

URGENTLY RESTRICT POLICE USE OF FORCE

COSPONSOR AND PASS THE POLICE EXERCISING ABSOLUTE CARE WITH EVERYONE OR PEACE ACT (H.R. 4359)

IMPACT OF INADEQUATE STANDARDS

Approximately 1,000 people are killed by police every year in the United States. The Washington Post reported that there were 1,004 deaths at the hands of law enforcement in 2019, but the actual number may be higher. The federal government does not collect this data, despite enactment of the Death in Custody Reporting Act in 2014 requiring this data to be collected, disaggregated and published annually.

Amnesty International's 2015 [Deadly Force Report](#) found that all 50 states and the District of Columbia failed to meet international law and standards for the use of lethal force by police. Nine states and Washington DC have not even enacted laws on use of lethal force by law enforcement officers. Nine other states' use of force laws authorize police use of deadly force to suppress a riot, compared to a mere eight states that require law enforcement to provide a warning before lethal force is used. Only three states require law enforcement to create no risk to the life of a bystander before using lethal force.

Congress must enact a federal standard to ensure that a person's right to survive a police encounter does not depend on the color of their skin or where they live. A more restrictive national standard is urgently needed to protect our right to be safe, the right to live, the right to be free from discrimination and the right to be equally protected by the law.

DISPARATE IMPACT

When interacting with police everyone has a right to be safe, be free from discrimination, be equally protected before the law and survive the encounter.

Black people represent 12.7% of the US population, but 23% of the total police deaths in 2019. Black people are more than twice as likely to be killed by police compared to white people.

HUMAN RIGHTS OBLIGATIONS

One of a state's most fundamental duties, which police officers must comply with, is to protect life. International law only allows police officers to use lethal force as a last resort in order to protect themselves or others from an imminent threat of death or serious injury. Furthermore, international law enforcement standards require that **force of any kind may be used only when there are no other means available**. If the force is unavoidable, it must be no more than is necessary and proportionate.

Police officers are rarely prosecuted and even more rarely convicted for killing people. In a case when a person is killed as a result of a law enforcement officer's unlawful use of lethal force, the family has the right to an effective remedy. Our current body of laws regarding police use of lethal force makes that incredibly rare. It is common sense to expect police to deescalate a situation by calming things down before resorting to serious or deadly force, yet our laws largely do not reflect that.

LIMIT FORCE TO HELP SAVE LIVES

The PEACE Act (H.R. 4359) would:

- Require officers to exhaust reasonable alternatives before resorting to the use of force and the use of deadly force;
- Limit the use of deadly force by federal law enforcement to that which is necessary - as a last resort - to prevent imminent and serious injury or death;
- Require consideration of the actions of both the individual and the officer leading up to and at a use of force encounter. If a police officer's own gross negligence led to the need for force, the officer cannot claim their actions were justified;
- Require that States enact a substantially similar law in order to receive full federal grant dollars under the Edward Byrne JAG grant program as conditioned by the U.S. Attorney General;
- Direct the U.S. Attorney General to issue guidance in consultation with impacted communities, survivors of police use of force, and civil society organizations;

RECOMMENDATION TO CONGRESS

Members of Congress should urgently cosponsor and encourage the passage of Police Exercising Absolute Care with Everyone Act of 2019 or PEACE Act (H.R. 4359)

For questions contact **Krissy Roth at Amnesty International USA** at kruth@aiusa.org.