

SB 967 - Excessive Force/Duty to Intervene Supporting Testimony

Thank Mr./Madam Chair. My name is _____ and I represent Justice for Officers United.

Mr./Madam Chair, my organization is so thankful for our police force. The ways in which they have stood up for us as a state and protected us from crime are truly admirable. They have put themselves in the line of fire daily, and we cannot be grateful enough for that fact.

It is for these reasons that we do not want the reputation of the police force tarnished by a few bad actors. The chances of a police officer abusing his/her authority is the same as it would be for any other profession. There are some officers who will abuse their power, but there are far more who will use it responsibly. Those officers need to know that their responsibility to protect the public may require them to stand up to abusive officers. Especially in a time when the police force is trusted so little, it is this state's obligation to restore that trust.

SB 967 does exactly this. In cases of excessive force, officers would now be required to verbally or physically intervene depending on what the situation requires. Failure to do so will result in disciplinary action determined by the police department. It communicates to both officers and the public that misconduct in the police force will not be tolerated ensuring that the task of public protection is secured.

Some may be concerned that objective standards of excessive force are not defined in this bill. But let's be honest, excessive force is not something that the legislature can clearly define. Instead, those standards ought to be expressed by the individual departments and determined by the court on a case-by-case basis. The use of force is a wide spectrum, and we can't just explain it away in a bill. Others are afraid of departments determining punishment, but I would ask who is better at determining punishment than the individual entities and the court? What specific penalties are enforced is beyond the scope of the legislature and should not be governed by it alone.

Mr./Madam Chair, this bill is an excellent first step to ensuring better accountability in our force. If officers know they are expected to hold each other accountable, the officers who might be tempted to overstep their lines will be less likely to do so and the officers who may have been afraid to intervene will know have the duty and authority to do so.

For these reasons, I strongly urge this body to vote yes on SB 967. Thank you for your time, and I will gladly accept any questions at this time.

Articles

Eric Daigle (March 3, 2021). Point of Law, Excessive Force and Failure to Intervene. Retrieved from

<https://www.policemag.com/point-of-law/article/15310823/point-of-law-excessive-force-and-failure-to-intervene>

Laura Neitzel (May 30, 2023). Police 1, *Calling out other officers: Why officers have a duty to intervene and how to do it without hesitation*. Retrieved from <https://www.police1.com/police-products/training/simulator/articles/calling-out-other-officers-why-officers-have-a-duty-to-intervene-and-how-to-do-it-without-hesitation-AjqN1skM145pmPF7/>