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NEAC POLICING ADVOCACY ISSUES

The NAACP, New England Area Conference (NEAC), has undergone a deliberative process to address urgent policing issues our communities are facing. The process included significant discussion by NEAC members, which resulted in recommendations to the Executive Committee. With some tweaking and minor changes, the recommendations were adopted.

The adopted policing policies provide guidelines for NEAC and our Branches to address. Some relate solely to municipalities and counties and those must be addressed by Branches. Some relate solely to state issues and statutes, which must be addressed by NEAC. Thirdly, some relate to state, municipal and county governmental entities and statutes. Those will be addressed by NEAC, in concert with Branches.

NEAC acknowledges that there are yet broader issues relating to how governmental entities should be **re-imagined** to provide safety and protection to communities and the enforcement of laws. This review requires a different and somewhat longer process, which should include more research and analysis. The NEAC criminal justice committee is being asked to begin that process.

The NEAC Policing Advocacy Issues document, which follows, is divided into the 3 sections, municipal and county issues, state issues, and the combined municipal, county and state issues.

Municipal and County Issues

1. Establish a civilian review board with subpoena power which must review all police deadly shootings and excessive force complaints.

2. Reduce police department budget where appropriate to reallocate funds for mental health and other community based services.
3. Remove uniformed, armed police from public schools and increase the presence of trained professionals to manage disciplinary matters.
4. In communities where the housing cost will permit, adopt and enforce residency requirements for police jobs.

State Issues

5. Enact statutes to eliminate the qualified immunity doctrine.
6. Establish a strong statewide Peace Officer Standards and Training (POST) system to certify police officers and enable de-certification for misconduct and abuse.
7. Modify the application of veteran's preference in police hiring. Add racial and ethnic diversity as a preference for police positions to ensure that all policing units are racially, ethnically and gender diverse and that when the percentage of people of color exceeds 5% of a community, the percentage of people of color are at least proportional to the population of people of color.
8. Enact statutes which require that all civil monetary awards in dispute settlements and court ordered judgments against states, counties, cities or towns be made public, in instances where a police shooting, police misconduct, police excessive force, racial, ethnic or gender discrimination is alleged. Additionally, the full cost of defending such cases must be made public. At the end of each calendar year, the governmental entity must publish the aggregate amount of any such awards in local publications.

9. Review and modify de-escalation protocols, and require data collection and regular public reporting of police use of force.

10. Develop an updated statewide data collection system with race and ethnicity identification that is standardized and mandatory for all law enforcement agencies related to use of force, traffic stops, arrests, mental health and other related topics. This data should be used to help shape oversight and training efforts, be fully accessible to the public in easy-to-read formats and housed as a statewide database.

11. Establish a statewide model policy on the use of force for all law enforcement agencies and officers. The model policy shall establish a statewide definition for what constitutes the use of force by police. Such use of force should only be authorized where it is necessary, reasonable and proportionate, as deemed by a reasonable person.

12. Require the investigation and prosecution, if appropriate, by any city, town or county law enforcement officer involved in a deadly shooting be conducted by a special unit of the state attorney general's office established for that purpose. Where a deadly shooting is committed by a state law enforcement officer, the governor, senate president and speaker of the house must agree, by majority vote, to engage a special prosecutor to investigate and prosecute, if deemed appropriate, the accused law enforcement officer.

13. Seek Enactment of a Statute or Ordinance Establishing a Presumption for Summonses. Such laws would require that law enforcement officers issue court summonses for all misdemeanors and non-violent minor offenses.

14. The hiring, promotion and retention of Black law enforcement officers and other officers of color is an important element of a fair and trusted criminal justice system. Accordingly, allegations of patterns and practices of discrimination and disparate treatment of officers of color by law enforcement agencies must be investigated and appropriate action taken by the US Department of Justice.

Municipal, County and State issues

15. Prior to any promotion, candidates must demonstrate their understanding of fair and impartial policing practices as well as de-escalation and procedural justice.

16. All law enforcement officers must be required to use body worn cameras. There must be clear and consistent statewide policies governing their use, including activation / de-activation, privacy issues and release of camera footage.

17. Prohibit the police use of a fire arm unless it is necessary and reasonable, as deemed by a reasonable person, to save the life of a police officer and, or the life of members of the general public. Shooting an unarmed person, a fleeing person or the shooting of a person in the back are additionally and specifically prohibited.

18. Establish the duty and obligation of other police officers on an incident scene to intervene when they witness the excessive use of force by a fellow officer.

19. Prohibit no knock warrants.

20. Prohibit the use by police officers of any technique, tactic or hold which restricts the circulation of blood or air in the body.

DOCUMENT NOTES

In this document, the terms police and law enforcement officers and departments are intended to include sheriff deputies and or sheriff departments. It is important to make this reference because in Massachusetts, the Massachusetts Supreme Judicial Court has ruled that under the relevant statute, sheriff deputies are nor law enforcement officers.

Dated: July 2, 2020