

RHODE ISLAND ASSOCIATION FOR JUSTICE COMMITTEE ON SOCIAL AND ECONOMIC JUSTICE

Mission: To promote a public dialogue, develop and recommend solutions, and engage in constructive action to remedy social and economic inequality and injustice in our society.

First Assigned Task: To consider recommending the adoption of uniform state standards, policies, and procedures applicable to police use of force, community policing and outreach, and the coordination and delivery of public health and safety services.

Charge from the President and Committee Co-Chair Richard A. Sinapi:

The Committee shall collaborate with other groups and stakeholders—such as local and national police reform advocacy groups, law enforcement, and criminal prosecutors. To focus and jump start the group, the Committee is asked to consider reforms around which a national consensus has been developing including: 1) investigation and prosecution of excessive force criminal complaints by independent prosecutors—municipal solicitors and the Attorney General’s office which work closely with law enforcement to prosecute criminal matters have an inherent relationship conflict of interest, which in appearance, if not in practice, impairs their ability to act impartially; 2) holding law enforcement personnel who acquiesce to and/or fail to act affirmatively to prevent or terminate the excessive or improper use of force or fail to report the same as responsible as the offending officer, a reform uniformly deemed essential to overcoming the reluctance of officers to report excessive use of force and self-regulate due to the fear of internal retaliation; 3) mandatory use of body and dashboard cams and mandatory discipline for failure to preserve surveillance video or failure to turn on or turning off a camera during an encounter with the public and the impact/role of qualified immunity and governmental insurers in deterring misconduct; and, 4) adopting police use of force policies and procedures that have proven highly successful in reducing the number of police encounters resulting in injuries and deaths.

The policies identified in item 4) above (sometimes referred to as the “eight (8) can’t wait”) include: (i) requiring officers to de-escalate situations; (ii) prohibiting officers from employing chokeholds; (iii) requiring officers to intervene and stop excessive force used by other officers and report these incidents immediately; (iv) restricting officers from shooting at moving vehicles; (v) developing a Force Continuum that limits the types of force and/or weapons that can be used to respond to specific types of resistance; (vi) requiring officers to exhaust all other reasonable means before resorting to deadly force; (vii) requiring officers to give a verbal warning, when possible, before shooting at a civilian; and, (viii) requiring officers to report each time they use force or threaten to use force. The Committee should also consider whether to recommend mandatory and continuing training and minimum proficiency in the use of non-lethal force and mandatory discipline for failure to intervene or to report or misreporting use of force.

The Committee is to also consider the role of community policing and community outreach as an integral part of reducing the mistrust and the “us against them” mentality that exacerbates racial and socio-economic tensions and all too frequently turns routine police encounters into potentially dangerous confrontations. The Committee should also consider co-responding and coordination of services with trained mental health and social service providers and/or alternatives to servicing and responding to community, juvenile, domestic, mental health, and poverty related disputes/problems, including the division of public safety services between a traditional criminal law enforcement cadre and a civil social service non-criminal cadre of trained professionals.

Organization: The Committee will operate through three subcommittees, each with two (2) co-chairs, organized around the following tasks:

1. **Accountability.** *Whether the current manner in which we purport to deter, investigate, and prosecute police misconduct is effective, unbiased and/or perceived to be so by the public?* Independent police excessive force investigations and prosecutions, and mandatory reporting, liability, discipline, and use of body and dashboard cameras and the impact/role of qualified immunity and governmental insurers in deterring misconduct.
2. **To Protect.** *Whether we should adopt uniform use of force policies and procedures that have proven highly successful in reducing police violence.* The “eight (8) can’t wait” policies and procedures, mandatory and continuing training and minimum proficiency in the use of non-lethal force, and mandatory discipline for failure to intervene or to report or misreporting use of force.
3. **To Serve.** *Whether we need to restore public confidence in and while at the same time reconsider the manner in which governmental intervention and coercion is employed in the provision of public health and safety services to the public in both the short and long term?* Community policing, outreach, and co-responding with trained mental health and social service providers and/or alternatives to servicing and responding to juvenile, domestic, mental health, addiction, and poverty related disputes/problems, including the division of public safety services between a traditional criminal law enforcement cadre and a civil social service non-criminal cadre of trained professionals.

Subcommittee co-chairs will be appointed by the President/Committee Co-Chair and will be responsible for taking minutes of meetings, preparing or ensuring the preparation of all written work product, and ensuring that the subcommittee meets its assignment deadlines and completes its assigned task.

Members may choose to serve on more than one subcommittee. Each subcommittee may determine its own mode of operation, subject to the following:

1. Compliance with the deadlines set forth below.
2. It is preferred that decisions be made by consensus, but ultimately it is majority rule.
3. It is preferred (but not required) that each subcommittee approach its assigned task applying a basic problem-solving model:
 - a. Identify and list the problem(s).
 - b. Identity and list the cause(s).
 - c. Identity and list the solution(s).
 - d. Select the solution for recommendation.

Assignment and Deadlines: Each subcommittee will be responsible for identifying, discussing, and developing recommendations that will ultimately be included in a single report of the Committee. Majority and minority reports and/or positions may be submitted if there is no consensus on an issue and/or final report. The report should be presented in a concise, bullet point form, well supported and footnoted by data, statistics, documented successful outcomes, and/or articles/opinions of experts. The time-table is as follows:

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| 1. | Outline of Draft Report: | 30 days |
| 2. | Draft Report: | 60 days |
| 3. | Final Report: | 90 days |
| 4. | Final Report of Full Committee: | 120 days |

Extensions of the above deadlines must be discussed with and requested from the President/Committee Co-Chair and will be approved for good cause.

Submission and Approval of Final Report: The Final Report will be submitted to the RIAJ Board of Governors for consideration, ratification, approval, publication, and communication to such local, state, and/or governmental officials and/or agencies as it may deem necessary and appropriate.