



June 9, 2021

The Honorable Nancy P. Pelosi
Speaker of the House
U.S. House of Representatives
Washington, DC 20515

The Honorable Charles E. Schumer
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Kevin O. McCarthy
Minority Leader
U.S. House of Representatives
Washington, DC 20515

The Honorable Mitch McConnell
Minority Leader
United States Senate
Washington, DC 20510

The Honorable Steny Hoyer
Majority Leader
U.S. House of Representatives
Washington, D.C. 20515

Dear Congressional Leaders,

We are law enforcement officers who have dedicated our lives to protecting the public. Many of us also have blown the whistle on law enforcement abuses of power that betray our mission by endangering the public's rights or lives. Now more than ever before, America is blowing the whistle on deeply ingrained abuses. The truth is changing the course of history. Congressional and local leaders are proposing sweeping reforms. It is long overdue that America holds our profession accountable.

Why is accountability so overdue? Proof is needed and whistleblowers are less likely to come forward without protection. While videos have sparked a national awakening, defending freedom needs more than a smartphone. In many cases, it requires testimony from those willing to bear witness. The only witness may be a fellow officer. That means these reforms will not work as intended unless they directly attack the Blue Wall of Silence that permeates law enforcement.

Deep-seated cultural bias has made it a lonely, dangerous struggle for those exercising their free speech rights to hold their fellow officers and leaders accountable. Law enforcement whistleblowers don't just risk putting their careers in a chokehold. In too many instances, we have risked our lives. Whistleblowing for us is "committing the truth," because we are treated as if we had committed a crime.

Accountability often is impossible without testimony from those who bear witness. So if there are no anti-retaliation rights in police abuse legislation, its reforms may be left unenforced. Unenforceable laws can intensify community backlash because they are magnets for cynicism and resentment. That is why Congress included whistleblower protection in over 60 federal remedial laws. Now the same standards need to be in police bills for the reforms to be credible.

How can whistleblowers make a difference enforcing police reforms? We know from experience that every rule has exceptions, and that law enforcement officers must be able to defend themselves and the public against serious threats of death and bodily harm. However, their testimony could turn citizen rights into reality for major safeguards that must be the rule such as:

- the ban on chokeholds;
- controls on other deadly force;
- expanded liability;
- pattern and practice investigations,
- oversight of mandatory body cameras;
- restrictions on No Knock warrants;
- controls on transfer of military equipment to state and local police;
- open and transparent forensic crime laboratory operations; and
- accurate and complete records for a national registry.

Most fundamental, the truth, the whole truth and nothing but the truth is the foundation for oversight and enforcement, whether it is through police internal affairs investigations, citizen reviewboards, or congressional hearings. That means a legal protection for those who report evidence of wrongdoing. Without it, those new controls may be a mirage.

We have risked our careers, and sometimes our lives, despite no credible protection against retaliation. But it has been a lonely battle against the Blue Wall of Silence. New police reforms will have to reverse a longstanding way of life that has sustained accountability-free abuses of power. That will not happen unless our trickle of truth turns into a river. That river will not flow without legally safe channels to commit the truth.

Respectfully submitted,

Frank Serpico
Retired New York City Police Detective

Dr. Matthew Fogg
Chief Deputy U.S. Marshal, RET.
Blacks in Government (BIG) ~ Heritage Chapter President

Mary Margaret Baker
Department of Veterans Affairs Police Officer
Former Security Forces, United States Air Force

Brian Bolden
Dunwoody Police Department Prisoner Transport Officer

Jay Brainard
Federal Security Director, Transportation Security Administration

Norman A. Carter, Jr.
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Author of The Long Blue Walk: My Journey as a Philly Cop

Sergeant Charlotte Djossou
D.C. Metropolitan Police Department

Daniel Echeverria
Chicago Police Department Officer

Javier Esqueda
Training Sergeant, Joliet, Illinois Police Department

T. Lynn Gannon
Former Special Agent, Department of Interior OIG (and three others previously)

George Greco
Former Drug Enforcement Administration Special Agent

Ronald E. Hampton
Former Executive Director, National Black Police Association/USA
Retired DC Metropolitan Police Officer
Blacks in Law Enforcement of America

Austin Handle
Former University of West Georgia Police Department Officer
Former Dunwoody Police Department Officer

Cariol Horne
Former Buffalo Police Department Officer

Brittany M. Iriart
Former Diplomatic Security Service Special Agent

Richard Larrabee
Special Agent, U.S. Department of Interior

Robert Ledogar
Former Supervisory Deputy U.S. Marshal

Sgt. Steven Lee
New York Police Department Officer

Robert MacLean
Former Federal Air Marshal

Keith McNichols
Special Agent Drug Enforcement Administration

Jonathan Oliveras
New York Police Department Officer

Brian Peete
Montpelier Police Department Chief of Police

Tim Petoskey
U.S. Department of Veterans Affairs Criminal Investigator

Doug Poppa
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Christian Sanchez
Border Patrol Agent, United States Customs and Border Protection

Laura Schook
Former New Albany Police Department Officer

Shannon Spalding
Chicago Police Department Officer

Jane Turner
Retired FBI Agent

Lt. Kamil Warraich
Asbury Park Police Department
President of the Muslim American Law Enforcement Association
President of the Asbury Park Fraternal Order of Police (NJ Lodge 221)
Appointed Resiliency Officer at NJ State Fraternal Order of Police

Fred Whitehurst
Former Supervisory Special Agent
FBI Co-Chair
National Whistleblower Center

Ken Williams
Retired Homicide Detective, Brockton Police Department

Tracy A. Wood
Former Seattle Police Department Officer

Steve Zanowic

Former Deputy U.S. Marshal

*Affiliations are for identification purposes only.

Cc:

The Honorable Jerry Nadler
Chair, U.S. House Judiciary Committee

The Honorable Jim Jordan
Ranking Member, U.S. House Judiciary Committee

The Honorable Carolyn Maloney
Chair, U.S. House Oversight and Reform Committee

The Honorable James Comer
Ranking Member, U.S. House Oversight and Reform Committee

The Honorable Richard Durbin,
Chair, U.S. Senate Judiciary Committee

The Honorable Charles Grassley
Ranking Member, U.S. Senate Judiciary Committee

The Honorable Gary Peters
Chair, U.S. Senate Homeland Security and Governmental Affairs Committee

The Honorable Rob Portman
Ranking Member, U.S. Senate Homeland Security and Governmental Affairs Committee

The Congressional Black Caucus

The House and Senate Whistleblower Protection Caucuses