



Legislation Text

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IMMEDIATE ADOPTION

200215

ORIGINAL

ALD. STAMPER, COGGS, RAINEY, LEWIS, DODD, HAMILTON, PEREZ, KOVAC, JOHNSON, BAUMAN, BORKOWSKI, DIMITRIJEVIC AND ZAMARRIPA

Resolution urging the Fire and Police Commission to adopt a policy addressing the "I can't breathe" plea by an individual who is under police custody.

This resolution urges that the Fire and Police Commission adopt a policy regarding a plea from any person under police custody stating that the individual is unable to breathe or any indication that the individual is unable to breathe. The policy should include a requirement that when a person states that he or she cannot breathe, police officers must ask whether the person needs medical attention.

Whereas, On May 25, 2020, George Floyd stated "I can't breathe" and died after he was put in a chokehold by a Minneapolis police officer; and

Whereas, On July 22, 2014, Eric Garner stated "I can't breathe" while being placed in a chokehold by arresting New York City police officers and died from his injuries; and

Whereas, In July of 2011, Derek Williams died in police custody after having difficulty breathing for approximately 15 minutes, which was captured on squad car video; and

Whereas, Milwaukee Police Department officers testifying at the inquest for Williams's death stated that suspects often "fake" a medical problem to "try to get away"; and

Whereas, The deaths of these men in addition to many other men and women in police custody prove that these medical issues were not faked and indicate excessive force; and

Whereas, It is essential to preserve every individual's constitutional rights to life and to due process; and

Whereas, Allowing police officers to use excessive force without consequence erodes the public trust in those who are charged with enforcing laws and preserving public safety; and

Whereas, Incidents of excessive force resulting in death are not isolated and continue to pervade as systemic issues requiring change in policy; and

Whereas, It is the role of the Fire and Police Commission to investigate officer misconduct; and

Whereas, Holding police officers accountable for incidents of excessive force restore the public's faith not only in the institution of law enforcement but also in the Fire and Police commission's role in safeguarding jurisprudence; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Fire and Police Commission is urged to adopt a policy addressing the plea by any individual or any indication that the individual under police custody is unable to breathe; and, be it

Further Resolved, That when a person states that he or she cannot breathe, the policy should include a requirement that police officers ask whether the person needs medical attention.

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Tea B. Norfolk
6/15/2020