

Over the last few days, I have read and reread the proposed police accountability act. I have spoken with State Representatives about my concerns and feel that the bill is flawed. Those who have written that many police officers will move on to new careers, retire or be less proactive are correct. Those who state that officers who turn to new careers, retire or be less active don't deserve to wear the badge are sadly misinformed.

Police Officers are needed, as we can see by the current uptick in violent crimes nationwide. No Police officer should have to come to work and worry about whether a single call will be second-guessed, resulting in a frivolous lawsuit that can cost them everything. Several items in the bill are worrisome. They are as follows:

- Mental Health Screenings
- Study for Liability Insurance
- Qualified Immunity
- Use of Force Standard
- Consent Searches

Mental Health

Who will pay for the mental health screenings?

Will officers be abandoned?

Will officers be forced to retire?

Will officers be given help?

Liability Insurance

Who will pay for insurance?

How much insurance will be needed to protect an officer's family's assets?

How will this affect the profession?

Qualified Immunity

Definition - Qualified immunity balances two vital interests—the need to hold public officials accountable when they exercise power irresponsibly and the need to shield officials from harassment, distraction, and liability when they perform their duties reasonably.

By removing this qualified immunity, you place officers at a significant disadvantage. Police Officers will be subjected to frivolous, baseless lawsuits. You will cause officers to second guess, delay, or be afraid to make decisions that may result in death. You are already Monday morning quarterbacking from your legislative seats.

The bill should not be passed under any circumstances.

Use of Force

The language “reasonably believes” or “reasonably necessary” flows from the Supreme Court of the United States and the seminal decision of Graham v. Connor. (2) The court recognized that officers need to make split-second, life-or-death decisions that are not capable of precise definition or mechanical application. Such decisions are to be judged from the perspective of a reasonable officer on the scene and not with the benefit of hindsight. The objective reasonableness standard accepts the reality that officers must make the best call they can with whatever information is available to them, and sometimes that call will turn out to be wrong. The language proposed in this bill would reject this thought process and make officers strictly liable should they reasonably but mistakenly perceive a threat.

Consent Searches

By removing the consent option, you are removing an opportunity that saves lives. Having to establish Probable Cause or get a warrant will result in fewer motor vehicle stops and more crime. What is the purpose of this item?

Overall, this bill is a knee jerk reaction that appeases to the criminal element. Policing is not a pretty job, and sometimes it gets downright ugly. By attacking the police and continually diminishing their ability to do the job, you will prevent people from becoming police officers. Officers will retire, and I can guarantee the crime rate will exceed your ability to bring it back down.

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Sent from [Outlook](#)