



NATIONAL SHERIFFS' ASSOCIATION

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**WRITTEN TESTIMONY BY
THE NATIONAL SHERIFFS' ASSOCIATION
TO THE
WHITE HOUSE TASK FORCE ON 21ST CENTURY POLICING**

INTRODUCTION

The National Sheriffs' Association (NSA) submits that the Sheriffs of America are essential partners in any effort to increase the trust and confidence of the American people in our criminal justice system and to improve policing in the 21st Century. The NSA represents the 3,080 Sheriffs in the United States, almost all democratically elected by the people, and each one serves as the chief law enforcement officer of their respective county or parish. As a result, the Office of Sheriff is the law enforcement agency most directly accountable to the people we serve. Sheriffs also are the only law enforcement officers in the nation providing the full line of services, including jail operations and courtroom security; this broad range of responsibilities allows us to provide a unique set of observations on the challenges of building trust and legitimacy with the people we serve.

Today I offer this testimony on behalf of the NSA, a non-partisan, non-profit organization dedicated to raising the level of professionalism in the areas of criminal justice and public safety. In lengthy conversations with Sheriffs from across the country, NSA has identified these issues as critical in the conversation on officer safety and wellness.

VOICES FROM THE FIELD

In the post-9/11 world in which we all live, law enforcement at every level has been called to support homeland security efforts. We've heard time and again that "homeland security starts with hometown security." More than anyone, law enforcement understands the need to ensure that security. We respond to thousands of unique calls every day that can include missing children and seniors, domestic violence, animal cruelty, metal theft, public health concerns, mentally ill persons, traffic safety issues, violent crimes, and more. But, state and local resources have been stretched thin by the ever-increasing demands on top of the regular calls for service.

Inconsistent Messaging from the Federal Government

Through the 287(g) program, Secure Communities, and now the Priority Enforcement Program, we are tasked with enforcing Federal immigration law while simultaneously being told the Department of Justice will ignore flagrant violations of Federal marijuana laws. We are told to use our limited resources to help the Federal government identify illegal aliens but receive no support when our agencies are sued for those actions. Congress creates programs like the State Criminal Alien Assistance Program (SCAAP) to reimburse local agencies for the costs of housing illegal aliens but the President consistently tries to eliminate the program. Even with Congressional support for SCAAP, the reimbursement falls woefully short of covering the true costs. Our Sheriff's Offices cannot continue to carry the Federal burden on immigration nor should the costs of ignoring Federal marijuana laws be borne by our communities. *The Federal government must support our state and local law enforcement by taking responsibility for the Federal role of immigration enforcement and consistently enforcing Federal law as it relates to drug laws. To continue abdicating those obligations does a disservice to communities across the country by forcing valuable resources to be diverted away from local concerns.*

Congress must also do its part to support law enforcement. While many individual Members of Congress have shown unwavering support in recent years, funding for law enforcement programs has been dramatically cut since 2008. In some cases, like the COPS Hiring Program, funding has been cut year after year; in other cases, like the Bulletproof Vest Partnership Grant Program, Congress cannot find the will to reauthorize programs. These are programs that help local agencies hire additional personnel or provide matching funds to equip an officer with a bulletproof vest. *It is unacceptable for Congress to shirk its responsibilities in appropriately funding and authorizing programs that support state and local law enforcement.*

Addressing Mental Health Concerns

Beyond the burdens placed on law enforcement by the Federal government are the realities of our mental health system. Any deputy or officer on the street can tell you that mental illness plays a significant role in many calls for service. According to the Centers for Disease Control, more than one-quarter of all adults will experience at some point in their lives mental illness and half of them will go untreated; despite this, many of our nation's mental institutions have been closed in recent decades. As a result, more and more mentally ill persons will end up in jails and prisons.

As a nation, we must provide resources to treat the mentally ill, rather than allow them to cycle in and out of the criminal justice system. That cycle places significant burdens on personnel, budgets, and facilities without providing any benefit to the community. And, law enforcement interactions with an untreated mentally ill person is, at best, challenging. *We must provide law enforcement with fully funded training to appropriately manage those individuals with untreated mental illness. And we must ensure that community resources, mental healthcare beds, and criminal justice alternatives are available to help the mentally ill.* Mental illness is not a crime, nor should we continue to treat it as such.

Comprehensive Examination of the Criminal Justice System

This Task Force has been convened to look specifically at law enforcement in the 21st Century. But law enforcement does not exist in a vacuum nor should it be examined in one. To fully

understand law enforcement in the 21st Century, it is imperative to look at all facets of the criminal justice system and the ways in which they interact. Equally important is to examine the tools—physical and technological—used by law enforcement to uphold the law and individuals seeking to break the law. Social media tools and applications are having a dramatic impact upon the safety of our police personnel, and the communities they protect. For example, one application simply and easily allows anyone with a smart phone to track and stalk the location and behavior of police and law enforcement personnel. While on the surface that may sound reasonable, we have heard from countless NSA members that their officers are alarmed that they are prey rather than those seeking to break the law. We applaud the creativity of the companies and individuals of this country. It is they who are creating jobs and growing our capabilities. However, we are deeply concerned that we are on a slippery slope to disarming our abilities to prevent crimes.

From 2013-2014 more than 123 law enforcement persons were killed in the line of duty. Of those it is widely believed and statistically shown that 28 were stalked by their killers. The recent deaths of Officer Rafael Ramos and Officer Wenjian Liu in New York City broke the Nation's heart. Two men who swore to uphold the law were, without provocation, murdered. The possibility this type of application played a role in these murders is frightening to the men and women in uniform. Our military leaders would not permit a sworn enemy to have and use similar applications to track and potentially harm our forces. Neither should our elected leaders, and most importantly the corporations and organizations that build our nation permit the use of these new applications.

We cannot deny that anyone seeking to do harm to our law enforcement personnel are doing so to undermine our society. Those who break the law must remain our primary focus of policing in the 21st century. For 228 years our society has steadfastly upheld the principle that we are a nation of laws, and the “rule of law” determines how a civil society succeeds. That philosophy is what our members, their deputies and their staffs are committed to doing.

It is too easy to focus the blame of the criminal justice system's shortcomings on law enforcement. Our deputies and officers stand as the face of the criminal justice system every time they put on a uniform. But we have seen in recent tragedies how focusing the blame solely on law enforcement can have deadly consequences. We cannot continue to allow the media and the public to blame law enforcement for the shortcomings of an entire system.

Our law enforcement professionals deserve better. They deserve a Federal government that listens and supports their efforts to protect our communities. They deserve the equipment and training that will help keep them safe. We cannot continue asking our deputies and our officers to do more with less. Doing so places their lives in danger and threatens the safety of our communities.

Our communities deserve better, too. Through elections, Sheriffs are directly accountable to their communities. Sheriffs understand how important it is to ensure good community relations and know that we must always work to continue building those relationships. Sheriffs know that our communities expect high levels of professionalism from our deputies and we strive every day to provide that.

CONCLUSION

The 3,080 Sheriffs of the United States are invested in the counties and parishes they protect. The National Sheriffs' Association appreciates the opportunity to provide input to this honorable Task Force. I urge the Task Force to remember that law enforcement does not exist in a vacuum and that we must look at the entire criminal justice system if we are to fully address the problems that exist. We must ensure funding and support for critical law enforcement programs because their impact cannot be overstated. Anything less is a slap in the face to the law enforcement community.