Legislation Details (With Text)

File #:	Res 1343-2020	**Version:** *	**Name:**	Eric Garner Excessive Use of Force Prevention Act of 2019 (H.R. 4408)
Type:	Resolution		**Status:**	Adopted
			In control:	Committee on Public Safety
On agenda:	6/18/2020			
Enactment date:			**Enactment #:**	

Title: Resolution calling upon the United States Congress to pass, and the President to sign, the Eric Garner Excessive Use of Force Prevention Act of 2019 (H.R. 4408), which would prohibit police chokeholds and other tactics that result in asphyxiation.

Sponsors:

Indexes:

Attachments: 1. Res. No. 1343, 2. Committee Report 6/9/20, 3. Hearing Testimony 6/9/20, 4. Hearing Transcript 6/9/20, 5. Committee Report 6/18/20, 6. Hearing Transcript 6/18/20, 7. Committee Report - Stated Meeting, 8. June 18, 2020 - Stated Meeting Agenda with Links to Files, 9. Hearing Transcript - Stated Meeting 6-18-20, 10. Minutes of the Stated Meeting - June 18, 2020

Date	Ver.	Action By	Action	Result
6/9/2020	*	Committee on Public Safety	Hearing on P-C Item by Comm	
6/9/2020	*	Committee on Public Safety	P-C Item Laid Over by Comm	
6/18/2020	*	Committee on Public Safety	Hearing on P-C Item by Comm	
6/18/2020	*	Committee on Public Safety	P-C Item Approved by Comm	Pass
6/18/2020	*	City Council	Introduced by Council	
6/18/2020	*	City Council	Referred to Comm by Council	
6/18/2020	*	City Council	Approved, by Council	Pass

Preconsidered Res. No. 1343

Resolution calling upon the United States Congress to pass, and the President to sign, the Eric Garner Excessive Use of Force Prevention Act of 2019 (H.R. 4408), which would prohibit police chokeholds and other tactics that result in asphyxiation.

By Council Members Rivera, Ampry-Samuel, Constantinides, Kallos, Van Bramer, Rosenthal Menchaca, Louis, Ayala, Brannan, Adams, Reynoso, Rose, Moya, Cabrera, Cohen, Chin, Powers, Miller, Grodenchik and Levin

Whereas, On July 17, 2014, Eric Garner, an unarmed Black man, died after being choked by a New York City ("NYC" or "City") Police Department ("NYPD" or "Department") officer as a witness filmed him crying out "I can't breathe" 11 times; and

Whereas, The death of Eric Garner launched protests across the City and the United States (U.S.); and

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Whereas, These protests energized the #BlackLivesMatter movement, which grew rapidly after the fatal police shooting of Michael Brown, an unarmed Black teenager in Ferguson, Missouri; and

Whereas, Driven by those events and the deaths of numerous other Black men and women in police custody, this movement elevated a national discussion on police use of force and other law enforcement tactics that disproportionately impact communities of color; and

Whereas, Nearly six years later, on May 25, 2020, George Floyd, an unarmed Black man, died in the custody of Minneapolis police as witnesses filmed him repeatedly crying out “I can’t breathe” while an officer kneeled on his neck for eight minutes and 46 seconds; and

Whereas, This incident and other recent high profile cases of police killings of unarmed Black civilians has sparked days of protests in the City and across the country; and

Whereas, These protests have largely demanded, in part, accountability for officers such as those involved in the death of George Floyd, one of whom has been arrested and is being prosecuted by a local District Attorney; and

Whereas, However, historically local District Attorneys have failed to successfully prosecute and hold accountable officers involved in the killings of unarmed Black civilians, including the officer who choked Eric Garner; and

Whereas, Federal prosecutors have fewer ties to local law enforcement entities and should be given the power to use their greater independence to investigate, prosecute, and hold accountable police officers who kill unarmed civilians; and

Whereas, The Eric Garner Excessive Use of Force Prevention Act of 2019 (H.R. 4408), sponsored by U.S. Representative Hakeem Jeffries, would amend section 242 of title 18, U..S. Code, to forbid the use of chokeholds as a civil rights violation; and

Whereas, This law would enable federal authorities to hold accountable police officers involved in the killing of George Floyd and similar tragic incidents; and

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Resolved, That the Council of the City of New York calls upon the upon the United States Congress to pass, and the President to sign, the Eric Garner Excessive Use of Force Prevention Act of 2019 (H.R. 4408), which would prohibit police chokeholds and other tactics that result in asphyxiation.

LS #15250
6/1/2020
CGR