

# Deadly force debated

## California Legislature eyes compromise on state's controversial standards for law enforcement

The political landscape in California's debate over how to curb police shootings shifted last month as law enforcement groups agreed to drop the part of their bill that would lock in the current national standard for justifying the use of deadly force.

The move—intended to sustain negotiations on what could be a historic change in law enforcement—would link the police groups' calls for stronger department policies and officer training to a rival bill that would encourage alternatives to lethal force by making it easier to prosecute police who kill.

**Learn more:**  
CALmatters reporter Laurel Rosenhall is tracking California's effort to curb police shootings in a new podcast called Force of Law. Find it on [calmatters.org/podcasts](http://calmatters.org/podcasts).

A state Senate panel passed the new version of the bill last month, ratcheting up pressure on

law enforcement and civil rights advocates to compromise on an issue that, nationally and in California, has aroused intense emotions.

For the second time in a month, dozens of Californians whose relatives were killed by police lined up to testify in the state Capitol, many of them bearing photos of their loved ones and, in some cases, wailing in grief.

"What we are trying to do is create a new opportunity for the different sides to come together again and have a discussion around the changes to the use of force standard in California," said Sen. Nancy Skinner, the

Berkeley Democrat who chairs the Senate public safety committee and helped negotiate the changes.

"Many, many, many people up and down the state and experts ... feel that California's use of force standard should be revised. And so the way this bill is amended at least creates that opportunity for that conversation to continue."

At issue is how to determine legally when police can use deadly force. The U.S. Supreme Court has ruled that police can shoot when a "reasonable officer" in the same circumstances would do the same thing.

Law enforcement groups have long supported this standard, while civil rights advocates say it's made police killings of civilians too easy to justify. The diverging views were laid out in dueling bills that emerged after Sacramento police killed Stephon Clark, an unarmed black man, in his grandparents' backyard last year.

Until the last-minute amendments, the police-backed measure (Senate Bill 230) called for the state to adopt the Supreme Court's standard. A bill backed by the American Civil Liberties Union (Assembly Bill 392) would further limit when police can shoot, saying it should be lawful only when "necessary" to prevent death or serious injury.

With the Senate panel dominated by progressive Democrats from some of the state's most liberal cities, the earlier version of the law enforcement bill was almost certainly doomed.

The amendments delete the paragraphs saying California would adhere to the reasonable standard established by the Supreme Court, and link SB 230 to AB 392. The maneuver means the police bill requiring more training and stronger department policies can become law only if the bill changing the legal standard for justifying deadly force also does.

"That was something that we felt needed to be done in order to have fruitful conversations moving forward," said Brian Marvel, a San Diego police officer who is president of a statewide federation of police unions called Peace Officers Research Association of California. "The fear is that if we didn't couple them together, that there wouldn't be any more continued conversations."

Though he acknowledged that law enforcement groups had to change course, it wasn't clear if they will embrace the "necessary" standard spelled out in AB 392. Marvel said the coalition hadn't yet made a decision on that, but speaking for himself, he said he thinks "the Supreme Court got it right."

ACLU lobbyist Lizzie Buchen said she anticipates negotiations now will heat up.

"My hope is that this will actually force them to finally come to the table," she said. "If they really do want to see reform, which is what they are claiming, then they're going to have to help work on AB 392 to get it through."

Both sides will be pressuring the full Assembly, which must vote on the bill to change the legal standard by the end of May. Though Democrats hold more than 75 percent of the seats, the Assembly typically skews more moderate than the Senate, and a handful of Assembly Democrats have strong ties to law enforcement.

—LAUREL ROSENHALL



## Celebration of an Extraordinary Life Bonnie Snow, RN, MSW, LCSW Oct 28, 1943 - Nov 17, 2018

Bonnie Snow's lifelong commitment to patient centered care, integrity and excellence, compassion, and collaboration continues in those who worked with her. She was instrumental in bringing hospice care to Butte County, developing Hospice on the Ridge/Paradise Hospice (now Feather River Hospice), a true altruistic, community run agency that served as a social service hub for the Paradise/Magalia region. We are saddened by her premature death that was related to the November 8, 2018 devastating Paradise fire.

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## TAKING THE PLEDGE

In a packed El Rey Theater on Saturday (April 27), Congress hopeful Audrey Denney pledges her support for the Green New Deal. The Chico event—hosted by the Sunrise Movement, a social welfare political action organization—was part of a tour around the United States aimed at raising awareness of the Green New Deal. The controversial proposed 10-year stimulus program would create jobs in renewable energy as a way to combat climate change.

The same evening, Denney became the first candidate for 2020 to be endorsed by the organization. For more on the Sunrise Movement and the deal, go to [sunrisemovement.org](http://sunrisemovement.org).

PHOTO BY CHARLES FINLAY

