



AB-392: A BILL TO SAVE LIVES

2019 Essay Contest on California State Legislation



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It was 10:30 PM. A man accidentally fell asleep in his car while in a Taco Bell drive-thru with a gun on his lap for protection. When he woke up, he was met with blaring police lights and shouts for him to put his hands up. Scared, he reached for his gun when he was riddled with more than 20 bullets in less than 4 seconds. That is the story of a young rapper named Willie McCoy who died this year (Ortiz). Could the tragic loss of his life have been prevented? What about the trigger-happy judgement by police? The answer to both of these questions is yes. Absolutely yes. The solution to our problems is AB-392, a bill that will revolutionize the requirements for the use of deadly force and must be passed in order to save innocent lives and ease tensions between the public and the police.

Police shootings like that of Willie McCoy are not rare in the US. According to the Guardian, American police have killed more people in the first 24 days of 2015 than the UK police in 24 years (Lartey). Furthermore, California has particularly high numbers of police shootings, with one to two hundred Californians dying to police every year (Rosenhall). Of these victims, Hispanics and African Americans are disproportionately affected. While the two ethnicities account for less than 47% of California's population, they make up more than 61% of police shooting deaths (Rosenhall). That is a tragedy for California, a disgrace for our police forces, and a travesty for our supposed safety and equality. To address this issue, AB-392 is a must.

The current rules for the use of deadly force is extremely outdated. Those guidelines were established in the 1989 U.S. Supreme Court decision that permitted using deadly force in "reasonable" circumstances (LA Times). An officer's actions are considered "reasonable" if

another officer in the identical situation would do the same. Essentially, police would have full control over its own use of deadly force. It is no surprise then that our police shootings are so high. However, AB-392 is the solution. It would update that archaic requirement from being “reasonable” to being “necessary”. That word change might seem small, but the difference it makes will be lifesaving. It raises the standard so that police would think twice before pulling the trigger (Ferlito). If police are trained to properly assess the situation before opening fire, we will not see a repeat of Willie McCoy’s tragic events.

Opponents of AB-392 could argue that raising the requirement for police shootings will compromise police safety. The argument is proven to be unfounded. San Francisco has already implemented “a new and stricter use-of-force policy and training” (Sernoffsky). The results from their reforms are now being made clear. Ever since June 9 of 2018, San Francisco has never seen another police shooting. This “[marks] the start of the longest span without an officer-involved shooting in nearly two decades...” (Sernoffsky). Moreover, reducing the use of deadly force by police does not mean that our safety is threatened. In Seattle, the police department has also made similar reforms and achieved similar success. According to a report assessing the use of deadly force in Seattle, “the number of use of force incidents decreased by nearly 11 percent [from] September 2015 through October 2016...” (Miletich) This reduction in the use of force has come “...without seeing any negative impact on public or police safety” (ACLUNC). It is convincing that while decreasing police shootings, AB-392 will not jeopardize the lives of police officers.

Instead, AB-392 will calm the current volatile environment. The Californian public has been outraged by the multitude of police shootings in recent years, and this has caused mistrust between the community and the police. There have been many protests and marches demanding

change, and it is time for that change to come. By passing AB-392, we can begin shifting attitudes for change to happen “incrementally” (Sacramento Bee). AB-392 might not be a silver bullet to solve these problems, but it is a step in the right direction. Police officers will be trained according to the new rules established in AB-392, causing “their mentality towards the use of deadly force [to] be fundamentally altered” (Sacramento Bee). They will be taught to respect every life’s sanctity, no matter their skin color or race. AB-392 marks the beginning of a journey to end unnecessary police violence in California.

In conclusion, Assembly Bill - 392 fully deserves its nickname as the California Act to Save Lives and must be passed. Theresa Smith, whose son was shot in 2009 by police, summed it up best when she said that: “This isn’t the end of the fight. This is not the end of wanting more accountability. This is just the beginning” (Sacramento Bee).

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