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IAS 3303

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**PETITION TO THE INTER-AMERICAN COMMISSION ON HUMAN RIGHTS,  
SEEKING JUSTICE FOR VIOLATIONS OF THE RIGHTS OF BREONNA TAYLOR  
FROM THE UNITED STATES POLICE**

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Submitted by Cricket Kaya On Behalf Of Minority-Americans Against Police Violence

**Breonna Shaquille Taylor** was a twenty-six-year-old Black woman living in Louisville, Kentucky. On March 13<sup>th</sup>, 2020, she was shot multiple times by police, who had forcibly entered her home with no warning, by a warrant that did not list her name. The individuals whose names were listed had already been found by the police, and there was no evidence of drug activity in the home. No reasonable motivation to forcibly enter her home under a “no-knock” warrant presents itself. The officers responsible have not been held accountable for her murder, nor their violations of her civil and human rights have been addressed by the fully exhausted judicial court decisions. The human rights of Breonna Taylor have unquestionably been violated by the state of the **United States of America**, outlined in the following petition. We hereby request the opening of an Inter-American case against the United States of America for the murder and violations of the human rights of Breonna Taylor.

**CASE DETAILS**

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**March 12<sup>th</sup>, 2020:** The Jefferson County Circuit court judge approved search warrants pursuing an investigation linked to Jamarcus Glover (Levenson). A request was filed by Joshua Jaynes of the Louisville Metro Police Department for a no-knock search warrant of the home of

Breonna Taylor, an Emergency Room Technician. The police suspected Jamarcus Glover, her ex-boyfriend, was using Taylor's address to mail drugs (Carrega).

**March 13<sup>th</sup>, 2020:** Officers arrive at Taylor's apartment while she and her boyfriend, Kenneth Walker III, are sleeping. Walker, allegedly awakened by a banging on the door, grabs his legally owned gun fearing intruders. Walker claims to have yelled to ask who was at the door but heard no response. Three plainclothes officers, Brett Hankison, Myles Cosgrove, and Sgt. Jonathan Mattingly then proceeded to use a battering ram to open the door (Shapiro). Walker then fires one shot, which hits officer Mattingly in the thigh. Following the shot, the officers open fire, shooting over twenty-five bullets. Of the twenty-five, an alleged five to eight shots strike Breonna Taylor, killing her. Walker then calls 911, telling the operator that somebody had kicked in the door and shot his girlfriend. The police found no drugs inside the apartment, and Walker was arrested and indicted on attempted murder of a police officer (Levenson). Officer Mattingly fired six times, and Officer Cosgrove fired sixteen times (Treisman). Taylor's family claims that after she was shot, she lay dying for six minutes receiving no medical aid (Callimachi).

**March 15<sup>th</sup>, 2020:** The Louisville Postal Inspector, Tony Gooden tells the attorney in charge of Taylor's case (Ben Crump) that the post office was not previously contacted about possible drug activity in packages going to Taylor's home (Carrega). There is still no clear motivation for the warrant.

**May 21<sup>st</sup>, 2020:** Louisville office announces they are going to open an investigation seeking more information on the circumstances surrounding the death of Breonna Taylor (Carrega).

**June 11<sup>th</sup>, 2020:** Louisville Metro Council passes Breonna's Law, which prohibits no-knock warrants in Louisville (Levenson).

**June 13<sup>th</sup>, 2020:** Louisville Metro Police Department fires Brett Hankison, with an investigation finding that he violated procedure when he fired 10 rounds in the home on March 13<sup>th</sup> (Levenson).

**September 15<sup>th</sup>, 2020:** The city agrees to a \$12 million wrongful death settlement with the family of Breonna Taylor. The settlement includes a police reform package (Levenson).

**September 23<sup>rd</sup>, 2020:** The Kentucky Grand Jury charges Brett Hankison with three counts of wanton endangerment for shooting bullets into an apartment neighboring Taylor's, which housed a five-year-old child and a pregnant woman (Treisman). He was not charged for the murder of Breonna Taylor. The other two officers, Myles Cosgrove, and Sgt. Jonathan Mattingly have not been charged for the murder of Breonna Taylor. The Kentucky Attorney General, Daniel Cameron, ruled that since Kenneth Walker had shot first, the police were "justified in their use of force" under Kentucky law (Treisman).

Neither Breonna Taylor nor Kenneth Walker III were the individuals listed on the warrant held by the police. The individuals with the names that did appear on the warrant were also detained on March 13<sup>th</sup>, as well as the drugs they had been searching for. Domestic civil rights organizations call for further investigation for the use of excessive force and violation of fourth amendment rights. The Louisville Police Department has a history of documented violations. Two of the officers involved in Breonna's death had previously received excessive force complaints ("Civil").

Following the Kentucky Attorney General's decision that the officers had shot in defense, the investigation by the state has been concluded without anyone legally responsible for the death of Breonna Taylor.

This murder comes among a rising outcry against police brutality in the United States against Black Americans. The integrity and commitment to the safety of all Americans by police has been called into question by a growing number of American protestors and activist groups. It is now in the hands of international leaders to construct a dialogue that brings the virtue of these federal agents into question and promotes a future of peace.

### **VIOLATION OF OAS DECLARATION**

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The United States of America is obligated to the human rights of the Charter of the Organization of American States (OAS) and the American Declaration of the Rights and Duties of Man.

The agreed-upon Inter-American human rights, according to the American Declaration of the Rights and Duties of Man, have been violated in the case of Breonna Taylor. The following articles are hereby violated guaranteed human rights of OAS member states.

**Article I: Every human being has the right to life, liberty, and the security of his person.**

**The right to life, liberty, and personal security (OAS).**

The murder of Breonna Taylor was unwarranted and unjustified. There was no well-documented reasoning by the state to enter her home and invade her security, nor to take her life.

**Article II: All persons are equal before the law and have the rights and duties established in this Declaration, without distinction as to race, sex, language, creed, or any other factor.**

**Right to Equality by the law (OAS).**

Breonna Taylor's murder is only one in the rising disproportionate number of Black-American homicides by federal officers in the United States.

**Article IX: Every person has the right to the inviolability of his home (OAS).**

The three officers, the police department, and the court judge violated Breonna Taylor's right to the inviolability of her home by issuing a no-knock warrant.

**Article XI: Every person has the right to the preservation of his health through sanitary and social measures relating to food clothing, housing, and medical care, to the extent permitted by public and community resources (OAS).**

The state officers failed to attempt medical care on Breonna Taylor after she had been shot multiple times.

## **POTENTIAL REMEDIES**

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These circumstances call for structural state-led change through a list of potential remedies to prevent it from happening again, and to bring reparations to the people involved.

1. Urge the State to reopen an official investigation of the Louisville Police Department and Judicial System.

2. Make further financial reparations to the family of Breonna Taylor, and Kenneth Walker III.
3. Investigate the integrity and commitment to equality of the Kentucky Court System due to the rise of racial profiling by police.
4. Investigate the presence of police amnesty in the United States Department of Justice.
5. End No-Knock Warrants nationally.
6. End Use of Force by police departments, and the use of lethal firearms.
7. End Qualified Immunity of police officers.

The future action of the Inter-American Commission on Human Rights is the only foreseeable resolution to this issue. This petition serves as a catalyst to begin work towards bringing justice to those targeted by police violence.

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