

Policy Recommendations for Senator Bernie Sanders' Racial Justice Platform
#Campaign Zero, #BlackLivesMatter

We must demilitarize our police forces so they don't look and act like invading armies.

- Pass legislation or use administrative action to end the federal 1033 program that supplies federal military weaponry[1] to state and local law enforcement agencies and, where possible, require the return of military weaponry from agencies that have already received these weapons.
- Pass legislation or use administrative action to ban state and local law enforcement agencies from using federal funds to purchase military weaponry.
- Prohibit state and local law enforcement agencies that receive federal funding from using military weaponry against civilians and enforce this prohibition by defunding departments who use these weapons against civilians.

Community Policing Language: The safety of communities includes a host of factors, such as jobs, workforce development, access to quality education and healthcare. We must begin to understand safety in ways that do not center policing, but situate policing in a context of other mechanisms that inform the health and vibrancy of neighborhoods.

Suggested language for this point: **We need increased civilian oversight of police departments to ensure communities have the power to hold police accountable for their interactions with residents.**

- Pass legislation or use existing federal funds to encourage local municipalities to establish civilian oversight structures with the power to investigate police misconduct, and subpoena and discipline police officers.
- Use existing federal funds to discourage local law enforcement agencies from focusing on policing minor, non-violent "quality of life" offenses such as marijuana possession, public consumption of alcohol, trespassing, loitering, disorderly conduct, disturbing the peace, and spitting. A focus on these types of offenses, called "Broken Windows policing", has not been proven to keep communities safe and has contributed to disproportionate law enforcement contact with racially and economically marginalized populations.

We need police forces that reflect the diversity of our communities.

- Pass legislation or use existing federal funds to require police departments to develop and implement guidelines for recruiting and retaining a police force that reflects the community, including requiring police departments to publicly report progress towards this goal on an annual basis.

At the federal level we need to establish a new model police training program that reorients the way we do law enforcement in this country. With input from a broad segment of the community including activists and leaders from organizations like Black Lives Matter we will reinvent how we police America.

- Pass legislation or use existing federal funds to require police departments to undergo consistent de-escalation, procedural justice, and racial bias training and bias testing linked to hiring decisions and performance evaluations. Funding should be directed to community organizations, youth, and other civilian-approved groups to train police officers on appropriate behavior/interactions.

We need to federally fund and require body cameras for law enforcement officers to make it easier to hold them accountable.

- Pass legislation and use existing federal funds to encourage police departments to use body cameras and develop clear policies governing their use, storage and accessibility of footage in consultation with activists and community organizations. These policies should require police departments to:
 - Develop policies on recording interactions that give civilians the power to choose whether to be recorded, with the understanding that police should limit their interactions with civilians by ending enforcement of minor, non-violent “quality of life” offenses.
 - allow civilians to review footage of themselves or their relatives and request this be released to the public and stored for at least two years
 - permanently delete footage after 6 months if this footage hasn't been specifically requested to be stored, as per [ACLU guidelines](#)
 - consider the inability to produce mandated footage as a factor in cases of police misconduct
 - prevent officers from reviewing footage of an incident before completing initial reports, statements or interviews about an incident
 - update privacy laws to protect civilians from having video or audio recordings released publicly that do not contain potential evidence in a use-of-force incident, discharge of a weapon or death.
- Use federal funds to encourage local law enforcement agencies and municipalities to protect the right of civilians to record the police and to train police officers how to respect this right.

Our Justice Department must aggressively investigate and prosecute police officers who break the law and hold them accountable for their actions.

- Pass legislation or use existing federal funds to encourage external, independent investigations and prosecution of police killings.
- Pass legislation to change the standard of proof for federal civil rights investigations of police officers to replace the current “willful” standard.

We need to require police departments and states to provide public reports on all police shootings and deaths that take place while in police custody.

- Pass legislation or use existing federal funds to require nationwide reporting of police killings, in-custody deaths, civilian complaints and all uses of force to be stored in a publicly accessible online database.

- Establish a national database of officers with a history of misconduct and work with state and local law enforcement agencies to prevent these officers from being rehired.

We need new rules on the allowable use of force. Police officers need to be trained to de-escalate confrontations and to humanely interact with people who have mental illnesses.

- Establish a national use of force standard that requires police officers use the least amount of force necessary and permits use of lethal force only in situations where there is an imminent threat to a life.
- Pass legislation or use existing federal funds to require police departments to undergo crisis intervention training and to encourage the use of mental health professionals in responding to situations involving mentally ill individuals.

States and localities that make progress in this area should get more federal justice grant money. Those that do not should get their funding slashed.

- Prohibit the provision of federal funds to law enforcement agencies that have been found to have demonstrated a pattern or practice of discriminatory policing until the department is found to no longer demonstrate a pattern or practice of this behavior, except for funding specifically designed to improve police training, limit use of force, and develop accountability systems and structures.

We need to turn back from the failed “War on Drugs” and eliminate mandatory minimums which result in sentencing disparities between black and white people.

- Pass legislation to end federal marijuana prohibition or end DEA enforcement of this prohibition.
- Establish guidelines for states that are considering or have already legalized marijuana to ensure communities that have been most affected by marijuana prohibition have access to this emerging industry. These guidelines should discourage the use of previous drug convictions as barriers to entry into this industry, reserve licenses for minority-owned businesses, redirect tax revenue to education and social services in affected communities, and create pathways to formal employment for those participating informally in this industry.
- Pass legislation or use federal funds to encourage local law enforcement agencies, in partnership with health providers and social workers, to develop an approach to drug addiction that prioritizes treatment over arrest and incarceration as has been done in [Gloucester](#), Massachusetts.

Additional areas of reform:

We need to end racial profiling and other forms of bias-based policing.

- Pass legislation or use existing federal funds to end civil asset forfeiture by prohibiting police from seizing assets of civilians unless they have been convicted of a crime, preventing police from partnering with the Department of Justice to seize assets, and directing legally seized assets to an external funding pool.

We need to eliminate financial incentives for police to stop, ticket, and arrest civilians or unjustly confiscate their property.

- Pass legislation or use existing federal funds to prohibit police from seizing assets of civilians unless they have been convicted of a crime, preventing police from partnering with the Department of Justice to seize assets, and directing legally seized assets to an external funding pool.
- Pass legislation or use existing federal funds to discourage local municipalities and agencies from generating more than 10% of their revenue from fines and fees.

We need to ensure that police unions are not a barrier to accountability for police officers who commit injustices.

- Remove provisions in contracts with federal police unions and applicable laws and policies that delay investigations, prevent meaningful civilian oversight and expunge or cover up officers' disciplinary records.

We need to institutionalize a focus on racial equity within the federal government.

- Pass legislation to require the use and public reporting of [racial equity impact assessments](#) as a prerequisite for all new federal legislation and agency regulations.

We need to close the [racial wealth gap](#) to ensure economic equity for all Americans.

- Establish savings accounts for all newborns, subsidized up to a maximum of \$60,000 for households with below median wealth. These child trust accounts, designed to grow at a federally guaranteed annual interest rate of 1.5 to 2 percent, would be accessed when the child becomes an adult and used for asset-enhancing events such as purchasing a home or starting a new business.
- Direct the Consumer Financial Protection Board to impose a 36% interest rate cap on payday lenders to prevent them from entrapping low-income individuals in a cycle of debt.

[1] Military weaponry includes tracked and untracked armored vehicles, bayonets, grenade launchers, camouflage uniforms, large-caliber weapons and ammunition, aircraft, wheeled tactical vehicles (i.e. MRAPs), mobile command-and-control units, battering rams and riot gear.