

FOR IMMEDIATE RELEASE
October 29, 2020

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Eighty Criminal Justice Leaders Call for Injunction Against Federal Troop Deployment to American Cities

*Elected DAs, Attorneys General, Law Enforcement Leaders and Former US
Attorneys file Amicus Brief Expressing Deep Concern with Engagement and Tactics
of Federal Agents in Portland and Elsewhere*

WASHINGTON, DC – Today, 80 criminal justice leaders – including eight Attorneys General and twelve current or former Police Chiefs and Sheriffs – filed an *amicus* brief in support of a lawsuit in the U.S. District Court for the District of Columbia objecting to federal law enforcement deployment and tactics in Portland, Oregon. Signed by current and former elected local prosecutors, Attorneys General and law enforcement leaders, as well as former United States Attorneys and DOJ officials, the brief argues that federal law enforcement officers exceeded the limits of their authority in Portland and that their ongoing and threatened presence in cities around the nation threatens public trust and safety. The brief notes the vitally important role of local law enforcement and criminal justice leaders in guiding the appropriate response to community unrest, and the more attenuated connection to those communities of federal authorities whose ongoing presence is contrary to the wishes of local leaders.

“As people have taken to the streets to exercise their fundamental right to protest and advocate for a fair and equitable justice system, the federal government’s deployment of federal agents into American cities has fueled distrust, fear and further unrest in communities,” said **Miriam Krinsky**, Executive Director of [Fair and Just Prosecution](#), the organization that coordinated the brief. “Images of federal officers gassing, beating and rounding up peaceful protesters, while wearing no badges or name tags and driving unmarked vehicles, is at odds with the system of justice our nation can and should stand for. These acts are not only unconstitutional, they are also counterproductive, damaging to community trust, and pose a substantial threat to public safety in Portland and across the nation.”

In the brief, *amici* point to the inextricable link between public trust and public safety, noting that community trust relies on people seeing the criminal justice system as legitimate, which requires law enforcement to demonstrate a commitment to fair and equitable policing. Yet, decades of police brutality and racially biased outcomes have eroded trust in law enforcement, especially in Black communities and other communities of color, and “fanning the flames of distrust by responding with a *show of force* – rather than with understanding, dialogue, and de-escalation – will do lasting damage to the entire justice system.”

Signatories to the brief include **Attorneys General Thomas J. Donovan Jr.** (Vermont), **Keith Ellison** (Minnesota), **Robert W. Ferguson** (Washington), **Brian E. Frosh** (Maryland), **Kathleen**

Jennings (Delaware), **Karl Racine** (District of Columbia), **Kwame Raoul** (Illinois) and **Ellen Rosenblum** (Oregon); law enforcement leaders such as **Sheriffs Jerry L. Clayton** (Washtenaw County, Michigan) and **Garry McFadden** (Mecklenburg County, North Carolina), **Police Chief Abdul Pridgen** (Seaside, California) and former **Police Chiefs Joseph Brann, Jim Bueermann, Brendan Cox, Ronald L. Davis, Brandon del Pozo, Drew Diamond, William Lansdowne, Ronal Serpas** and **Norm Stamper**; and former **U.S. Attorneys Channing Phillips** (Washington, D.C.), **Kenyon Brown** (Alabama) and **Jerome O’Neill** (Vermont). Signatories also include elected prosecutors who have had federal agents deployed to their communities such as **District Attorney Mike Schmidt** (Multnomah County, Oregon) and **Prosecuting Attorney Dan Satterberg** (King County, Washington).

“At a time of unrest and uncertainty, local law enforcement and criminal justice leaders should be focused on restoring community trust in the justice system by investing in relationship building with the communities we are sworn to protect,” said **Ronald L. Davis**, former Director of the COPS Office and former Chief of the East Palo Alto, California Police Department, a signatory to the brief.

While federal troops may have temporarily – and only in part – left Portland, the brief notes that the ongoing threat of federal intervention “looms over the community” and will “exacerbate tensions... in places where emotions are already running dangerously high.”

"We cannot do this critical work if the federal government is forcefully entering American cities uninvited and violating the constitutional rights of nonviolent peaceful protesters with no accountability. Even just the threat of such action is damaging to public trust and safety,” said **Channing Phillips**, former U.S. Attorney and former Counsel to the Attorney General of the United States, and another signatory to the brief.

Amici also argue that they “have a responsibility to criminally prosecute federal law enforcement agents where the evidence shows that the actors engaged in activities that caused harm to residents *amici* are sworn to protect – whether that harm is in the form of excessive use of force, illegal detention or arrest, or other violations of rights.” But doing so is challenging when federal agents fail to wear identification and it is difficult to determine to whom they report or are accountable.

“My primary responsibility as a prosecutor is to advance public safety in my community, and the federal government’s interference with local law enforcement and infringement on Americans’ constitutional rights put public safety at risk,” said Multnomah County, Oregon **District Attorney Mike Schmidt**. “We’re at a critical juncture where law enforcement must heal divisions within their communities. The egregious actions seen in Portland – as well as other cities across the country – undermine these efforts and further threaten our ability to enact meaningful reform.”

Read the brief [here](#), and for a list of *amici*, see below.

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Fair and Just Prosecution is a national network of elected prosecutors working towards common-sense, compassionate criminal justice reforms. To learn more about FJP’s work, visit our [website](#) and follow us on [Facebook](#) and [Twitter](#).

List of Amici

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Former Trial Attorney, Criminal Section, Civil Rights Division, U.S. Department of Justice
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John Choi

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Jerry L. Clayton

Sheriff, Washtenaw County, Michigan

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District Attorney, Ulster County, New York

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Former Chief, East Palo Alto Police Department, California

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Former Chief, Burlington Police Department, Vermont

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