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Opinion

Commentary: There is middle ground on police reform. Scott, Booker must finish the job.

- By Robert Weiner and Ben Lasky
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Photo by Richard A. Bloom



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In his media rounds announcing his presidential campaign, U.S. Sen. Tim Scott said “right and left must come together” and that we need common ground.

Yet in September 2021, talks broke down on a policing bill between Scott, R-S.C., Sen. Mitch McConnell’s designated leader on the issue, and Sen. Cory Booker, D-N.J., the Senate’s perceived leader on racial issues. They must join forces again on a bill to achieve credibility in their new roles.

After George Floyd, Tyre Nichols, Amir Locke, Breonna Taylor, Tamir Rice, Eric Garner, Trayvon Martin, Freddy Gray, Michael Brown and others were killed in police actions, and despite numerous national outcries, no bill has become law. A five-year study by Yale and the University of Pennsylvania from 2015 to 2020 found that black people were more than 2½ times more likely to be killed by police than white people.

Scott must show he can work effectively with the other side. He should tell McConnell, “With my campaign under way, I can’t afford to have this loss hanging on my record,” and McConnell could well support his colleague and appointed leader on the issue and allow him to finally strike a deal on police reform, if it is a rational approach. President Biden and the Congressional Black Caucus have also called for renewed action.

Steps must be taken to modify stand-your-ground laws, “rough rides” in police vehicles, chokeholds, no-knock warrants and the like. After successfully engineering House passage of a police bill in the last Congress, then-House Majority Whip James Clyburn, D-S.C., was unhappy with the Senate’s lack of action. He told MSNBC: “We passed our bill. Ask the Senate, ask Booker.” He also could have said, “Ask Scott.”

The best thing Scott and Booker can do to enhance their new roles is to finish the job they came within a whisker of completing.

There is a middle ground on police reform. While defunding the police is not the solution — as Biden said, they need more money not less — there should be a ban on federal officers’ use of chokeholds, no-knock warrants and rough rides, and there must be full use of body cameras. George Floyd’s murder spurred protests all over the world, yet our leaders have done nothing to resolve the problems that millions of people marched for.

One argument is that police will lose officers if a strong bill is passed. Actually, it’s the opposite. A parallel argument, that we’d lose athletes and sponsorships, was used against stronger drug testing at the Olympics, but that led to cleaner sports and bigger sponsorships. A stronger police bill would lead to better and more enthusiastic officers.

The primary holdup on the police reform bill’s final approval was police immunity. To get something done on immunity, the Senate could include a provision using grant money to reward jurisdictions that take concrete actions with incentives for better discipline for police and for the better training and vetting that Clyburn called for.

Would this solve all police brutality? No. But it is better than the nothing Scott, Booker and the Senate and House have together achieved. It would provide incentives to police departments and localities to take action. If states can take steps to stop police immunity for a period of time, they get some of that grant money.

If it comes down to a choice between disciplining or even prosecuting an officer or not receiving, say, \$10 million, chances are good the officer will go to trial and other officers will stop the behavior. After all, police departments have shown their desire to make money from asset forfeiture funds; they need the help. The perfect must not stop the possible.

So far, there has been a failure of negotiation. That can be corrected.

If Scott has any chance of leapfrogging Donald Trump, Ron DeSantis or even fellow South Carolinian Nikki Haley in his bid to win the Republican nomination, he needs to differentiate himself from the pack. A bipartisan police reform bill is one way to do it.

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