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“No More Tulias” Legislation Introduced in Congress, ACLU Supports Oversight, Accountability of Drug Task Forces

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FOR IMMEDIATE RELEASE

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WASHINGTON - Legislation introduced today would provide oversight and accountability for the millions of federal dollars distributed to state and local law enforcement agencies to fight the drug war. The American Civil Liberties Union called the bill an important first step toward stopping widespread drug task force scandals such as the one in Tulia, Texas, where many of the town's African American residents were arrested on bogus drug charges.

"Until now, these drug task forces around the country haven't had to answer to anyone," said Jesselyn McCurdy, an ACLU Legislative Counsel. "As a result of this lack of state and federal oversight, they've been at the center of the some of the country's most egregious law enforcement abuse scandals. This legislation would put checks and balances on their unfettered power, and make sure citizens aren't rounded up based on uncorroborated testimony, or their race."

"No More Tulias: The Law Enforcement Evidentiary Standards Improvement Act of 2005," is being introduced by Rep. Shelia Jackson-Lee (D-TX) and cosponsored by John Conyers (D-MI), Charles Rangel (D-NY), Donald Payne (D-NJ), and Ed Towns (D-NY). The bill is named after the drug task force scandal in Tulia, Tex in 1999 during which 15 percent of the town's African American population was arrested, prosecuted and sentenced to decades in prison based on the uncorroborated testimony of a federally funded undercover officer with a record of racial impropriety.

The defendants have since been pardoned, but Tulia was not an isolated incident. Earlier this month, in a similar case, a lawsuit filed by the ACLU on behalf of 27 African Americans was settled out of court. The individuals were arrested in Hearne, Tex., a town of 4,500, on charges of possession or distribution of crack cocaine.

The bill would help put an end to these abuses by enhancing the evidentiary

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standard required to convict a person for a drug offense, and improving the criteria under which states hire drug task force officers. It would deny federal money to states that do not have laws preventing convictions for drug offenses based solely on uncorroborated testimony.

Similar legislation, passed in Texas, was the work of a coalition of Christian conservatives and civil rights activists. This federal legislation is endorsed by 50 organizations including the National Association of Criminal Defense Lawyers, the National Association for the Advancement of Colored People, the Interfaith Drug Policy Initiative.

"The law enforcement agents involved in these scandals weren't just a few bad apples," McCurdy said. "The lack of checks and balances, and corroboration of testimony, set the stage for abuse. This legislation is an important step in eliminating the racial profiling, corruption and lack of oversight that lets scandals like Tulia exist."

A letter to Representatives from a diverse coalition of organizations is available at:

<http://www.aclu.org/CriminalJustice/CriminalJustice.cfm?ID=18316&c=53>

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