

June 11, 2020

The Honorable Ralph Northam
Governor of Virginia
111 East Broad Street
Richmond, Virginia 23219

The Honorable Eileen Filler-Corn and Senator Louise Lucas
Speaker of the House of Delegates of Virginia and President Pro Tem of the Senate
General Assembly
1000 Bank Street
Richmond, VA 23219

CC: General Assembly Members

Dear Governor Northam, Madam Speaker, and President Pro Tempore:

We stand with over 100,000 individuals represented by the 27 organizations listed below in asking you to call a special session on police reform now. Racism and anti-Blackness harm people of color every day. We see racism's impact through overt acts of hate and violence against Black individuals and communities of color. We see it in the underlying systemic policies and practices that sanction and guide our public life in Virginia. Racism is institutional. Dismantling this system of oppression will take all of us and it needs to start with you.

We know there are plans for a special session to revisit our budget due to the effects of COVID-19 on our revenues. As you consider required cuts in the budget, we urge you to make the choice to begin our progress toward a new vision of what it means to keep communities safe and shift our resources away from policing and into other programs that address public health, educational and social needs. We also ask you to use your power to make sure that the legislature takes action to address the urgent and dire need for equitable police reform in our Commonwealth.

The time for inaction is over. We need legislators to look thoughtfully at our budget, prioritize community-oriented programs, and commit to changes in the laws that restrict accountability, limit transparency, and devalue justice in our police force.

These inherently systemic issues require immediate and permanent solutions that will require statewide legislation. Countless protests and unrest are united in their call that we must condemn police brutality, divest and reorganize funding for alternative community-based solutions, and eliminate the use of excessive force and practices that promote it that have been tolerated for far too long in Virginia and across the country. Now is the time to focus on redress and reparation of the longstanding, centuries-old systemic inequities and racism laid bare this spring by the pandemic and its accompanying economic and social devastation.

Words of support are not enough, especially from our elected leaders. We need a commitment to real change and policies passed that will truly increase accountability in our police and bring justice and true protection for Black lives. Policing reform must be an agenda item for any special session called this summer. The issues cannot, and will not, wait until January 2021. There needs to be a commitment and urge to fight for a world where Black people do not have to live in fear of the police, and you have the power to take on that fight right now.

A commitment to police reform and racial justice requires a bold reimagining of the role police play in our society: It is time to divest from law enforcement and reinvest in the Black and Brown communities they unjustly target. That means we must reorder our budget priorities at the state and local level by significantly reducing Virginia's excessive 400 million dollar state policing budget and reinvest those funds in programs that have been consistently underfunded in Black and Brown communities for decades, including schools, affordable housing, and healthcare options.¹ We must stop investing in disproportionately punitive responses to the economic and social consequences of that injustice.

We must start by moving quickly to change state laws that do not value transparency, accountability, or justice for Black lives. We urge you to call a special session that focuses on bringing reform to our law enforcement agencies. We urge you to engage with Black activists and community members as a first step to ensure any proposed legislation is equitable and will in fact change the system for Black people and communities of color. We urge you to strongly consider, at the very least, the following as you do:

- **We must reduce funding to the police and significantly reduce the scale and scope of policing in Virginia.** We must reimagine the role of

¹ Virginia State 2020 Executive Budget Document

policing in our Commonwealth and recommend changes in the budget that divest resources from policing and reinvest those resources in public education, health, crisis intervention, and other services that are preventative rather than punitive in nature.

- **We must stop tolerating a system of policing in Virginia that has been allowed to kill Black people for decades without consequence or accountability.** We need to change the state law that allows individual officers to engage in serious misconduct that results in bodily harm or death without professional or personal consequence. We must take action to empower and fund a specialized, statewide team of investigators and prosecutors, independent from any state or local law enforcement agency, that can investigate and prosecute law enforcement personnel who engage in or allow criminal acts that result in death or serious injury. We must change policies that extend protection to law enforcement officers who do harm and limit the ability of local governments to respond to their communities.
- **We must have transparency.** We cannot continue to have laws that hide from the public the misconduct of people charged with keeping us safe. We must require transparency from law enforcement by making all departmental policies as well as critical police activity data open and accessible to the public.
- **We must stop unnecessary and unconstitutional interactions between police and communities of color.** We must find and establish alternatives for prosecution of low-level non-serious offenses that needlessly insert police presence in situations where community intervention would better serve public safety.

These changes require deliberate action from our lawmakers and there is no time to waste. Virginia is looking to you to lead in this moment and that means you must take positive action—individually and collectively—to make changes in the laws, policies, practices, and police culture that have allowed the murder of George Floyd, Breonna Taylor, Ahmaud Arbery, Natasha McKenna, and Marcus-David Peters like so many Black people before them.

You must lead the implementation of lasting reforms that reimagine the role of police in our Commonwealth and how we keep communities safe. We must create a model of policing that is void of disparity, brings added transparency to the work of all police departments, ensures accountability for officers who violate departmental policies and constitutional norms, and achieves real justice. We ask that this not be the end

of your work dismantling white supremacy in our criminal legal system but the beginning of a much longer and overdue journey.

If you would like to speak about these issues and engage the community in a dialogue about what actions you will take, the Director of Advocacy for the ACLU of Virginia, Jenny Glass, can be reached at 804-519-5366 or via email at Jglass@acluva.org.

Sincerely,

ACLU of Virginia

Progress Virginia

Virginia Organizing

New Virginia Majority

The Humanization Project

Richmond for All

Justice and Reformation

Richmond Transparency and Accountability Project

Atheists and Agnostics of Richmond

Marijuana Justice

Southerners on New Ground

Fairfax NAACP

Chesterfield NAACP

Friends of Guest House

Black Nonbelievers

Justice Forward

Virginia Justice Democrats

Fairfax Freethinkers

Coalition for Justice

Prince William Humanists & Atheists

Restore Justice In VA

Virginia American Atheists

Interfaith Action for Human Rights

Williamsburg Unitarian Universalists

League of Women Voters of Virginia

ACLU People Power Fairfax

Voices of Jubilee