



February 10, 2023

To: Members of the University of Texas System Police

Subject: An Open Letter

I watched in horror, as I know that all of you did, the videotape of the murder of Tyre Nichols, an African American man, by members of the Memphis Police Department. The policing profession in America has no room for officers such as those. They have defiled the badge we wear, forever tarnished the legacy that so many of us have worked tirelessly to create and sullied our reputation, one and all. The behavior of these officers is, without question, gang-like violence amplified a thousand-fold because they wore the badges and uniforms of law enforcement officers. These police officers absolutely must be prosecuted.

Making this violence even more terrifying is the complete absence of supervision or leadership at the scenes of the two assaults even after a significant passage of time and the total disconnection between the officers' behavior and any semblance of training associated with arrest encounters. Both of these failures are forever damning given the death of Mr. Nichols at the hands of these officers.

This event is particularly painful for me having spent eight years, from 2000-2008, as the President and Chief Executive Officer for the Memphis Shelby Crime Commission, the formal title for my role as the Memphis Crime Commissioner. The Crime Commission, when founded, was charged by the business community to reform, restructure and redesign the criminal justice system in general, and the Memphis Police Department, in particular, given the historic presence of gut-wrenching violent crime rates in the city and abusive policing practices within the Police Department. We relied on applied research, advocacy, the law enforcement accreditation process, shared best practices, nationally recognized gold standards and consulting with the best minds in American policing to drive down the violent crime rate and create an evolutionary path for Memphis PD to trust, respect, support and confidence from the community. Tragically, whatever successes we may have enjoyed were, at best, short lived and any sustainment has failed wholly.



One final observation before I share my closing thoughts: law enforcement agencies which create specialized units to pursue violent offenders must, absolutely must, employ tight supervision and management, given the nature of the mission, to ensure none of the unit's officers go astray and feel emboldened to work outside the law. The creation of a unit known as "Scorpion," as was the unit whose members murdered Tyre Nichols, should have immediately been seen as the wrong image, a dangerous optic, and the worst kind of branding. I can personally attest that there is a right way and a successful way to creating and managing these units because we did it during my time at Arlington PD. Chief David Kunkle and I created the Career Offender Project which I led as a Police Lieutenant, and we spent two years pursuing known repeat felony offenders with a nexus to Arlington across North Central Texas. We had an ATF special agent and eight handpicked seasoned investigators in the unit—We worked hard, we worked long, and we put bad actors in jail but without the violence we've just seen in Memphis—It can be done.

I close with what is my guiding beacon after nearly 50 years in law enforcement—We must commit to constitutional policing with character driven officers whose first motivation must always be service. I believe America's law enforcement officers are here to protect those who cannot protect themselves, make the weak and the vulnerable strong and make our communities safe, with their consent as to how we ensure the public safety. It is a contract that we have with America, and we cannot ever fail in the pledge that we have made.

Sincerely,

Michael J. Heidingsfield
Director of Police