

114TH CONGRESS
2D SESSION

H. R. 4355

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to impose certain additional requirements on applicants for COPS grants, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 8, 2016

Mr. HASTINGS (for himself, Mr. MURPHY of Florida, Ms. FRANKEL of Florida, and Mr. DEUTCH) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to impose certain additional requirements on applicants for COPS grants, 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,*

3 **SECTION 1. SHORT TITLE.**

4 This Act may be cited as the “Corey Jones Act of
5 2016”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

8 (1) Corey Jones of Lake Worth, Florida, was
9 shot and killed by a plainclothes law enforcement of-

1 ficer operating an unmarked vehicle on October 18,
2 2015.

3 (2) Mr. Jones was legally and peacefully pulled
4 to the side of the road while he awaited roadside as-
5 sistance at approximately 3:00 in the morning be-
6 cause his car had broken down.

7 (3) While Mr. Jones awaited roadside assist-
8 ance, he was approached by a law enforcement offi-
9 cer driving an unmarked van and dressed in plain-
10 clothes.

11 (4) Mr. Jones would not have had any reason-
12 able reason to believe that the person in plainclothes
13 driving the unmarked vehicle was a law enforcement
14 officer.

15 (5) Any confusion as to the nature of the law
16 enforcement officer's interaction with Mr. Jones
17 could likely have been avoided had a uniformed offi-
18 cer in a marked vehicle been called to the scene.

19 (6) Tragic incidents like the death of Mr. Jones
20 can easily be avoided by prohibiting law enforcement
21 officers in plainclothes or law enforcement officers in
22 plainclothes and unmarked vehicles from engaging in
23 routine traffic stops.

1 **SEC. 3. ENSURING THE SAFETY OF THE PUBLIC AND LAW**
2 **ENFORCEMENT OFFICERS DURING ROUTINE**
3 **TRAFFIC STOPS INVOLVING UNMARKED VE-**
4 **HICLES AND PLAINCLOTHES OFFICERS.**

5 (a) CERTIFICATION REQUIRED.—Section 1702 of the
6 Omnibus Crime Control and Safe Streets Act of 1968 (42
7 U.S.C. 3796dd–1) is amended—

8 (1) in subsection (c)—

9 (A) in paragraph (10), by striking “and”
10 at the end;

11 (B) in paragraph (11), by striking the pe-
12 riod and inserting “; and” at the end; and

13 (C) by adding at the end the following:

14 “(12) certify that no law enforcement agency
15 that will receive grant funds from the applicant al-
16 lows law enforcement officers to engage in routine
17 traffic stops while in plainclothes or while in plain-
18 clothes and in a police vehicle that is unmarked or
19 that otherwise is not clearly identified as a police ve-
20 hicle.”; and

21 (2) in subsection (d)—

22 (A) in paragraph (1), by inserting after “1
23 or more of the requirements of subsection (c)”
24 the following “(other than paragraph (12))”;

25 (B) in paragraph (2), by inserting after “1
26 or more of the requirements of subsection (c)”

1 the following “(other than paragraph (12));
2 and

3 (C) by adding at the end the following:

4 “(3) NO WAIVER OF PLAINCLOTHES CERTIFI-
5 CATION.—The Attorney General may not waive the
6 requirement under subsection (c)(12).”.

7 (b) CIVIL ACTION.—If the Attorney General deter-
8 mines, as a result of the reviews required by section 1705
9 of the Omnibus Crime Control and Safe Streets Act of
10 1968, that a law enforcement officer has engaged in con-
11 duct that violates a certification under section 1702(c)(12)
12 of such Act applicable to that law enforcement officer, and
13 such conduct has resulted in serious injury or death to
14 any person, that person may bring a civil action against
15 that law enforcement officer and any grantee under part
16 Q of title I of such Act that is a grantee that is a State,
17 unit of local government, Indian tribal government, or
18 other entity with direct authority over that law enforce-
19 ment officer.

20 (c) REPORT.—Not later than 18 months after the
21 date of enactment of this Act, the Attorney General of
22 the United States shall submit to Congress a report that
23 includes data relating to the number and nature of
24 incidences where a law enforcement officer dressed in
25 plainclothes or dressed in plainclothes and operating an

- 1 unmarked vehicle, engaged in a routine traffic stop that
- 2 resulted in injury or death.

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