# H. R. 1570

To encourage greater community accountability of law enforcement agencies, and for other purposes.

#### IN THE HOUSE OF REPRESENTATIVES

March 3, 2021

Ms. Jackson Lee (for herself, Mr. Crow, Mr. Connolly, Ms. Degette, Mr. Hastings, Mr. Sherman, Ms. Lee of California, Ms. Williams of Georgia, Mrs. Beatty, Mr. Thompson of California, Mr. Bishop of Georgia, Mr. Neguse, Mr. Evans, Ms. Delbene, Mr. Takano, Ms. McCollum, Mr. Cárdenas, Mr. Stanton, Mr. Suozzi, Mr. Mfume, Ms. Fudge, Ms. Matsui, Mr. Raskin, Ms. Adams, Ms. Norton, Mr. Jones, Mr. Blumenauer, Mr. Larson of Connecticut, Mr. Price of North Carolina, Mr. Lawson of Florida, Mr. Kilmer, Mr. Pallone, Mr. Yarmuth, Mr. Payne, Mr. Thompson of Mississippi, Mr. Costa, Ms. Sánchez, Mr. McNerney, Ms. Pingree, Mr. Soto, Ms. Dean, Mr. Desaulnier, Mr. Carson, Ms. Lofgren, Mr. Johnson of Georgia, Mr. Danny K. Davis of Illinois, Ms. Garcia of Texas, Mr. Butterfield, Mr. Cicilline, Ms. Tlaib, Mr. Panetta, Mr. Foster, Mr. Espaillat, Mrs. Hayes, and Mr. Phillips) introduced the following bill; which was referred to the Committee on the Judiciary

## A BILL

To encourage greater community accountability of law enforcement agencies, and for other purposes.

- 1 Be it enacted by the Senate and House of Representa-
- 2 tives of the United States of America in Congress assembled,

## 1 SECTION 1. SHORT TITLE; TABLE OF CONTENTS.

- 2 (a) SHORT TITLE.—This Act may be cited as the
- 3 "George Floyd Law Enforcement Trust and Integrity Act
- 4 of 2021".
- 5 (b) Table of Contents for
- 6 this Act is as follows:
  - Sec. 1. Short title; table of contents.
  - Sec. 2. Definitions.

#### TITLE I—LAW ENFORCEMENT ACCREDITATION

Sec. 101. Accreditation of law enforcement agencies.

#### TITLE II—LAW ENFORCEMENT DEVELOPMENT PROGRAMS

Sec. 201. Law enforcement grants.

#### TITLE III—ADMINISTRATIVE DUE PROCESS PROCEDURES

Sec. 301. Attorney General to conduct study.

# TITLE IV—ENHANCED FUNDING TO COMBAT POLICE MISCONDUCT AND REFORM POLICE DEPARTMENTS

Sec. 401. Authorization of appropriations.

# TITLE V—NATIONAL TASK FORCE ON LAW ENFORCEMENT OVERSIGHT

Sec. 501. National task force on law enforcement oversight.

# TITLE VI—FEDERAL DATA COLLECTION ON LAW ENFORCEMENT PRACTICES

Sec. 601. Federal data collection on law enforcement practices.

# TITLE VII—MEDALLIONS FOR FALLEN LAW ENFORCEMENT OFFICERS

Sec. 701. Medallions for fallen law enforcement officers.

#### 7 SEC. 2. DEFINITIONS.

- 8 In this Act:
- 9 (1) COMMUNITY-BASED ORGANIZATION.—The
- term "community-based organization" means a
- grassroots organization that monitors the issue of

- police misconduct and that has a national presence and membership, such as the National Association for the Advancement of Colored People (NAACP), the American Civil Liberties Union (ACLU), the National Council of La Raza, the National Urban League, the National Congress of American Indians, or the National Asian Pacific American Legal Consortium (NAPALC).
  - (2) Law enforcement accreditation.—The term "law enforcement accreditation organization" means a professional law enforcement organization involved in the development of standards of accreditation for law enforcement agencies at the national, State, regional, or tribal level, such as the Commission on Accreditation for Law Enforcement Agencies (CALEA).
  - (3) Law enforcement agency" means a State, local, Indian tribal, or campus public agency engaged in the prevention, detection, or investigation, prosecution, or adjudication of violations of criminal laws.
  - (4) Professional law enforcement association" means a law enforcement membership association that works for the needs of Federal,

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

1 State, local, or Indian tribal law enforcement agencies and with the civilian community on matters of 2 3 common interest, such as the Hispanic American Police Command Officers Association (HAPCOA), the National Asian Pacific Officers Association 5 6 (NAPOA), the National Black Police Association 7 (NBPA), the National Latino Peace Officers Asso-8 ciation (NLPOA), the National Organization of 9 Black Law Enforcement Executives (NOBLE), 10 Women in Law Enforcement, the Native American 11 Law Enforcement Association (NALEA), the Inter-12 national Association of Chiefs of Police (IACP), the National Sheriffs' Association (NSA), the Fraternal 13 14 Order of Police (FOP), and the National Association 15 of School Resource Officers.

(5) Professional civilian oversight organization.—The term "professional civilian oversight organization" means a membership organization formed to address and advance the cause of civilian oversight of law enforcement and whose members are from Federal, State, regional, local, or tribal organizations that review issues or complaints against law enforcement agencies or individuals, such as the National Association for Civilian Oversight of Law Enforcement (NACOLE).

16

17

18

19

20

21

22

23

24

# 1 TITLE I—LAW ENFORCEMENT 2 ACCREDITATION

2	ACCREDITATION
3	SEC. 101. ACCREDITATION OF LAW ENFORCEMENT AGEN-
4	CIES.
5	(a) Standards.—
6	(1) Initial analysis.—The Attorney General
7	shall perform an initial analysis of existing accredi-
8	tation standards and methodology developed by law
9	enforcement accreditation organizations nationwide,
10	including national, State, regional, and tribal accred-
11	itation organizations. Such an analysis shall include
12	a review of the recommendations of the Final Report
13	of the President's Taskforce on 21st Century Polic-
14	ing, issued in May 2015.
15	(2) Development of Uniform Standards.—
16	After completion of the initial review and analysis
17	under paragraph (1), the Attorney General shall—
18	(A) recommend, in consultation with law
19	enforcement accreditation organizations, the
20	adoption of additional standards that will result
21	in greater community accountability of law en-
22	forcement agencies and an increased focus on
23	policing with a guardian mentality, including
24	standards relating to—

1	(i) early warning systems and related
2	intervention programs;
3	(ii) use of force procedures;
4	(iii) civilian review procedures;
5	(iv) traffic and pedestrian stop and
6	search procedures;
7	(v) data collection and transparency;
8	(vi) administrative due process re-
9	quirements;
10	(vii) video monitoring technology;
11	(viii) juvenile justice and school safe-
12	ty; and
13	(ix) training; and
14	(B) recommend additional areas for the
15	development of national standards for the ac-
16	creditation of law enforcement agencies in con-
17	sultation with existing law enforcement accredi-
18	tation organizations, professional law enforce-
19	ment associations, labor organizations, commu-
20	nity-based organizations, and professional civil-
21	ian oversight organizations.
22	(3) Continuing accreditation process.—
23	The Attorney General shall adopt policies and proce-
24	dures to partner with law enforcement accreditation
25	organizations, professional law enforcement associa-

- 1 tions, labor organizations, community-based organi-
- 2 zations, and professional civilian oversight organiza-
- 3 tions to continue the development of further accredi-
- 4 tation standards consistent with paragraph (2) and
- 5 to encourage the pursuit of accreditation of Federal,
- 6 State, local, and tribal law enforcement agencies by
- 7 certified law enforcement accreditation organiza-
- 8 tions.
- 9 (b) Accreditation Grants.—The Attorney Gen-
- 10 eral may make funds available to State, local, tribal law
- 11 enforcement agencies, and campus public safety depart-
- 12 ments under this section to assist in gaining or maintain-
- 13 ing accreditation from certified law enforcement accredita-
- 14 tion organizations.

## 15 TITLE II—LAW ENFORCEMENT

## 16 **DEVELOPMENT PROGRAMS**

- 17 SEC. 201. LAW ENFORCEMENT GRANTS.
- 18 (a) Grant Authorization.—The Attorney General
- 19 may make grants to States, units of local government, In-
- 20 dian tribal governments, or other public and private enti-
- 21 ties, or to any multijurisdictional or regional consortia of
- 22 such entities, to study and implement effective manage-
- 23 ment, training, recruiting, hiring, and oversight standards
- 24 and programs to promote effective community and prob-
- 25 lem solving strategies for law enforcement agencies.

1	(b) Project Grants To Study Law Enforce-
2	MENT AGENCY MANAGEMENT.—Grants made under sub-
3	section (a) shall be used for the study of management and
4	operations standards for law enforcement agencies, includ-
5	ing standards relating to administrative due process, resi-
6	dency requirements, compensation and benefits, use of
7	force, racial profiling, early warning systems, juvenile jus-
8	tice, school safety, civilian review boards or analogous pro-
9	cedures, or research into the effectiveness of existing pro-
10	grams, projects, or other activities designed to address
11	misconduct by law enforcement officers.
12	(c) Project Grants To Develop Pilot Pro-
13	GRAMS.—
14	(1) In general.—Grants made under sub-
15	section (a) shall also be used to develop pilot pro-
16	grams and implement effective standards and pro-
17	grams in the areas of training, hiring and recruit-
18	ment, and oversight that are designed to improve
19	management and address misconduct by law enforce-
20	ment officers.
21	(2) Components of Pilot Program.—A pilot
22	program developed under paragraph (1) shall in-
23	clude the following:
24	(A) Training.—Law enforcement policies,

1	and instruction to comply with accreditation
2	standards in the areas of—
3	(i) the use of lethal, nonlethal force,
4	and de-escalation;
5	(ii) investigation of misconduct and
6	practices and procedures for referral to
7	prosecuting authorities use of deadly force
8	or racial profiling;
9	(iii) disproportionate minority contact
10	by law enforcement;
11	(iv) tactical and defensive strategy;
12	(v) arrests, searches, and restraint;
13	(vi) professional verbal communica-
14	tions with civilians;
15	(vii) interactions with youth, the men-
16	tally ill, limited English proficiency, and
17	multi-cultural communities;
18	(viii) proper traffic, pedestrian, and
19	other enforcement stops; and
20	(ix) community relations and bias
21	awareness.
22	(B) RECRUITMENT, HIRING, RETENTION,
23	AND PROMOTION OF DIVERSE LAW ENFORCE-
24	MENT OFFICERS.—Policies, procedures, and
25	practices for—

1	(i) the hiring and recruitment of di-
2	verse law enforcement officers representa-
3	tive of the communities they serve;
4	(ii) the development of selection, pro-
5	motion, educational, background, and psy-
6	chological standards that comport with
7	title VII of the Civil Rights Act of 1964
8	(42 U.S.C. 2000e et seq.); and
9	(iii) initiatives to encourage residency
10	in the jurisdiction served by the law en-
11	forcement agency and continuing edu-
12	cation.
13	(C) Oversight.—Complaint procedures
14	including the establishment of civilian review
15	boards or analogous procedures for jurisdictions
16	across a range of sizes and agency configura-
17	tions, complaint procedures by community-
18	based organizations, early warning systems and
19	related intervention programs, video monitoring
20	technology, data collection and transparency
21	and administrative due process requirements in-
22	herent to complaint procedures for members of
23	the public and law enforcement.
24	(D) JUVENILE JUSTICE AND SCHOOL
25	SAFETY —The development of uniform stand

1 ards on juvenile justice and school safety, in-2 cluding standards relating to interaction and 3 communication with juveniles, physical contact, 4 use of lethal and nonlethal force, notification of a parent or guardian, interviews and ques-6 tioning, custodial interrogation, audio and video 7 recording, conditions of custody, alternatives to 8 arrest, referral to child protection agencies, and 9 removal from school grounds or campus.

- (E) Victim services.—Counseling services, including psychological counseling, for individuals and communities impacted by law enforcement misconduct.
- 14 (d) Amounts.—Of the amounts appropriated to 15 carry out this title—
  - (1) 4 percent shall be available for grants to Indian tribal governments;
  - (2) 20 percent shall be available for grants to community-based organizations;
  - (3) 10 percent shall be available for grants to professional law enforcement associations; and
- 22 (4) the remaining funds shall be available for 23 grants to applicants in each State in an amount that 24 bears the same ratio to the amount of remaining

10

11

12

13

16

17

18

19

20

1 funds as the population of the State bears to the population of all of the States. 2

## (e) Technical Assistance.—

3

5

6

7

8

11

- (1) In General.—The Attorney General may provide technical assistance to States, units of local government, Indian tribal governments, and to other public and private entities, in furtherance of the purposes of this section.
- 9 (2) Models for reduction of law en-10 FORCEMENT MISCONDUCT.—The technical assistance provided by the Attorney General may include the 12 development of models for State, local, and Indian 13 tribal governments, and other public and private en-14 tities, to reduce law enforcement officer misconduct. 15 Any development of such models shall be in con-16 sultation with community-based organizations.
- 17 (f) Use of Components.—The Attorney General may use any component or components of the Department 18 19 of Justice in carrying out this title.

#### 20 (g) Matching Funds.—

21 (1) In General.—Except in the case of an In-22 dian tribal government or nonprofit community-23 based organization, the portion of the costs of a pro-24 gram, project, or activity provided by a grant under 25 subsection (a) may not exceed 75 percent.

1 (2) Waivers.—The Attorney General may 2 waive, wholly or in part, the requirement under 3 paragraph (1) of a non-Federal contribution to the 4 costs of a program, project, or activity. (h) APPLICATIONS.— 5 6 (1) APPLICATION.—An application for a grant 7 under this title shall be submitted in such form, and 8 contain such information, as the Attorney General 9 may prescribe by guidelines. 10 (2) Priority.—For law enforcement agency 11 applications, priority shall be given to applicants 12 seeking or having been awarded accreditation from 13 national law enforcement accreditation organiza-14 tions. 15 (3) APPROVAL.—A grant may not be made 16 under this title unless an application has been sub-17 mitted to, and approved by, the Attorney General. 18 (i) Performance Evaluation.— 19 (1) Monitoring components.— 20

(A) IN GENERAL.—Each program, project, or activity funded under this title shall contain a monitoring component, which shall be developed pursuant to guidelines established by the Attorney General.

21

22

23

(B) REQUIREMENT.—Each monitoring component required under subparagraph (A) shall include systematic identification and col-lection of data about activities, accomplish-ments, and programs throughout the life of the program, project, or activity and presentation of such data in a usable form.

### (2) Evaluation components.—

- (A) IN GENERAL.—Selected grant recipients shall be evaluated on the local level or as part of a national evaluation, pursuant to guidelines established by the Attorney General.
- (B) Requirements.—An evaluation conducted under subparagraph (A) may include independent audits of police behavior and other assessments of individual program implementations. In selected jurisdictions that are able to support outcome evaluations, the effectiveness of funded programs, projects, and activities may be required.
- (3) PERIODIC REVIEW AND REPORTS.—The Attorney General may require a grant recipient to submit biannually to the Attorney General the results of the monitoring and evaluations required under paragraphs (1) and (2) and such other data and infor-

1	mation as the Attorney General determines to be
2	necessary.
3	(j) REVOCATION OR SUSPENSION OF FUNDING.—It
4	the Attorney General determines, as a result of monitoring
5	under subsection (i) or otherwise, that a grant recipient
6	under this title is not in substantial compliance with the
7	terms and requirements of the approved grant application
8	submitted under subsection (h), the Attorney General may
9	revoke or suspend funding of that grant, in whole or in
10	part.
11	(k) Definitions.—In this section—
12	(1) the term "civilian review board" means an
13	administrative entity that—
14	(A) is independent and adequately funded
15	(B) has investigatory authority and staff
16	subpoena power;
17	(C) has representative community diver-
18	sity;
19	(D) has policy making authority;
20	(E) provides advocates for civilian com-
21	plainants;
22	(F) has mandatory police power to conduct
23	hearings; and
24	(G) conducts statistical studies on pre-
25	vailing complaint trends; and

1 (2) the term "private entity" means a private 2 security organization engaged in the prevention, de-3 tection, or investigation of violations of criminal laws 4 or organizational policy, such as privately operated 5 campus public safety units or department store secu-6 rity.

## TITLE III—ADMINISTRATIVE

## 8 DUE PROCESS PROCEDURES

- 9 SEC. 301. ATTORNEY GENERAL TO CONDUCT STUDY.
- 10 (a) STUDY.—

7

11

12

13

14

15

16

17

18

19

20

21

22

23

- (1) In General.—The Attorney General shall conduct a nationwide study of the prevalence and effect of any law, rule, or procedure that allows a law enforcement officer to delay the response to questions posed by a local internal affairs officer, or review board on the investigative integrity and prosecution of law enforcement misconduct, including pre-interview warnings and termination policies.
- (2) Initial analysis.—The Attorney General shall perform an initial analysis of existing State statutes to determine whether, at a threshold level, the effect of this type of rule or procedure raises material investigatory issues that could impair or hinder a prompt and thorough investigation of pos-

- sible misconduct, including criminal conduct, that
  would justify a wider inquiry.
  DATA COLLECTION.—After completion of
  - (3) Data collection.—After completion of the initial analysis under paragraph (2), and considering material investigatory issues, the Attorney General shall gather additional data nationwide on similar rules from a representative and statistically significant sample of jurisdictions, to determine whether such rules and procedures raise such material investigatory issues.

### (b) Reporting.—

5

6

7

8

9

10

11

12

13

14

15

16

17

18

19

20

21

- (1) Initial analysis.—Not later than 120 days after the date of the enactment of this Act, the Attorney General shall—
  - (A) submit to Congress a report containing the results of the initial analysis conducted under subsection (a)(2);
  - (B) make the report submitted under subparagraph (A) available to the public; and
  - (C) identify the jurisdictions for which the study described in subsection (a)(1) is to be conducted.
- 23 (2) Data collected.—Not later than 2 years 24 after the date of the enactment of this Act, the At-25 torney General shall submit to Congress a report

	18
1	containing the results of the data collected under
2	this section and publish the report in the Federal
3	Register.
4	TITLE IV—ENHANCED FUNDING
5	TO COMBAT POLICE MIS-
6	CONDUCT AND REFORM PO-
7	LICE DEPARTMENTS
8	SEC. 401. AUTHORIZATION OF APPROPRIATIONS.
9	There are authorized to be appropriated for fiscal
10	year 2021, in addition to any other sums authorized to
11	be appropriated for this purpose—
12	(1) \$25,000,000 for additional expenses relat-
13	ing to the enforcement of section 210401 of the Vio-
14	lent Crime Control and Law Enforcement Act of
15	1994 (34 U.S.C. 12601), criminal enforcement
16	under sections 241 and 242 of title 18, United
17	States Code, and administrative enforcement by the
18	Department of Justice, including compliance with
19	consent decrees or judgments entered into under
20	such section 210401; and
21	(2) \$3,300,000 for additional expenses related

to conflict resolution by the Department of Justice's

Community Relations Service.

22

1	TITLE V—NATIONAL TASK
2	FORCE ON LAW ENFORCE-
3	MENT OVERSIGHT
4	SEC. 501. NATIONAL TASK FORCE ON LAW ENFORCEMENT
5	OVERSIGHT.
6	(a) Establishment.—There is established within
7	the Department of Justice a task force to be known as
8	the Task Force on Law Enforcement Oversight (herein-
9	after in this title referred to as the "Task Force").
10	(b) Composition.—The Task Force shall be com-
11	posed of individuals appointed by the Attorney General,
12	who shall appoint not less than 1 individual from each of
13	the following:
14	(1) The Special Litigation Section of the Civil
15	Rights Division.
16	(2) The Criminal Section of the Civil Rights Di-
17	vision.
18	(3) The Federal Coordination and Compliance
19	Section of the Civil Rights Division.
20	(4) The Employment Litigation Section of the
21	Civil Rights Division.
22	(5) The Disability Rights Section of the Civil
23	Rights Division.
24	(6) The Office of Justice Programs.

1	(7) The Office of Community Oriented Policing
2	Services (COPS).
3	(8) The Corruption/Civil Rights Section of the
4	Federal Bureau of Investigation.
5	(9) The Community Relations Service.
6	(10) The Office of Tribal Justice.
7	(11) The unit within the Department of Justice
8	assigned as a liaison for civilian review boards.
9	(c) Powers and Duties.—The Task Force shall
10	consult with professional law enforcement associations,
11	labor organizations, and community-based organizations
12	to coordinate the process of the detection and referral of
13	complaints regarding incidents of alleged law enforcement
14	misconduct.
15	(d) Authorization of Appropriations.—There
16	are authorized to be appropriated \$5,000,000 for each fis-
17	cal year to carry out this section.
18	TITLE VI—FEDERAL DATA COL-
19	LECTION ON LAW ENFORCE-
20	MENT PRACTICES
21	SEC. 601. FEDERAL DATA COLLECTION ON LAW ENFORCE-
22	MENT PRACTICES.
23	(a) Agencies To Report.—Each Federal, State,
24	and local law enforcement agency shall report data of the
25	practices of that agency to the Attorney General.

1	(b) Breakdown of Information by Race, Eth-
2	NICITY, AND GENDER.—For each practice enumerated in
3	subsection (c), the reporting law enforcement agency shall
4	provide a breakdown of the numbers of incidents of that
5	practice by race, ethnicity, age, and gender of the officers
6	and employees of the agency and of members of the public
7	involved in the practice.
8	(c) Practices To Be Reported on.—The prac-
9	tices to be reported on are the following:
10	(1) Traffic violation stops.
11	(2) Pedestrian stops.
12	(3) Frisk and body searches.
13	(4) Instances where officers or employees of the
14	law enforcement agency used deadly force, includ-
15	ing—
16	(A) a description of when and where dead-
17	ly force was used, and whether it resulted in
18	death;
19	(B) a description of deadly force directed
20	against an officer or employee and whether it
21	resulted in injury or death; and
22	(C) the law enforcement agency's justifica-
23	tion for use of deadly force, if the agency deter-
24	mines it was justified.

- 1 (d) RETENTION OF DATA.—Each law enforcement
- 2 agency required to report data under this section shall
- 3 maintain records relating to any matter so reportable for
- 4 not less than 4 years after those records are created.
- 5 (e) Penalty for States Failing To Report as
- 6 Required.—
- 7 (1) In General.—For any fiscal year, a State
- 8 shall not receive any amount that would otherwise
- 9 be allocated to that State under section 505(a) of
- title I of the Omnibus Crime Control and Safe
- 11 Streets Act of 1968 (34 U.S.C. 10156(a)), or any
- amount from any other law enforcement assistance
- program of the Department of Justice, unless the
- State has ensured, to the satisfaction of the Attor-
- ney General, that the State and each local law en-
- 16 forcement agency of the State is in substantial com-
- pliance with the requirements of this section.
- 18 (2) Reallocation.—Amounts not allocated by
- reason of this subsection shall be reallocated to
- 20 States not disqualified by failure to comply with this
- 21 section.
- 22 (f) Regulations.—The Attorney General shall pre-
- 23 scribe regulations to carry out this section.

## 1 TITLE VII—MEDALLIONS FOR

## 2 FALLEN LAW ENFORCEMENT

## 3 **OFFICERS**

- 4 SEC. 701. MEDALLIONS FOR FALLEN LAW ENFORCEMENT
- 5 **OFFICERS.**
- 6 (a) In General.—The Attorney General, in con-
- 7 sultation with the National Law Enforcement Officers Me-
- 8 morial Fund, shall create and provide a distinctive medal-
- 9 lion to be issued to the survivors of law enforcement offi-
- 10 cers—
- 11 (1) killed in the line of duty; and
- 12 (2) memorialized on the wall of the National
- 13 Law Enforcement Officers Memorial.
- 14 (b) Distribution of Medallions.—The Attorney
- 15 General shall make arrangements with the National Law
- 16 Enforcement Officers Memorial Fund to distribute the
- 17 medallions to appropriate survivors of each law enforce-
- 18 ment officer memorialized on the wall of the National Law
- 19 Enforcement Officers Memorial.
- 20 (c) Authorization of Appropriations.—There
- 21 are authorized to be appropriated to carry out this section
- 22 such sums as may be necessary.

 $\bigcirc$