

DC Police Union

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April 23, 2023

VIA ELECTRONIC DELIVERY

Honorable Joni Ernst
United States Senate
347 Russell Senate Office Bldg.
Washington, DC 20510

*Re: H.J. Res. 42
Disapproving the D.C. Comprehensive Policing and Justice Reform Amendment Act of 2022*

Senator Joni Ernst,

On behalf of the nearly 3,500 members of the D.C. Police Union, I am formally reaching out regarding H.J. Res. 42, disapproving the action of the District of Columbia Council in approving the *Comprehensive Policing and Justice Reform Amendment Act of 2022* (the “Act”).

This Act is a dangerous law that destroys collective bargaining rights for police officers in our nation’s capital, creates a public database with no protections for undercover police officers, reduces less-lethal options for law enforcement during a riot, and further contributes to the staffing crisis of the Metropolitan Police Department (MPD).

It is essential to note the D.C. Council enacted the Act on January 19th, 2023, **without the support or signature of Mayor Bowser**. While our union is on the record supporting real police reform, this Act is an assault on the constitutional rights of D.C. police that will embolden criminals and subject MPD officers to targeted attacks, violent offenders, thieves, and organized criminal elements.

The Act simultaneously erases officers’ rights to due process and collectively bargained neutral third-party reviews. These provisions have already begun to cripple MPD staffing levels and is a proven lead factor in the unprecedented rate of officer resignations, early retirements, separations, and lateral transfers to competing departments.

Since this Act was passed on an emergency basis in D.C., the MPD has lost over 1,200 police officers while only replacing 700.

The law goes as far as to say, “law enforcement officers,” (specifically defined as anyone with police powers within the District of Columbia), including the Capitol Police, “*shall not deploy less-lethal options*” and “*shall not be deployed in riot gear*” unless there is approval through an unclear, poorly defined, and unobtainable process during rapidly evolving public safety such as the major incident in the District on January 6th.

The Capitol Police Union agrees. Our sisters and brothers represented by the United States Capitol Police Labor Committee state firmly that “the language of the act is too wide, unclear, and dangerous to our ability to protect peace in the District and at the United States Capitol.”

The MPD Chief of Police, Robert Contee, testified last week in an Oversight Hearing that “the department has had fewer than 3,400 members since December, 430 fewer officers now than we did in 2019, and likely the lowest number of officers since at least the 1970s.” He further concluded that the damage from this Act may mean that the department will not increase in size for years to come. The recruitment and retention staffing crisis threatens both public safety and victim's rights by further reducing the MPD’s ability to patrol neighborhoods, investigate crimes, and arrest criminals.

Law enforcement in the District should be the standard bearer for our nation. This Act is an attack on police officers, a reduction in public safety overall, and sets dangerous public policy that limits less-lethal options for police in times of crisis and emergency.

Respectfully,



Gregory Pemberton
Chairman
D.C. Police Union