



**UNITED NATIONS ASSOCIATION
OF THE UNITED STATES OF AMERICA**

Call for inputs for the preparation of the report of the United Nations High Commissioner for Human Rights pursuant to Human Rights Council resolution 43/1 on the “Promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers”

Submission from UNA-USA: December 4, 2020

Background

The United Nations Association of the United States of America (UNA-USA), a program of the UN Foundation, is a membership organization dedicated to informing, inspiring and mobilizing the American people to support the ideals and vital work of the United Nations. Independent from the U.S. government, UNA-USA and its sister organization the Better World Campaign represent the single largest network of advocates and supporters of the United Nations in the world.

Methodology

UNA-USA compiled this synthesis following a nationwide consultation with UNA-USA members on December 1, 2020. Participants joined the consultation via Zoom meeting from locations in the United States. Contributors were asked to share their direct, firsthand experiences. A rapporteur was present on the call to record, consolidate, and synthesize output from the discussion.

Observations, Conclusions and Recommendations

Recommendations Regarding the Hiring, Training, and Practices of Law Enforcement Officers

- Improve and enhance screening process for approving law enforcement officers, including a new racial bias portion.
- Increase diversity and minority representation in the law enforcement workforce.
- Require police officers to undergo additional diversity and sensitivity and “unconscious bias” trainings.
- Provide additional training regarding appropriate restraining techniques.
- Training needs to empower other officers to understand they have the right to speak up, intervene, and provide advice to an officer that is handling a situation badly.
- Increase police training on how to respond to victims with mental health issues, and family/social issues.
- Include college and university police departments in reform efforts and in conversations about combating systemic racism.
- Condemn all acts of police brutality, racial profiling, and the use of excessive militarized force.
- Prohibit the transfer of military weapons that are unnecessary and inappropriate for local policing and limit incentives for the inappropriate use of that equipment.
- Prioritize police reform and reinvention law enforcement protocol for every police department in every state.
- Prohibit covering of law enforcement badges or anonymity of law enforcement officers when using force or stopping bystanders.

- Require body cameras for all law enforcement officers while on duty. , including penalties for turning off these body cameras while on duty.
- Recommend all police departments renegotiate union agreements to create an opportunity to better hold police officers accountable.
- Enhanced collection of enforcement data.

Community Oversight of Law Enforcement Officers

- Release all body camera footage to the public after shooting incidents.
- Creation of a Citizen Advisory Board and/or Civilian Review Board which consist of citizens and law enforcement personnel given the task of investigating complaints by members of the public concerning misconduct by police officers.
- Seek input from community members on how resources should be allocated and prioritized.
- Lighter policing with input from the community through citizen surveys mitigates the problem of a disproportionate amount of Black males being sentenced to prison. This, in turn, has an incredible effect on economic security and self-determination of that subset of the population.
- Divert or reallocate some of the funds from law enforcement to other agencies (mental health, suicide prevention, counselors etc.), or decrease officer numbers in certain areas due to systemic racism resulting in highly disproportionate arrest and conviction rates of certain populations, and police brutality claims.

Criminal Justice System Reforms

- Evaluation of the abusive municipal court system, especially the steep fees for minor violations such as a broken tail light, and the jailing of people, especially minors, for missing court dates.
- Federal regulation of privatized prisons.
- De-privatization of prisons to ensure equality in the justice system.
 - o There are cases of rampant corruption in the US in which a judge is a stakeholder in a prison and actively works with law enforcement to fill his own prison. [The populations that suffer are overwhelmingly impoverished African Americans and especially African American men.](#)
- Require an independent prosecutor for all investigations into the use of deadly force by officers.
- Reverse Trump Administration policies heightening penalties connected to unauthorized immigration; reinstitute the "Smart on Crime" policy, which had previously encouraged alternatives to arrest and reduced sentences for low-level nonviolent crimes; and reverse steps by the current U.S. Attorney General to reinstitute capital punishment at the federal level.

Combatting Systemic Racism at the National, State/Regional and Local Levels

- Address economic disparities and the adverse historical impacts of redlining.
 - o Rates of eviction and homelessness are higher for Black persons.
- Ensure economic security and welfare for the Black community.
- Increase police accountability for arrests heightens access to fair housing, [which in turn increases social standing and even physical and mental well-being.](#)
- Secure further investments in social services from local, state and federal governments.
- Engage young people in reform efforts to combat systemic racism in the education system and empower youth to advance racial justice.

Appendix – UNA-USA Member Anecdotes:

“On 6-22-2020 approximately 20 individuals, including myself, were arrested during a peaceful protest, directly violating our 1st Amendment rights. We were marching in the downtown area of Des Moines, Iowa and were blocked by riot police on every street we attempted to walk down. Eventually we were kettled at the front and back by Iowa State Patrol on a single street, our only exits being private property on either side of us. We were given an order to disperse and given less than 3 minutes to do so before police moved in to make arrests. Protesters were shoved into the backs of others by police shields in the tight crowd and chased as they tried to escape. Nearly every person arrested was visibly injured or reported heavy physical aggression towards them, many of whom were POC. I was encircled by multiple officers while trying to help someone who was on the ground. Myself, that individual and their friend were hit with shields and I was struck in the stomach with a baton. We gave no physical resistance and were attacked. This is an egregious violation of our basic human rights to protest by the Iowa Government and their Law Enforcement.” - UNA-USA Member-at-Large

“I spoke with Captain Cheryl Cromartie about the measures taken by the Greenville County Sheriff's Office (GCSO) to combat racial discrimination. The response encompasses three areas on both the civilian and police side: before, during, and after an encounter with law enforcement. In light of racial justice movements, GCSO has revamped the screening process for approving law enforcement officers. Captain Cromartie detailed how the psychological screening and polygraph tests that have traditionally been used to approve potential police has implicit racial undertones that has led to a lack of minority representation on the police side. A lack of Black or Hispanic individuals with the police leads to further bias as White individuals do not understand cultural indicators to the same extent as their nonwhite counterparts. As a result, hostility and escalation increases on the police side. To remedy this, GCSO has coordinated a three-pronged response: altering psychological screening tests to allow for elaboration on questions about anger or depression, which are more prevalent in individuals with minority backgrounds; including a new racial bias portion, and altering the hiring process to encourage minority representation. These provisions serve to decrease the number of “bad apples” allowed to serve with the police by addressing the problem at its core. As law enforcement becomes more diverse and aware of racial tensions, GCSO has developed methods to incorporate this training into situations as they occur. For example, GCSO will develop an Equity and Inclusion Unit, the first in the state of South Carolina, whose role is to reach out to the community for feedback through surveys and keep the office accountable by fostering conversations about race. Between 2014 and 2017, African Americans accounted for 29% of people shot by police officers in Greenville County and 47% of people shot in the state, so including feedback from individuals affected by police violence will certainly improve GCSO's response. After a situation, GCSO has committed to releasing all body cam footage to the public, along with a step-by-step explanation from the Sheriff himself on the reasoning for any police action. This provision, coupled with the creation of a Citizen Advisory Board, serves to reassure county members that the police are acting in an appropriate manner.” - UNA-USA Member-at-Large