



## Lawmakers hold "good discussions" on police reform in wake of Chauvin verdict

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*Washington* — In a rare example of bipartisan momentum, members of Congress are moving forward with discussions over police reform legislation after negotiations stalled last summer.

Spurred by the guilty verdicts this week against Derek Chauvin, the Minneapolis police officer who knelt on George Floyd's neck for more than nine minutes, a bipartisan, bicameral group of lawmakers have convened talks this week on measures to address police violence, as the nation's eyes shifted from the Minneapolis courtroom where Chauvin was tried to Capitol Hill.

A familiar sticking point in negotiations, though, has been reforms to qualified immunity, a legal doctrine that protects police officers from civil lawsuits for constitutional violations. The sweeping reform bill named for Floyd that passed the lower chamber in March would eliminate qualified immunity, but Republicans fear such a step would open officers who acted in good faith to liability.

The measure would also change Section 242 of the U.S. Code to require a jury to decide whether a law enforcement officer acted with reckless disregard in order to convict, rather than the current standard of "willfulness."

Congresswoman Karen Bass, who spearheaded the George Floyd Justice in Policing Act, told reporters she is engaged in informal negotiations with Republican Senator Tim Scott and Democratic Senator Cory Booker over police reforms. Scott introduced his own proposal in the Senate last year, which has many similarities to the House-passed bill, but does not address qualified immunity for officers. The bill was blocked last year by Senate Democrats who argued it did not go far enough.

Bass, Booker and Scott had a conversation about next steps for police reform legislation on Thursday afternoon, but Bass said it was not an "in-depth" discussion.

"We hope to go to formal talks with the blessing of our leadership. But we do not have that yet. We're not there yet," Bass, a Democrat from California, told reporters at the Capitol after the meeting.

But she acknowledged that the main areas of disagreement in her informal talks with lawmakers remained Section 242 and qualified immunity.

"The main point is that we have to figure out a way to prevent these shootings from continuing to happen. And until officers are held accountable, there's no reason to think they won't happen, as we've seen over the last couple of days," Bass said, referring to recent police shootings such as the one that killed Daunte Wright earlier this month. She said it was "essential" to retain provisions on qualified immunity and Section 242 in a proposal changing policing practices.

"I would never say that, you know, it's my way or the highway. I would not say that. But what I will say is, those are very important. And holding officers accountable is really the bottom line," Bass said.

Following the discussion with Bass and Booker, Scott, from South Carolina, told reporters he is "optimistic" about the future of their negotiations. Booker, meanwhile, said he had been given "wide latitude" by Senate Majority Leader Chuck Schumer, and noted other lawmakers such as Senate Judiciary Committee Chairman Dick Durbin were participating in discussions.

"We're having really, really good discussions right now, and I feel encouraged by them," Booker told reporters.

The verdicts this week in the case against Chauvin demonstrated the rarity with which police officers are held accountable for their actions on the job by the courts, including for use of excessive force that leads to death.

While the jury's guilty verdicts has sparked a sharpened focus in Congress on passing police reforms, Jay Schweikert, a policy analyst at the Cato Institute who focuses on accountability for law enforcement, said the shifting political landscape in Washington also created more favorable conditions for action.

"It seemed like President Trump was not going to sign anything related to qualified immunity reform," Schweikert told CBS News of the former president, who often touted his support for law enforcement.

President Biden, meanwhile, has urged Congress to pass police reforms, and White House press secretary Jen Psaki said Wednesday that the president intends to elevate the issue during his first joint address to Congress next week.

Schweikert said there are Republicans who recognize there are issues with qualified immunity that need to be addressed and are in search of a compromise solution, one that does not outright abolish the doctrine. Instead, he suggested a "promising solution" would be one that eliminates the "clearly established law" standard, under which an official cannot be sued so long as they did not violate a "clearly established" statute.

"We're not going to get meaningful changes from the courts," he said. "Real change is only going to come through legislation at this point."

While Congress weighs changes to qualified immunity, three states — Colorado, New Mexico and Connecticut — have overhauled the legal shield, and the New York City Council last month approved a measure that will allow citizens to sue police for violations of their Fourth Amendment rights.

Schweikert said reforms to qualified immunity at the state level should help alleviate concerns from Republicans about the possible ramifications.

"Last I checked there was still a police force in Colorado," he said, adding the law there has been in effect for several months.