

ORAL ARGUMENT NOT YET SCHEDULED

**No. 25-5248**

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**IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

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**VERA INSTITUTE OF JUSTICE, et al.**

*Plaintiffs-Appellants,*

v.

**U.S. DEPARTMENT OF JUSTICE, et al.**

*Defendants-Appellees.*

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On Appeal from the United States District Court  
for the District of Columbia  
No. 25-cv-1643 (Hon. Amit P. Mehta)

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**BRIEF OF *AMICI CURIAE* LOCAL GOVERNMENTS,  
LOCAL GOVERNMENT OFFICIALS, AND PROSECUTING  
ATTORNEYS IN SUPPORT OF APPELLANTS'  
EMERGENCY MOTION FOR AN INJUNCTION PENDING APPEAL**

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## STATEMENT OF INTEREST

*Amici* are local governments, local government officials, and prosecuting attorneys from across the nation representing 29 jurisdictions in 20 states.<sup>1</sup> *Amici* write in strong support of Appellants' emergency motion for an injunction pending appeal. All *amici* have shared interest and responsibility in protecting the safety and general welfare of all our constituents and working to create safer communities. Some of *amici*'s communities are deeply impacted by crime; and all *amici* work to not only investigate and prosecute individual crimes, but to prevent violence before it occurs, support victims and their families, and meet wider safety needs.

Partnership is integral to protecting our residents, promoting public safety, and building community trust. *Amici* cannot do it all alone. We rely on various partners—including Appellants and other non-profit organizations—that obtain federal grants to support our jurisdictions to implement crime control and prevention strategies and to deliver vital public safety, violence prevention, and victim support services.

If OJP's terminations are not enjoined by this Court, *amici*'s communities and

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<sup>1</sup> Pursuant to Federal Rule of Appellate Procedure 29(a)(4)(E), no counsel for a party authored this brief in whole or in part, no party or counsel for a party contributed money that was intended to fund preparing or submitting this brief, and no person other than *amici* or its counsel contributed money that was intended to fund the preparation or submission of this brief. All appearing parties have consented to the filing of this amicus brief.

residents will continue to bear the brunt and suffer. It will disrupt crime control and prevention strategies that have been in place for decades, increase burdens on and risks to law enforcement, harm victims and their families, and make deterring and responding to crimes more difficult. *Amici* have spent many years working hand-in-hand with organizations like Appellants to develop effective strategies, which have been refined through evidence-based practice. Research and experience demonstrate that *amici's* partnership with Appellants have made our communities safer.

### SUMMARY OF ARGUMENT

*Amici* seek to protect their community members and their own interests by fully supporting Appellants' legal arguments and emergency request for an injunction pending appeal. OJP's April 2025 decision to cut essential funding—without notice, *en masse*, and without sound rationale—runs afoul of the U.S. Constitution, violates the Administrative Procedure Act (APA), and usurps powers exclusive to Congress through unilateral executive action. Because OJP's actions are contrary to law, this Court should not permit them to stand.

*Amici* underscore the significant reliance interests and varied harms at stake here. OJP's abrupt and unlawful terminations jeopardize programs that have provided support for essential services such as violence reduction, policing and prosecution, victims' services, juvenile justice and child protection, substance use and mental health treatment, corrections and reentry, justice system enhancements,

research and evaluation, and other state- and local- level public safety functions. For the reasons provided below, and those offered by Appellants, emergency judicial intervention is necessary.

## ARGUMENT

### **I. OJP’S DECISION TO TERMINATE FUNDING *EN MASSE*, WITHOUT CONSIDERATION OF RELIANCE INTERESTS, IS CONTRARY TO CLEARLY ESTABLISHED LAW**

OJP offered no sound rationale for its underlying decision or for its failure to consider the substantial reliance interests of Appellants and other beneficiaries like *amici*. OJP only asserted that the grant awards “no longer effectuates the program goals or agency priorities.” Doc. No. 2125023 at 40. Supreme Court precedent makes clear that this failure is enough to invalidate the action. *See, e.g., FCC v. Fox Television Stations, Inc.*, 556 U.S. 502, 515 (2009) (when taking a significant action—like cutting funding to essential services—an agency must “display awareness that it is changing position” and “show that there are good reasons for the new policy”). Relevant reliance interests include those of third parties affected by the change in policy, such as States and local governments. *See Dep’t of Homeland Sec. v. Regents of the Univ. of Cal.*, 591 U.S. 1, 31–32 (2020).

OJP’s explanation in its grant-revocation letters provides no indication that it considered the significant reliance interests of Appellants or *amici*. Many aspects of municipal government benefit from robust collaboration with community and non-

governmental organizations, and public safety is no exception. Public safety has been described as a “shared responsibility between police and communities.”<sup>2</sup> *Amici* and other local governments have long depended on Appellants and other community-based organizations to support a broad swath of public safety and law enforcement operations—recognizing that many effective responses to crime fall outside of the core competencies of public agencies. Without these partners, funded by OJP, *amici*’s jurisdictions are forced to stretch justice systems beyond their intended role, resulting in inefficiencies, higher costs, and diminished outcomes. Any interruptions to this essential funding imperils the ability for *amici* to address community violence.

OJP itself, as far back as 2001, has recognized that “communities can no longer leave safety to only the criminal justice system” and highlighted the value of “local partnerships with key actors—the police, government agencies, community organizations, and residents—to develop safe, secure, and vibrant communities.”<sup>3</sup> *Amici* understand that the effort to interrupt cycles of crime and violence in particular neighborhoods benefit enormously from collaboration with community

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<sup>2</sup> Amy L. Solomon, *Former Ass’t AG: Local Nonprofit Workers Are Public Safety Heroes Too*, Newsweek (May 29, 2025), <https://perma.cc/S6SX-XBY7>.

<sup>3</sup> U.S. Dep’t of Justice, Off. of Justice Programs, Bureau of Justice Assistance, *The Role of Local Government in Community Safety* (Apr. 2001), <https://perma.cc/6KSX-CFYG>.

organizations that know those neighborhoods best. But much crime stems directly or indirectly from deeper social problems, including untreated mental illness, housing insecurity, addiction and poverty, none of which are within the core competency of local law enforcement or prosecutors. In *amici*'s experience, Appellants and other community-based organizations that receive OJP funds provide immense benefits to *amici*, their communities, and residents. And *amici*'s experience and the research show that the partnership works. Since crime rates peaked in the early 1990s, community-based non-profits (like those whose funding was terminated) have been a driving force behind the decline.<sup>4</sup>

Many of the grants at issue were long championed by bipartisan coalitions and slated as multi-year awards because continuity is a key to success. OJP is required to assess these significant reliance interests, and its failure to do so renders its April 2025 decision to terminate funds legally impermissible.

## **II. EMERGENCY INTERVENTION IS NECESSARY TO PROTECT AGAINST SIGNIFICANT HARMS TO *AMICI*, OUR COMMUNITIES AND RESIDENTS, AND THE PUBLIC INTEREST**

Allowing OJP to continue its unlawful termination of funds appropriated by Congress, without notice to or consultation with the local government partners that

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<sup>4</sup> Patrick Sharkey, et al., *Community and the Crime Decline: The Causal Effect of Local Nonprofits on Violent Crime*, Am. Sociological Rev., vol. 82(6), 1214–1240 (Oct. 25, 2017), <https://perma.cc/P5XD-PZX7>.

had relied on those awards to support critical public safety initiatives, would irreparably harm *amici*, our communities and residents, and the public interest. *See Winter v. Nat. Def. Res. Council, Inc.*, 555 U.S. 7, 20 (2008). *Amici* represent jurisdictions of diverse sizes, populations, and geographic regions, yet all face a substantial risk of serious direct and collateral harms—including greater risks to the public, more danger to law enforcement, and increased incidence of crime and violence—if an injunction is not granted.

#### **A. Community Safety and Violence Intervention**

Evidence-based models for reducing violent crime, particularly community violence intervention strategies, were disproportionately affected by OJP’s funding terminations. Despite these strategies having a long track record of proven effectiveness and success, OJP cut nearly \$169 million in funding for community safety and violence reduction programs—the largest terminated funded area.<sup>5</sup> Yet, research consistently shows that when properly implemented and funded, community violence intervention programs are among the most effective strategies for addressing community violence and encouraging people to pursue alternative avenues for resolving conflicts.<sup>6</sup>

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<sup>5</sup> Council on Criminal Justice, *Fig 1: DOJ Funding Update: A Deeper Look at the Cuts* (May 2025), <https://perma.cc/TFP9-9CB4>.

<sup>6</sup> Center for Am. Progress, *Community Violence Intervention Success Stories* (May 2, 2024), <https://perma.cc/UU6R-ZAUJ>.

Community violence intervention has proven particularly effective to reduce violence by targeting a small subset of residents most at risk of perpetrating or falling victim to gun violence and related harms. These frontline workers are visible in neighborhoods before violence erupts and remain after the crime scene clears, interrupting cycles of harm and building trust in the municipality's response. These programs have also been lauded for their impact in reducing gun violence, including statistically significant reductions in gunshot injuries and gun deaths.<sup>7</sup> In fact, community violence intervention programs have shown reductions in shootings by as much as 60 percent and reduced arrests for violent crimes by more than 70 percent.<sup>8</sup> The now-archived page of OJP's own website, among other things, touts the many benefits of community violence intervention that prevents and disrupts violence and retaliation, and saves lives.<sup>9</sup>

With the termination of these funds, some community-based violence intervention programs have ceased operations, and some are planning to end services, including those that promote positive behavioral change, provide

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<sup>7</sup> Bobby Brier, *DOJ cancels grants, forcing cuts to N.J. violence intervention programs*, NJ.com (May 1, 2025), <https://perma.cc/LXN7-QGEL>.

<sup>8</sup> *Community Violence Intervention Success Stories*, *supra* n.6.

<sup>9</sup> U.S. Dep't of Justice, Off. of Justice Programs, *Community Violence Intervention*, (Mar. 22, 2024), <https://perma.cc/9673-YGZP>.

community support for residents, and reduce the likelihood of violence.<sup>10</sup> The Center for Gun Violence Solutions, for example, partnered with the City of Baltimore to execute Safe Streets, a community violence intervention program. The program successfully reduced homicides and nonfatal shootings by an average reduction of between 16 percent to 23 percent in some of Baltimore’s most under-resourced neighborhoods.<sup>11</sup> When OJP abruptly cut funding for community violence intervention programs, Baltimore had recorded a historically low number of homicides, which were due, in part, to programs that OJP pulled grants from.

OJP’s actions have already caused layoffs at several affected organizations, which amount to “thousands of people... across the country,” who were working to keep communities safe and serve individuals at high risk of violence.<sup>12</sup> Several staff at the Newark Community Street Team in Newark, New Jersey have either lost their jobs or have had to be reassigned within the organization.<sup>13</sup> This has meant that several neighborhoods in the city are left without coverage, where the team prevents

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<sup>10</sup> See, e.g., Brier, *supra* n.7; Rebekah Barber, *Without DOJ Funding, Community Violence Intervention Programs Face Uncertainty*, Nonprofit Quarterly (Apr. 25, 2025), <https://perma.cc/VV7U-379Y>.

<sup>11</sup> Johns Hopkins, Bloomberg School of Public Health, Ctr. for Gun Violence Solutions, *Community Violence Intervention*, <https://perma.cc/4CJE-W2CZ>.

<sup>12</sup> *Id.*

<sup>13</sup> Amanda Hernandez, *Street-level violence prevention programs have been decimated by Trump just ahead of summer*, NC Newsline, (June 2, 2025), <https://perma.cc/T95H-APJJ>.

violence through community walks, resource connections, and a hotline where community members can alert staff of rising tensions before conflict escalates. All this, as local crime data shows that these programs are demonstrably working.<sup>14</sup>

## **B. Law Enforcement and Prosecution**

OJP's funding cuts include \$71.7 million to policing and prosecution programs, including those designed to provide technical assistance and specialized training to law enforcement, judges, and prosecutors, and to provide violent crime reduction resources.<sup>15</sup> Organizations affected by OJP's cuts include the Association of Prosecuting Attorneys, Inc. (which provides nationwide training to prosecutors' offices and other justice system professionals and partners), the National District Attorneys Association (the oldest and largest national, non-partisan membership association of state and local prosecutors), the Council of State Governments (the nation's only nonpartisan organization serving all three branches of state elected and

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<sup>14</sup> *Id.* (“...Homicides dropped by 53%, while aggravated assaults declined by 43%. Rapes dropped slightly by 3%.”); *see also* Abené Clayton, *Gonna have to hear mothers and sisters cry’: Trump’s funding cuts leave at-risk youth vulnerable to gun violence*, The Guardian (June 3, 2025), <https://perma.cc/JD8U-GTQR> (Operation Good runs summer youth programs and offers critical crime reduction resources such as school clothing and utility assistance in Jackson, Mississippi faces potential job cuts.).

<sup>15</sup> *See* Council on Criminal Justice, *DOJ Funding Update: A Deeper Look at the Cuts*, *supra* n.5.

appointed officials), and the Prosecution Research Collaborative (which works in partnership with prosecutors to support victims and improve public safety and trust).

Other examples abound. Activating Change had several grants terminated, including those providing training to law enforcement on investigating human trafficking involving people with disabilities.<sup>16</sup> The Community-Based Public Safety Collective had been tasked with providing training and technical assistance to over 95 organizations, including community-based organizations, police departments, cities, counties, and states.<sup>17</sup> As a result of OJP's funding cuts, the Collective had to terminate work already in progress and has made plans to lay off key staff.<sup>18</sup>

OJP's funding cuts have already negatively impacted rural law enforcement agencies that are attempting to tackle violent crime. The National Policing Institute had provided funding and assistance to more than 30 rural jurisdictions supporting local police and district attorneys' efforts to reduce violent crime.<sup>19</sup> Until OJP defunded this multi-year effort, these programs had helped to implement violent

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<sup>16</sup> Sarah N. Lynch & Peter Eisler, *U.S. Justice Dept grant cuts valued at \$811 million, people and records say*, Reuters (Apr. 24, 2025), <https://perma.cc/ZB75-ZYPL>.

<sup>17</sup> Barber, *supra* n.10.

<sup>18</sup> *Id.*

<sup>19</sup> National Policing Institute's Rural Violent Crime Reduction Initiative, *About RCVRI*, <https://perma.cc/LCG5-LDYE>.

crime reduction strategies, improve investigations, provide services to victims, and enhance collaboration between local stakeholders.<sup>20</sup> Federal funds allowed these local agencies to upgrade technology and equipment, hire and deploy personnel, and support victim services and crime prevention programming.<sup>21</sup>

### **C. Victim and Survivor Services**

OJP's terminations also include the elimination of approximately \$50 million in critical support for victims and survivors of crime.<sup>22</sup> The list of cuts include grants to the National Criminal Justice Association, the National Association for Victims of Crime, and the National Crime Victim Law Institute—all of which work to “increas[e] options and expand[] access for victims of crime.”<sup>23</sup> Among other rescinded grants are those that funded victim service for survivors of human trafficking and specialized technical assistance for providers serving victims with disabilities and individuals who are deaf or hard of hearing. Other organizations that provide legal services and representation for victims and those that support child victims of abuse had their services suspended by OJP's cuts.<sup>24</sup>

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<sup>20</sup> *Id.*

<sup>21</sup> National Policing Institute's Rural Violent Crime Reduction Initiative, *Program One-Pager*, <https://perma.cc/TU45-8G6C>.

<sup>22</sup> *See DOJ Funding Update: A Deeper Look at the Cuts*, *supra* n.5.

<sup>23</sup> *Id.*

<sup>24</sup> *Id.*

#### **D. Reentry and Recidivism**

Cuts to grants that attempt to improve reentry outcomes jeopardize *amici*'s efforts to reduce recidivism. Jurisdictions across the country have partnered with non-profit organizations to share in the many challenges and resources needed to support people's successful reentry post-release and have found similar success.

For example, in Massachusetts, non-profits such as The United Teen Equality Center ("UTEC") have collaborated with law enforcement, community-based organizations, and correctional facilities for decades to interrupt violence and improve prison reentry outcomes, especially for young people overcoming poverty and gang violence.<sup>25</sup> Loss of UTEC's grant has already threatened critical services and the sustained investment in community-based approaches to gun violence, which has been proved to be highly effective.<sup>26</sup> Similarly, in Leander, Texas, the city had partnered with Jail to Jobs, a community-based program with a proven record of reducing recidivism among youthful offenders.<sup>27</sup> After completing the program, youth recidivism rates dropped to less than 15% from 75%.<sup>28</sup>

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<sup>25</sup> Peter Currier, *DOJ cancels \$2M in grants to UTEC mid-cycle*, The Lowell Sun, (Apr. 24, 2025), <https://perma.cc/2L2L-BWAX>.

<sup>26</sup> *Id.*

<sup>27</sup> Jail to Jobs, *About Us*, <https://perma.cc/4JYH-3BLQ>.

<sup>28</sup> *Id.*

*Amici* and other cities, municipalities, and prosecuting attorneys across the nation are suffering immediate and significant direct and indirect harms because of OJP's arbitrary and unlawful termination decisions. The examples above are but a sampling of actual and anticipated impacts.

### CONCLUSION

For all of the foregoing reasons, *amici* respectfully request that the Court grant Appellants' emergency motion for an injunction pending appeal.

Respectfully submitted,

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Dated: July 18, 2025

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City of Chicago, Illinois

City of Columbus, Ohio

City of Evanston, Illinois

Harris County, Texas

King County, Washington

City of Minneapolis, Minnesota

Montgomery County, Maryland

City of Newark, New Jersey

City of New York, New York

City of Pittsburgh, Pennsylvania

City of Sacramento, California

City of Santa Monica, California

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**CERTIFICATE OF COMPLIANCE**

I, Jonathan Miller, hereby certify that:

1. This brief complies with the type-volume limitation of Fed. R. App. P. 29(a)(5) and 32(a)(7)(B) because it contains 2,592 words, excluding the parts of the brief exempted by Fed. R. App. P. 32(f) and D.C. Cir. R. 32(e)(1).
2. This brief complies with the typeface requirements of Fed. R. App. P. 32(a)(5) and the type-style requirements of Fed. R. App. P. 32(a)(6) because it has been prepared in a proportionally spaced typeface using Microsoft Word in Times New Roman, size 14.

DATE: July 18, 2025

/s/ Jonathan B. Miller  
Jonathan B. Miller

**CERTIFICATE OF SERVICE**

I hereby certify that on July 18, 2025, I electronically filed the original of this motion with the Clerk of the Court using the CM/ECF system. Notice of this filing will be sent to all attorneys of record by operations of the Court's electronic filing system.

DATE: July 18, 2025

/s/ Jonathan B. Miller  
Jonathan B. Miller