



House Judiciary Committee
SB 945, HB 5837
Position: Support
June 11, 2020

Policing is a deeply troubled American institution, and one that has proven frustratingly resistant to reform. It's time to reimagine the role, responsibilities, and presence of police officers in the everyday lives of Black and Brown people. Good police practices, thorough training, carefully crafted policies and appropriate allocation of resources in law enforcement can ensure public safety and prevent abuses in encounters between police officers and citizens.

It is impossible to eliminate unwarranted racial disparities in policing without addressing culture change. Since officers' behavior is as likely to conform to culture as it is to formal rules, it is essential that the State take concrete steps to transform law enforcement's culture and values. The ACLU of Michigan supports SB 945 and HB 5837 because it is a good first step towards improving police/community interactions.

Implicit Bias Training

There is still not yet convincing evidence that the training methods currently used for implicit bias are effective at reducing disparities in how police treat people of color. The ACLU of Michigan recommends that the implicit bias training requirement be paired with a study evaluating the effectiveness of the training. Implicit bias training should also be supplemented with a curriculum for training officers on the history of race relations.

Crisis Intervention Training

The ACLU of Michigan also requiring crisis intervention training ("CIT"). We recognize that CIT is purely a harm reduction measure that puts a band-aid on the fact that officers are often the first responders for people in mental health crisis. However, training police officers to recognize and de-escalate a mental health crisis would reduce the risk that the officers will kill someone who just needs help. Ultimately treating police CIT is not an overall as a real solution, but it is an important first step towards developing a non-police-dependent infrastructure for addressing mental health crises.

The Legislature Should Continue to Supplement SB 945 With Additional Reforms

We must address what happens when officers do not "pass" or sufficiently complete these trainings. Law enforcement agencies must adopt policies that require officers to act in conformance with the trainings. Particularly for de-escalation and procedural justice, which involve specific behavioral steps that can be outwardly observed by others, such policies are often required by DOJ consent decrees. Departments should develop metrics for performance evaluations that reward positive community engagement and problem-solving.



Finally, SB 945 should and be accompanied by racial profiling data collection legislation and legislation documenting *ALL* use of force—not just use of force that involves a weapon or results in a death. We should also look at incorporating de-escalation requirements into any statute authorizing police use of force.

Respectfully submitted,

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