

Submitted to CCSAC By a member of the audience

June 3, 2019

Dear Sir or Madam,

I write today on behalf of Ohio Justice Families Coalition to invite and urge you to publicize, support, and endorse our ongoing efforts to update law in the great state of Ohio to modern standards recently adopted by other states, in police training and policy.

Our multiracial coalition is not about being anti-police, it's about fighting for human life. The time for change is now, and the great news is that across the country it is already happening.

CALIFORNIA: In 2018, the great state of California adopted transparency laws (CA SB1421 and AB748), which go beyond Ohio's sunshine law to ensure that records of individual officers' misconduct and officer-involved shootings are open to reasonable and necessary citizen oversight. "...Effective January 1, 2019, SB 1421 amends Government Code Section 832.7 to generally require disclosure of records and information relating to the following types of incidents... AB 748 requires agencies, effective July 1, 2019, to produce video and audio recordings of "critical incidents," defined as an incident involving the discharge of a firearm at a person by a peace officer or custodial officer, or an incident in which the use of force by a peace officer or custodial officer against a person resulted in death or great bodily injury, in response to CPRA requests.

<https://www.calpublicagencylaboremploymentblog.com/public-safety-issues/governor-signs-sb-1421-and-ab-748-dramatically-increasing-public-access-to-peace-officer-personnel-records-2/>

WASHINGTON: In 2019, the great state of Washington approved revisions to Initiative 940 which had been passed by voters, resulting in the strictest consequences when police kill unarmed citizens.

https://www.washingtontimes.com/news/2019/jan/30/washington-senate-approves-revisions-to-initiative/?utm_source=GOOGLE&utm_medium=cpc&utm_id=chacka&utm_campaign=TWI+-+DSA&gclid=EA1aIQobChMip_36_fzC4gIVjpOzCh2PVADbEAAyAAEgLP0vD_BwE

These encouraging, hard-won strides were not limited to the West Coast. In New York and Tennessee, progress came in the form of municipal citizen oversight.

NASHVILLE, TN: "... By a wide margin, Nashvillians voted to create a new citizen-led panel to oversee the actions of the Metro police department, a move stemming from a decades-long push from black leaders in the city. The Election Day victory for supporters of Amendment 1 to the Metro Charter came despite facing a massive fundraising disadvantage against the Nashville Fraternal Order of Police, which bankrolled efforts to defeat the measure..."

<https://www.tennessean.com/story/news/2018/11/07/nashville-amendment-1-approved-whats-next-police-oversight-board/1917838002/>

NYC: "...The NYC Civilian Complaint Review Board (CCRB) is the United States' largest independent oversight agency of the largest police force in the country. An impartial board of the New York City government, the CCRB is tasked with investigating, mediating, and prosecuting complaints of misconduct on the part of the New York City Police Department. Its regulations are compiled in Title 38-A of the New York City Rules..."

https://en.wikipedia.org/wiki/Civilian_Complaint_Review_Board

As you know, in the great state of Ohio, communities recently endured a number of tragic policing events such as the very public, tragic losses of Tamir Rice and John Crawford, III. To most people, these dramatically

vivid events generally seem like individual anomalies. But the longer, deeper, and disturbing history *also* includes *hundreds and hundreds of Ohio citizens lost to badge-bearing authority, just since 2000*. This is why, only a few years ago, a statewide task force recommended *all of the changes other states and municipalities are implementing*. We must catch up!

And, with the escalating pattern of false reports being called in to police stations... without better training and policy this horrific trend can only escalate.

In short, *we need your help to de-escalate*. The free press has played important roles in each state's adoption of modern policing legislation and policy. At its best, humanity thrives where there is leadership calling people to rally around common ground. And despite the deep divisions remaining to be healed across America, people everywhere *are* coming together to demand humane policing, de-escalation of force when possible, and reasonable oversight. The common ground is simple: *this is not about being anti-police, it's about saving human lives*. All concerned citizens should care about the stolen heartbeats of 820 citizens killed—more than 50 of them minors.

Will you join this life-saving, community-strengthening effort?

Please find, in the following addenda:

- An imminent event listing providing an opportunity to meet Justice Family Coalition leaders, hear their stories, and learn about planned legislative initiatives;
- More background materials for your information and consideration.
- A few of the organizations in the Ohio Justice Families Coalition.

We are eager to work with you to provide additional information.

Sincerely yours,

Susan Oldberg Hinton

Communications Spokeswoman

Ohio Justice Families Coalition

147 Ridgebury Drive; Xenia, Ohio 45385

poolrunning@gmail.com; 570-787-3311

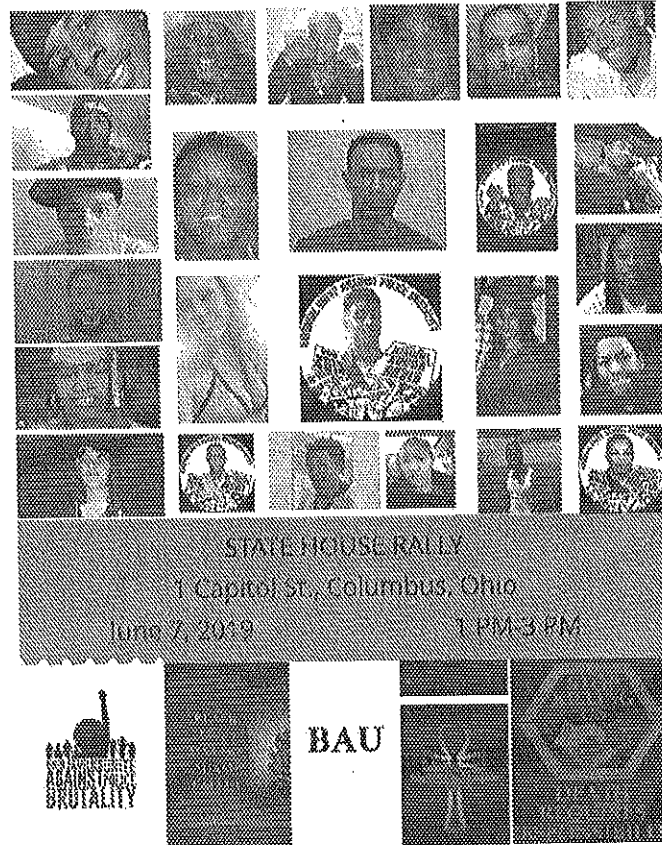
ADDENDA

EVENT – Big Big Big Weekend in Columbus Ohio Starting June 7th

Meet Justice Family Coalition leaders; hear their stories; learn about planned legislative initiatives.

Event Liaison: Mr. Kenny Brown, kabrown32@yahoo.com

Friday, June 7:



Protest Rally! State House 1:00-3:00pm

Police Accountability and Transparency Rally! Come out Speak Truth to Power! Be a Part of the Documentary!

“A Change is Gonna Come” listen to mothers and fathers, brothers and sisters who lost a family member at the hands of polices! Listen to our leaders in the church, the business community, and politicians! “How do we solve this problem?” Later that evening, come to an epic event of the summer at The Museum of Art! FIRST FRIDAYS PRESENTS “The Color of Summer.”

Saturday June 8, Concert

The CO will be Lit!

A COALITION MEMBER'S SUMMARY: De-Escalate Ohio's Current Legislative Focus

Background: CA AB 392: The California Act to Save Lives (D-Weber)

Removed "reasonable" standard provision, which would have codified the "reasonable" standard in California law. This provision would have been in direct conflict with a core provision of AB 392: establishing a "necessity" standard for when officers can use deadly force (only when necessary to protect against an immediate threat of harm to officers or other accountability reasonable alternatives were available);

Removed the concerning provision saying officers would be justified in killing people who are suspected of a minor crime, flee, and pose no immediate threat. This provision would have given officers justification for using deadly force in ways that would have violated the constitution.

What does this mean for AB 392? The writing is on the wall: AB 392 is the best path for accountability. "The Senate Public Safety Committee has made it clear: AB 392 is the vehicle for the reform Californians want and need to keep families safe and free from police violence.

AB 392 is still the only bill that will meaningfully change the current use of force standard, which allows police officers to kill people even when it is not necessary to defend themselves or others.

Today's amendments demonstrate that the status quo on policing has failed far too many California families. Thanks to the leadership of families and communities most affected by police brutality, abuse, and violence, consensus is growing that change is required to achieve real justice, real accountability, and real reform. AB 392 is that reform."

As a result of AB 392's passage, every officer in California will be trained on the new "necessity" standard and trained to de-escalate whenever safe and reasonable.

While training is important, it isn't enough to provide accountability or justice to Californians whose loved ones are killed lost in use of force tragedies.

Needed:

- Requiring officers to "utilize de-escalation techniques, crisis intervention teams, tactics, and other alternatives to force when feasible."
- Requiring officers to intervene in and to report other officers' excessive force.
- Requiring officers to provide prompt medical aid following a use of force.

CA SB1421 (adopted): Transparency. Equally important is citizen oversight's access to records related to police shootings and other serious or deadly uses of force.

WASHINGTON STATE BALLOT INITIATIVE 940.

Historic Legislation in 2018.

Some ... information on what state law (I-940 and SHB 1064) provide regarding de-escalation and mental health training:

NEW SECTION. Sec. 5. A new section is added to chapter 43.101 RCW to read as follows:

(1) Within six months after the effective date of this section, the **commission must consult with law enforcement agencies and community stakeholders and adopt rules** for carrying out the training requirements of sections 3 and 4 of this act. Such rules must, at a minimum:

- (a) Adopt training hour requirements and curriculum for **initial violence de-escalation trainings** required by this act;
- (b) Adopt training hour requirements and curriculum for **initial mental health trainings** required by this act, which may include all or part of the mental health training curricula established under RCW 43.101.227 and 43.101.427;
- (c) Adopt annual training hour requirements and curricula for **continuing trainings** required by this act;
- (d) Establish **means by which law enforcement officers will receive trainings** required by this act; and
- (e) Require **compliance** with this act's training.

(2) In **developing curricula**, the commission shall **consider inclusion** of the following:

- (a) De-escalation in patrol tactics and interpersonal communication training, including tactical methods that use time, distance, cover, and concealment, to avoid escalating situations that lead to violence;
- (b) Alternatives to jail booking, arrest, or citation in situations where appropriate;
- (c) Implicit and explicit bias, cultural competency, and the historical intersection of race and policing;
- (d) Skills including de-escalation techniques to effectively, safely, and respectfully interact with people with disabilities and/or behavioral health issues;
- (e) "Shoot/don't shoot" scenario training;
- (f) Alternatives to the use of physical or deadly force so that de-escalation tactics and less lethal alternatives are part of the decision-making process leading up to the consideration of deadly force;
- (g) Mental health and policing, including bias and stigma; and
- (h) Using public service, including rendering of first aid, to provide a positive point of contact between law enforcement officers and community members to increase trust and reduce conflicts.

(3) The initial violence de-escalation training must **educate officers on the good faith standard for use of deadly force** established by this act and how **that standard advances violence de-escalation goals**.

(4) The commission may provide trainings, alone or in partnership with private parties or law enforcement agencies, authorize private parties or law enforcement agencies to provide trainings, or any combination thereof. The entity providing the training may charge a reasonable fee.

CURRENT INITIATIVES— IN THE GREAT STATE OF PENNSYLVANIA:

(FMI: Hon. Ed Gainey, Member, Democratic Caucus of the Pennsylvania House of Representatives, serving Allegheny County (<http://www.pahouse.com/24/Contact/>))

HARRISBURG, May 1 — State Rep. Summer Lee, D-Allegheny, members of the Pennsylvania Legislative Black Caucus and other legislators joined hundreds of youth and community members at a noontime rally Tuesday in the Pennsylvania Capitol Rotunda to call for reforms to Pennsylvania's law enforcement system.

"We're here today supporting a package of legislation that would protect our communities, and I want to make it clear, *this is not anti-police legislation. We want the best training for our police officers,*" Lee said. "But we need accountability. We need to update and change the laws by which police operate to ensure our children come home at night. We're here today with hope. We're here today with demands, and we're here today with solutions."

Bills being introduced by legislators include:

- **Use of Force**, Rep. Ed Gainey and Rep. Summer Lee -- Provides definitions for the use of deadly force.*
- **Special Prosecutor**, Rep. Brian Sims -- Requires the Attorney General to appoint a Special Prosecutor to investigate any incident of deadly use of force by a law enforcement officer.*
- **False reports t Law Enforcement***
- **Inter-departmental Law Enforcement Hiring Reform**, Rep. Chris Rabb -- Requires law enforcement agencies to keep detailed personnel records that include criminal, civil and ethics complaints, and the reason surrounding an officer leaving a job for hiring purposes.
- **Arbitration**, Rep. Donna Bullock -- Prohibits the use of arbitration regarding matters of discipline for police.
- **Certification and Decertification Process for Police Officers**, Rep. Jake Wheatley --Establishes a statewide standard for training and policing regulations for departments and individual officers, including municipal/local officers, sheriffs, correctional officers and state police.

"There is nothing more precious than a human life. And we need to work to make sure that every time our children go outside, they have a chance to come home at night," Gainey said. "If the law is bad, then we need to change the law. It's that simple. But I am tired of seeing young African American men and women being killed simply for running away."

"This package of bills includes provisions for law enforcement licensing, similar to how other professions are licensed," Wheatley said. "We need law enforcement to have a similar process. We know that we have many great police officers; we also know that we have some bad actors, just as we do in all other professions. These bills would protect our good officers, just as they would protect our communities."

"The goal is to provide more police accountability and increase police standards so that communities can begin to have faith and trust in the police departments that patrol and protect their neighborhoods," Davis said. "This bill package provides the building blocks to a brighter, more positive police-community relationship across the commonwealth."

***Select Current PA Bills**

***1. Law Enforcement Deadly Use of Force**

On June 19, 2018, 17-year-old Antwon Rose II was shot in the back and killed by East Pittsburgh police officer Michael Rosfeld. He was unarmed, afraid, and fleeing. Despite the clear facts of the case, the officer was acquitted of the murder charge in a ruling that exposed a major flaw in the Pennsylvania police use of force law.

Under current law Title 18, an officer can deploy deadly force on a fleeing person who possesses a deadly weapon - whether or not that person indicates a threat to life or a desire to inflict a serious bodily injury. This can lead to death for possessing a firearm without any intent to use it at all. Additionally, the mere fear of a weapon has resulted in the murder of civilians who were unarmed.

Our legislation seeks to eliminate effectuating an arrest as a justification for the use of deadly force. Instead, our proposal would mandate that de-escalation and non-lethal force options be exhausted prior to lethal force being deployed and that lethal force only be used and justified to prevent imminent threat to life.

Our police officers must be able to exercise restraint and good judgment as they are tasked and sworn to protect and serve the people. Providing proper training, instituting morally sound legislation, and shifting the approach from aggressive and fear-based policing to life preservation and de-escalation of threats will elevate the professional conduct of officers, decrease the amount of injury and loss of life, and provide a mechanism for justice in the event of unnecessary use of force. Please join me in supporting this vital legislation as we improve professional standards while improving the safety of our communities, and upholding equity and justice for all.

*** Subject:** Special Prosecutor in
Police Deadly Force Cases
Posted: April 16, 2019 03:47 PM
From: Representative Brian Sims and Rep. Summer Lee
To: All House members

Public confidence in our nation's criminal justice system has been damaged in the wake of several incidents across the country in which police officers were under investigation by district attorneys for the alleged use of deadly force. Though a close working relationship between district attorneys and police officers can help facilitate criminal justice, it can also create the appearance of a conflict of interest when a district attorney is called upon to investigate the actions of a police officer.

In order to restore citizens' confidence in our criminal justice system, we must require the attorney general to appoint a special prosecutor when an on-duty police officer is involved in an incident that may constitute criminal homicide as a result of the officer's conduct. Placing such investigations in the hands of a special prosecutor is not intended to question the impartiality of district attorneys, but is instead intended to introduce an outside perspective into the case. In fact, my legislation gives special prosecutors the power to consult with district attorneys in the county where the alleged offense occurred.

Our constituents should be able to trust their government so please join me in helping to bolster our citizens' confidence in Pennsylvania's criminal justice system.

*3. False Reports to Law Enforcement

Gainey: "Within the span of one month in the Commonwealth, two racially-motivated false police reports were filed resulting in an unacceptable deprivation of civil rights and a tremendous waste of taxpayer money.

In April 2018, the police were called on a group of African American women golfers over a false complaint that they were golfing too slowly. Also in April, law enforcement officers were called only two minutes after two African American men entered a Starbucks for a meeting despite the men having done nothing wrong.

...this important legislation...will reinforce current law to protect the rights of all residents of the Commonwealth and save taxpayer money from being squandered on false police reports.

Proposal #1 - Ethnic Intimidation - My first bill will increase penalties for individuals who file a false police report with malicious intent towards another person's race, color, national origin, or religion.

Proposal #2 - Civil Redress - My second bill will encourage businesses to take proactive steps to discourage employees from filing ethnically-motivated false police reports by holding employers civilly liable for damages resulting from employees' violations of an individual's civil rights.

Talking Points Across the Coalition:

- We're asking, "How many more families have to go through [losing people and/or seeing their rights outraged], wondering why our elected representatives have "failed" to *require* that all local police would use *every non-lethal means at their disposal*?"
- The great state of Ohio needs leadership in building bridges with Law Enforcement and Community. It starts with Accountability.
- "Police Accountability" ensures that officers can work effectively with the community.
- What is known is that police trainings generally continue to focus, in main, on fear-based and lethal strategies.
- People aren't colorblind, but bullets are.
- We are Grassroots Organizations, not part of any partisan political party, and not directed from the top by other organizations; we are rising out of individual and collective pain— into change.

FROM COALITION LEADERS

De-Escalate Ohio Leader, Ms. Cynthia Brown:

- *Police and judicial remain the unfinished business of the civil right era. It's on us now.* (Lee Merritt)
- *How do you build a movement..... Stay on message is your first step!* (Andre' Taylor)
- *Turn your pain into PURPOSE, turn your passion into POWER!* (Amber Evans)
- *Let's Saves Lives!*
- *All we have is each other, in eternal love and struggle.*
- *As legendary freedom fighter Coretta Scott King quotes, "The greatness of a community is most accurately measured by the compassionate actions of its members."*

Ohio Unite Families Against Police Brutality Leader, Ms. Sabrina Jordan:

- *Help us help you save your family and friends from being murdered by police.*
- *We have lost our loved ones, so we're fighting for yours.*
- *#WontStop*
- *#CantStop*

Black Lives Matter, Miami Valley Leader, Ms. Yolanda Simpson:

As members of Greene County BLM, we are committed to: pursuing racial justice; promoting the general health and welfare of the Black community in all its diversity (including Black men and boys, women and girls; trans, gay, queer; impoverished; differently-abled, mentally challenged; incarcerated, unhoused, and elderly); raising awareness of the insidious racial bias in all American organizations and institutions; eliminating racism in all its forms and manifestations.

Showing Up for Racial Justice chapters:

SURJ Greater Dayton

URJ Northeast Ohio - Cleveland

Columbus SURJ

National Congress on Faith and Social Justice Leader, Rev. Jerome McCorry:

- *We are committed to end mass incarceration, police misconduct, support of HBCU's, political engagement, ending racial disparities.*
- *Keeping Faith In The Fight!*

Urban Citizens for Social Justice Leader, Mr. Carlos Buford:

- *Justice... a bridge over troubled waters*
- *We will remember not the words of our enemies, but the silence of our friends.*
(The Rev. Dr. Martin Luther King, Jr.)

