

LAW, JUSTICE, AND ETHICS

Resolution LJE-18-08

A RESOLUTION ON LEGISLATIVE ACCOUNTABILITY TO ELIMINATE WRONGFUL USE OF DEADLY FORCE BY LAW ENFORCEMENT

WHEREAS, some law enforcement agencies devote insufficient time and resources to de-escalation training, which contributes to a police culture that is more volatile than tactful, leading to increased instances of the wrongful use of deadly or injurious force;

WHEREAS, law enforcement's use of deadly or injurious force should always be the last resort given that the primary role of law enforcement authorities is to serve and protect the community;

WHEREAS, the lack of legal accountability towards law enforcement officers who wrongfully kill or injure unarmed and non-threatening persons is creating an unhealthy mutual fear that is damaging the relationship between police and communities; and

WHEREAS, laws in many states afford law enforcement officers unduly broad discretion in determining what is reasonable presumption of fear, which has led to many exonerations for police officers in wrongful shooting cases, while families of victims are left helpless and without justice.

THEREFORE BE IT RESOLVED, that the National Black Caucus State Legislators (NBCSL) will advocate for mandatory de-escalation policies, training and enforced compliance for all law enforcement agencies with the requirement that such de-escalation training take place on at least a quarterly basis;

BE IT FURTHER RESOLVED, that the NBCSL will aggressively advocate for and pursue the arrest, indictment and conviction of any and all police officers involved in the killing of unarmed African Americans in the United States;

BE IT FURTHER RESOLVED, that the NBCSL will continue to advocate for policies requiring law enforcement personnel to use the minimum amount of force necessary to control or subdue a non-compliant suspect;

BE IT FURTHER RESOLVED, that the NBCSL will advocate and call on the U.S Attorney General, the Office of Justice Program Administrator, and the nation's governors and legislators to eliminate ambiguous language in the law that allows law enforcement to use deadly force under the broadly interpreted "reasonable presumption of fear" and support nationwide, definitive language in the law that raises the level of the use of deadly force to incidents of absolute threats; and

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BE IT FINALLY RESOLVED, that the NBCSL send a copy of this resolution to the President of the United States, the Vice President of the United States, members of Congress, and other federal and state government officials as appropriate.

SPONSOR: Representative Brenda Gilmore (TN)

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 2, 2017

Ratification is certified by: Representative Gregory W. Porter (IN), President