

TUESDAY, MAY 19th

TESTIMONY OF PROFESSOR DEBORAH A. RAMIREZ

PROFESSOR OF LAW

NORTHEASTERN UNIVERSITY SCHOOL OF LAW

BOSTON, MASS

d.ramirez@neu.edu

The police killing of Michael Brown and Eric Garner in July and August of 2014 have triggered protests, not only in the cities in which those killings occurred, but throughout the country. Since those shootings, there have been others including, most recently, Freddie Gray in Baltimore and Walter Lamer Scott in South Carolina. It is plain to me (and I expect, to you) that these protests are not just about the unwillingness to prosecute all but one of these officers for these shootings, but about a long-simmering resentment in the African-American and Latino communities that the criminal law applies differently to them than it does to white Americans. That the police too often stop and frisk Latino and African-American youths with impunity and without reasonable suspicion; that automobiles driven by African-Americans, especially in white neighborhoods, are too often stopped by police for "driving while black;" that the death of a black man at the hands of police is seen as more forgivable than the death of a white man; that prosecutors are less willing to see Latino and black defendants as candidates for rehabilitation who deserve a break, and therefore they are more willing to press for mandatory sentences against them; that more black men age 18-21 are in prison or jail than in college.

We can debate how accurate some of these perceptions are, and whether they are more accurate in some states and municipalities than in others. But I think we can agree that these perceptions are accurate more often and in too many places than we would want them to be, and that the perception itself is a reason for great concern, because we cannot be one nation if a significant

percentage of our community members believe they are receiving an inferior quality of justice or, worse still, getting no justice at all.

The protests provide the impetus for change, but they cannot produce change by themselves. We need to ensure that these protests are different from previous protests; that they do not merely cry out for justice, but actually lead to more justice. To accomplish that, we need a road map for change, and we need to press our leaders in Congress and elsewhere to follow that road map and travel to a place where justice is more fair and more equal.

To move past these tragedies, we need to **strengthen police-community relations**, by creating community- policing models focused on the development of partnerships between police organizations and the communities they serve.

HOW? New infrastructure and architecture. We need to create , in every state, federally funded community-policing Institutes which would be dedicated to creating the tools, templates, training and best practices for bringing police and community members to the table for discussions on how best to keep their communities safe and strong.

**We also need to increase police transparency** by letting the public know what the police are doing; That can only occur when state and local police departments are required to keep data regarding police stops, and to record the race of the persons stopped and searched : BECAUSE YOU CAN'T MANAGE WHAT YOU DON'T MEASURE.

**Transparency also means requiring police to install cruiser cameras;** to wear body cameras, and to monitor police discretion to turn these cameras off.

My last point is about accountability which means that allegations of police misconduct or situations in which a police officer shoots a civilian should be handled by an independent inspector general. The investigation and prosecutorial decision should not rest in the hands of a District Attorney who is dependent on that police department for criminal investigation

So, we need police –community partnerships; a State institute to support them; cameras; data collection; and an independent inspector general to investigate police misconduct.

The road map does not end here. The next part is the most difficult. How do we get these and other necessary changes implemented? The system is broken. We are going to need Democrats and Republicans to come together to craft a road map to justice and to figure out how to fund and implement it. Only then will we be able to create stronger and safer communities.