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

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

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

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

WHEREAS, The bill deters the militarization of state and local law enforcement agencies by limiting the transfer of military-grade equipment to these agencies, requiring that federal uniformed officers wear body cameras and that state and local agencies likewise
ensure the use of police body cameras, and requiring that marked federal police vehicles have dashboard cameras; and

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

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

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

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

WHEREAS, The bill improves transparency and trust by creating a nationwide police misconduct registry to prevent the unaccountable rehiring or jurisdictional moving of officers
who are fired or leave one agency after being found to have committed official misconduct; and mandating that state and local law enforcement agencies report use of force data disaggregated by race, sex, disability, religion, and age; and

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

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

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

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

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

FURTHER RESOLVED, That the Board of Supervisors encourages the Congress to take additional steps toward achieving much-needed reforms to law enforcement at the federal, state, and local levels; and, be it
FURTHER RESOLVED, That the Board of Supervisors directs the Clerk of the Board
to transmit copies of this Resolution to Senators Dianne Feinstein and Kamala Harris,
Speaker Nancy Pelosi, and Representative Jackie Speier.
Resolution urging the United States Congress to pass the Justice in Policing Act of 2020 in order to help define and bring urgency to the much-needed law enforcement reform efforts taking place at all levels of government throughout the United States, and to take further action on law enforcement reform.

June 23, 2020 Board of Supervisors - ADOPTED
Ayes: 11 - Fewer, Haney, Mandelman, Mar, Peskin, Preston, Ronen, Safai, Stefani, Walton and Yee

I hereby certify that the foregoing Resolution was ADOPTED on 6/23/2020 by the Board of Supervisors of the City and County of San Francisco.

Angela Calvillo
Clerk of the Board

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, or time waived pursuant to Board Rule 2.14.2, became effective without her approval in accordance with the provision of said Section 3.103 of the Charter or Board Rule 2.14.2.

Angela Calvillo
Clerk of the Board