

Democrats announce toothless police reform bill

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With a great deal of rhetoric accompanied by a political stunt, the Democratic congressional leadership on Monday released its “Justice in Policing 2020” bill.

Prior to the press conference to present the measure, more than 20 Democratic lawmakers, all wearing African kente cloths, knelt in the Capitol’s Emancipation Hall for eight minutes and 46 seconds, the amount of time fired Minneapolis police officer Derek Chauvin kept his knee on the neck of George Floyd, killing the 46-year-old African American worker.

The group of Democrats included House Speaker Nancy Pelosi, Senate Minority Leader Charles Schumer, Congressional Black Caucus Chairwoman Karen Bass and senators Cory Booker and Kamala Harris.

At the press conference, Bass, Pelosi, Schumer and other sponsors of the bill repeatedly cited the nationwide mass demonstrations against the murder of Floyd and touted their bill as a “transformational” and “bold” attack on police violence and systemic racism. But their statements and the token character of the reforms included in the bill make clear that the measure is nothing of the kind.

Rather, it is a political maneuver designed to provide cover for Democratic governors and mayors who have overseen brutal police attacks on protesters, not to mention the pro-police record of the Obama administration. It is also aimed at containing and dissipating social protests by workers and youth against not only racism and the fascistic Trump administration, but also the social inequality, repression and poverty that are embedded in the capitalist system and magnified by the coronavirus pandemic.

The Democrats are well aware that even their collection of mild reforms has no chance of being passed by the Republican-controlled Senate or signed into law by President Trump. Just minutes after the Democrats’ press conference, Trump, who later met behind closed doors with law enforcement officials, tweeted: “This year has seen the lowest crime numbers in our Country’s recorded history, and now the Radical Left Democrats want to Defund and Abandon our Police. Sorry, I want LAW & ORDER!”

The major provisions of the bill include:

- * Changes in the wording of statutes dealing with police abuse that somewhat lower the legal threshold for obtaining a conviction. The bill alters the federal standard for criminal police behavior from “willfully” violating the constitutional rights of a victim to doing so “knowingly or with reckless disregard.”

It also changes the standard for determining whether the use of force is justified from whether it is “reasonable” to whether it is “necessary.”

- * It somewhat limits, but does not eliminate, the application of “qualified immunity” to police offenders. For the past 15 years, the Supreme Court has interpreted the “qualified immunity” doctrine, which applies to public officials pursuing their official duties, to vacate civil suits and throw out criminal cases against police who break the law or use unwarranted force.

Legal researchers Amir H. Ali and Emily Clark argued in 2019 that “qualified immunity permits law enforcement and other government officials to violate people’s constitutional rights with virtual impunity.” The Obama administration repeatedly intervened in Supreme Court cases to uphold the blanket use of “qualified immunity” to shield cops from civil suits or criminal prosecution.

- * The bill limits, but does not eliminate, the transfer of military equipment to the police. Obama continued the practice of militarizing police departments with billions of dollars worth of military-grade weapons, armored vehicles, attack helicopters, drones and other tactical weapons.

- * It bans no-knock warrants, but only for drug-related investigations. Otherwise, police are allowed to continue crashing into people’s homes without announcing themselves or even identifying themselves as police.

- * The bill creates a national register of police misconduct.

- * It bans chokeholds.

- * It establishes a grant program allowing—but not requiring—state attorneys general to create an independent process to investigate misconduct or excessive force.

- * It requires body cameras for federal uniformed police

officers and dashboard cameras for marked federal police vehicles. These federal forces comprise only a small fraction of the 687,000 full-time law enforcement officers in the US. The bill also mandates that state and local agencies use federal funds to “ensure” the use of body and dashboard cameras.

- * The bill bans racial profiling.

- * It grants subpoena powers to the civil rights division of the Justice Department for “pattern and practice” investigations of police departments.

- * It makes lynching a federal hate crime.

At the press conference, Bass, who represents parts of South Los Angeles, went out of her way to profess her support for the police. “I am certain that police officers, professionals who risk their lives every day, are deeply concerned about their profession and do not want to work in an environment that requires their silence when they know a fellow officer is abusing the public,” she said.

She went on to present police officers as the unwitting victims of poor training and policing practices and a lack of “transparency.”

Pelosi called the bill a “transformational” and “structural change,” ran through its main provisions, and concluded by saying, “Police brutality is a heartbreaking reflection of an entrenched system of racial injustice in America.” She called the bill a “first step,” promising “more to come.”

New York Senator Schumer, known as the senator from Wall Street, referred nervously to the massive demonstrations that have continued in New York City and in cities and towns across the US for nearly two weeks, noting in particular their multi-racial and multi-ethnic diversity.

He then proceeded to define the issue of police violence exclusively in racial terms, saying, “The poison of racism affects more than just our criminal justice system. It runs much deeper than that. There are racial disparities in housing and health care, education, the economy, jobs, income and wealth and COVID has only placed a magnifying glass on them.”

This is a continuation of the narrative that has been employed by the ruling class, and particularly that faction represented by the Democratic Party, for more than 50 years, ever since the massive urban rebellions of the 1960s. Beginning with the Kerner Commission Report of 1968, there has been a concerted effort to portray the essential social category in America as race, rather than class.

This was designed from the outset to divert attention from the class exploitation upon which capitalism is based and within which racism serves as a weapon to divide the working class. All of the African-American lawmakers at the Democrats’ press conference are wealthy beneficiaries of policies that have elevated a thin layer of blacks into the

upper-middle class and the bourgeoisie, while leaving black workers, and the working class as a whole, in far worse circumstances than in the 1960s.

A reporter asked if the sponsors of the “Justice in Policing Act” supported calls for “defunding” the police that have been embraced by some local Democratic officials, who have generally defined it as diverting a small portion of the police budget to social services. Bass had previously made clear she did not support such calls and the campaign of Joe Biden released a statement Monday disavowing the demand.

Responding to the question, Pelosi said, “We want to work with our police departments. There are many who take pride in their work, and we want to be able to make sure the focus is on them.” She went on to warn against getting “into these questions that may come by the small minds of some.”

As Marxists have long explained, the police are not “guardians of public safety” or “protectors of the people.” They are the shock troops of the capitalist state, which, as Lenin and Engels explained, is composed of “special bodies of armed men having prisons, etc. at their command.” Citing Engels, Lenin noted that the state is fundamentally “a product and a manifestation of the irreconcilability of class antagonisms,” and that the power and violence of the state “grows stronger ... in proportion as class antagonisms within the state become more acute.”

The police cannot be reformed. The institution must be dismantled through the revolutionary mobilization of the working class to overthrow the capitalist state and establish a truly democratic workers’ state, based on socialist policies.



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