

Status of Policing Bill Review Requests

- **Justice in Policing Act of 2020 (Chair Bass, Senators Booker and Harris, and Chair Nadler)**—*introduction planned for June 8th*;

TITLE I. Police Accountability

- Section 101 – Revising 18 U.S.C. 242 – Federal Criminal Police Misconduct Statute
- The bill would:
- Change “willful” to “knowingly or with reckless disregard”
- Define a “death resulting” as any act that was a “substantial factor contributing to the death”
- Section 102 – Qualified Immunity Reform
- The bill would:
- Modify Section 1983 to enable individuals to recover damages when law enforcement officers violate their constitutional rights
- Section 103 – Pattern and Practice Investigations
- The bill would:
- Grant subpoena power to the U.S. Department of Justice, Civil Rights Division, to conduct pattern and practice investigations
- Provide grants to state attorneys’ general to conduct pattern and practice investigations
- Section 104 – Independent Investigations
- The bill would:
- Create a grant program for state attorneys’ general to create an independent investigation process for law enforcement misconduct or excessive use of force
- Section 105 – Law Enforcement Trust and Integrity Act
- The bill would:
- Require the attorney general to create law enforcement accreditation standard recommendations based on President Obama’s Taskforce on 21st Century policing
- Create law enforcement development programs to develop policing best practices
- Study the impact of any law, rule or procedure that allows a law enforcement officer to delay for an unreasonable or arbitrary period of time the answer to questions posed by investigators of law enforcement misconduct.
- Enhances funding for pattern and practice discrimination described in section 210401 of the Violent Crime Control and Law Enforcement Act of 1994 (42 U.S.C.A. 14141); and programs managed by the DOJ Community Relations Service.
- Require the Attorney General to collect data on the following: A) Investigatory actions and detentions by federal law enforcement agencies; B) The racial distribution of drug

charges; C) The use of deadly force by and against law enforcement officers; D) Traffic and pedestrian stops and detentions.

- Establish a DOJ task force to coordinate the investigation, prosecution and enforcement efforts of federal, state and local governments in cases related to law enforcement misconduct.
- TITLE II: Policing transparency Through Data
 - Subtitle A – Establishment of a National Police Misconduct Registry
 - The bill would:
 - Create a federal registry of all federal, state and local law enforcement officers that compiles
 - Misconduct Complaints (Pending, Sustained and Exonerated)
 - Discipline records
 - Termination records
 - Records of certification
 - Mandates that law enforcement agencies ensure that all officers hired are certified within the state
 - Subtitle B – Police Reporting Information Data and Evidence Act
 - The bill would:
 - Require States to report to the Justice Department any incident where use of force is used against a civilian or against a law enforcement officer
 - The reports must include, for example, the following:
 - The national origin, sex, race, ethnicity, age, disability, English language proficiency, and housing status of each civilian against whom a law enforcement officer used force
 - The reason force was used
 - Provide technical assistance grants to law enforcement agencies that employ less than 100 people to help comply with the requirements of the bill
 - TITLE III. Improving Police Training and Police
 - Subtitle A – End Racial and Religious Profiling Act
 - The bill would:
 - Prohibit federal, state, and local law enforcement from racial, religious and discriminatory profiling and create a cause of action for declaratory or injunctive relief
 - Mandate law enforcement provide training on racial, religious, and discriminatory profiling
 - Require law enforcement to collect data on all investigatory activities and submit collected data to the Department of Justice using a standardized form
 - Condition federal funding to state and local law enforcement to adopt policies to combat racial, religious, and discriminatory profiling
 - Condition federal funding to state and local law enforcement to establish best practices to discourage profiling

- Require the Attorney General to provide reports on racial, religious, and discriminatory profiling and ongoing efforts to combat profiling
- Section 361 – Training on Racial Bias and Duty to Intervene
- The bill would:
 - Establish a training program to cover racial bias, implicit bias, procedural justice, and the duty to intervene
 - Mandate training at the federal level
 - Condition federal funding on establishing training at the state and local level
- Section 362 – Ban on No-Knock Warrants in Drug Cases
- The bill would:
 - Ban no-knock warrants in drug cases at the federal level
 - Condition law enforcement funding for state and local law enforcement agencies on prohibiting the use of no-knock warrants in drug cases
- Section 363 – Ban on Chokeholds and Carotid Holds
- The bill would:
 - Ban the use of chokeholds and carotid holds
 - Condition law enforcement funding for state and local law enforcement agencies on establishing a law to prohibit the use of chokeholds and carotid holds
- Section 364 – Police Exercising Absolute Care with Everyone Act (“PEACE Act”)
- The bill would:
 - Change the use of force standard for federal officers from reasonableness to only when necessary to prevent death or serious bodily injury.
 - Require that deadly force be used only as a last resort, and require officers to employ de-escalation techniques.
 - Condition grants on state and local law enforcement agencies’ establishing the same use of force standard
- Section 365 – Stop Militarizing Law Enforcement Act
- The bill would:
 - Limit the transfer of military-grade equipment to state and local law enforcement
- Subtitle C – Part I – Federal Police Camera and Accountability Act
- The bill would:
 - Requires federal uniformed police officers to wear body cameras and marked federal police vehicles to have dashboard cameras. This would also commission a GAO study on federal police officer’s training, vehicle pursuits, and use of force interactions with the public.
- Subtitle C – Part II – Police Camera Act
- The bill would:
 - Require state and local law enforcement to use existing federal funds to ensure the use of police body cameras.

- TITLE IV. JUSTICE FOR VICTIMS OF LYNCHING ACT
- The bill would make it a federal crime to conspire to violate existing hate crimes laws.
- **H.R.4408 - Eric Garner Excessive Use of Force Prevention Act of 2019 (Rep. Jeffries);**
- **Bill to Amend the Insurrection Action (Rep. Omar, Rep. Pocan, and Rep. Jayapal);**
- **The Andrew Kears Accountability for Denial of Medical Care Act (Senator Warren, Rep. Pressley),** to hold federal law enforcement and corrections officers criminally liable if they are caught denying medical care to a person in custody;
- **The Enhancing Oversight to End Discrimination in Policing Act (Senator Warren, Rep. Pressley),** to reverse the Sessions consent decree memo, triple funding to DOJ Civil Rights to pursue pattern and practice investigations, and authorize state AGs to pursue pattern and practice investigations of local police departments;
- **Police Accountability Database Introduction (Senator Merkley);** could be incorporated into the Justice in Policing bill.
- **National Police Brutality Investigation Board Act (Rep. Omar);**