

What does SB 20-217 do?

SB 20-217 answers the call of Coloradans who are demanding accountability for those law enforcement officers who use their power to harm black and brown people, and who get away with it, often keeping their jobs and continuing their lives while black and brown families are left to mourn the loss of their loved ones. It is time for Colorado to demand the same accountability for law enforcement officers as it has long demanded for others who commit crimes and perpetrate violence.

Why support SB 20-217?

SB 20-217 promotes law enforcement accountability and transparency as follows:

- **Mandates body cameras.** All officers must have body-worn cameras within a year and record interactions with members of the public. Failure to record creates a rebuttable presumption of officer misconduct.
- **Public reporting on policing.** All law enforcement agencies must track and report data, including demographic information, on uses of force, stops of civilians, searches of civilians and forced entries into homes.
- **Rein in use of deadly force by officers.** Colorado law will come in line with U.S. Supreme Court precedent holding deadly force may only be used by an officer, including against people who are fleeing the police, when there is an immediate risk of danger to human life.¹
- **Prevent rehiring of bad officers.** Officers who are found untruthful, terminated for cause, or are decertified will be listed in a database to stop the practice of bad officers moving from one law enforcement agency to another, where they continue to do predictable harm. Officers who have been convicted of violent crimes will be decertified.
- **Civil rights enforcement by individuals.** Victims of police misconduct will be permitted to bring a lawsuit against officers to enforce the Colorado Constitution, and officers will not be allowed to shield themselves with the doctrine of qualified immunity which has served to protect officers from accountability and deny families justice.
- **Defend Colorado communities.** Black and Brown people should not have to live in fear of the officials who are meant to serve and protect them. SB 20-217 champions a model of humane, equitable, and constitutional policing.

Our communities have been devastated by the frequent deaths and injuries of Black and Brown people at the hands of the police. Police officers are entrusted to protect and serve the community — not abuse it. It's time for police officers to treat Black and Brown with dignity — not force. Support SB20-217 and build a Colorado where no community has to fear the police and where arrest and use of force by law enforcement are last resorts, not first options.

¹ *Tennessee v. Garner*, 471 U.S. 1 (1985)

Stories



Suffocated to Death by Police --- “I Can’t Breathe.” In 2019, 23-year-old Elijah Javon McClain was killed by the Aurora Police Department. Though Elijah committed no crime, and the officers had no reason to believe that he did, they pinned the 145 pound Elijah, who was handcuffed, to the ground with their full weight for over fifteen minutes even as he said things like "I can't breathe" and vomited. When Aurora paramedics arrived, they recklessly injected Elijah with an overdose of ketamine, a potent dissociative sedative. As a result of the overdose, Elijah stopped breathing just when his body desperately needed air to recover from the stresses of the multiple forms of excessive force he endured. Elijah leaves behind a family who grieves the loss of a sweet, generous young man who used his lunch breaks to play his violin for animals in shelters.



Severely burned by grenade thrown into bedroom window while asleep. Treneshia Dukes was asleep in her boyfriend's apartment when law enforcement began a military-style assault on the home. Treneshia's boyfriend was on parole for a forged check, and police had received a tip that he was seen with a "small quantity of a green leafy substance." This prompted the police to raid the home at 5 AM, providing no warning before throwing a flashbang grenade through the bedroom window. Treneshia was hit and suffered severe burns to her arms and legs. Police officers used three flashbangs in the raid, which ultimately turned up less than a tenth of an ounce of marijuana. The federal court held that throwing an explosive device into an occupied bedroom was not a clearly established constitutional violation and the suit was dismissed.



Shot and killed while running away. In 2019, two Colorado Springs Police Department officers shot 19-year-old De'Von Bailey multiple times in the back. While responding to a fabricated 911 call, the officers came into contact with De'Von who complied with their commands to raise his hands. When the officers indicated they were about to search De'Von, he started to run away – an understandable reaction for a young Black man confronted by police. Within seconds, the officers opened fire – killing De'Von. Neither officer first warned De'Von that if he did not stop running, they would shoot. At no point before shooting did the officers see a weapon on De'Von, nor did De'Von make any threatening statements or actions. Once De'Von was dead, the Colorado Springs Police Department searched De'Von and found a gun in his shorts. The officers used Colorado's fleeing felon law to justify their unjustifiable use of deadly force.

Tased by Police For No Reason

Two Denver Police officers told Greg Heard, an African American man who was experiencing homelessness and in a bush in the vicinity of a reported crime, to, "Crawl out on your hands and knees. I'll fucking tase you." As seen in the officer's body camera footage, Greg follows the officers' orders, displaying his hands to show he's unarmed and moves out of the bush. While ducking to avoid overhanging greenery, the officer tells him to stop and, as Greg is mid-step, the officer fires his taser. Even as Greg collapses to the ground saying, "I can't breathe!", the officer tells him, "Stop resisting. You'll get tased again!"

BLACK LIVES MATTER.