



June 24, 2020

Dear Senator:

On behalf of YWCA USA and our over 200 local associations in 45 states and the District of Columbia, I write today to express our opposition to the Just and Unifying Solutions to Invigorate Communities Everywhere (JUSTICE) Act (S. 3985). This bill is deeply problematic and falls woefully short of the comprehensive reform required to meet this historic moment and address the current policing crisis and achieve meaningful law enforcement accountability. **We therefore urge you to oppose this bill and to vote no on any procedural motions to advance this legislation on the Senate floor.**

YWCA's longstanding mission to eliminate racism and empower women is the guiding star that unites our voices and our work. As a national organization founded in 1858, we have been at the forefront of the most pressing social issues - from voting rights to civil rights, from affordable housing to pay equity, from violence prevention to health care reform. Today, we combine programming and advocacy to generate institutional change in three key areas: racial justice and civil rights, empowerment and economic advancement of women and girls, and health and safety of women and girls.

YWCA'S PRIORITIES FOR POLICE ACCOUNTABILITY

The deaths of Breonna Taylor, George Floyd, Tony McDade, and too many other Black people at the hands of police are deeply embedded in our nation's long history of racial injustice, and an origin story rooted in the enslavement of Black people. Like you, we are outraged by the devastating impact of police violence and systemic racism in our communities and know that their traumatic impact will continue to reverberate for the next generation of children and families for whom YWCA provides child care, job training, housing, and safety from domestic and sexual violence.

That is why on June 1, 2020, YWCA USA joined the Leadership Conference on Civil and Human Rights and over 450 other national civil rights organizations on a [letter](#) outlining accountability principles that must be adopted to address systemic racism in policing across America. These priorities include:

- The creation of a use of force standard that allows force when necessary and as a last resort;
- A ban on chokeholds;
- A ban on racial profiling;
- The establishment of a police misconduct registry;
- The inclusion of a “reckless” standard in 18 U.S.C. Section 242 that enables federal prosecutors to hold law enforcement accountable for criminal civil rights violations;
- A prohibition on no-knock warrants, especially in drug cases;
- The elimination of the judge-made doctrine of qualified immunity, which allows officers and other government actors to evade accountability when they violate individuals’ civil rights; and
- The demilitarization of law enforcement agencies.

Combined, these eight priorities represent essential first steps to decrease police violence, increase transparency, and hold law enforcement accountable when violence does occur, and are foundational steps that must be taken for systemic reform to occur. Any serious attempt to pass meaningful, comprehensive police reform legislation must include all eight principles, which are supported by years of studies, recommendations, and best practices.

YWCA’s on-the-ground presence in communities where police violence is happening, valued relationships with local law enforcement, and long-standing mission to eliminate racism and empower women provide us with a unique perspective on reforms that are needed to address the immediate and growing crisis of police violence. We both see the moral imperative for change demanded in this moment *and* recognize the critical role that law enforcement so often plays in protecting women and children from domestic and sexual violence. We see the ways in which Black women and other women of color are criminalized, profiled, and harmed by systems, laws, and policies that are supposed to provide support and protection, and at the same time we rely on those very same systems, laws, and policies to aid so many of the more than 2.3 million women, children, and families that we serve each year.

It is from this vantage point that we unequivocally affirm our long-standing and valued partnership with law enforcement *and* advocate for these specific, concrete, and long-overdue reforms to ensure that not another Black life is taken from us by police violence.

YWCA OPPOSES THE JUSTICE ACT (S. 3985)

While YWCA appreciates that the JUSTICE Act recognizes the importance of federal reporting requirements, de-escalation tactics, duty-to-intervene policies, and incentivizing local reforms, this

legislation fails to incorporate specific reform priorities necessary to bring about the fundamental shift in policing our country needs and its people are demanding.

Specifically, YWCA's concerns about the JUSTICE Act are that it:

- Lacks a national, robust, and publicly available misconduct registry required for transparency
- Fails to abolish qualified immunity or to criminalize the reckless use of force by police, which are significant barriers to holding law enforcement accountable
- Fails to include the specific and concrete priorities we recommend to decrease police violence, namely, setting a national standard restricting the use of force, prohibiting racial profiling, banning dangerous practices like chokeholds and no-knock warrants, and demilitarizing police departments
- Establishes commissions for further study instead of implementing reforms, thereby ignoring the decades of studies, recommendations, and best practices that already exist to address this crisis
- Furthers gendered narratives about police violence by focusing only on the experiences of Black men and boys, thereby failing to acknowledge the well-documented experiences of women and girls of color (see [We Deserve Safety: Ending the Criminalization of Women and Girls of Color](#), released by YWCA USA in September 2017).

THE TIME FOR COMPREHENSIVE AND MEANINGFUL ACTION IS NOW

YWCA USA urges the Senate to take comprehensive and meaningful steps now to reform and hold police accountable for racial violence, and to end systemic racism in our justice system. Public support for this effort has never been higher, and as a nation, we have decades of studies, recommendations, and best practices to draw on as a blueprint to guide us in this effort.

Change is possible, and the time to act is now.

The first comprehensive foundational step must include the eight priorities itemized above, which the JUSTICE Act as introduced does not accomplish.

But as the voices in the streets of our country have made clear, police accountability is only a first step: this moment also requires us to reimagine the role of policing and our justice system. There is rapidly growing consensus that police are called on to respond to situations that are better handled by other agencies and professionals, and that a law enforcement response is less effective, more expensive, and more dangerous than social services, behavioral health, and other interventions.

YWCA encourages Congress to join the growing number of local city councils, state policymakers, public health associations, and medical organizations that recognize racism as the public crisis that it is – and to invest federal resources accordingly.

What does it look like to take this step? At the federal level, we believe this means increasing federal resources and investments in schools, child care and early learning, trauma-informed care, mental and behavioral health, affordable housing, job training, and other programs and services that promote social determinants of health, but that have long been underfunded in Black and Brown communities. This is an essential step in strengthening communities, and building communities that support people is key to creating justice and wellbeing. Such a shift in funding priorities would directly address deeply embedded inequities that perpetuate racial injustice, and reform the systems, structures, and policies that are the backdrop against which the crisis of police violence and brutality is playing out.

We stand at a critical moment in time – and we cannot and will not let it be a passing moment. Over the past few weeks, we have seen people across the country and from all walks of life take to the streets and call for police accountability and an end to systemic racism. Now, they turn their attention to Congress. The time to take bold action and speak out against injustice is now. For that reason, we urge you to oppose the JUSTICE Act (S. 3985), and to vote “no” on any procedural motions to advance this legislation on the Senate floor.

Thank you for your leadership on this important issue. Please do not hesitate to contact Pam Yuen, YWCA USA Government Relations Manager, at pyuen@ywca.org or 202-559-7022, if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'AJ Castillo', written in a cursive style.

Alejandra Y. Castillo
CEO, YWCA USA