

June 8, 2020

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

Dear Representative,

On behalf of the undersigned 117 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 2019,<sup>1</sup> 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 fail 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 cites that 1,004 people were shot and killed by police in 2019. Among these killings, Black and Latinx people are overrepresented, with Black people killed at more than twice the rate of white people<sup>2</sup>.

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 used.<sup>3</sup>

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 only after reasonable alternatives have been exhausted. This pushes beyond any state with a law addressing police use of force<sup>4</sup> and the current federal standard.

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 Lives,<sup>5</sup> 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

---

<sup>1</sup> H.R. 4359, 116<sup>th</sup> Cong.

<sup>2</sup> “Fatal Force: Police Shootings Database.” *The Washington Post*, WP Company, 22 Jan. 2020, [www.washingtonpost.com/graphics/investigations/police-shootings-database/](http://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>.

<sup>3</sup> *Deadly Force: Police Use of Lethal Force in the United States*. Amnesty International USA, June 2015, [www.amnestyusa.org/files/aiusa\\_deadlyforcereportjune2015.pdf](http://www.amnestyusa.org/files/aiusa_deadlyforcereportjune2015.pdf).

<sup>4</sup> 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.

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

killings. Under the PEACE Act, states that receive federal funding from the Edward Byrne Memorial Justice Assistance Grant Program<sup>6</sup> 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 public trust. In 2011, the Seattle Police Department, under a consent decree with the Department of Justice, restricted its department policy on use of force given recommendations emphasizing de-escalation. A 2017 Seattle Police Monitor report<sup>7</sup> 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 for the law to require 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 [kroth@aiusa.org](mailto:kroth@aiusa.org); or Kanya Bennett of the ACLU at [kbennett@aclu.org](mailto:kbennett@aclu.org).

Sincerely,

Ciara Hamilton, first Cousin of Diante "Butchie" Yarber, killed by Barstow Police in 2018  
Annalesa Thomas, Mother of Leonard Thomas killed by Pierce County Metro SWAT in 2013  
Uncle Bobby X, Uncle of Oscar Grant, killed by BART police in 2009

Amnesty International USA  
Al Otro Lado  
ALEPH: Alliance for Jewish Renewal  
Alianza Nacional de Campesinas  
Alliance for a Healthy Washington  
Alliance for Boys and Men of Color  
Alliance of Baptists  
Ameinu  
American Civil Liberties Union  
American Friends Service Committee  
Arts for Incarcerated Youth Network  
Autistic Self Advocacy Network  
Avodah  
Aytzim  
Bend the Arc: Jewish Action  
Best Practices Policy Project

---

<sup>6</sup> 34 U.S.C. 10151 et seq.

<sup>7</sup>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).

Black and Pink  
CA Families United 4 Justice  
California Association of Student Councils  
California Primary Care Association  
California Public Defender's Association  
Californians for Justice  
Campaign for Youth Justice  
Campaign Zero  
Campesinos Sin Fronteras  
Center for Disability Rights  
Center for Gender & Refugee Studies  
Center for Law and Social Policy (CLASP)  
Church of Scientology National Affairs Office  
Coalition for Juvenile Justice  
Community Legal Services in East Palo Alto  
Congregation of Our Lady of Charity of the Good Shepherd, U.S. Provinces  
Council on American-Islamic Relations (CAIR)  
Desiree Alliance  
Destiny Arts Center  
Disciples Center for Public Witness  
Drug Policy Alliance  
Ella Baker Center for Human Rights  
Empowering Marginalized Asian Communities  
Eshel  
Families United 4 Justice  
Family Violence Law Center  
Fresno Barrios Unidos  
Friends Committee on Legislation of California  
Friends Committee on National Legislation  
From Prison Cells To PhD  
Habonim Dror North America  
Innocence Project  
Japanese American Citizens League  
Jewish Council for Public Affairs  
Jewish Labor Committee  
John Burton Advocates for Youth  
Justice Revival  
Justice Roundtable  
Keshet  
Lambda Legal  
Latino Coalition for a Healthy CA  
LatinoJustice PRLDEF

Law Enforcement Action Partnership  
Leadership Conference of Women Religious  
Legal Services for Prisoners with Children  
Los Angeles Black Worker Center  
Love Not Blood Campaign  
Mennonite Central Committee U.S. Washington Office  
Mothers Against Police Brutality  
Mothers for Police Accountability  
Muslim Advocates  
NAACP  
NAACP Legal Defense and Educational Fund, Inc.  
National Advocacy Center of the Sisters of the Good Shepherd  
National Association of Social Workers  
National Black Justice Coalition  
National Center for Transgender Equality  
National Council of Churches  
National Council of Jewish Women  
National Council of Jewish Women California  
National Education Association  
National LGBTQ Task Force Action Fund  
National Urban League  
National Youth Employment Coalition  
NETWORK Lobby for Catholic Social Justice  
Nevada Coalition Against the Death Penalty  
Next Steps Washington  
Open Society Policy Center  
PA Council of Churches  
PICO California  
PolicyLink  
Presbyterian Church (U.S.A.), Office of Public Witness  
Reconstructing Judaism  
Silicon Valley De-Bug  
SJSU Human Rights Institute  
Society for Humanistic Judaism  
Southern Border Communities Coalition  
Southern Center for Human Rights  
Southern Echo Inc.  
SparkAction  
Stop Coalition  
Strategies for Youth  
The Alliance for Boys and Men of Color  
The Black Sex Worker Collective

The Center for HIV Law and Policy  
The Justice Collaborative  
The Leadership Conference on Civil and Human Rights  
The Taifa Group  
The Vallejo Peace Project  
Tivnu: Building Justice  
TRANScending Barriers Atlanta  
T'ruah: The Rabbinic Call for Human Rights  
UnidosUS  
Union for Reform Judaism  
URGE: Unite for Reproductive & Gender Equity  
Veterans For Peace  
VOCAL-WA  
Washington Office on Latin America  
Witness at the Border  
Workers Center of Central New York  
Youth ALIVE!