

October 21, 2020

Mayor and City Council
City of Dallas
1500 Marilla Street, 5th Floor
Dallas, Texas 75201-6390

Re: Action on National Commission on COVID-19 and Criminal Justice recommendation

Dear Mayor Johnson and members of the Dallas City Council:

We write to urge action on a key recommendation from the National Commission on COVID-19 and Criminal Justice, of which Mayor Johnson is a member. This month, the nonpartisan Commission recommended issuing “warnings, summons, citations, or tickets in lieu of arrest” unless there is “an immediate and/or serious threat to public safety.” We urge you to collaborate with us, and to enact this recommendation with an ordinance ending unnecessary arrests for citation and diversion-eligible offenses.¹

Passing such a policy, as other Texas cities have done, will help our community address the immediate impact of the coronavirus pandemic. It will also improve the effectiveness and fairness of the criminal legal system in a post-pandemic Dallas.

While the City of Dallas has a limited Cite and Release Program, it is rarely used. Dallas police regularly arrested large numbers of people for low-level release and citation eligible offenses before the pandemic. They have continued arresting people for these offenses during the pandemic.² This includes arrests for offenses like possession of marijuana, petty theft, and public intoxication.

Passing an ordinance that ends unnecessary arrests will preserve public health. As the Commission notes, “Given the risks associated with criminal justice contact during the pandemic, leaders should take measures to limit system contact, maximize distance, and reduce density wherever possible.”

¹ National Commission on COVID-19 and Criminal Justice. Recommendations for Response and Future Readiness. Washington, D.C.: Council on Criminal Justice, September 2020. Retrieved from: https://s3.eu-west-2.amazonaws.com/uploads-7e3kk3/41697/interim_report_-_final.bfb92ab35ef8.pdf

² An analysis by Texas Appleseed found that DPD arrested and jailed 7,013 people that officers could have diverted and sent home from Oct. 2018 to Dec. 2019. Contact Texas Appleseed for more information.; For arrests during the pandemic see: Police Arrests, Dallas Open Data. (October 15, 2020) Retrieved from: <https://www.dallasopendata.com/Public-Safety/Police-Arrests/sdr7-6v3j> for arrests made during the pandemic.

Ending unnecessary arrests will also preserve public safety. It will decrease stressful interactions between the police and the public. It will also cut down on the time officers have to spend processing a suspect. This will save time and money for meaningful public safety initiatives. It cost Dallas taxpayers millions to arrest, book, and jail people for citation and release-eligible offenses.³

Ending unnecessary arrests will improve fairness in policing and our broader criminal legal system. Arresting people can cause them to lose their jobs, their home, and even custody of their children. For undocumented people, an arrest can lead to deportation and family separation. These punishments are severe, and they fall disproportionately on people of color. From October 2018 to December 2019, Black people accounted for 54 percent of Dallas Police Department arrests for citable Class A and B offenses, even though they make up only 24 percent of Dallas's population.⁴

We are eager to work with you to pass a strong, thoughtful ordinance. We hope to meet with you soon. Please contact Amelia Casas at amelia@wdactionfund.org to set up a meeting. Additionally, we will contact you in the next few days to ask how we can work together.

Sincerely,

Bill Beardall, Executive Director
Equal Justice Center

Chris Harris, Criminal Justice Project Director
Texas Appleseed

Amelia Casas, Dallas Policy Coordinator
Workers Defense Action Fund

Changa Higgins, Chair
Dallas Community Police Oversight Coalition

John Fullinwider
Mothers Against Police Brutality

Nick Hudson, Policy and Advocacy Strategist
American Civil Liberties Union of Texas

Juana Guzman, Texas Grassroots Organizer
RAICES

Liz Magallanes, Dallas Coordinator
Mi Familia Vota

³ Cost analysis of arrests of citation and release-eligible arrests by the North Texas Immigration Coalition (2018-2019). Contact the Amelia Casas with Workers Defense Action Fund for additional information about this cost estimate.

⁴ Cite and Release Analysis: Dallas. (2018-2019). Dallas Police Department Arrest Data obtained via the Texas Public Information Act and analyzed by Texas Appleseed. Contact Texas Appleseed with questions.