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House Democrats pass token police reform bill

On Wednesday, the US House of Representatives passed a bill that would prohibit the use of certain lethal police tactics, introduce measures to increase accountability for police misconduct and place limitations on the use of “qualified immunity” to shield officers involved in brutality or other misconduct from civil liability.

The passage of the “George Floyd Justice in Policing Act,” named after the African-American worker whose murder at the hands of Minneapolis police last May touched off anti-police violence protests that swept the US and spread around the world, has more the character of political theater than substance. Not only are the bill’s provisions extremely limited, but, as the Democratic Party is well aware, it has no chance of being passed by the Senate.



House Speaker Nancy Pelosi speaks during a news conference on Capitol Hill in Washington, Thursday, June 25, 2020, ahead of House vote on the George Floyd Justice in Policing Act of 2020 [Credit: AP Photo/Carolyn Kaster]

The measure was passed in the House by a vote of 220–212. Two right-wing Democrats, Jared Golden of Maine and Ron Kind of Wisconsin, opposed the measure, while Republican Lance Gooden of Texas claimed to have voted for the bill by mistake.

The Democrats control the evenly divided Senate, with Vice President Kamala Harris casting the deciding vote in case of a tie, but passage of the police reform measure would require 60 votes to overcome a Republican filibuster—a virtual impossibility.

California Representative Karen Bass, who initially sponsored the bill, made it clear that the Democrats were prepared to whittle down the House bill even further to meet Republican demands, telling reporters she was “confident that we will be able to have a bipartisan bill in the Senate that will reach President Biden's desk.” She hastened to add that the bill would increase funding for police departments, including additional money for “community policing,” especially in minority neighborhoods.

The legislation includes measures that would allow “individuals to recover damages in civil court when law enforcement officers violate their constitutional rights by eliminating qualified immunity for law enforcement.” Additionally, it would “save lives by banning chokeholds and no-knock warrants” and mandate that “deadly force be used only as a last resort.”

The bill aims to encourage state and local police agencies to adopt reforms through the threat of fiscal penalties. Police departments that failed to comply with the bill’s requirements would lose access to federal police funding, which would then be redistributed to compliant departments.

However, funding for local police departments comes overwhelmingly from state and local governments, rather than the federal government. According to the US Census Bureau, state and local governments spent approximately \$120 billion on police in 2018. The federal government contributed only \$5 billion.

The House bill would eliminate the doctrine of “qualified immunity” for police. It also introduces a somewhat less strict standard for holding police criminally liable for unconstitutional activity, striking the word “willfully” and replacing it with “knowingly or recklessly.”

Police in the US are overwhelmingly cleared of wrongdoing. According to mappingpoliceviolence.org, over 98 percent of killings by police from 2013 to 2020 did not result in officers being charged with a crime.

The scope of “qualified immunity” has been expanded in recent years to grant police virtual immunity from civil liability in the use of excessive or deadly force. The Obama administration intervened on behalf of violent police multiple times, and in 2018 the Supreme Court ruled that the question of whether an officer used excessive force depends on “the facts and circumstances of each particular case.” Furthermore, the court stated, the reasonableness of force “must be judged from the perspective of a reasonable officer on the scene, rather than with the 20/20 vision of hindsight.”

When the George Floyd bill was first passed by the House in 2020, Representative Bass presented police officers as the unwitting victims of poor training and policing practices, and a lack of “transparency.” “I am certain that police officers, professionals who risk their lives every day, are deeply concerned about their profession and do not want to work in an environment that requires their silence when they know a fellow officer is abusing the public,” Bass said at a press conference.

When asked about calls to “defund” the police, Speaker of the House Nancy Pelosi said, “We want to work with our police departments. There are many who take pride in their work, and we want to be able to make sure the focus is on them.”

The Democrats hope to gain a measure of political cover by passing the George Floyd bill, knowing it is a dead letter, while diverting attention from their own role in overseeing police attacks on protests in states and cities controlled by the Democratic Party. The dead end of all perspectives based on “reforming” the police within the framework of the existing political and social system is underscored by the fact that in the course of 2020, according to mappingpoliceviolence.org, there were 1,127 police killings, the highest total since it began keeping records in 2013. This is despite the unprecedented wave of multi-

racial and multi-ethnic protests against police violence and racism that involved many hundreds of thousands of people across the US.

Marxists have long explained that the police are not “peacekeepers.” They are an essential component of the capitalist state, which, as Lenin and Engels explained, consists of “special bodies of armed men having prisons, etc. at their command.” Their essential social function, as of the state as a whole, is to defend the property, profits and political domination of the corporate-financial ruling class, utilizing whatever repressive and violent means are required against the working class.

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