



FOR IMMEDIATE RELEASE

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MEDIA CONTACT

Miriam Krinsky, Executive Director

krinskym@krinsky.la

818-416-5218

Alyssa Kress, Comms Director

akress@fairandjustprosecution.org

215-264-9665

Nearly 70 Current and Former Criminal Justice Leaders File *Amicus* Brief Calling for an End to the Unnecessary Use of Deadly Force by PA Police

DAs, Attorneys General and law enforcement leaders tell the PA Supreme Court that the police should not be allowed to use deadly force on people fleeing arrest who are not dangerous

Today, a bipartisan group of 68 current and former elected prosecutors, Attorneys General and law enforcement leaders from around the nation filed an [amicus brief](#) in the Pennsylvania Supreme Court arguing that the state's use of force statute must be applied in accordance with the U.S. Supreme Court ruling in *Tennessee v. Garner*, which held that officers may not use deadly force when a person is fleeing unless they present an immediate threat of serious harm or death to the officer or others.

The brief was filed in support of Philadelphia District Attorney Larry Krasner's appeal prior to the trial of former Philadelphia police officer Ryan Pownall, who is charged with homicide for the killing of David Jones. The Commonwealth alleges that Jones, a Black man, was unarmed and fleeing when Pownall shot him. And the appeal challenges Pownall's claim that Pennsylvania law should be read in a manner that allows officers to use deadly force under these circumstances.

"The American system of policing has given broad protection to officers for far too long, allowing some to take life and liberty from thousands of people, disproportionately people of color, under deeply troubling circumstances," said **Miriam Krinsky**, a former federal prosecutor and **Executive Director of [Fair and Just Prosecution](#)**, the organizer of the brief. "Our communities rely on elected prosecutors and the courts to ensure that accountability transcends a title and a uniform. Continuing to provide cover to those police officers who abuse their authority would damage already fragile bonds of trust between law enforcement and the communities they serve, and thereby threaten public safety."

Amici argue that the Pennsylvania use of force statute must be read in accordance with Supreme Court precedent, which requires there to be an imminent threat of death or injury before officers can use deadly force against people trying to evade arrest. As noted in the brief: "Holding otherwise would allow police to kill without consequence, even when there is no reasonable risk of death or bodily harm. Such a result would both pave the way for the unconscionable use of deadly force and risk undermining community trust in the justice system."

“When a prosecutor has probable cause that anyone — including a police officer — has violated the law, prosecutions must be vigorous, visible and swift. No law should unconstitutionally shield a law enforcement officer from prosecution for unlawful use of deadly force. No one is above the law, and no one is beneath it,” said **Minnesota Attorney General Keith Ellison**, a signatory to the brief.

Other signatories to the brief include **Attorneys General Thomas J. Donovan, Jr.** (Vermont), **Karl Racine** (District of Columbia) and **Ellen Rosenblum** (Oregon), the **Law Enforcement Action Partnership**, over a dozen current or former Police Chiefs and Sheriffs and dozens of DAs and States Attorneys from around the nation.

In the brief, the criminal justice leaders explain that a “decision sanctioning law enforcement killing of people who pose no physical danger” would undermine trust in the criminal legal system and make it less likely that people in the communities most impacted will turn to law enforcement after a crime has occurred and cooperate with investigations. As *amici* note, “By employing an unconstitutional and overbroad approach to justifying the use of deadly force, this Court would create the appearance that it does not value its role in protecting the public against governmental abuse.”

“As a law enforcement leader, I know firsthand that police accountability is critical to building trust with the communities we serve and that this trust is integral to promoting public safety,” said **Darrel Stephens, former Police Chief of the Charlotte Mecklenburg, N.C. Police Department and former Executive Director of the Major Cities Chiefs Association**. “In order to establish confidence in law enforcement and in the criminal legal system, we must ensure that our policies and laws allow for officers to be held responsible for egregious misconduct that causes serious harm to the people and communities they are entrusted with protecting.”

Read the brief [here](#) and see below for a complete list of *amici*.

Today, Thursday, July 1st, at 4:15 ET, there will be press availability via Zoom with DA Larry Krasner and FJP Executive Director Miriam Krinsky. If you would like to attend, please email Alyssa Kress, FJP Communications Director, at akress@fairandjustprosecution.org.

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Fair and Just Prosecution is a national network of elected prosecutors working towards common-sense, compassionate criminal justice reforms. To learn more about FJP’s work, visit our [website](#) and follow us on [Facebook](#), [Twitter](#), and [LinkedIn](#).

List of Amici

Diana Becton

District Attorney, Contra Costa County, California

Wesley Bell

Prosecuting Attorney, St. Louis County, Missouri

Buta Biberaj

Commonwealth's Attorney, Loudoun County, Virginia

Chesa Boudin

District Attorney, City and County of San Francisco, California

RaShall M. Brackney, Ph.D.

Chief, Charlottesville Police Department, Virginia

Joseph Brann

Former Chief, Hayward Police Department, California

Former Director, DOJ COPS Office

Jim Bueermann

Former President, National Police Foundation

Former Chief, Redlands Police Department, California

Chris Burbank

Former Chief, Salt Lake County, Utah

Director, Law Enforcement Engagement, Center for Policing Equity

John Choi

County Attorney, Ramsey County, Minnesota

Jerry L. Clayton

Sheriff, Washtenaw County, Michigan

Dave Clegg

District Attorney, Ulster County, New York

Scott Colom

District Attorney, 16th Judicial District, Mississippi

Brendan Cox

Former Chief, Albany Police Department, New York

John Creuzot

District Attorney, Dallas County, Texas

Satana Deberry

District Attorney, Durham County, North Carolina

Parisa Dehghani-Tafti

Commonwealth's Attorney, Arlington County and the City of Falls Church, Virginia

Steve Descano

Commonwealth's Attorney, Fairfax County, Virginia

Drew Diamond

Former Chief, Tulsa Police Department, Oklahoma

Thomas J. Donovan, Jr.
Attorney General, Vermont

Mark Dupree
District Attorney, Wyandotte County, Kansas

Matt Ellis
District Attorney, Wasco County, Oregon

Keith Ellison
Attorney General, Minnesota

Kim Foxx
State's Attorney, Cook County, Illinois

Gil Garcetti
Former District Attorney, Los Angeles County, California

Kimberly Gardner
Circuit Attorney, City of St. Louis, Missouri

José Garza
District Attorney, Travis County, Texas

George Gascón
District Attorney, Los Angeles County, California
Former District Attorney, City and County of San Francisco, California
Former Chief, San Francisco Police Department, California
Former Chief, Mesa Police Department, Arizona

Sarah F. George
State's Attorney, Chittenden County, Vermont

Diane Goldstein
Executive Director, Law Enforcement Action Partnership
Former Lieutenant, Redondo Beach Police Department, California

Joe Gonzales
District Attorney, Bexar County, Texas

Deborah Gonzalez
District Attorney, Western Judicial Circuit, Georgia

Mark Gonzalez
District Attorney, Nueces County, Texas

Eric Gonzalez
District Attorney, Kings County, New York

Christian Gossett

District Attorney, Winnebago County, Wisconsin

Andrea Harrington

District Attorney, Berkshire County, Massachusetts

Jim Hingeley

Commonwealth's Attorney, Albemarle County, Virginia

Robert Hoffman

Former Chief, Plainfield Police Department, Connecticut

John Hummel

District Attorney, Deschutes County, Oregon

Natasha Irving

District Attorney, 6th Prosecutorial District, Maine

Justin F. Kollar

Prosecuting Attorney, County of Kaua'i, Hawaii

William Lansdowne

Former Chief, San Francisco Police Department, California

James Manfre

Former Sheriff, Flagler County, Florida

Beth McCann

District Attorney, 2nd Judicial District, Colorado

Karen McDonald

Prosecuting Attorney, Oakland County, Michigan

Ryan Mears

Prosecuting Attorney, Marion County, Indiana

Brian Middleton

District Attorney, Fort Bend County, Texas

Marilyn Mosby

State's Attorney, Baltimore City, Maryland

Jody Owens

District Attorney, Hinds County, Mississippi

Joseph Platania

Commonwealth's Attorney, City of Charlottesville, Virginia

Karl Racine

Attorney General, District of Columbia

Ira Reiner

Former District Attorney, Los Angeles County, California

Rob Reyes

Former Chief, U.S. Department of Veterans' Affairs Police Department, Pennsylvania

Rachael Rollins

District Attorney, Suffolk County, Massachusetts

Ellen Rosenblum

Attorney General, Oregon

Marian Ryan

District Attorney, Middlesex County, Massachusetts

Dan Satterberg

Prosecuting Attorney, King County, Washington

Eli Savit

Prosecuting Attorney, Washtenaw County, Michigan

Mike Schmidt

District Attorney, Multnomah County, Oregon

Daniella Shorter

District Attorney, 22nd Judicial District, Mississippi

Carol Siemon

Prosecuting Attorney, Ingham County, Michigan

Norm Stamper

Former Chief, Seattle Police Department, Washington

Darrel Stephens

Former Executive Director, Major City Chiefs Association
Former Chief, Charlotte-Mecklenburg Police Department, Virginia

Shannon Taylor

Commonwealth's Attorney, Henrico County, Virginia

Tom Thompson

Former Chief, Kettering Health Network Police Department, Ohio

Raúl Torrez

District Attorney, Bernalillo County, New Mexico

Matthew Van Houten

District Attorney, Tompkins County, New York

Andrew Warren

State Attorney, 13th Judicial Circuit, Florida

Organizations

Law Enforcement Action Partnership