LDF Calls on Justice Department to Suspend Disbursement of Federal Funds to Law Enforcement Agencies Until Compliance with Title VI Non-Discrimination Provisions Can Be Verified

This morning, the NAACP Legal Defense and Educational Fund, Inc. (LDF) called on Attorney General Merrick Garland to suspend the distribution of federal funds to law enforcement agencies until the Department of Justice (DOJ) can confirm that the agencies receiving grants and funds from the DOJ are not in violation of the ant-discrimination provisions of the Title VI of the Civil Rights Act of 1964.

“Title VI of the Civil Rights Act of 1964 is a vital civil rights enforcement tool. It prohibits the provision of federal funds to state and local programs engaged in racial discrimination, but it has never been vigorously enforced against law enforcement agencies. This must end,” said LDF President and Director-Counsel Sherrilyn Ifill. “We need the DOJ to review its existing Title VI protocols for police department funding and ensure that it is using a process designed to determine whether the discriminatory practices of particular departments make them ineligible for receiving federal funding. All funding to state and local law enforcement agencies should be suspended until that review process is complete.

“Since President Biden was inaugurated, 40 Black people have been killed by law enforcement officials. Seventeen have been killed since Attorney General Garland’s confirmation. Tasings, assaults, racially discriminatory stops, and arrests are a feature of police department practices around the country. Departments engaged in this conduct should not be eligible under Title VI for the receipt of federal grants and funds. But the DOJ must have a vigorous review process in place to ensure Title VI compliance.

“For far too long, taxpayer resources at the federal level have been granted to police departments and other law enforcement agencies despite disproportionately high violence against communities of color and longstanding racial disparities in policing practices. The DOJ must immediately issue a moratorium on the disbursement of these federal funds to all law enforcement agencies until it can affirmatively ensure that these departments are not violating the non-discrimination requirements of Title VI.”

According to the letter LDF sent to AG Garland: “Since Eric Holder served as Attorney General, we have asked the Department of Justice to use its skills and resources to confront this issue at a systemic level. Beginning in 2015, we raised with [the DOJ] and White House officials the importance of ensuring that the department steward its funds in accordance with Title VI ... The Department must ensure it is effectively enforcing Title VI’s non-discrimination requirements to reduce unnecessary police killings of Black and Brown people throughout the United States and must take proactive measures to ensure that it only disburses federal funds to law enforcement agencies that can demonstrate their
officers' enforcement activity is not discriminatory, including that it does not have a disparate impact on communities of color.”

Read the full letter here.

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*Founded in 1940, the NAACP Legal Defense and Educational Fund, Inc. (LDF) is the nation’s first civil and human rights law organization. LDF has been completely separate from the National Association for the Advancement of Colored People (NAACP) since 1957—although LDF was originally founded by the NAACP and shares its commitment to equal rights. LDF’s Thurgood Marshall Institute is a multi-disciplinary and collaborative hub within LDF that launches targeted campaigns and undertakes innovative research to shape the civil rights narrative. In media attributions, please refer to us as the NAACP Legal Defense Fund or LDF.*

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