

H.R. 2

To ban the allocation of federal funds for School Resource Officers.

IN THE HOUSE OF REPRESENTATIVES OF THE UNITED STATES

NOVEMBER 18, 2021

Mr. JOHNSON-KOAY of Jackson (for himself, on behalf of Mr. KOAY-JOHNSON) introduced the following bill, which was subsequently referred to the House of Representatives;

A BILL

To ban the allocation of federal funds for School Resource Officers.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

SEC. 1. SHORT TITLE.

This Act may be cited as the “William Justice Education Funding Reallocation Act”.

SEC. 2. DEFINITIONS.

For the purposes of this Act, the term —

(a) “Sworn Law Enforcement Officer” means any person who —

- (i) has the power to detain, arrest, issue a citation, perform a custodial investigation, or refer a person to criminal or juvenile court; or
- (ii) is considered under State law to meet the definition of law enforcement; and

(b) “School Resource Officer” means any person who —

- (i) has the authorities granted to a sworn law enforcement officer on public school grounds as employed by requisite education departments; or

- (ii) is considered under State law to meet the definition of School Resource Officer.

SEC. 3. FINDINGS.

Congress finds that —

- (a) The Congressional Research Service, in conjunction with data collected from other firms, has [estimated that](#) School Resource Officers only successfully prevent an act of violence with homicidal intent 1 in 197 occurrences, on average.
- (b) The ACLU has [found that](#), in addition to School Resource Officers primarily targeting students of color and exacerbating arrest rates among minority student groups, they have also decreased high school graduation rates by 2.5% on average and increased disciplinary rates for students by 6%, due to their contribution to a harmful school environment that makes it more difficult for students to learn productively.
- (c) The University of Connecticut [found that](#) the federal government has, since the passage of the infamous ‘Crime Bill’ of 1994, spent over two billion dollars on the subsidization of School Resource Officers. With this funding, the federal government could have permanently ended most [student poverty](#) or all [student homelessness](#).
- (d) William Justice was one of the most effective Secretaries of Education in recent memory for multiple Administrations and has brought considerable attention to the issue of over-policing in public schools over the course of his career.

SEC. 4. PROHIBITION OF FEDERAL FUNDING FOR POLICE IN SCHOOLS.

- (a) FUNDING PROHIBITION.— Notwithstanding the Omnibus Crime Control and Safe Streets Act of 1968 ([34 USC §10101](#) et seq.), or any other provision of law, no Federal funds may be appropriated or used for hiring, maintaining, or training sworn law enforcement officers to be used or employed in elementary or secondary schools, preschools, or programs based in elementary or secondary schools in any capacity.
- (b) INTENT OF CONGRESS.— The above clause shall not be construed to signify the prohibition of School Resource Officer programs nor the prohibition of the use of state, local, or benefactory funds towards School Resource Officer programs, merely the prohibition of the use of federal funds towards such services. The above clause shall also

not be construed to signify the intent of Congress to end School Resource Officers.

SEC. 5. REMOVAL OF APPROPRIATION RENEWALS FROM PRIOR STATUTE.

(a) CRIME BILL 1968.— Section 1701 of title I of the Omnibus Crime Control and Safe Streets Act of 1968 ([34 USC §10381](#)) is amended, in subsection (b) —

- (i) by striking paragraph (12);
- (ii) by redesignating paragraphs (13) through (23) as paragraphs (12) through (22), respectively; and
- (iii) in paragraph (21), as so redesignated, by striking “through (21)” and inserting “through (20)”; and
- (iv) by adding at the end the following: “(n) Prohibition On Use Of Funds For Sworn Law Enforcement Officers.—A recipient of a grant under this part may not use the grant funds for sworn law enforcement officers who operate in and around elementary and secondary schools.”

(b) CRIME BILL 1994.— The Violent Crime Control and Law Enforcement Act shall be amended by —

- (i) Repealing Title XX Subtitle A ([42 USC §14091](#)) in its entirety; and
- (ii) Repealing Title XX Subtitle B ([42 USC §14111](#)) in its entirety.

SEC. 6. SEVERABILITY.

(a) IN GENERAL.— Should any provision of this Act be deemed invalid or unconstitutional for any reason in a court with relevant jurisdiction, the rest of the Act, and the application of the remaining provisions, shall not be affected..

SEC. 7. ENACTMENT.

The provisions of this Act shall come into force immediately upon passage.