



HISPANIC BAR ASSOCIATION OF THE DISTRICT OF COLUMBIA

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June 29, 2020

Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania, Ave., NW
Washington, DC 20004

Dear Esteemed Councilmembers:

On behalf of the Hispanic Bar Association of the District of Columbia (HBA-DC), I write to express our staunch and unwavering support for the Black community during this historic time, as well as to offer additional perspective on how resources from the upcoming budget should be allocated to combat systemic racism and its horrific and disparate effects on communities of color in the District of Columbia.

HBA-DC is shocked and devastated by the recent killing of George Floyd at the hands of law enforcement officials. This incident is another reminder of the state-sanctioned racism faced by minorities and communities of color by the institutions sworn to protect us. As the nation and the world continue to express their grief and anger through demonstrations, we ask for the District of Columbia to take direct action to improve the educational resources for children of color in the District, and to redirect funds to social services and infrastructures that are proven to strengthen communities, such as investing in affordable housing, mental health services, harm reduction programs, and access to justice. This incident should inspire us to continue forging a path forward for marginalized communities of color. We hope that the District will set an example at a time when the whole world is watching.

The Metropolitan Police Department of the District of Columbia (MPD) reported that, between 2013 and 2017, African Americans accounted for 86% of arrests while constituting 47% of DC's population.¹ Recently there have been calls for police reform and budget modifications for the MPD. We are writing to request that the DC Council reallocate a portion of its funds designated for the MPD toward social services. HBA-DC does not take a position with respect to funding or defunding MPD, and its request herein is to reallocate a portion of your proposed increase to educational resources and social services, which would leave MPD funding at its historical rate. The \$1.7 million allocated for the MPD for Fiscal Year 2021 could be a substantial investment toward modernizing schools and social services, thus facilitating access to education and increased quality of life for residents of the District of Columbia.

¹ *Racial Disparities in D.C. Policing Descriptive Evidence from 2013-2017*, ACLU, (last updated Jul. 2019), https://www.acludc.org/en/racial-disparities-dc-policing-descriptive-evidence-2013-2017#_ftn1.

Violent crime is at historic lows across the country. Statistics from the FBI show that the violent crime rate has fallen 51% between 1993 and 2018.² Statistics from the Bureau of Justice show a more dramatic decrease of 71% during this period.³ A study from the Vera Institute, *Unlocking Police Data on Arrests*, found that since 2006, arrest volumes have dropped 25%.⁴ Further, only 5% of arrests in the United States are for serious violent crimes.⁵ This same study also found that the majority of arrests are for non-serious offenses like traffic violations and “drug abuse violations,” which have increased an astonishing 170% from 1980 to 2016.⁶ These two violations compose over 80% of all arrests in the United States.⁷

An analysis by the President’s Council of Economic Advisers showed that every \$1 spent on education results in \$8.60 of return on investment, half of it from increased earnings.⁸ This analysis does not factor in the additional economic benefits that would result from lower incarceration rates.⁹ Pre-COVID-19, the unemployment rate for formerly incarcerated people was 27% compared to 5% for the general population.¹⁰ There is no question that systematic divestment has left many communities of color lacking quality educational opportunities and other infrastructure and services that help communities thrive. Increasing the budget for education will increase the options available to the residents of the District of Columbia. The result would be an increase of the District’s overall productivity and tax revenue, and decrease in the likelihood of encounters with law enforcement; specifically, a marked decrease in arrests and incarcerations.

² See Jamiles Lartey & Wiehwa LI, *New FBI Data: Violent Crime Still Falling*, THE MARSHALL PROJECT (Sep. 2019), <https://www.themarshallproject.org/2019/09/30/new-fbi-data-violent-crime-still-falling>; John Gramlich, *5 Facts About Crime in the US*, PEW RESEARCH CENTER (Oct. 2019) <https://www.pewresearch.org/fact-tank/2019/10/17/facts-about-crime-in-the-u-s/> (stating that violent crime fell 51% from 1993 and 2018 according to FBI statistics).

³ See John Gramlich, *5 Facts About Crime in the US*, PEW RESEARCH CENTER (Oct. 2019), <https://www.pewresearch.org/fact-tank/2019/10/17/facts-about-crime-in-the-u-s/> (stating that violent crime fell 71% from 1993 and 2018 according to BJS statistics); See also, *Newly-Released FBI Crime Data Shows Violent Crime Decline in 2017*, USDOJ (Sep. 2018), <https://www.justice.gov/opa/pr/newly-released-fbi-crime-data-shows-violent-crime-decline-2017> (showing that nationwide violent crime rate decreased by 1% in 2017 and nationwide homicide rate decreased by 1.5% in 2017).

⁴ Megan O’Toole, *Every Three Seconds: Unlocking Data on Police Arrests*, VERA (Jan. 2019), <https://www.vera.org/publications/arrest-trends-every-three-seconds-landing/arrest-trends-every-three-seconds/overview>.

⁵ See *id.*

⁶ See *id.* (finding that non serious offenses constitute over 80% of all police arrests).

⁷ See *id.*

⁸ *The Economics of Early Childhood Investments*, US COUNCIL OF ECONOMIC ADVISERS (Dec. 2014), <https://www.researchconnections.org/childcare/resources/29775>.

⁹ Jacob Reich, *The Economic Impact of Prison Rehabilitation Programs*, UPENN WHARTON (Aug. 2017), <https://publicpolicy.wharton.upenn.edu/live/news/2059-the-economic-impact-of-prison-rehabilitation-for-students/blog/news.php#:~:text=With%20fewer%20people%20in%20prison,to%20society%2C%20boosting%20the%20economy> (“With fewer people in prison, correctional facilities need less money to operate, thus requiring less money from taxpayers. Since educational, vocational, and drug rehabilitation programs decrease the likelihood that inmates will re-offend, they also allow ex-convicts to contribute to society, boosting the economy.”)

¹⁰ Lucius Couloute & Daniel Kopf, *Out of Prison & Out of Work: Unemployment among formerly incarcerated people*, PRISON POLICY INITIATIVE (Jul.2018), <https://www.prisonpolicy.org/reports/outofwork.html> (finding that the unemployment rate for formerly incarcerated people is generally 5 times the unemployment rate of the general population and worse during recessions).

Moreover, allocating additional funds toward community services dedicated to mental health, harm reduction, affordable housing, and access to justice will reduce the burden on law enforcement to fulfill obligations of social work. Vulnerable communities are most affected by policing, yet stand to benefit the most from redirecting investments toward communities and economic development. At a minimum, we hope that the Council's recently passed legislation on police reform will be implemented swiftly, and the Council will consider allocating additional funds toward the crucial services described in this correspondence.

We welcome the opportunity to discuss any of the issues in this letter. Thank you for your consideration.

Respectfully Yours,

A handwritten signature in black ink, appearing to read 'R.F. Reyna', with a stylized flourish at the end.

Ruben F. Reyna
President
Hispanic Bar Association of the District of Columbia