

December 19, 2013

Hon. Eric Holder
Attorney General
United States Department of Justice
J. Edgar Hoover Building
935 Pennsylvania Avenue, N.W.
Washington, DC 20535-0001

Cecilia Muñoz
Director
White House Domestic Policy Council
The White House
1600 Pennsylvania Avenue, N.W.
Washington, DC 20500

Sylvia Mathews Burwell
Director
White House Office of Management and Budget
725 17th Street, N.W.
Washington, DC 20503

Dear Attorney General Holder, Director Muñoz, and Director Burwell:

The undersigned groups support continued efforts to improve the Edward Byrne Justice Assistance Grant (JAG) program. We recognize the work of the Justice Department and other stakeholders in improving JAG. We specifically ask that you continue your efforts by implementing Success-Oriented Funding through new, robust performance measures for JAG that orient activity toward the twin goals of reducing crime and correctional populations.

JAG is the nation's largest criminal justice grant program. The federal government sends hundreds of millions of dollars each year through JAG to all fifty states and thousands of cities. Grant dollars are given to police, prosecutors, public defenders, and reentry programs. The JAG program has an outsize impact on nationwide criminal justice activity. It is critical for this program to effectively use funding to improve the criminal justice system. Improving JAG's performance measures are in line with the Administration's efforts to make federal funding more efficient and goal-oriented, the Justice Department's efforts to reduce the national prison population, and the Office of Justice Program's ongoing efforts to reform JAG. More robust JAG measures can help create a nationwide shift in criminal justice policy.

The undersigned represent a broad array of criminal justice interests. We believe JAG's performance measures should continue to be improved to be more robust, while also incentivizing law enforcement to focus on data-driven priorities that can help reduce the number of people caught in the country's criminal justice system. Under the proposed reforms, the goals

for state and local agencies would be geared toward a system that reduces crime and reduces our correctional population, while making more efficient use of taxpayer money.

While there are a number of reforms that should be considered, three stand out:

- *Replace current performance measures with new, more robust measures.* These new measures would provide clear objectives to drive toward the twin goals of reducing crime and reducing unnecessary punishment and incarceration.
- *Make all data in recipient reports publicly available.* Lawmakers, advocates, and the public should have access to an online database that aggregates and analyzes performance reports. Access to this information will also assist law enforcement, states, and other recipients to learn from each other and improve best practices.
- *Provide more technical assistance dollars to states to achieve these new measures of success.*

The Justice Department has complete authority to implement these changes. Further, a regulation or formal guidance is not necessary to implement new performance measures; however, such action would cement these improvements by codifying it as a requirement.

These sensible improvements only build on the important progress already made, and would go a long way toward enhancing the program and helping reduce the correctional population and associated costs. We urge you to give strong consideration to these recommendations.

Respectfully,

Brennan Center for Justice at NYU School of Law
Police Foundation

National Organization of Black Law Enforcement

Prison Ministries Justice Fellowship

The Constitution Project

Justice Policy Institute

American Civil Liberties Union

Pretrial Justice Institute

Drug Policy Alliance

Dean Esserman, Chief of New Haven Police Department

Jerry Madden, former Texas Legislator and Texas House Corrections Chairman