpose of providing emergency and non-emergency responses to people in crisis.³ The partnerships created under the Act would require collaboration between local government agencies and qualified community-based

organizations to provide meaningful services and emergency responses to certain populations. Those receiving services may include, among others, racial and ethnic minorities, immigrants, survivors of sexual assault, human trafficking victims, and people experiencing homelessness, mental or behavioral health crises. Notably, while the Act will help spur the creation of new, innovative emergency response strategies, all partnerships would supplement — not replace — existing law enforcement agencies, which will continue to respond to dangerous situations as needed.

As the recent national conversation on public safety and policing has underscored, most police officers are not medical or mental health professionals. Yet the police are routinely called to respond to calls involving people with mental illness and substance abuse emergencies, many of whom would be better served by other experts. To put the disconnect in perspective, one study found that recruits at state and local law enforcement training academies received an average of 168 hours of training on weapons, defensive tactics, and use of force — compared to average training times of ten hours on mental illness, six on sexual assault, and 13 on domestic violence.⁴ Another study reports that 10 to 20 percent of all police encounters in the United States involve people showing signs of mental illness or alcoholism, with police reporting that traditional tactics often do not work well in these types of situations.⁵

Further, responding to non-violent emergencies caused by mental health issues and other social factors takes scarce law enforcement resources away from cases involving more serious and violent crimes. Recent research shows that, in some jurisdictions, police spend more time on mental health-related calls than on burglaries or felony assaults.⁶ An estimated 79 percent of individuals behind bars suffer from drug addiction, mental illness, or both.⁷ Instead of funneling individuals with mental health and substance abuse issues into the criminal justice system, we should invest in approaches that prioritize wellbeing over punishment and utilize limited law enforcement resources wisely.

As our nation grapples with the role of police in our communities and public safety, the Act would encourage localities to create new strategies for public health crises and save scarce law enforcement resources. By providing grants to up to 40 communities, the bill could have a substantial impact, encouraging innovation at the local level and ensuring that appropriate professionals respond safely alongside or in lieu of law enforcement when emergencies arise.⁸ We urge your respective House Committees to promptly pass the Community-Based Response Act out of committee and to continue to support its passage on the House floor.

Respectfully yours,



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¹ Law Enforcement Leaders to Reduce Crime & Incarceration, *Ensuring Justice and Public Safety: Federal Criminal Justice Priorities for 2020 and Beyond*, April 15, 2020, 8, <http://lawenforcementleaders.org/ensuring-justice-public-safety-federal-criminal-justice-priorities-for-2020-and-beyond/>.

² Art Acevedo, Steven Casstevens, and Sylvia Moir, "Police chiefs: 'We can't arrest our way out of societal problems' — Invest in families, communities to prevent crime," *The Houston Chronicle*, September 10, 2020, <https://www.houstonchronicle.com/opinion/outlook/article/Police-chiefs-We-can-t-arrest-our-way-out-15554272.php>.

³ Community-Based Response Act of 2020, 116th Cong. (2020).

⁴ Brian A. Reaves, *State and Local Law Enforcement Training Academies, 2013*, U.S. Department of Justice, 2016, 5, tbl.6 and 7, tbl.9, <https://www.bjs.gov/index.cfm?ty=pbdetail&iid=5684>.

⁵ Amy Watson et al., "Improving police response to persons with mental illness: A Multi-level conceptualization of CIT," *International Journal of Law and Psychiatry* 31 (2008): 359–60, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC2655327/pdf/nihms69181.pdf>.

⁶ Justin Levinson, *Building Community-Based Emergency Response Systems*, The Justice Collaborative, June 2020, 2, https://tjcinstitute.com/wp-content/uploads/2020/06/20.06_Emergency-First-Responders-2.pdf.

⁷ James Austin et al., *How Many Americans Are Unnecessarily Incarcerated?*, Brennan Center for Justice, 2016, 8, <https://www.brennancenter.org/our-work/research-reports/how-many-americans-are-unnecessarily-incarcerated>.

⁸ Scottie Andrew, "This town of 170,000 replaced some cops with medics and mental health workers. It's worked for over 30 years," *CNN*, July 5, 2020, <https://www.cnn.com/2020/07/05/us/cahoots-replace-police-mental-health-trnd/index.html>. For example, the Crisis Assistance Helping Out On The Streets (CAHOOTS) program created in Eugene, Oregon has successfully employed these strategies to respond to mental health crises, homelessness, and others. In 2019, CAHOOTS workers responded to 24,000 calls, of which only 150 required police backup.