

LAW, JUSTICE, AND ETHICS

Resolution LJE-21-08

A RESOLUTION ON THE URGENT NEED FOR ETHICAL POLICING

WHEREAS, in March of 2020, Breonna Taylor, a 26-year-old Black emergency room technician, was murdered by Louisville Metro Police Department (LMPD) officers who executed a “no-knock” search warrant at the wrong residence;

WHEREAS, the three plainclothes LMPD officers fired some 22 shots into Ms. Taylor’s apartment, hitting her eight times and dispatch logs revealed Ms. Taylor lay untouched, where she fell, for 20 minutes;

WHEREAS, Ms. Taylor died from gunshot wounds sustained during the execution of the no-knock warrant but the related incident report, which was nearly blank, indicated Ms. Taylor had no injuries;

WHEREAS, only one officer, Brett Hankison, was fired while the others — Jon Mattingly and Myles Cosgrove — were placed on administrative reassignment;

WHEREAS, the LMPD wrapped up its internal investigation in May but refused to release related records, citing the investigative efforts of other entities; the Attorney General and the Federal Bureau of Investigation;

WHEREAS, in May of 2020, George Floyd, a 46-year-old Black man, was detained by three police officers from the Minneapolis Police Department after being accused of trying to use a counterfeit bill;

WHEREAS, all three officers pinned Mr. Floyd face-down on the ground and simultaneously knelt on his body, including officer Derek Chauvin who pressed his knee on Mr. Floyd's neck for nearly 8 minutes;

WHEREAS, before dying under officer Chauvin’s knee, Mr. Floyd stated some 20 times, that he could not breathe and called out for his mother who had died two years prior;

WHEREAS, amid protests and outrage, the police officers involved in the incident were fired and in response the head of the Minneapolis police union – Lieutenant Bob Kroll – stated his intent to fight for the officers’ jobs;

WHEREAS, Ms. Taylor and Mr. Floyd are two of the approximately 1,000 men, women, and children killed by police violence each year, and a disproportionate number of victims of police violence are Black;

WHEREAS, such extreme rates of police violence and the absence of accountability to the profession, and the public, is indicative of a lack of ethical policing;

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WHEREAS, the Congressional Black Caucus introduced the Justice in Policing Act of 2020;

WHEREAS, the Justice in Policing Act of 2020 bans chokeholds, carotid holds and no-knock warrants at the federal level, limits the transfer of military-grade equipment to state and local law enforcement, and prohibits federal, state, and local law enforcement from engaging in racial, religious, and discriminatory profiling;

WHEREAS, to end the epidemic levels of police violence against Black people, in addition to federal action, there is an urgent need to give states tools to track and examine police conduct and effectuate the permanent removal of problem officers from the law enforcement profession; and

WHEREAS, such tools should systemize transparency and accountability within and across all policing agencies and make misconduct records and records of disciplinary action available to the public and future employers.

THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) reaffirms its positions on police accountability, community oversight, justice for victims of police violence, and models for police reform;

BE IT FURTHER RESOLVED, that the NBCSL applauds the introduction of the Justice in Policing Act, and urges the US Congress to pass legislation the bans chokeholds, carotid holds, and no-knock warrants at the federal level, limits the transfer of military-grade equipment to state and local law enforcement, and prohibits federal, state, and local law enforcement from engaging in racial, religious, and discriminatory profiling;

BE IT FURTHER RESOLVED, that the NBCSL calls for all states to adopt model that embraces ethical policing which includes: (1) an efficient and effective process for systemizing transparency and accountability as it relates to police conduct and disciplinary actions; and (2) an efficient and effective process for the permanent removal of problem officers from the law enforcement profession; and

BE IT FINALLY RESOLVED, that a copy of this resolution be transmitted to the President of the United States, the Vice President of the United States, members of the United States House of Representatives and the United States Senate, and other federal and state government officials and agencies as appropriate.

SPONSOR(S): Representative Gilda Cobb-Hunter (SC), Representative Ray Hull (RI), and Representative Reginald Meeks (KY)

Committee of Jurisdiction: Law, Justice, and Ethics Policy Committee

Certified by Committee Chair: Representative Reginald Meeks (KY)

Ratified in Plenary Session: Ratification Date is December 3, 2020

Ratification is certified by: Representative Gilda Cobb-Hunter (SC), President