



# DETECTIVES' ENDOWMENT ASSOCIATION, INC.

POLICE DEPARTMENT • CITY OF NEW YORK

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The Hon. Cory Booker

United States Senator

One Gateway Center, 23rd floor

Newark, NJ 07102

June 30, 2021

Dear Senator Booker:

On behalf of the members of the Detectives' Endowment Association, Inc. — the labor union of 19,000 active and retired New York Police Department Detectives — we are expressing our concern for the tenor and aggression towards members of law enforcement expressed in your proposed “police reform” legislation. Most of the proposed “reforms” are unworkable and knee-jerk reactions to a small number of bad incidents that have taken place in various jurisdictions in America. The proposed “reforms” do nothing to address the rising tide of violent crime, hate crimes, domestic violence, the proliferation of illegal guns, and any of the pervasive problems facing American citizens today.

Every day there are millions and millions of interactions between law enforcement Officers and civilians in America in an effort to maintain a quality of life, to thwart crime, as well as solve it. The pieces of your proposed legislation are not only insults to the hardworking men and women of our profession, but are an attempt to punish an entire profession for the rogue acts of a few.

In addition to challenging and attempting to eliminate the Constitutional and due process rights of Officers, aspects of your proposed legislation seek to do the following: pass judgment on the use of force; redirect valuable financial resources into punishing Officers instead of assisting crime victims; make it easy for wanted fugitives to dispose of critical evidence; and prohibit law enforcement from using basic tools that criminals easily have at their disposal.

One of the most egregious attempts to handcuff police regards the concept of the “use of force.” Since there is no clear-cut definition of “force” — and nor could there ever be with such a subjective concept — your bill will severely



THE POLICE UNION REPRESENTING THE GREATEST DETECTIVES IN THE **WORLD**

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curtail an Officer's ability to stop a crime or make an arrest under the threat of being prosecuted; and therefore it will either render law enforcement completely powerless, or ensure that Officers hesitate and therefore are killed or maimed in the line of duty, along with the very civilians they are trying to protect.

Furthermore, proposals about regulating "use of force" are predicated on outside forces passing judgment on whether or not an Officer's action are, in retrospect, "excessive" in the use of force. Just how would any third party know what is deemed necessary when the third party is not the one who is being threatened, and is not on the scene of the incident at all? Other parties would rely on the testimony of a criminal, or tainted witnesses, or film footage that does not capture real threat assessment; nor can it take into consideration the differences in size, weight, muscle mass, or strength of any individual Officer or perpetrator.

To experience this false judgment, one only need watch an action film or television show and witness what looks realistically like deadly physical force: only at the end of the shoot the actors get up and walk away, completely unscathed. In most instances, third party witness to action is, as George Lucas once famously remarked, nothing more than *an illusion*. There is simply no possible way for an uninvolved party in retrospect to assess what was necessary action for others to take in real life.

And most importantly, Senator, you are drafting legislation without those who would be most affected having a "seat at the table."

Senator Booker, I doubt you would ever consider drafting legislation about the medical profession without the input of medical professionals, and yet medical professionals kill *80 times* more people in America through malpractice and malfeasance per year than law enforcement does while engaging with perpetrators. That statistic, by the way, of 220,000 malpractice deaths per year comes from the Journal of the American Medical Association. While law enforcement engagement accounts for approximately 3,000 deaths per year, the vast majority of those killed are committing violent crimes at the time.

Let's face it — America is having an egregiously disingenuous conversation about policing. It's time politicians, the unappreciative public, and the press back off of the nation's police and start dealing with the real problem: our nation's criminal element and our nation's beleaguered crime victims.

As shooting deaths escalate, as random bullets fly, as hate crimes become commonplace, and as mass shootings in America pop up anywhere and everywhere at any given moment, we need this country to *get its priorities straight.*

The federal government's priority should be to *assist* law enforcement in doing its job and to protect the innocent; and *not* to pile up absurd, subjective, confusing, contradictory, hastily-written, hastily-thought-out, and impossible-to-legislate bills thrown at the Police Officers in America.

I thank you for consideration of our opinion. I am,

Cordially yours,

  
Paul DiGiacomo  
President

PDG/sfk