

The Honorable Merrick Garland
U.S. Attorney General
Room 5111, Robert F. Kennedy Building
Washington, DC 20530

March 14, 2023

Dear Attorney General Garland,

On May 25th, 2022 President Biden signed Executive Order 14074 on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety.¹ The order mandates that, within 240 days of its signing, the Attorney General establishes a National Law Enforcement Accountability Database as "a centralized repository of official records documenting instances of law enforcement officer misconduct." The undersigned organizations dedicated to transparency and accountability are writing to you today because it has now been 294 days since the executive order was signed; however, a public database has not been established, nor has the Attorney General's office issued a statement regarding its status.

In the time since President Biden signed the executive order, the need for a central database to hold law enforcement accountable has only grown more apparent, with the recent and brutal killing of Tyre Nichols underscoring the dire need for police reform to protect the safety of all Americans, and particularly Black Americans who are disproportionately victims of police violence.² Police brutality in the form of excessive force, unjustified shootings, severe beatings, and fatal choking remains one of the most serious human rights violations in the United States. However, the prevalence of police brutality in America is not comprehensively documented.

Transparency is the bedrock of accountability. Without transparency and recordkeeping laws the American people lack the information needed to scrutinize and, when necessary, challenge the decisions of their government. That is why a public, national database as ordered by the president would be a major step forward for transparency. Moreover, it also has the potential to reduce police misconduct by preventing so-called

¹ *Executive Order on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety*, White House (May 25, 2022),

<https://www.whitehouse.gov/briefing-room/presidential-actions/2022/05/25/executive-order-on-advancing-effective-accountable-policing-and-criminal-justice-practices-to-enhance-public-trust-and-public-safety/>

² Eric Levenson et al., *5 former Memphis officers indicted on murder and kidnapping charges in Tyre Nichols' death as nation braces for release of police video*, CNN (Jan. 27, 2023),

<https://www.cnn.com/2023/01/26/us/tyre-nichols-memphis-thursday/index.html>; Curtis Bunn, *Report: Black people are still killed by police at a higher rate than other groups*, NBC (Mar. 3, 2022), <https://www.nbcnews.com/news/nbcblk/report-black-people-are-still-killed-police-higher-rate-groups-rcna17169>.

“wandering cops” –law enforcement officers who have lost their job due to misconduct but are able to hop between agencies that are unaware of their past actions.³

The need for an Accountability Database is long overdue. We look forward to hearing back from you with an update on the status of the Accountability Database and stand ready to work with the Department of Justice to lend our experience in building and designing transparency measures should it be useful.

Sincerely,

American Humanist Association
American Oversight
Amnesty International USA
Bend the Arc: Jewish Action
Center for Disability Rights
Citizens for Responsibility and Ethics in Washington (CREW)
Clean Elections Texas
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces
Council on American-Islamic Relations (CAIR)
Demand Progress Education Fund
DemCast USA
Florida Voices for Progress
Government Information Watch
Indivisible Santa Fe
Innocence Project
Justice Strategies
League of Women Voters of the United States
Mayers Strategic Solutions, LLC
National Advocacy Center of the Sisters of the Good Shepherd
NETWORK Lobby for Catholic Social Justice
Peace Action
Pride At Work
Project On Government Oversight
Restore The Fourth
Sojourners
Southern Border Communities Coalition
Surveillance Technology Oversight Project
The Digital Democracy Project
Union for Reform Judaism

³ William H. Freivogel and Paul Wagman, *Wandering cops shuffle departments, abusing citizens*, AP (April 28, 2021), <https://apnews.com/article/michael-brown-business-police-reform-death-of-george-floyd-bfd018e3c12413f840482efca29ca6ba>