

June 5, 2020

U.S. House of Representatives
Washington DC, 20515

RE: Coalition Supports H.R. 4359, The Police Exercising Absolute Care Act with Everyone 2019

Dear Representatives,

On behalf of the **XX** undersigned civil and human rights organizations and faith-based organizations, we write to urge you to cosponsor and support H.R. 4359, the Police Exercising Absolute Care with Everyone or “PEACE Act” of 2019¹, to raise the standards for use of force by law enforcement officers. The utmost obligation of police is to respect and preserve human life. Our laws are insufficient to reflect this principle and must be changed.

Every year, nearly 1,000 people are killed by police in the US. Last year was no exception, the Washington Post’s Fatal Force database cited 1004 people were shot and killed by police in 2019. Among these killings, Black and Latinx people are overrepresented, with black people being killed at more than twice the rate of white people².

Nine states and Washington, D.C. have no statutory law on police use of lethal force, leaving them to default to the standard set by U.S. Supreme Court opinions. In the other 41 states with use of lethal force laws, the standards are far too permissive and vary greatly. Laws range from nine states that authorize police use of deadly force to suppress a riot to a mere eight that require law enforcement to give warning “when feasible” before lethal force is used³.

A person’s right to survive an interaction with law enforcement should not be dependent on where they live. A more restrictive national standard is needed to limit law enforcement use of force to prevent families from being devastated by this violence and provide for accountability when police use of force is excessive or unlawful.

In September 2019, Congressman Ro Khanna (CA-17) and William Lacy-Clay (MO-01) introduced the PEACE Act, which would bar federal law enforcement from using deadly force unless necessary-- as a last resort-- to prevent imminent death or serious bodily injury, and reasonable alternatives have been exhausted. This pushes beyond any state with a law addressing police use of force⁴ and the current federal standard.

¹ H.R. 4359, 116th Cong.

² “Fatal Force: Police Shootings Database.” *The Washington Post*, WP Company, 22 Jan. 2020, www.washingtonpost.com/graphics/investigations/police-shootings-database/. We must rely on the Washington Post’s database because there is no reliable national census of police-involved shootings. Although the Death in Custody Reporting Act requires collection of data this process has been delayed due to lack of guidance from the administration and slow or no responses from law enforcement agencies. See, <https://oig.justice.gov/reports/2018/e1901.pdf>.

³ *Deadly Force: Police Use of Lethal Force in the United States*. Amnesty International USA, June 2015, www.amnestyusa.org/files/aiusa_deadlyforcereportjune2015.pdf.

⁴ Amnesty International USA, *Deadly Force* Report found that no US state has a use of lethal force law for law enforcement that reserves deadly as a last resort.

Too often we see footage of officers employing deadly force against unarmed or fleeing people who do not appear to pose an imminent threat to the life of the officer or others. Modeled after the California Act to Save Lives⁵, the PEACE Act also requires consideration of the actions of the individual and officer leading up to a use of force encounter, to address these heart wrenching killings. Under the PEACE Act, states that receive federal funding from the Edward Byrne Memorial Justice Assistance Grant Program⁶ must enact a state use of force law consistent with the standards outlined in this legislation.

Protecting the public and maintaining officer safety are not at odds with one another. Police departments that have put more restrictive use of force policies in place have seen a decrease of people killed without risking officer safety and only serving to gain in public trust. In 2011, the Seattle Police Department, under a consent decree with the Department of Justice, restricted their department policy on use of force given recommendations emphasizing de-escalation. A 2017 Seattle Police Monitor report⁷ found that following implementation, police use of force decreased, as did crime, without an increase in officer injury.

For the above reasons we urge you to join the undersigned organizations in supporting the PEACE Act by cosponsoring the bill. It is past time that the law requires officers to reserve force as a last resort rather than a first response.

Thank you for your consideration of this matter. If you have any questions, please feel free to contact, Krissy Roth of Amnesty International USA at kr Roth@aiusa.org or 202.509.2021; or Kanya Bennett of the ACLU at kbennett@aclu.org or 202.715.0808.

Sincerely,

Alliance of Baptists
American Civil Liberties Union
Amnesty International USA
Bend the Arc: Jewish Action
Best Practices Policy Project
CA Families United 4 Justice
Campaign for Youth Justice
Campaign Zero
Church of Scientology National Affairs Office
Desiree Alliance
Disciples Center for Public Witness
Drug Policy Alliance
Ella Baker Center for Human Rights
Families United 4 Justice
Lambda Legal
LatinoJustice PRLDEF

⁵ California Act to Save Lives, AB 392, Chapter 170 (2019), amending California Penal Code §§196 & 835(a).

⁶ 34 U.S.C. 10151 et seq.

⁷ Ninth Systemic Assessment: Use of Force . Seattle Police Monitor , Apr. 2017, [static1.squarespace.com/static/5425b9f0e4b0d66352331e0e/t/58e6a753ff7c50ebbad126f8/1491511130661/Ninth Systemic Assessment--Use of Force--FINAL.pdf](https://static1.squarespace.com/static/5425b9f0e4b0d66352331e0e/t/58e6a753ff7c50ebbad126f8/1491511130661/Ninth+Systemic+Assessment--Use+of+Force--FINAL.pdf).

Law Enforcement Action Partnership
Mennonite Central Committee U.S. Washington Office
Mothers Against Police Brutality
Mothers for Police Accountability
NAACP
NAACP Legal Defense and Educational Fund, Inc.
National Center for Transgender Equality
National Council of Jewish Women
National LGBTQ Task Force Action Fund
National Urban League
NETWORK Lobby for Catholic Social Justice
Open Society Policy Center
PA Council of Churches
PolicyLink
Presbyterian Church (U.S.A.), Office of Public Witness
SJSU Human Rights Institute
The Alliance for Boys and Men of Color
The Black Sex Worker Collective
The Leadership Conference on Civil and Human Rights
The Taifa Group
UnidosUS
Union for Reform Judaism
URGE: Unite for Reproductive & Gender Equity
Veterans For Peace
Youth ALIVE!