

HB 237 Lethal Force Amendment Bill
House Law Enforcement and Criminal Justice Standing Committee
February 22, 2021

Aaron and Tiffany James Statement of Support

Thank you for taking into consideration our comments that we have prepared in support of this Lethal Force Amendment Bill. We are here today to support both the citizens of Utah and the law enforcement community.

We believe this amendment is a first step in one of many necessary steps to rebalance the use of lethal force by officers in our state and we hope it is not the last. We believe this because we are a family who has tragically lost our 19-year-old son Zane James in 2018 to a police shooting under clear and unequivocal circumstances where the officer had other non-lethal options available but chose the use of deadly force instead. We say unequivocal, because these are not just the facts that our family wants to believe, but these are sadly the facts outlined in the internal investigation report provided to our family by Cottonwood Heights. And we recount them here for you all today, not for retribution or to shame the officer or the police department, but to make you aware of the reality of what the use of lethal force often looks like when it is used and how it could - and should - be different:

- On May 29, 2018 an officer shot our son Zane in the back at close range- and without warning- as he ran away injured;
- The officer had a taser and three other officers who could have assisted him in making just another routine arrest;
- Multiple eyewitnesses ALL state the same thing, Zane's hands were visible, he wasn't holding a weapon and he wasn't acting in a threatening manner in any way - he was simply limping away from the crash with his back turned;
- Zane's shooting didn't result from a lengthy high-speed chase by multiple officers where tensions were escalated;
- It was short, it was relatively low speed, in fact the officer who shot our son traveled appx a mile from his point of dispatch at the police station before shooting our son just 2 minutes later on the front lawn of a house less than three blocks from our family home in an affluent suburban neighborhood;
- And even more sadly – this isn't a case where our City of Cottonwood Heights doesn't have the right policies in place that require officers to choose non-lethal means of arrest over the use of lethal force – in fact there is such a policy;
- And if the officer had followed that policy on May 29th 2018 our son Zane would be alive today, in recovery from addiction fueled by his boundless perseverance and endless humor and humility as well as a loving family and large supportive group of friends and people in our community who know all too well the challenges of addiction.

Again, we sincerely want you all to understand that we are not recounting this today out of anger or even to gain sympathy – but to illustrate the deep sadness we have for both the loss of our son’s life and the burden that any officer has to live with when they choose to take a life. Because we are certain this officer has second guessed himself as have the other officers at the scene. How could they not being given such a huge responsibility for the safeguard of citizens.

And we also understand the other facts of case which are often used to confuse this issue of the use of deadly force:

- We understand that officers are increasingly under a lot of pressure to constantly scan for threats when they respond to a scene (whether these threats are perceived or real);
- And they have to make quick decisions under stress;
- But this does not give any officer the right to choose deadly force as THE option vs one of many options.

This is where we believe this bill for an amendment to the Use of Force law is critical. Because officers need clear, unambiguous laws to guide their training and responses to situations where they may really have to use deadly force AS A LAST RESORT. We believe that this proposed amendment can give officers and the law enforcement community better guidance so that we are able to greatly reduce the number of victims of police shootings. We also hope that if future amendments are considered – people like our son will be protected as well.

Our family strongly urges you all to pass this bill to make these changes to the Use of Lethal Force law because the circumstances that our family and many others now find themselves in is happening more and more frequently. And a strong response from our law makers is what is needed now to change the course of the future in how law enforcement responds to citizens in crisis situations – whether they are criminal suspects or people just suffering from a crisis.

Thank you for your time-
Tiffany and Aaron James

Attachments:

- 1) James Family pictures with Zane, friends and family during the period of his life immediately before and when he was struggling with his addiction.
- 2) Photographs of Zane and protests in the community over Zane’s shooting.