

California Tightens Restrictions of Police Use of Lethal Force to Counter Nationwide Outrage over Unarmed Civilian Murders

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A new law passed on Monday in California and signed by Gov. Gavin Newsom now allows police officers to only use lethal force when it is “necessary” in response to a threat instead of the existing “reasonable” standard.

[Assembly bill 392](#) is being dubbed as one of the most restrictive laws in the country and will take effect in January. Under the stricter standards, according to the abstract of law published online, officers can only use lethal force as a last resort to “defend against an imminent threat of death or serious bodily injury to the officer or another person”. The law is linked to a pending Senate bill requiring officers be trained in de-escalating confrontations and finding alternatives to using lethal force.

Last March, [Stephon Clark](#), 22, was shot eight times by cops while standing on his grandmother’s yard, unarmed with a phone in hand. Governor Newsom invited the Clark family to attend the signing ceremony. Stephon’s brother Stevante Clark said that

“the bill is watered down, everybody knows that” while not seeming too pleased with it.

I reached out to Joey Lankowski Host of [ACAB Radio](#) for a comment, he stated

“California is leading the way in police use of force legislation. AB392 is the best piece of legislation that I am aware of; however, it still leaves much to be desired. This was passed in response to the police murder of Stephon Clark, but under this new bill his killers would still walk free. I take issue with that, along with a lot of the verbiage used which still leaves too much room for individual interpretation. This is by design. The Police Union was able to squeeze too many concessions out of activists which I believe will continue to provide an out for their future killers in blue. I personally do not believe the solution is in legislation, but I do respect those who continue to fight that battle and I do consider this bill a small, much needed, victory for all of us in the fight. I understand that this fight must consist of a multi-pronged offensive and I applaud those that are putting in the work to get new, better laws passed. We are allies in this fight. However, it is my belief that changing this system from within will prove a fruitless endeavor. This system must be torn down and rebuilt by the people from the ground up and in the meantime, we must create alternative systems on the community level that will render these state institutions obsolete.”

Also on Monday, New York City Police Commissioner James O'Neill [announced](#) that officer Daniel Pantaleo has been fired, five years after using a prohibited lethal chokehold on [Eric Garner](#) who pleaded for his life while uttering the words “I can’t breathe” eleven times. Although many see this as a long over-due and extremely mild consequence for taking the life of an unarmed father of six, the largest police union in the city, Police Benevolent Association, accused the commissioner of siding with “anti-police extremists” in a furious [statement](#) that was released on Monday.

According to the [Police Use of Force Project](#) which is focused on how police use of force policies can help end police violence, they state that the current use of force policies lack basic common-sense limits. A list of the failures can be seen on their site.

[Mapping Police Violence](#) is another collaborative effort to research and collect comprehensive data on police killings nationwide in order to quantify the impact of police violence. On their site it says,

“We believe the data represented on this site is the most comprehensive accounting of people killed by police since 2013.”

They state that in 2018 police have killed 1,164 people in the United States. They also state that there were only 23 days in 2018 where police didn’t kill anyone. They go on to say that black people are three times more likely to be killed by police than white people.

In one of the charts on their site they mention the correlation between where location and police killings, they use the example that black people in Oklahoma were seven times more likely to be killed by police officers than in Georgia. In another chart they state that thirteen of the top one hundred largest U.S. city police departments kill black men at higher rates than the U.S. murder rate.

The [site](#) goes on to say that there is no accountability and that in 2015, in 99% of cases where officers were involved, they were not convicted of a crime.

[Mapping Police Violence](#) also believes that there are proven solutions and that police departments that have adopted use of force policies kill significantly fewer people, these solutions are the same as were mentioned earlier under the [Police Use of Force Project](#).

The tightening of restrictions on police use of lethal force in California seems like a good step in the right direction and should be implemented across the nation. However, implementing new laws and regulations is only one part of the solution and simply not enough to fix the issue of unarmed civilians being killed by police officers, especially with such an unproportionate amount being young unarmed black men. According to [new research](#) 1 in 1,000 black men will be killed by a police officer during their lifetime. Unless these laws are paired with more training, holding officers accountable for their actions, and convicting them in cases where excessive force led to the death of a civilian, significant progress will not be made.

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