



May 3, 2021

County Judge Lina Hidalgo
Commissioner Rodney Ellis
Commissioner Adrian Garcia
Commissioner Tom S. Ramsey
Commissioner R. Jack Cagle

Harris County Commissioners Court
1001 Preston
Houston, TX 77002

Sent Via Electronic Mail.

Re: Sheriff Appointment

Dear Judge Hidalgo and Commissioners:

After serving more than four years as Harris County Sheriff, Sheriff Ed Gonzalez was announced as President Biden's pick to lead the federal Bureau of Immigration and Customs Enforcement (ICE). Under state law, the Commissioners Court is charged with the appointment of a new Sheriff in the event of a vacancy.

Should there be a vacancy, we urge you to appoint a Sheriff committed to policies and principles that make Harris County healthier, fairer, and more equitable. Specifically, we urge you to ensure the next Sheriff is committed to:

1. **Reimagining public safety.** The prevalence of law enforcement violence—and its tragic results—have sparked widespread and justified outrage. Police violence is a leading cause of death for young men of color in America, especially Black men. The time for continued mourning and vague promises of reform is over - we need accountability and immediate action.¹ Law enforcement leaders must be committed to a comprehensive view of community safety, where the size, scope, and role of their departments is reduced and support for investments in areas like housing, education, mental health and health care - especially in Black and Brown communities - is significantly increased.
2. **Minimizing unnecessary contact with the criminal punishment system.** Our next Sheriff must understand and be strongly committed to maximizing community-led, pre-arrest diversion and harm reduction interventions such as the Law Enforcement Assisted Diversion/Let Everyone Advance with Dignity (LEAD) program model that diverts people to non-police support and behavioral health services. They should also commit to continuing, and working with community organizations to improve, the County's current citation and summons program.
3. **Transparency.** Sheriff Gonzalez has done a good job with the jail dashboard. The next Sheriff should commit to maintaining and expanding the jail dashboard. In addition, general orders and other internal policies should be published on the Sheriff's website and open to the public. Further, the next Sheriff should commit to promptly, fully, and in good faith, respond to Public Information Act requests and other requests for information from community stakeholders, civil rights organizations, and immigrant rights advocates to ensure transparency in the Sheriff's Office's enforcement actions. Finally, all camera footage in critical incidents, including in-custody deaths, uses of force, and shootings, should be released to the public promptly.
4. **Being a vocal and strong proponent of defendants' constitutional right to due process and access to legal representation.** Sheriff Gonzalez was an outspoken supporter of misdemeanor bail reform. The next Sheriff must be committed to ensuring that people are not detained pretrial simply because of a lack of money. They must also commit to pushing criminal legal system stakeholders to protect the 6th Amendment rights of accused persons to quality defense attorneys who are not overloaded, and speedy and public trials. This right is jeopardized by the current backlog of cases in Harris County. Clearing this backlog while protecting accused persons' rights must be a priority for the Sheriff.
5. **Protecting the safety and rights of those incarcerated by supporting an independent Ombudsman.** We believe the time has come for oversight of jail conditions through an independent ombudsman. The ombudsman's office should be

separate from the Sheriff's Office and free to do their work. The ombudsman should be responsible for protecting the rights and safety of all incarcerated individuals, including members of the LGBTQ community, who have limited ways to defend their interests and who frequently suffer from mental illness, addiction, and other forms of disability. The ombudsman would also serve as a proven mechanism for identifying and addressing issues before they lead to expensive litigation, media scandals, or other costs. The ombudsman should provide a way for incarcerated individuals to independently complain about conditions and treatment and receive adequate responses to such complaints.

6. **Limiting collaboration with and participation in federal immigration enforcement.** Terminating Harris County's participation in the 287(g) program is not enough. Harris County continues to be a significant driver of the deportation pipeline, with the highest number of ICE arrests and detainers in the country. The Harris County Sheriff's Office should prioritize local needs and strive to limit its involvement in federal immigration programs and practices to the fullest extent permitted by state and federal law. Although complying with valid federal detainer requests is mandated by Texas's SB 4 (2017), the next Harris County Sheriff can take a vocal stance against local law enforcement entanglement with federal immigration enforcement and choose not to further participate in programs that facilitate immigration enforcement and ICE presence within booking facilities and jails. The Sheriff should also terminate all existing contracts and agreements, formal or informal, with ICE, such as the ICE Joint Operations/SLOT program. The next Sheriff should commit to prioritizing community safety and building trust with immigrant communities and advocates by cutting ties with federal immigration enforcement agencies as much as possible.

7. **Meaningfully engaging and partnering with people most harmed by law enforcement misconduct, mass incarceration, and over-policing.** The Sheriff should commit to meeting with community advocates on a monthly basis. Ultimately, it will be the new Sheriff who will set the culture and priorities for the Harris County Sheriff's office moving forward. The community deserves a Sheriff that is responsive to communities most harmed by law enforcement misconduct and over-policing.

Harris County is at a critical moment. Your decision about the next Sheriff could set us on a path that either stalls transformative change or moves us forward. When you vote for the next Sheriff, we ask that you ensure that they are committed to the policies and principles outlined above. We are looking to you to lead.

Thank you.

Sincerely,

Right2Justice Coalition
Houston Leads Coalition
ACLU Of Texas
Texas Organizing Project
Immigrant Legal Resource Center
Texas Jail Project
Texas Appleseed

Restoring Justice
MOVE Texas
Black Lives Matter Houston
Texas Fair Defense Project
Texas Criminal Justice Coalition