

Senator Scott Kawasaki,
Chair of the Alaska Senate Committee on State Affairs

April 12, 2023

Senate Committee Members of State Affairs,

The Policing Project is pleased to offer support for SB 32, “An Act prohibiting the use of chokeholds by peace officers; and relating to justification of use of force by peace officers.”

The Policing Project is an organization dedicated to ensuring transparent, effective, and ethical policing. In order to achieve these goals, the public must be democratically involved in setting expectations for police practices *before* police act, instead of *after* something has gone wrong. The Policing Project at NYU School of Law has drafted model legislation that provides clear standards on how and when police can use force. It is based on that work that we submit this testimony and urge the committee to recommend the bill for passage.

Police officers are the only government employees tasked with carrying guns and sanctioned to use force against people in the community. Yet despite the seriousness of this responsibility and the grave consequences that accompany it, the state provides very little direction governing when a police officer can—or cannot—use force. In fact, most state statutes simply say force can be used any time it is “reasonable.”

This lack of clarity results in a widespread pattern of excessive force by police, including chokeholds. Eric Garner, George Floyd, and too many others have died as a result of chokeholds. The burden of legislative inaction continues to fall most heavily on Black, Brown, and Native communities, who experience a disproportionate amount of police violence. This bill would prohibit the use of chokeholds by police officers, bringing Alaska in line with the other twenty-four states that have already passed similar legislation. This is a simple, commonsense measure that can prevent deaths of Alaskans.

Beyond the tragic killings of unarmed people, there are countless instances of more routine police violence. We urge the committee to consider this as the first step in comprehensive use of force reform. For example, sixteen states collect use of force data from all police agencies. Alaska is not one of those states. We cannot hope to improve policing for all our communities when police don’t collect or share data about their work. Thus, we also urge this committee to support SB 23, which would ensure use of force incidents be entered into a central registry and sent to the FBI for data collection.

In summary, we urge this committee to advance SB 32, and are happy to provide any additional information that would be useful.