

## Proposal: Police Body Cameras

After the Ferguson grand jury made its decision in the Michael Brown case, Brown's family issued a call urging people to protest peacefully and to "join us in our campaigns to ensure that every police officer working the streets in this country wears a body camera."

Body cameras (also called "cop cams") are small, pager-sized cameras that clip onto an officer's uniform or are worn as a headset. They record audio and video of the officer's interactions with the public. Police departments around the country, including in New York City, are beginning to use these cameras to document what happens in encounters between police officers and the public, events that are often in dispute – as they were in the case of Michael Brown. President Obama has included body cameras as part of his proposal to "strengthen community policing."

Proponents say the cameras would provide evidence that might protect the public against police misconduct, and also help protect police in cases where they have been falsely accused.

Some police officials support the body cameras, but others express concern. Boston police Commissioner William B. Evans said he was "worried about its impact on our relationship with the community. I fear that a lot of people... might not want to have that interaction with us if they knew they're on camera or they're being recorded."

<http://www.policeone.com/police-products/body-cameras/articles/7921491-Boston-brass-police-union-fear-body-cams-on-cops/>

Many people have noted that in the case of Eric Garner, there was video and audio documentation of the interaction between Garner and the officers (via cell phone). And yet the nature of the interaction was still in dispute, and the grand jury found there was not enough evidence to charge the officer whose chokehold killed Garner.

The American Civil Liberties Union (ACLU), which opposes most kinds of government surveillance, says that "the challenge of on-officer cameras is the tension between their potential to invade privacy and their strong benefit in promoting police accountability. Overall, we think they can be a win-win— but *only* if they are deployed within a framework of strong policies to ensure they protect the public without becoming yet another system for routine surveillance *of* the public, and maintain public confidence in the integrity of those privacy protections."

<https://www.aclu.org/technology-and-liberty/police-body-mounted-cameras-right-policies-place-win-all>

### Questions to discuss:

1. What are some arguments for and against this proposal?
2. Do you think this proposal makes sense? Why or why not?
3. What questions do you have about the proposal? Write these down.
4. What is important to share with the class about this proposal and what we think about it?

## **Proposal: Community Policing**

President Obama and many others have argued that one way to reduce incidents like those in Ferguson and Staten Island is to expand a policing strategy called “community policing.” Obama proposed to create a “new task force to promote expansion of the community-oriented policing model, which encourages strong relationships between law enforcement and the communities that they serve as a proven method of fighting crime.”

<http://www.whitehouse.gov/blog/2014/12/01/building-trust-between-communities-and-local-police>

“Community policing” is a broad term, and many police departments use some version of it. It can range from getting police out of their cars and into regular face-to-face contact with community members, to regular meetings between police and community members to address crime issues, to more involved strategies in which police are in dialogue with gang members and others to increase understanding, address needs, and reduce crime.

Community policing aims to both engage the community in combatting crime and enable police officers to establish positive relationships with community members, so that police officers can see problems in the community more holistically and humanistically. Instead of simply responding to emergency calls and arresting suspects, police officers have positive interactions with the community.

The Police Reform Organizing Project advocates for an intensive kind of community policing such as that used in New Orleans as part of that city’s NOLA for Life murder-reduction strategy. The idea is to address the city’s crime problem in much the way public health officials work to eradicate infectious diseases, addressing such underlying problems as poor educational and job opportunities, insufficient mental health services, neighborhood blight, and inadequate police training.

<http://www.policereformorganizingproject.org/wp-content/uploads/2014/07/A-Blueprint-for-NYPD-Reform.pdf>

### **Questions to discuss:**

1. Do you think this proposal makes sense? Why or why not?
2. Do you think some kinds of community policing might be more effective than others? Why?
3. What questions do you have about the proposal? Write these down.
4. What is important to share with the class about this proposal and what we think about it?

## **Proposal: Demilitarizing the Police**

In the aftermath of the shooting of Michael Brown in Ferguson, protesters took to the streets. They were met with a police response that included military tanks, combat gear and assault rifles. The military equipment came from the U.S. Defense Department, which has been giving local law enforcement surplus equipment from the battlefields of Iraq and Afghanistan, including helicopters, firearms, protective gear, night vision, and camouflage clothing.

Jim Pasco, the executive director of the Fraternal Order of Police, defended the program, saying it has helped law enforcement keep up with criminals.

In December, President Obama announced that he would tighten standards on the provision of military-style equipment to local police departments, but did not announce support for ending the transfer of military-grade gear to local law enforcement authorities. Obama administration officials argued that the military-style equipment strengthened local policing, but that local authorities needed common standards in the types of hardware they requested and better training in how to use it.

<http://www.nytimes.com/2014/12/02/us/politics/obama-to-toughen-standards-on-police-use-of-military-gear.html>

But some people on both the political left and right say that local police should not be using military equipment and tactics on Americans. “When you begin to confuse and blur the lines between the military and police, you get unnecessary violent confrontations, such as what we're seeing in Ferguson,” said Tim Lynch, a criminal justice expert at the libertarian Cato Institute. Kara Dansky, senior counsel for the American Civil Liberties Union (ACLU) said that “When people see what looks like a tank in their neighborhoods, they start to think they are under siege,” she said. “It's an excessive show of force. It tends to put people in harm's way and exacerbates the risk of violence.”

A proposal called the Stop Militarizing Law Enforcement Act of 2014 would put strict limits on the transfer and use of military equipment to local law enforcement.

<http://byp100.org/wp-content/uploads/2014/09/BYP100-Agenda-to-Keep-Us-Safe-AKTUS.pdf>

### **Questions to discuss:**

1. What are some arguments for and against demilitarizing the police?
2. Do you think the proposal makes sense? Why or why not?
3. What questions do you have about the proposal? Write these down.
4. What is important to share with the class about this proposal and what we think about it?

## **Proposal: End Racial Profiling**

The American Civil Liberties Union (ACLU) defines “racial profiling” as “the discriminatory practice by law enforcement officials of targeting individuals for suspicion of crime based on the individual's race, ethnicity, religion or national origin.... Examples of racial profiling are the use of race to determine which drivers to stop for minor traffic violations (commonly referred to as ‘driving while black or brown’), or the use of race to determine which pedestrians to search for illegal contraband.”

Political leaders from both left and right (such as former president George W. Bush) have decried racial profiling, but it is still widespread. Former New York Mayor Michael Bloomberg said he opposed racial profiling but defended the city's “stop and frisk” policy, in which police have stopped hundreds of thousands of people, about 87 percent of them Black or Latino (89 percent were found to be doing nothing wrong). Bloomberg said that stop-and-frisk is justified: “Unlike many cities, where wealthy areas get special treatment, the NYPD targets its manpower to the areas that suffer the highest crime levels. Ninety percent of all people killed in our city — and 90 percent of all those who commit the murders and other violent crimes — are black and Hispanic.”

<http://www.washingtonpost.com/blogs/wonkblog/wp/2014/12/05/the-long-halting-still-unfinished-fight-to-end-racial-profiling-in-america/>

[http://www.washingtonpost.com/opinions/fixing-new-yorks-flawed-stop-and-frisk-policing/2013/08/14/956c5638-0382-11e3-a07f-49ddc7417125\\_story.html](http://www.washingtonpost.com/opinions/fixing-new-yorks-flawed-stop-and-frisk-policing/2013/08/14/956c5638-0382-11e3-a07f-49ddc7417125_story.html)

However, a federal judge found that stop and frisk violated the constitutional rights of the city's blacks and Latinos.

<http://www.nytimes.com/2013/08/13/nyregion/stop-and-frisk-practice-violated-rights-judge-rules.html?pagewanted=all>

Not long after the Garner and Brown grand jury decisions, U.S. Attorney General Eric Holder announced new policies against racial profiling at the federal level. “As attorney general, I have repeatedly made clear that profiling by law enforcement is not only wrong, it is profoundly misguided and ineffective,” Holder said. “Particularly in light of certain recent incidents we’ve seen at the local level, and the widespread concerns about trust in the criminal justice process, it’s imperative that we take every possible action to institute strong and sound policing practices.” However, Holder’s policies will not directly affect local police departments like those in Ferguson and New York City.

[http://www.washingtonpost.com/world/national-security/justice-dept-to-announce-new-rules-to-curb-racial-profiling-by-federal-law-enforcement/2014/12/07/e00eca18-7e79-11e4-9f38-95a187e4c1f7\\_story.html](http://www.washingtonpost.com/world/national-security/justice-dept-to-announce-new-rules-to-curb-racial-profiling-by-federal-law-enforcement/2014/12/07/e00eca18-7e79-11e4-9f38-95a187e4c1f7_story.html)

Protesters and civil liberties organizations support passage of the End Racial Profiling Act, which would:

- prohibit the use of profiling based on race, religion, ethnicity or national origin by any federal, state, local or Indian tribal law enforcement agency;
- give individuals recourse if they have been unfairly targeted by such practices;
- institute programs to eliminate racial profiling that would require training for law enforcement agents, data collection, and procedures for responding to complaints;
- permit the Attorney General to withhold grants from law enforcement agencies not complying with the Act and provide grants to agencies that are attempting to develop and implement best practices to eliminate racial profiling; and

- mandate that the Attorney General submit periodic reports to Congress on any discriminatory policing practices to ensure that the intent of the bill is being met over time.

<http://www.rightsworkinggroup.org/content/ERPA>

**Questions to discuss:**

1. What do you think about Mayor Bloomberg's argument in favor of stop and frisk?
2. What do you think of the End Racial Profiling Act?
3. What questions do you have about the proposal? Write these down.
4. What is important to share with the class about this proposal and what we think about it?

## **Proposal: Right to Know Act**

This proposal, now under consideration by the New York City Council, would require police officers conducting warrantless searches to tell the individuals that they have a right not to be searched. Officers would then have to create an audio or signed written record indicating consent to the search. In addition, police would be required to give a business card to people they stop if there is no arrest or summons.

The intent of the law, according to the proposers, is to “create greater transparency in law enforcement practices,” which will “shield police officers from false claims of wrongdoing, and contribute to the efficiency and effectiveness of our criminal justice system.”

<http://legistar.council.nyc.gov/LegislationDetail.aspx?ID=2015555&GUID=652280A4-40A6-44C4-A6AF-8EF4717BD8D6&Options=Advanced&Search=>

However, Police Commissioner William J. Bratton said the law would be “an onerous and unnecessary intrusion...It’s totally unnecessary. It’s part of an ongoing effort to bridle the police and the City of New York.”

[http://thechiefleader.com/news/open\\_articles/pba-denounces-as-anti-police-bill-requiring-disclosure-on-searches/article\\_478f7268-6e77-11e4-921a-9bc9810f034e.html](http://thechiefleader.com/news/open_articles/pba-denounces-as-anti-police-bill-requiring-disclosure-on-searches/article_478f7268-6e77-11e4-921a-9bc9810f034e.html)

Johanna Miller, the advocacy director at the New York Civil Liberties Union, which supports the Right to Know Act, said that it's "hard to predict" the effect the legislation would have had on Garner's case specifically. However, she said, "to the extent that Eric Garner is the result of a situation that was unnecessarily escalated because a police officer felt challenged in his authority, these bills go right to the heart of that situation."

[http://www.huffingtonpost.com/2014/12/03/this-legislation-could-st\\_n\\_6264938.html](http://www.huffingtonpost.com/2014/12/03/this-legislation-could-st_n_6264938.html)

1. What are some arguments for and against the “right to know act”?
2. Do you think the proposal makes sense? Why or why not?
3. What questions do you have about the proposal? Write these down.
4. What is important to share with the class about this proposal and what we think about it?

## **Proposal: Truth & Reconciliation Process**

The Brown and Garner cases shine a light on ongoing racial injustice in our society. People have come up with a wide variety of proposals to address some of the underlying injustices that these two cases have highlighted. These include a “national plan of action on racial justice” endorsed by groups including the US Human Rights Network and Ferguson Action.”

<http://www.ushrnetwork.org/nationalplanofaction-racialjustice#sthash.SjMMFIHs.dpuf>

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The proposal below describes another approach aimed at achieving greater racial justice.

A range of groups, including religious organizations, have called for a U.S. “truth and reconciliation” process, modeled on a process used in South Africa, to address historical and present-day racism.

<http://catholicmoraltheology.com/statement-of-catholic-theologians-on-racial-justice/>

Fania Davis, a civil rights attorney and executive director of Restorative Justice for Oakland Youth, makes this argument for a national restorative process in the magazine Yes:

“To move toward a reconciled America, we have to do the work ourselves. Reconciliation is an ongoing and collective process. We must roll up our sleeves and do the messy, challenging, but hopeful work of creating transformed relationships and structures leading us into new futures. Someone like Archbishop Desmond Tutu, who headed up South Africa's Truth and Reconciliation Commission, might come to Ferguson to inspire and guide us as we take the first steps on this journey.

A Ferguson Truth and Reconciliation process based on restorative justice (RJ) principles could not only stop the epidemic but also allow us as a nation to take a first ‘step on the road to reconciliation,” to borrow a phrase from the South African experience. A restorative justice model means that youth, families, and communities directly affected by the killings—along with allies—would partner with the federal government to establish a commission. Imagine a commission that serves as a facilitator, community organizer, or Council of Elders to catalyze, guide, and support participatory, inclusive, and community-based processes.”

<http://www.yesmagazine.org/peace-justice/this-country-needs-a-truth-and-reconciliation-process-on-violence-against-african-americans>

### **Questions to discuss:**

1. Do you think a truth and reconciliation process would benefit our society? Why or why not?
2. What questions do you have about the proposal? Write these down.
3. What is important to share with the class about this proposal and what we think about it?