

# LAW, JUSTICE, AND ETHICS

Resolution LJE-20-21

## **A RESOLUTION ON THE NEED FOR A FEDERAL INVESTIGATIONS AND SUPPORT TO ENSURE EQUITABLE JUSTICE**

WHEREAS, the National Black Caucus of State Legislators (NBCSL), has extensive history of policy on the need for equitable, fair, and safe community policing that allows the community and local law enforcement agencies to work together to improve our communities;

WHEREAS, our nation is engaged in a critical discussion on gun violence and police misconduct, and we can no longer ignore the continual stream of men, women, and children whose lives are lost in officer involved shootings;

WHEREAS, African Americans are less than 13 percent of the total U.S. population but accounted for 23% of those shot by police in 2017, according to the Washington Post;

WHEREAS, the deaths of Michael Brown, Eric Garner, Walter Scott, Freddie Gray, Alton Sterling, Philando Castille, Tamir Rice, Laquan McDonald, and Stephone Clark are all tragic losses of life that are unacceptable, and have damaged the community's relationship with those that are charged with their protection;

WHEREAS, the Federal Bureau of Investigations (FBI), has long been charged with protecting civil rights in America, and is responsible for investigating Color of Law violations including those involving excessive use of force;

WHEREAS, Color of Law investigations also include violations like sexual assault by police officers, false arrest, obstruction of justice, false testimony, deprivation of medical care, and failure to keep a citizen from harm;

WHEREAS, in many of the communities these high-profile cases taken place, there is a lack of trust in the local law enforcement to perform a fair and impartial investigation of these incidences, yet alone an honest investigation on systematic issues that may be present in the department;

WHEREAS, an investigation into a local law enforcement agency cannot be impartially handled by the local law enforcement agency itself, and an outside body is needed to perform a fair and impartial evaluation;

WHEREAS, these investigations can begin real change that could identify areas of improvement or clear the local law enforcement agency to begin a dialogue on how to improve policing and restore faith in the department; and

WHEREAS, the federal government has a duty to enforce federal civil rights laws, a duty to ensure that we live in a nation where local authority do not kill us with impunity.

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THEREFORE BE IT RESOLVED, that the National Black Caucus of State Legislators (NBCSL) reiterates our condolence to the families affected by these tragedies and our support for these communities as they seek justice for all those affected;

BE IT FURTHER RESOLVED, that the NBCSL calls for Congressional action to ensure through, timely, and independent federal investigations of alleged law enforcement violations across the country, and to particularly work with and identify local law enforcement agencies that may have a cultural or institutional issues that lead to strife with the communities they serve;

BE IT FURTHER RESOLVED, that the NBCSL will work with its social justice partners to seek legal remedies for unlawful killings of African Americans by police officers;

BE IT FURTHER RESOLVED, that the NBCSL believes that a positive relationship between the local law enforcement agencies and the communities that they represent is essential in our communities, and officer involved shootings can irreparably harm these relationships, as such communities and local law enforcement agencies need to work together to address any unjust actions by officers immediately; 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: Senator Brenda Gilmore (TN)**

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

**Certified by Committee Co-Chair: Representative Reginald Meeks (KY)**

**Ratified in Plenary Session: Ratification Date is December 6, 2019**

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