

AB 392: A False Reformation

On a seemingly normal afternoon, a police officer and her partner were on patrol after spotting a car crash into a building. Suddenly, a subject who was under the influence of PCP attacked the female officer, viciously pounding her head into the street as her partner was trying to get him off of her. The attack went off for several minutes, where the female officer eventually lost consciousness. Chicago Police Supt. Eddie Johnson said the female officer should have used lethal force, but chose not to because “she didn’t want her family or the department to have to go through the scrutiny the next day on the national news.” AB 392, a new California bill proposed by Assemblymember Shirley Weber, makes it harder for police to use lethal force, raising the standard in which police can use lethal force from ‘reasonable’ to ‘necessary’ when in defense of human life. I disagree with this bill because it hinders police officers ability to do their job and allows criminals to do more harm, it places more financial burden on law enforcement, it deters new officers from joining the police force, and it could be replaced with a better solution.

The most important duty of law enforcement is to protect the lives of its citizens. However, with AB 392 in place, it is almost impossible for officers to do their job efficiently and effectively in lethal scenarios that require officers to make split-second decisions. Bullets travel 2,600 feet per second. That is barely enough time for a police officer to debate various responses and second-guess their actions in the face of deadly force. However, that is precisely what AB 392 would require. Raising the standard in which police can use lethal force to ‘necessary’ could cause officers to hesitate and second guess their decisions in critical moments, slowing their response. Slowing police decision-making in deadly situations would not only endanger a police

officer's life but also endanger the lives of other civilians at the scene and allow criminals to inflict more damage to society.

As the risk of law enforcement casualties becomes higher, workers compensation cost also has to increase. The rise of casualties also proliferates the number of lawsuits, causing police liability insurance to become more expensive. Both of these factors place a larger financial burden on police officers and state departments.

Furthermore, AB 392 will deter citizens from joining the police department. The California Commission on Peace Officer Standards and Training (POST) examined law enforcement employment data that reflect a nearly 6 percent decline in the number of police officers from 2008 through 2014 in the state. Stricter use-of-force law puts officers lives at higher risk, which may discourage people from applying to become a police officer. With the police force in California already declining, the passing of AB 392 could spark a further decline in law enforcement enrollment. To combat the lack of officer applicants, the police department has to resort to lowering their hiring standards. This could range from lowering educational requirements to forgiving some prior drug use. The number of under-qualified officers in the department will increase, thus weakening the police force and lowering the quality of community protection. The lack of law enforcement enrollment will also force some officers with minor physical and psychological injuries to continue their job. Thus, this bill will worsen physical and mental trauma of police officers and further weaken the police force.

So what is a better solution? Instead of limiting police use of lethal force, we need to train police *how* and *when* to use lethal force. Senate Bill 320 by Senator Anna Caballero does just that. The bill requires training for officers on de-escalation tactics and other alternatives to violence. In addition to the bill, a classification system that defines how violent a situation is and what response is appropriate needs to be taught and implemented in training. This will enforce officers to use a level of force proportional to the situation instead of jumping straight to lethal force. Unlike AB 392's implementation of stricter use-of-force laws, improving training for officers offers specific guidance on what response is appropriate for each split-second unique scenario.

While we should all agree that the goal is to have fewer incidents where police must use deadly force to defend their own or another's life, AB 392 is a flawed and impractical solution. Instead of reforming the law enforcement system, what AB 392 essentially does is ask officers to protect the public with both hands tied behind their backs, undermining the goal of preserving life and order. The Chicago female officer's near-death experience is representative of many fallen officers throughout America, and if AB 392 is passed, such tragedies will not subside, but proliferate.

Works Cited

Staff, Crimesider. "Chicago Police Say Officer Didn't Shoot Suspect Beating Her, Fearing

Scrutiny." *CBS News*, CBS Interactive, 18 Oct. 2016,

www.cbsnews.com/news/chicago-police-say-officer-didnt-shoot-during-beating-fearing-scrutiny/.

Rosenthal, Laurel. "New CA Rules for Deadly Police Force Go to Governor's Desk."

CalMatters, 9 July 2019,

calmatters.org/justice/2019/07/new-ca-rules-deadly-police-force-go-to-governors-desk/.

Rosenthal, Laurel. "California's Attempt to Reduce Police Shootings, Explained." *CalMatters*,

2019, calmatters.org/explainers/california-police-shootings-deadly-force-new-law-explained/.

Smith, Sid. "A Crisis Facing Law Enforcement: Recruiting in the 21st Century."

Policechiefmagazine.org, 2019, www.policechiefmagazine.org/a-crisis-facing-law-enforcement-recruiting-in-the-21st-century/.

Mastagni, David E. "Modernizing Use of Force on Our Terms." *PORAC*, 12 Apr. 2019,

porac.org/2019/04/modernizing-use-of-force-on-our-terms/.