Amnesty International: US police laws violate human rights standards

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19 June 2015

Laws governing the use of force by police in every state in the US, as well as the federal government, do not comply with international human rights agreements, Amnesty International said Thursday.

The human rights group's report, entitled "Deadly Force: Police Use of Lethal Force In The United States" is a devastating indictment of a government that uses the defense of human rights as a pretense for invading, bombing and destabilizing countries throughout the world.

Steven W. Hawkins, executive director of Amnesty International USA, said in a statement that international law dictates that "Police have a fundamental obligation to protect human life," and that "deadly force must be reserved as a method of absolute last resort."

"The fact that absolutely no state laws conform to this standard is deeply disturbing and raises serious human rights concerns," he added.

Hawkins said in a separate interview with the *Guardian* that "while law enforcement in the United States is given the authority to use lethal force, there is no equal obligation to respect and preserve human life. It's shocking that while we give law enforcement this extraordinary power, so many states either have no regulation on their books or nothing that complies with international standards."

The Amnesty International report found, "No state limits the use of lethal force to only those situations where there is an imminent threat to life or serious injury to the officer or to others."

Nine states and Washington, DC do not have any state laws governing the use of force by police whatsoever. It also found that thirteen states have laws on their books related to police use of force that are out of keeping with federal law as defined by the Supreme Court, rendering them in effect unconstitutional. But even federal rules for the use of force fall below international standards, the report said.

Extremely permissive state laws governing the use of force likely contribute to the extremely low rates at which police are convicted for murder and manslaughter. Despite as many as ten thousand or more deaths at the hands of police over the past decade, only 58 officers have been charged for any of these cases, and only 13 have been convicted of a crime.

Not a single police officer has been convicted for the high-profile police murders of Michael Brown in Ferguson, Missouri; Eric Garner in Staten Island, New York; Tamir Rice in Cleveland, Ohio and countless others.

The UN Human Rights Committee has declared that "The deprivation of life by the authorities of the State is a matter of the utmost gravity" and that states must "take measures to prevent arbitrary killing by their own security forces." The United Nations Basic Principles on the Use of Force and Firearms by Law Enforcement Officials declares, "In any event, intentional lethal use of firearms may only be made when strictly unavoidable in order to protect life."

In contrast to international law, the report wrote, "None of the laws establish the requirement that lethal force may only be used as a last resort with non-violent means and less harmful means to be tried first. The vast majority of laws do not require officers to give a warning of their intent to use firearms."

In addition, nine states allow the use of deadly force to suppress a riot or "mutiny." Twenty-two allow officers to kill someone who is attempting to escape from jail or prison. Only eight states require that warning be given (when feasible) before lethal force is used; "however no state meets the requirement for a warning under international standards."

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The report adds that none of the states' use-of-force laws "include accountability mechanisms, including for example the requirement of obligatory reporting for the use of force and firearms by law enforcement officers."

The Amnesty International report notes the parallel between the failure of states to mandate that officers seek to preserve life in deciding whether to use deadly force and the routine practice by police of shooting their victims far more times than necessary to incapacitate them.

The report notes, "Michael Brown, for instance, was shot six times, and Kajieme Powell [who was killed the same month in St. Louis] was shot nine times. The firing of so many shots in an urban environment would often be reckless and puts bystanders at risk, and indicates an intentional lethal use of a firearm which under international law and standards may only ever be employed when strictly unavoidable to protect life."

In addition to shootings, police regularly take lives by beating and tasing their victims to death. The report noted, "For example, at least 540 people in the United States died after being shocked with Tasers from 2001 through 2012."

Despite repeated calls by Amnesty International and other human rights organizations for more federal oversight of police killings, the Obama administration has staunchly refused to implement a national database of police killings or federal requirements that police report deaths at their hands.

As a result, the only reliable lists of police deaths are those compiled by third parties, such as killedbypolice.net, the *Washington Post* and the *Guardian*. According to killedbypolice.net, officers killed 1,100 people last year, and are on track to kill just as many this year.

Even the extremely limited state laws that are on the books are routinely disregarded through internal and judicial review processes that are deliberately manipulated by police and prosecutors to protect killer cops.

The report states, "The officer's own police agency usually conducts the investigation" following a police killing. It notes that prosecutors usually have close ties to the police, undermining their pretenses to impartiality. This has led to the highly manipulated grand jury proceedings that produced the exoneration of Darren Wilson, who killed unarmed teenager Michael Brown in Ferguson, Missouri, and Daniel Pantaleo, the killer of Eric Garner in Staten Island.

This week the *New York Times* gave a glimpse of the extent to which the US "justice system" is rigged in favor of the police. It noted that during the secret grand jury proceeding that exonerated Pantaleo, prosecutors coached witnesses to toe the police line, instructing them not to say that the victim was choked.

"A prosecutor also interjected when she told jurors how Mr. Garner was taken to the ground. 'I said they put him in a chokehold,' one witness recalled saying. 'Well you can't say they put him in a chokehold,' she said a prosecutor responded."

The ongoing wave of police killings, and the legal impunity given to killer cops, stands as a devastating indictment of American capitalism.

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