



**HR 4359: Police Exercising Absolute Care with Everyone Act of 2019 or PEACE Act  
Sponsors Reps. Ro Khanna (D-CA-17) and William “Lacy” Clay (D-MO-01)**

**Talking points**

***Our rights***

- When interacting with police we all have a right to be safe, be free from discrimination, be equally protected before the law and survive the encounter.
- Police officers are rarely prosecuted and even more rarely convicted for killing people. Anyone whose rights have been violated has the right to remedy. In a case when a person is killed as a result of law enforcement officer’s unlawful use of lethal force, the family has the right to an effective remedy<sup>1</sup>. Our current body of laws regarding police use of lethal force makes that incredibly rare.

***The problem***

- The core principal of policing is to respect and preserve human life. With approximately 1,000 people killed by police annually in the US, and Black people more than twice as likely to be killed by police as white people, our laws clearly do not reflect this principle.
- All 50 states and Washington DC fail to comply with international law and standards on the use of lethal force by law enforcement officers. Of the 41 states that have laws on police use of deadly force, laws range widely in their permissiveness, 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. We all deserve the right to be safe
- 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.

***About the bill***

- The Peace Act would restrict federal law enforcement officers 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 force<sup>2</sup> and the current federal standard.
- Police should reserve deadly force as a last resort not a first option, yet few states require police to exhaust reasonable options before resorting to deadly force. 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.

---

<sup>1</sup> International Covenant on Civil and Political Rights, Article 2 paragraph 3

<sup>2</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.

- Only eight states require police officers to provide a warning before lethal force is used. The PEACE Act requires officers to identify themselves, give a verbal warning, and notify the person that force will be used if the person resists or flees.
- Under the PEACE Act, the US Attorney General can restrict a state's ability to receive full federal funding from the Edward Byrne Memorial Justice Assistance Grant Program<sup>3</sup> unless a police use of force law like the standard in the PEACE Act is enacted in that state.
- The PEACE Act requires consideration of the actions of both the individual and the officer leading up to 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.
- The conversation doesn't stop with the passage of the PEACE Act. The bill directs the Attorney General to work with impacted communities, civil and human rights organizations, victims of police use of force and law enforcement and representatives of law enforcement associations, to provide guidance to Federal law enforcement agencies on the types of less lethal force and deadly force that are prohibited by the bill, and how a Federal law enforcement officer can assess whether the use of force is appropriate and necessary, and use the least amount of force when interacting with:
  - pregnant women;
  - children and youth under age 21;
  - elderly persons;
  - persons with mental, behavioral, or physical disabilities or impairments;
  - persons experiencing perceptual or cognitive impairments due to use of alcohol, narcotics, hallucinogenic, or other drugs;
  - persons suffering from a serious medical condition; and
  - persons with limited English proficiency.

### ***Change is possible***

- Protecting the public and maintaining officer safety are not at odds with one another. The Seattle Police Department, under a consent decree with the Department of Justice, restricted their department policy on use of force following recommendations emphasizing de-escalation. A 2017 Seattle Police Monitor report<sup>4</sup> found that following implementation, police use of force decreased, as did crime, without an increase in officer injuries.

You can view the full text of the bill [here](#)

Tell your Member of Congress to support the bill [here](#)

---

<sup>3</sup> 34 U.S.C. 10151 et seq.

<sup>4</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](http://static1.squarespace.com/static/5425b9f0e4b0d66352331e0e/t/58e6a753ff7c50ebbad126f8/1491511130661/Ninth+Systemic+Assessment--Use+of+Force--FINAL.pdf).

**For any questions on the PEACE Act contact Krissy Roth at Amnesty International USA ([kroth@aiusa.org](mailto:kroth@aiusa.org)) or Kanya Bennett at the ACLU ([kbennett@aclu.org](mailto:kbennett@aclu.org))**