

# LAW, JUSTICE, AND ETHICS

Resolution LJE-21-16

## A RESOLUTION THAT HONORS THE MEMORY OF GEORGE FLOYD THROUGH ACTION

WHEREAS, in the wake of the tragic death of George Floyd in Minneapolis, Minnesota, our country is engaged in a nationwide conversation regarding law enforcement, social justice, and the need for reforms to enhance transparency, accountability, and community relations in law enforcement;

WHEREAS, the unreasonable use of force, including instances resulting in death, by law enforcement officers in recent years has raised a number of questions about the disparate treatment of different segments of society within the criminal justice system as well as the patterns of arrest-related deaths more generally;

WHEREAS, these patterns will continue unless our society examines the systems that allow the patterns to be repeated, and change will only begin when system leaders accept responsibility for these types of acts;

WHEREAS, the authority to use deadly force conferred on peace officers is critical responsibility that needs to be exercised judiciously and with respect for human rights and dignity and for the sanctity of every human life;

WHEREAS, the actions leading up to and surrounding the death of George Floyd is a result of continued systemic actions practiced by some law enforcement agencies in the past and, it is required that policy changes take place through decisive legislative actions nationwide;

WHEREAS, the tragic loss of Mr. Floyd was completely avoidable and showcases how police officers need to be held accountable by their fellow officers and the justice system, as well as in wake of protests that followed his passing; and

WHEREAS, the best way to honor the life Mr. Floyd is to ensure that his death was not in vain, and to improve the accountability of police officers as no one can be above the law.

THEREFORE BE IT RESOLVED that the National Black Caucus of State Legislators (NBCSL) encourages federal, state, and local policy makers, as well as organizations, citizens, and law enforcement agencies to examine the following policies to honor George Floyd;

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- the creation of a Law Enforcement Excellence Task Force under a peace officer standards and training board to recommend reforms to strengthen the role of the board to approve, suspend, or revoke peace officer licenses to improve accountability and transparency, increase and streamline peace officer training requirements, and improve policies that govern professional accountability, and require the board to update the training curricula and capacity of certified colleges and training institutions to deliver updated use-of-force training;
- the creation of a Use of Force Standards Task Force under a peace officer standards and training board to review the existing use-of-force standards and statutes for law enforcement and recommend any revisions necessary to ensure there is a focus on the sanctity of life, as well as standards that require that the use-of-force be reasonable, necessary, and proportionate;
- such legislation and policies should at a minimum, the policies should hold officers accountable to use sound tactics, such as time, distance, and cover, to reduce the need to use force; require officers to intervene, when appropriate and safe, when witnessing unreasonable use of force; and require officers to report all incidents of unreasonable use of force to a supervisor;
- further, such policy needs to create an investigation and prosecution work group appointed by the commissioner in the Department of Public Safety to review and determine if the Attorney General should have authority to intervene in peace-officer-involved deaths and provide recommendations and procedures if the Attorney General's office should investigate and prosecute cases of police use of force that results in death;
- civic engagement and participation in government is essential, and a provision restoring the right to vote to incarcerated persons reinstates the civil right to vote upon completion of any incarceration imposed for the offense or upon sentencing if no incarceration is imposed;
- a state must take action to improve law enforcement relations with the community and to strengthen accountability of law enforcement personnel, and a state Safe Streets program should be established by the commissioner in the Department of Public Safety to appropriate grant funds to local governments and community organizations to partner with local law enforcement on crime prevention and to provide targeted intervention to prevent escalation of violence after serious acts;

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- maintain rights under the first amendment and public safety during protests provision would require a crowd control plan that clearly defines the overall political, strategic, and tactical response framework for crowd control and protests with a clear priority given to de-escalation; 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): Senator Jeff Hayden (MN) 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**