

June 2020

# Policy Change for a New Era of Public Safety

## We need change now.

The outpourings of grief and generational pain we're seeing today are a response not only to unjust policing of Black people — they are a cry for public officials to take action and achieve a new paradigm for policing. We cannot go through this cycle again. Now is the time for all of us to demand justice for the Black community and accountability for law enforcement. It is time to reimagine what kind of America we want to build — an America where all people can live safely and freely.

The first step is demanding your city and police department adopt the guidelines below to promote accountability and protect civil rights. These policies are one part of the puzzle — we also need structural change that invests in communities and creates a new era of public safety.

## The Use of Force

Police officers are vested with the authority and power to use force, including lethal force, and misusing this power undermines police legitimacy, especially in communities of color that are disproportionately impacted. Departments and local officials must:

- Commit to respecting and protecting human life and ensuring safety for all.
- Permit the use of force only when necessary.
- Prohibit and regulate tools and tactics with a high risk of death or injury.
- Set clear policies for all uses of force and clear policies for specific force instruments/weapons.
- Ensure officers consider personal characteristics such as age, size, or disability before using force.
- Require officers to intervene in improper uses of force and to report them immediately.
- Require officers to render aid until medical assistance arrives.
- Establish robust processes for reporting and investigating uses of force.

## The First Amendment and Free Speech

---

Police leaders should implement policies and practices that respect and protect the public's constitutional rights while ensuring safe public assemblies. Departments and local officials must:

- Clearly instruct officers about the public's right to record law enforcement activities.
- Limit and closely supervise information-gathering techniques that target activities protected by the First Amendment.
- Engage in cooperative and strategic advance planning.
- Demilitarize officers and require them to interact with assemblers in a respectful and positive manner, while setting clear limits on the use of force.
- Promote crowd-control tactics that are less likely to cause injury and set clear limits on the use of force.
- Hold officers accountable for their public assemblies.

## Accountability

---

Officers and departments should be held accountable for misconduct — full stop — which requires robust internal and external accountability systems. Departments and local officials must:

- Create transparent, effective processes to receive, respond, and investigate both internal and external misconduct complaints.
- Develop policies for investigating and addressing sexual misconduct and intimate partner violence.
- Create transparent, effective processes for conducting misconduct investigations.
- Ensure supervisors address and discipline officer misconduct.
- Use early intervention systems to track officer behavior and address officer needs and deficiencies at the earliest opportunity.
- Investigate misconduct to the extent permissible after statutory or contractual time limitations for discipline have passed.
- Identify, maintain, and share material evidence relating to officer misconduct or credibility with prosecutors in criminal cases.
- Expand the role of community/civilian review boards and independent monitors in discipline.
- Establish clear protocols for determining who investigates and prosecutes officer-involved crimes and shootings.
- Oppose provisions that weaken accountability systems when negotiating collective bargaining agreements.

## Discriminatory Policing

---

Discriminatory police practices have sowed a deep distrust of law enforcement across our nation. Departments and elected officials must:

- Adopt comprehensive bias-free policies, and ensure officers are trained in bias-free policing.
- Supervise, monitor, and hold officers accountable for policy violations.
- Take corrective action when data indicate bias-based policing.
- Address and thoroughly investigate all complaints and calls for service based on racial and ethnic profiling.
- Identify and investigate hate crimes.
- Collect, analyze, and publicly report data relating to bias-based policing.

## Stops, Searches, and Arrests

---

Stops, searches, and arrests impose significant costs on liberty, disproportionately affect communities of color, and undermine vital relationships necessary for effective law enforcement. Departments and elected officials must:

- Ban formal and informal quotas.
- Ensure officers inform people of their rights to refuse or revoke consent and to document it.
- Limit the use of pretextual stops.
- Seek search warrants whenever possible.
- Eliminate discriminatory and bias-based stops, searches, and arrests.
- Safeguard against unconstitutional surveillance.
- Provide comprehensive training and require detailed reports on stops, searches, and arrests.
- Reduce reliance on arrests and incarceration.

## Data Collection and Reporting

---

Data are critical for holding officers and departments accountable — you can't fix what you can't measure. Departments and local elected officials must:

- Collect and publish demographic and enforcement data to make publicly available.
- Release information about critical events in a timely manner.

## Responding to Crises

---

Police officers are not equipped to fill the role of psychologist, social worker, or behavioral health specialist. Municipalities must use the least “police-involved” responses to crises.

Departments and elected officials must:


- Develop integrated community-based support services to prevent crises and to respond to crises.
- Establish protocols for interactions with people with mental health or developmental disabilities or who are experiencing substance use disorder crises.
- Train all officers in basic techniques to identify and manage crises.
- Pair crisis response teams with mental health and developmental disability co-responders.
- Partner with local service providers to coordinate responses.
- Adopt harm-reduction models for people with substance use disorders.
- Track officer responses to crises and assess crisis response programs.

## Community Interests

---


Police officers need to earn and restore trust through policing practices that serve the community’s interests and needs. Departments and elected officials must:

- Give communities a direct, ongoing say in police practices.
- Invest in social and community-based services that improve public safety, as well as housing, education, medical care, and employment opportunities.
- Develop performance measures that include community engagement.
- Build understanding of the societal causes and consequences of social problems.
- Implement policies for encounters with people with limited English proficiency.
- End the use of police in schools as a solution to student discipline.
- Prohibit officers from asking people about their sexual orientation or immigration status.

 1620 L Street NW,  
Suite 1100  
Washington, DC  
20036

 [policing@civilrights.org](mailto:policing@civilrights.org)

 [bit.ly/CreatingANewEra](https://bit.ly/CreatingANewEra)

 (202) 466-3311

 [@civilrightsorg](https://twitter.com/civilrightsorg)

 [@civilandhumanrights](https://facebook.com/civilandhumanrights)

 [@civilrightsorg](https://instagram.com/civilrightsorg)

Copyright © 2020  
The Leadership Conference  
Education Fund  
All Rights Reserved