

SOUTH CAROLINA SHERIFFS' ASSOCIATION

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Executive Director

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SC Sheriffs' Association President Offers Perspective on National Police Reform

STATEMENT FROM PRESIDENT TOLSON

For Immediate Release – September 29, 2021

York, SC -- Last week, I was particularly disappointed to learn of the deterioration of negotiations on national police reform. I truly feel our nation is missing a tremendous opportunity to enact common-sense, balanced measures that will enhance the law enforcement profession and instill confidence in the communities we serve and protect. Collectively, we had an opportunity to make a difference, but it has seemingly passed us by because some would rather make a point.

Various media outlets have attempted to determine who is "at fault" for the collapse of bipartisan discussions. Some have cited support or criticism from various national law enforcement organizations. In fact, some have gone as far to allege Senator Tim Scott and his staff operated in "bad faith" and against the wishes of police groups.

As someone who literally sat at the negotiation table with Senators Scott, Graham, and Booker, I want to clarify a few matters.

First, I have great respect and admiration for our national law enforcement associations, but they are not the sole authorities on police reform. Numerous issues discussed in conjunction with "national police reform" would significantly impact local law enforcement, including my own agency, the York County Sheriff's Office. So, while I appreciate Senator Scott's willingness to receive input and constructive criticism from law enforcement advocates nationwide, I am extremely grateful he did not rely on national organizations alone. Instead, he engaged law enforcement leaders in his state. Through open, honest communications we came to understand each other's concerns and objectives. We were (and are) unified in our mission. Never once did Senator Scott operate in "bad faith" or against the wishes of law enforcement organizations in South Carolina.

Second, while I never saw a legislative draft that contained the words, "defunding the police", that does not mean provisions in these drafts would not cause law enforcement agencies to lose funding. Several drafts contained provisions that prohibited states or local units of government from being eligible for COPS or Byrnes JAG Grants unless certain statutes were enacted. Making critical funding for agencies in the Executive Branch contingent upon the enactment of statutes by the Legislative Branch is, in my opinion, wrong. Had these provisions been enacted, law enforcement agencies nationwide likely would have lost important federal funding because their state legislatures either would not or could not comply with the federal requirements. This is de facto defunding the police.

Moreover, many legislative proposals determined eligibility for federal grant funds upon the implementation of measures that could be seen as cost prohibitive or overly burdensome. Therefore, rather than complying with the requirements, many states and local agencies would simply decline the

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federal grant opportunities altogether. Thus, law enforcement funding would be decreased. Additionally, some legislation proposed restrictions on federal funds for the entire state when only portions of the state were not in compliance. Once again, this approach could have removed federal funding from law enforcement agencies that otherwise complied to their greatest ability.

By design, the federal government has few options when it comes to controlling state and local level policies. One of the most common ways this is achieved is through the restriction of federal funding. Republicans and Democrats alike attempted to control federal funding to implement national police reform measures, however, there were stark differences in their approaches. Senator Scott attempted to incentivize compliance while others tried to penalize non-compliance.

Take the issue of accreditation for example. Law enforcement accreditation is a worthy objective, but achieving accreditation requires significant work. In fact, the accreditation and re-accreditation processes often require additional personnel and resources that are not otherwise available. Therefore, agencies will not take on the added expense to become accredited simply to remain eligible to receive federal grant dollars when they need federal assistance to add other, more critical personnel and resources, in the first place.

If the federal government wants to achieve nationwide compliance with certain matters, it is best to do so by incentivizing those actions (funding police) rather than penalizing those actions (defunding the police).

In conclusion, I want to thank Senator Scott for his devotion to these issues and for his dedication to South Carolina's Sheriffs. I firmly believe Senator Scott negotiated in good faith for all his constituents, including the law enforcement officers and agencies he represents. I sincerely hope Senator Scott and other key negotiators will continue talking about national police reform and overcome any minor differences that are standing in the way of meaningful change. Our nation must unify behind common-sense, balanced reforms that will enhance professionalism and accountability in policing while simultaneously providing law enforcement agencies and officers with the training and resources they need to serve and protect our communities properly and safely.

Should there be any questions or a need further information, please contact Jarrod Bruder, Executive Director of the SC Sheriffs' Association, by email at jbruder@sheriffsc.com.

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