

1 [Urging the United States Congress to Pass the Justice in Policing Act of 2020]

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3 **Resolution urging the United States Congress to pass the Justice in Policing Act of**
4 **2020 in order to help define and bring urgency to the much-needed law enforcement**
5 **reform efforts taking place at all levels of government throughout the United States,**
6 **and to take further action on law enforcement reform.**

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8 WHEREAS, The Justice in Policing Act of 2020, introduced in the U.S. Senate by
9 Senators Kamala Harris and Cory Booker, and in the U.S. House of Representatives by
10 Representatives Karen Bass and Jerry Nadler, is a historic, comprehensive bill that would
11 advance the goal of safe communities by reforming and holding accountable law enforcement
12 agencies at the local, state, and federal levels; and

13 WHEREAS, The bill works to end racial and religious profiling by prohibiting law
14 enforcement agencies at all levels of government from racial, religious, and other
15 discriminatory profiling; mandating training to that end; and requiring that law enforcement
16 agencies collect data on all investigatory activity; and

17 WHEREAS, The bill prioritizes saving lives by banning carotid holds and chokeholds,
18 the technique used to kill Eric Garner in New York, at the federal level and conditioning law
19 enforcement funding for state and local governments on their taking such action; banning no-
20 knock warrants in drug cases, like the one that led to Breonna Taylor’s death in Louisville, at
21 the federal level and conditioning law enforcement funding for state and local governments on
22 their taking such action; and requiring that deadly force be used only as a last resort; and

23 WHEREAS, The bill deters the militarization of state and local law enforcement
24 agencies by limiting the transfer of military-grade equipment to these agencies, requiring that
25 federal uniformed officers wear body cameras and that state and local agencies likewise

1 ensure the use of police body cameras, and requiring that marked federal police vehicles
2 have dashboard cameras; and

3 WHEREAS, The bill removes barriers to holding law enforcement officers accused of
4 official misconduct accountable in court, by amending the mens rea requirement in 18 U.S.C.
5 Section 242 from a “willfulness” to a “recklessness” standard, and by enabling individuals to
6 recover damages in civil courts when law enforcement officers violate their rights under the
7 U.S. Constitution by eliminating qualified immunity for law enforcement; and

8 WHEREAS, The bill facilitates the use of federal and state pattern and practice
9 investigations by granting the Civil Rights Division of the U.S. Department of Justice
10 subpoena power, and by creating a grant program for state attorneys general to develop
11 authority to conduct such investigations; and

12 WHEREAS, The bill empowers local communities to reimagine public safety by
13 supporting community-based programs and establishing grants to create local commissions
14 and task forces to re-imagine and develop novel, effective approaches to public safety; and

15 WHEREAS, The bill encourages integrity within law enforcement agencies and trust
16 between those agencies and communities across the United States by reinforcing the
17 recommendations of the Obama administration’s Taskforce on 21st Century Policing; creating
18 law enforcement training programs based on best practices; requiring that the U.S. Attorney
19 General collect data on federal investigations and detentions, the racial distribution of drug
20 charges, the use of deadly force by and against law enforcement officers, and traffic and
21 pedestrian stops and detentions; and establishing a U.S. Department of Justice task force to
22 coordinate enforcement in cases related to law enforcement misconduct between federal,
23 state, and local governments; and

24 WHEREAS, The bill improves transparency and trust by creating a nationwide police
25 misconduct registry to prevent the unaccountable rehiring or jurisdictional moving of officers

1 who are fired or leave one agency after being found to have committed official misconduct;
2 and mandating that state and local law enforcement agencies report use of force data
3 disaggregated by race, sex, disability, religion, and age; and

4 WHEREAS, The bill makes lynching a federal crime by outlawing conspiring to violate
5 existing federal hate crimes laws; and

6 WHEREAS, While the City and County of San Francisco has already enacted all eight
7 of the “8 Can’t Wait” reforms to law enforcement, including banning chokeholds and
8 strangeholds, requiring de-escalation, requiring warnings before the use of firearms,
9 exhausting all alternatives before the use of firearms, making it law enforcement officers’ duty
10 to intervene when colleagues act improperly, banning shooting at vehicles, establishing a use-
11 of-force continuum, and requiring that all uses of force be reported, the City and County has
12 completed only 15 percent of the 272 reforms recommended by the Obama administration in
13 2016; and

14 WHEREAS, Beyond San Francisco, recent images of law enforcement misconduct in
15 cities such as Minneapolis, Louisville, and Atlanta, for example, make it clear that state and
16 local governments across the United States still have a great deal of progress to make; and

17 WHEREAS, The Justice in Policing Act of 2020 would help define and bring urgency to
18 that work; now, therefore, be it

19 RESOLVED, That the San Francisco Board of Supervisors urges the United States
20 Congress to pass the Justice in Policing Act of 2020; and, be it

21 FURTHER RESOLVED, That the Board of Supervisors encourages the Congress to
22 take additional steps toward achieving much-needed reforms to law enforcement at the
23 federal, state, and local levels; and, be it

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1 FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
2 to transmit copies of this Resolution to Senators Dianne Feinstein and Kamala Harris,
3 Speaker Nancy Pelosi, and Representative Jackie Speier.

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