

Protect Community Safety by Rejecting Enhanced Penalties¹

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We all want safe communities and to feel protected and secure. Violence against anyone threatens that, and we all have a responsibility to stop, prevent, and condemn violence in any form.

But the recently proposed laws that require enhanced penalties for offenses involving law enforcement officials don't do that. There are already adequate laws that ensure that those who compromise police officer safety are penalized, making enhanced penalty laws wasteful and unnecessary. Moreover, these proposed laws have additional consequences that harm communities in the long run. They impair the relationship between police and communities, interfere with people's ability to come together as a community in peaceful demonstrations and protests, and they do nothing to improve officer wellness.

Legislators should vote no on these proposed laws that would only end up hurting communities. Instead, lawmakers should focus on policies that improve the relationship between police and communities, and that improve officer wellness and health.

Vote no on these bills and uphold true community safety.

Value at Stake: Community Safety²

1. Enhanced penalty laws would compromise community safety and impair the relationship between community members and the police.

- In a time when [the public is interested](#) in more accountable and responsible policing, enhanced penalty laws would only impair community relations and create a legitimacy crisis, wherein community members perceive police officers as attempting to become a “protected class” that is above the law.
- Enhanced penalty laws are often described as hate crime statutes, which intend to protect those who have experienced a “[long legacy of violence](#), intimidation, and discrimination.” Using these laws, which are intended to protect people against discrimination because of their skin color, faith, LGBTQ status, or the fact that they have a disability, will only drive a wedge between law enforcement officers and the community.
- Instead, lawmakers should address “[rifts in the relationships](#) between local police and the communities they protect and serve.”
- We need to address excessive force, biased policing and other police practices failing our communities.

¹ This memorandum was prepared in collaboration with members of the Justice Roundtable.

² For more information about the role of values-based messaging and for tips on speaking about policing issues generally, visit <https://opportunityagenda.org/explore/resources-publications/talking-policing-issues>.



- We need to address the [1,092 people killed by police](#) in 2015 as estimated by The Guardian.

2. Officer wellness and safety can be enhanced by improving officer training and promoting best practices.

- The Task Force on 21st Century Policing set forth [17 recommendations](#) to promote officer safety that include training and best practices.
- We should invest in officer and community wellness and safety instead of spending [\\$80 billion](#) a year on mass incarceration.

Sample Message:

- *It is incredibly important to ensure that law enforcement officers are safe so they can carry out their duties effectively. These types of bills do nothing to invest in officer wellness or to address the everyday challenges faced by officers. They are redundant, especially because there are laws that protect officers from violence in all 50 states.*

Sample Message:

- *We need policies that protect everyone, law enforcement and community members alike -- and a commitment to working together to build safe communities. These kinds of bills would only erode police-community relationships and thus threaten safety for both the community and police officers.*
- *Rather than take seriously the concerns communities have about the police officer's use of excessive force, discriminatory policing, and lack of accountability for police violence, these bills further criminalize communities and will only worsen policy-community tensions.*
- *At a time when our country needs to build unity, these bills sow division between police and the communities that they protect, serve, and rely on. They will only make the job of law enforcement harder than it already is.*
- *Instead of providing a bridge for communication, proponents of these bills are only isolating communities and stifling the necessary dialogue that could lead to safer communities and safer law enforcement officers.*

Values at Stake: Pragmatism and Commonsense Solutions

3. Enhanced penalty laws are wasteful and unnecessary.

- [All 50 states](#) have laws that make it a serious crime to assault or kill law enforcement officers.
- [Federal law](#) (18 U.S.C. § 1114) requires the death penalty or a life sentence for killing a federal officer.
- [Federal law](#) (18 U.S.C. § 1121) imposes a death or life sentence for killing a local officer involved in a federal investigation.

4. Enhanced penalty laws would fuel mass incarceration.

- These laws could result in hundreds of new offenses and federalize crimes already prosecuted by the states.
- Some of these bills impose [mandatory minimums](#) for assault.
- Some of these bills impose the death penalty though [capital punishment](#), which has not proven to be a deterrent.

Sample Message

- *Our current criminal justice system is overly punitive, costly, and racially biased. This type of legislation would only exacerbate these aspects of the system and is counterproductive to ongoing efforts to put in place smart, commonsense reforms that will make the system more fair and efficient and keep Americans safe.*

Values at Stake: Human Rights and Our Constitution

5. These laws threaten free speech and assembly.

- Being able to come together as a community in peaceful demonstrations and protests is a foundational value that is enshrined in the first amendment of our Constitution. This value is core to our identity as a nation.
- However, law enforcement officers have at times created barriers in the exercise of speech by responding to demonstrations with [militarized equipment](#), aggression, and widespread arrests. This type of response often threatens the exercise of free speech and violates the human rights of protestors.
- Enhanced penalty laws would increase the penalties for people facing trumped up charges during mass arrests at a protest, undermining the community's ability to exercise free speech.

6. Enhance penalty laws would encourage racial profiling and discrimination by police officers.

- Officers are more likely to perceive people of color, LGBTQ and HIV affected people, and people with disabilities as aggressive. They are more likely to charge these communities with resisting arrest or assault on an officer, especially if the officer is covering up excessive force, discriminatory treatment, or other wrongdoing.
- Enhanced penalty laws would allow officers to profile these communities and then subject them to stiffer penalties and sentences because of the alleged "hate crime" that might result from these unnecessary interactions. These incentives to profile, discriminate, and further penalize communities that already have tense relationships with the police, undermine our commitment to human rights and equal justice. Instead of more criminal penalties, let's invest in bias training that can improve relationships between police and communities.