



Mothers Against Police Brutality

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United States

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Written Submission of Mothers Against Police Brutality To the Office of the United Nations High Commissioner for Human Rights (OHCHR)

Pursuant to Human Rights Council resolution 47/21 on the “Promotion and protection of the human rights and fundamental freedoms of Africans and of people of African descent against excessive use of force and other human rights violations by law enforcement officers through transformative change for racial justice and equality.” Addressing “Systemic racism, violations of international human rights law against Africans and people of African descent by law enforcement agencies, to contribute to accountability and redress,” in line with operative paragraph 14 of the aforementioned resolution.

Mothers Against Police Brutality is a United States NGO based in Dallas, Texas. The mission of Mothers Against Police Brutality (MAPB) is to prevent police use of deadly force, particularly the killing of Black and other people of color; to change police deadly force policies and practices; to advocate for and with families who have lost loved ones to police violence; and to expand the concept of public safety with new policies limiting encounters between police and the public and making deep social investments in housing, health care, mental health services, employment, education, arts, recreation, and other presently unmet human needs. MAPB protests unjust policing, organizes communities most impacted, conducts research, and advocates for policy change in local, national, and international forums.

INTRODUCTION

This submission focuses on police violence in the United States and briefly describes a national initiative to lift up the voices of those most directly impacted; to develop leadership among the Mothers and families who have lost their loved ones to extrajudicial killings by police; and to build a network of among these women, with their families, friends, and allies, that is powerful enough to change the policies and practices of law enforcement throughout the country.

Police brutality in the United States is a national disgrace. Over 1,000 persons are killed by police every year in this country, and many more are injured and traumatized. Very few of these extrajudicial killings, which happen literally every day, come to the attention of the national media or Congress. The horrors that engulf the lives of the victims’ surviving loved ones are unseen by the general public.

In the aftermath of a deadly police shooting, there is no official support for the impacted families and their communities.¹ Parents are left to pick up the pieces when police kill their child, but more often we see that it is the Mother who takes the lead. Most Mothers will realize very quickly that there are no resources available to them. There isn’t a space to navigate to the center of their pain, because while

grieving they find themselves in an isolated space with no help from officials, clergy, and friends; in some cases, not even family members are available to assist them in this journey of grief.

Their child – or husband – is dead, and not only dead, but murdered, and not only murdered, but killed by a police officer, who has taken the very life he should have protected and who represents the state itself.

The families are left in a tailspin. Even planning the simple dignity of a funeral for their loved ones, who in most cases have no life or burial insurance, can be overwhelming. MAPB has been called upon to help with funeral expenses and, sometimes long after the funeral, to help purchase headstones and markers so that families can have a place to go and grieve for their loved ones.²

¹State Sponsored Victim Compensation Programs do not recognize any victim killed by any law enforcement agency and therefore no resources financially or therapeutically are available to victims of police brutality nor their family members; as they are available to other victims of crimes. See, for example: <https://www.texasattorneygeneral.gov/crime-victims/crime-victims-compensation-program/eligibility-crime-victims-compensation-program>.

²MAPB Headstone Project was created in 2017 out of the need and request from families that could not provide markers and or headstones for their children and loved ones killed by the police.

HOW TO BUILD POWER OUT OF GRIEF TO MAKE CHANGE

The MAPB Fellowship Legacy Program originated in our experience of working closely with Mothers who have lost a child or other loved one to police brutality. MAPB has witnessed up close, with the “inside lens,” how an extrajudicial killing by police impacts the victim's family, at times to the point of destruction.

Our Fellowship program, now operating in ten cities, is designed to motivate, inspire, and create change agents of Mothers who have lost their children to police brutality. Who better to invest in than Mothers with the *lived experience* of this tragedy? We provide Mothers with the tools and training they need to turn their grief into fuel for action and to become leaders in the own communities and in the broader movement to change policing.

We seek out the Mother who wants to go further for justice, beyond advocating – as they should, as they must – for their own child. We identify Mothers who recognize that bringing about change in the ways police interact with their communities will take a lot of work and commitment on their part, that it will take their willingness to learn how to organize, engage with civic leaders and public officials, and inspire their communities to advocate for social justice.

MAPB Fellows learn how to think strategically; how to engage effectively with policy makers – city councilmembers, district attorneys, state and federal representatives – law enforcement agencies and media, how to organize their communities, and how to build coalitions with other organizations. Each iteration of the program, each round of Fellows, lasts for two years. After that, the Fellows become part of a national network of families who know first hand the nightmare of police violence and who, working in coalitions with others, can sustain a movement to make change.

After highly publicized killings by police, waves of outrage and civil unrest roll through the nation, as happened recently after the deaths of Michael Brown (2014) and Breonna Taylor and George Floyd (2020). Still, no matter how high the waves of protest, they eventually subside. The extrajudicial killings by police, particularly of Black people, continue at the same pace. The U.S. Congress passed no police reform legislation – none – in the aftermath of the widespread unrest over police killings in 2020.

How are we to move in the U.S., and internationally, from protest to policy change? The MAPB Fellowship Legacy Program is our attempt to build and sustain an organized constituency that will develop the power and influence to deliver the long overdue changes necessary to bring justice to policing.

KEY RECOMMENDATIONS

A. Concerning the involvement of families directly impacted by police violence.

1. The OHCHR should work with MAPB and others to help facilitate communication among families directly impacted by police violence.
2. The OHCHR should work with MAPB and others to make sure that the voices of directly impacted families are present in all hearing and forums on police violence.

B. Concerning the priority of the issue of police violence, particularly against people of African descent.

1. The OHCHR should take the lead in forming an open-ended working group to develop a new international convention on justice and human rights in policing.
2. The OHCHR should establish a family working group as part of the new mechanism to conduct research and to receive reports from impacted communities on injustice and human rights violations in law enforcement by local and national police agencies.

C. Concerning actions recommended for the U.S. Congress and the U.S. Department of Justice.

1. Congress should enact a national legislative standard for police use of deadly force.
2. Congress should by legislation broaden the criteria for the prosecution of civil rights violations in police use of deadly force.
3. Congress should by legislation limit or end the judicial doctrine of “qualified immunity” (QI), which prevents the families of victims of police brutality from effectively prosecuting a wrongful death claim for civil damages.
4. Congress should establish a dedicated fund to make deep investments in community-based public safety initiatives that do not rely on law enforcement to address community harm and that promote community health, safety, and well-being.
5. The United States Department of Justice (USDOJ) should create a new office within the Civil Rights Division for the purpose of investigating, and prosecuting where warranted, all officer-involved-shootings (OISs) by local police departments and other law enforcement agencies. Congress should remove barriers to effective federal prosecution in OISs.
6. As a high priority, and as a demonstration of compassion for grieving, struggling families, USDOJ should develop model protocol for engaging families in the aftermath of a fatal police shooting. USDOJ should support research concerning the treatment by police departments of families who have lost a loved one to deadly police violence.
7. USDOJ should make sure that families of victims of police brutality are eligible for compensation when police kill or seriously injure their loved ones.

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