



April 26, 2017

The Honorable Bob Goodlatte
Committee on the Judiciary
2138 Rayburn House Office Building
Washington, DC 20515

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The Honorable John Conyers, Jr.
Committee on the Judiciary
2141 Rayburn House Office Building
Washington, DC 20515

FAIZ SHAKIR
DIRECTOR

Re: The ACLU Opposes the Thin Blue Line Act of 2017

NATIONAL OFFICE
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Dear Chairman Goodlatte and Ranking Member Conyers:

OFFICERS AND DIRECTORS
SUSAN N. HERMAN
PRESIDENT

The American Civil Liberties Union (ACLU) opposes the Thin Blue Line Act of 2017. The ACLU represents almost 2 million members, activists, and supporters who are working to advance the ACLU's mission to defend the principles of liberty and equality embodied in our Constitution and our civil rights laws.

ANTHONY D. ROMERO
EXECUTIVE DIRECTOR

The ACLU opposes this legislation because expanding the number of aggravating factors that would subject a person to the death penalty is unnecessary and duplicative; counterproductive to improving law enforcement and community relations; and unlikely to prevent future violence against police.

ROBERT REMAR
TREASURER

The Thin Blue Line Act is duplicative and unnecessary.

The federal death penalty is currently available for federal crimes involving the intentional death of state and local law enforcement and other first responders under 18 U.S.C. § 3592. All states have laws that subject a person to the death penalty and/or life without parole for the intentional death of state and local law enforcement. Protections for law enforcement are extensive at both the federal and state levels and this bill is an example of the over-criminalization and federalism issues that many across the political spectrum are concerned about.

The Thin Blue Line Act creates division between law enforcement and the communities they serve.

At a time when our country needs to rebuild relations between law enforcement and communities, particularly communities of color, the Thin Blue Line Act creates even more divisions. The Thin Blue Line Act does not enhance police-community relations or public safety. We should be working to advance bipartisan police and other criminal justice reforms, but this legislation seems to undermine any progress that has been achieved over the past few years on that front.

The Thin Blue Line Act will not deter violence against police officers.

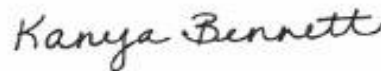
The Deterrence and the Death Penalty report released by the National Research Council of the National Academies¹ concluded that studies claiming that the death penalty has a deterrent effect on murder rates are “fundamentally flawed” and should not be used when making policy decisions.² By adding a seventeenth aggravating factor to the federal death penalty statute, the Thin Blue Line ignores scientific research regarding the ineffectiveness of capital punishment as a deterrent to crime. Additionally, studies about capital punishment on the federal and state levels have concluded that race is a significant factor in death penalty cases.

For the reasons stated above, the ACLU opposes the Thin Blue Line Act of 2017 and we urge Members to oppose this legislation when it is considered by the Committee. If you have any questions or comments, please feel free to contact Kanya Bennett, Legislative Counsel, phone: (202) 715-0808 or email: kbennett@aclu.org.

Sincerely,



Faiz Shakir
National Political Director



Kanya Bennett
Legislative Counsel

cc: Chairman Chuck Grassley, U.S. Senate Judiciary Committee
Ranking Member Dianne Feinstein, U.S. Senate Judiciary Committee
Members of the U.S. Senate Judiciary Committee
Members of the U.S. House Judiciary Committee

¹ National Research Council of the National Academies, DETERRENCE AND THE DEATH PENALTY, April 2012.

² Id.