

99-GS-59 VOTED: The Twenty-second General Synod adopts the Resolution "Re-affirming the Fourth Amendment in the Wake of the Diallo Shooting."

RE-AFFIRMING THE FOURTH AMENDMENT IN THE WAKE OF THE DIALLO SHOOTING

WHEREAS, the Bible reminds us to "act with justice and righteousness, and deliver from the hand of the oppressor anyone who has been robbed. And do no wrong or violence to the alien, the orphan, and the widow, or shed innocent blood in this place" (Jer. 22:3); and the Parable of the Sheep and the Goats cautions, "As you did not do it to one of the least of these, you did not do it to me." (Matt. 25:31-46);

WHEREAS, the Fourth Amendment to the Constitution of the United States of America guarantees "the right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated, and no warrants shall issue, but upon probable cause, supported by oath or affirmation, and particularly describing the place to be searched and the persons or things to be seized;"

WHEREAS, the fatal shooting, using 41 bullets, of an unarmed West African immigrant, Amadou Diallo, on February 4, 1999, by four police officers of the Street Crime Unit of the New York City Police Department is an example of a systemic problem that arouses national condemnation and outrage;

WHEREAS, this outrage has moved many people, including religious and elected leaders, to express their protest through non-violent civil disobedience, risking and experiencing arrest;

WHEREAS, it is believed that the overwhelming majority of police officers in the New York City Police Department, including members of our own churches, strive to protect and defend the City's inhabitants from harm and the actions of criminals;

WHEREAS, a police force is to be praised for these efforts and not condemned for the indefensible brutality of a few individual police officers;

WHEREAS, the "stop and search practices" of the Street Crime Unit, particularly in minority neighborhoods, although credited with 40% of illegal gun seizures by police, have raised serious civil rights questions, resulting in investigations by the New York State Attorney General, by the United States Attorney in New York City and by the U.S. Civil Rights Commission;

WHEREAS, the New York City Administration has announced efforts to address some of the concerns by requiring Street Crime Unit Officers to undergo new sensitivity training and by attempting to increase minority and residential representation on the police force;

WHEREAS, there has been a long-standing lack of communication and trust between the New York City Administration and residents of minority neighborhoods; and

WHEREAS, there have been many other instances of documented violations of the Fourth Amendment throughout the United States;

THEREFORE, BE IT RESOLVED that the Twenty- second General Synod of the United Church of Christ re-affirms the vital importance of the Fourth Amendment's guarantee of protection from unreasonable search and seizure;

BE IT FURTHER RESOLVED that the Twenty-second General Synod of the United Church of Christ calls upon OCIS , CRJ or their successor body to join the National Coalition on Police Accountability and to develop or provide materials on these issues;

BE IT FURTHER RESOLVED that the Twenty-second General Synod of the United Church of Christ requests that copies of this resolution be sent to New York City Mayor Rudolph W. Giuliani and Police Commissioner Howard Safir and all other appropriate agencies and individuals; and

BE IT FINALLY RESOLVED that the Twenty-second General Synod of the United Church of Christ encourages all local churches of the United Church of Christ to be advocates in their communities to see that the Fourth Amendment protections are justly guaranteed for all persons by:

Calling upon political leadership at all levels of government - national, state, and local - to make vigilant and constant efforts to enforce the Fourth Amendment's protection for all persons;

Calling upon Police Departments in particular, through their selection, training and monitoring, discipline and enforcement procedures, to seek diligently to dismiss from their ranks those police who fail to protect individuals' Fourth Amendment rights;

Encouraging any constructive changes in police policy and procedures, including the training of special enforcement task forces in order to address the concerns of this resolution; and

Urging the city administration in all cities to make earnest, diligent and untiring efforts at dialogue with the leaders and the people of minority neighborhoods so that a relationship of trust can be restored.

Funding for this action will be made in accordance with the overall mandates of the affected agencies and the funds available.