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RE: Law Enforcement Officers Bill of Rights and Law Enforcement Accountability Task Force

Dear Law Enforcement Accountability Task Force members, Delaware Legislative Black Caucus Members, Majority Leader of the Senate, and Majority Leader of the House,

As members of the subcommittees of the Law Enforcement Accountability Task Force (LEATF), we are disappointed to say that we do not have confidence that the LEATF will provide timely and meaningful recommendations for reform on police transparency and accountability.

In summer 2020, many Delawareans urged lawmakers to take quick and meaningful action on police reform. In response, state lawmakers established the LEATF. As advocates, we were

unsure how effective a task force would be in addressing community concerns around police violence. However, we placed our hope on the expectation that it would produce real results for the people--- and in a timely manner.

There were several incidents that undermined our confidence in the process and ultimately in the effectiveness of the task force:

- **(1) Recommendations for police reform have not been provided in a timely manner.** The LEATF was established in June 2020 and held its first meeting in August 2020, with the goal of providing recommendations by the start of the legislative session in January 2021. Eight months later, the task force has yet to produce its final recommendations.
  
- **(2) Black and brown communities have not been adequately involved in the process.** Task force and subcommittee members have not done enough to engage individuals who have experienced police violence, over-policed communities, or communities of color in the public meetings. Measures to ensure public access to the meeting were also not taken. For example, meetings were held during common working hours and publication of meeting dates and times were difficult to find, alongside information on how to access the virtual platform.
  
- **(3) The LEATF had an over-representation of the police as task force voting members and in the sub-committees.** Out of the 18 people appointed to sit as voting task force members, six were associated with the police (i.e. retired or active police officers, police representatives, or the Department of Justice and/or Criminal Justice Council). Of the 72 members in the subcommittees, 21 were associated in the police.

Delaware's General Assembly and government officials do not have a history of following the recommendations of task forces. This history, alongside the slow pace of the LEATF, has weakened both our and the community's faith in our state lawmakers. As a result, we urge the Delaware Legislative Black Caucus, the Delaware General Assembly leadership and members, and the Carney Administration to act now on meaningful amendments to the Law Enforcement Officers' Bill of Rights (LEOBOR).

Specifically, we call for amendments to the LEOBOR and the Freedom of Information Act to ensure public access to police misconduct records and to allow for the establishment of effective Civilian Review Boards that have the ability to monitor, investigate, and respond to police misconduct without undue interference from collective bargaining agreements and the police union.

The time to act is now. The people can wait no longer for reports, recommendations, or rhetoric.

Attached is a draft bill with specific amendments to LEOBOR that you can implement this legislative session. This bill was submitted to the LEATF and we believe that this is one step

towards the two goals of transparency and accountability. Specifically, we hope to see legislation introduced by April 30, 2021.

Signed:

Sierra Harris, Metropolitan Wilmington Urban League and Network Delaware, Community Policing and Engagement Subcommittee.

Crystal Womack, Network Delaware, Transparency & Accountability Subcommittee

Lynne Kielhorn, Peace & Justice Work Group of Westminster Presbyterian Church, Community Policing and Engagement Subcommittee

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