

114TH CONGRESS
2D SESSION

H. RES. 589

Establishing the Select Committee on Excessive Use of Police Force.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 13, 2016

Mr. RUSH (for himself, Mrs. LAWRENCE, Mr. CUMMINGS, Mr. RANGEL, Mr. JOHNSON of Georgia, Mr. BISHOP of Georgia, Mr. CLAY, Mr. LEWIS, Mr. ELLISON, and Ms. MOORE) submitted the following resolution; which was referred to the Committee on Rules

RESOLUTION

Establishing the Select Committee on Excessive Use of Police Force.

1 *Resolved,*

2 **SECTION 1. FINDINGS.**

3 Congress finds the following:

4 (1) This past year alone we have seen 7 dif-
5 ferent incidents of the unjustified use of lethal and
6 excessive force by police officers against African-
7 Americans:

8 (A) The death of Dontre Hamilton, a 31-
9 year-old man, by a member of the Milwaukee

1 Police Department in Wisconsin on April 30,
2 2014.

3 (B) The death of Eric Garner, an unarmed
4 43-year-old father, by a member of the New
5 York City Police Department in New York on
6 July 17, 2014.

7 (C) The death of Michael Brown, an 18-
8 year-old unarmed teenager, by a member of the
9 Ferguson Police Department in Missouri on
10 August 9, 2014.

11 (D) The death of Ezell Ford, an unarmed
12 25-year-old mentally ill man by members of the
13 Los Angeles Police Department in California on
14 August 11, 2014.

15 (E) The death of Laquan McDonald, a 17-
16 year-old teenager by a member of the Chicago
17 Police Department in Illinois on October 20,
18 2014.

19 (F) The death of Tamir Rice, a 12-year-
20 old boy by a member of the Cleveland Division
21 of Police in Ohio on November 22, 2014.

22 (G) The death of Anthony Hill, a 27-year-
23 old unarmed Air Force veteran, by a member of
24 the DeKalb County Police Department in Geor-
25 gia on March 6, 2015.

1 (H) The death of Nicholas Thomas, a 23-
2 year-old unarmed man, by a member of the
3 Smyrna Police Department in Georgia on
4 March 24, 2015.

5 (I) The death of Freddie Gray, a 25-year-
6 old arrested by the Baltimore Police Depart-
7 ment for possession of an alleged illegal switch-
8 blade on April 12, 2015.

9 (J) The death of Sandra Bland, a 28-year-
10 old African-American woman found hanged in a
11 jail cell in Waller County, Texas, on July 13,
12 2015.

13 (K) The death of Jamar Clark, a 24-year-
14 old unarmed man, by a member of the Min-
15 neapolis Police Department in Minnesota on
16 November 16, 2015.

17 (2) From 2011 to 2015, 28,500 complaints
18 filed against Chicago Police officers resulted in no
19 discipline in a study conducted by the Invisible Insti-
20 tute and the Mandel legal clinic of the University of
21 Chicago law school.

22 (3) These incidents and countless others are not
23 isolated but reflect a pervasive pattern of racial bias
24 in the use of excessive force in communities of color.

1 (4) It is the will of the Congress that a select
2 committee be formed to investigate these patterns of
3 excessive use of force in communities of color.

4 **SEC. 2. ESTABLISHMENT.**

5 There is hereby established in the House of Rep-
6 resentatives the Select Committee on Excessive Use of Po-
7 lice Force (hereinafter referred to as the Select Com-
8 mittee).

9 **SEC. 3. COMPOSITION.**

10 (a) COMPOSITION.—The Select Committee shall be
11 composed of 12 Members appointed by the Speaker of the
12 House of Representatives, of whom 6 shall be appointed
13 after consultation with the Minority Leader.

14 (b) CHAIR AND RANKING MEMBER.—The Speaker
15 shall designate one Member to serve as chair of the Select
16 Committee, and the Minority Leader shall designate one
17 Member to serve as the ranking minority member of the
18 Select Committee.

19 (c) VACANCIES.—Any vacancy in the Select Com-
20 mittee shall be filled in the same manner as the original
21 appointment.

22 **SEC. 4. RULES AND PROCEDURES.**

23 Rule XI of the Rules of the House of Representatives
24 shall apply to the Select Committee in the same manner

1 as such rule applies to a standing committee of the House,
2 except to the extent inconsistent with this resolution.

3 **SEC. 5. STAFF; FUNDING.**

4 (a) STAFF.—The chair of the Select Committee, upon
5 consultation with the ranking minority member of the Se-
6 lect Committee, may employ and fix the compensation of
7 such staff as the chair considers necessary to carry out
8 this resolution.

9 (b) FUNDING.—There shall be paid out of the appli-
10 cable accounts of the House of Representatives such sums
11 as may be necessary for the expenses of the Select Com-
12 mittee. Such payments shall be made on vouchers signed
13 by the chair of the Select Committee and approved in the
14 manner directed by the Committee on House Administra-
15 tion. Amounts made available under this subsection shall
16 be expended in accordance with regulations prescribed by
17 the Committee on House Administration.

18 **SEC. 6. RECOMMENDATIONS.**

19 (a) FINAL REPORT.—The Select Committee shall
20 issue a final report and recommendations, including legis-
21 lative proposals, not later than 60 days after the date of
22 the adoption of this resolution.

23 (b) INTERIM FINDINGS AND REPORTS.—In addition
24 to the final report and recommendations required under

1 subsection (a), the Select Committee may issue such in-
2 terim findings and reports as it deems necessary.

3 **SEC. 7. TERMINATION.**

4 (a) IN GENERAL.—The Select Committee and all au-
5 thority granted in this resolution shall expire upon the
6 issuance by the Select Committee of the final report and
7 recommendations under section 6(a).

8 (b) RECORDS.—Upon the dissolution of the Select
9 Committee, the records, files, and materials of the Select
10 Committee shall be transferred to the Clerk of the House.

11 **SEC. 8. DUTIES.**

12 The Select Committee is authorized and directed to
13 conduct a full and complete investigation and study, and
14 to issue a report and recommendations of its findings to
15 the House, regarding each of the following:

16 (1) A uniform definition of “excessive use of
17 force” for purposes of criminal prosecutions of law
18 enforcement officers who employ force against indi-
19 viduals suspected of criminal offenses.

20 (2) Creation of national guidelines on what con-
21 stitutes an excessive use of force by law enforcement
22 officers interacting with individuals suspected of
23 criminal offenses.

24 (3) Collection of accurate and reliable data on
25 police shootings and the use of excessive force, in-

1 including use of excessive force resulting in death and
2 use of excessive force not resulting in death.

3 (4) Implementation and creation of a national
4 database to make available to the public data on
5 complaints filed against law enforcement officers
6 and departments alleging excessive use of force by
7 such law enforcement officers.

8 (5) Inclusion of demographic data on police of-
9 ficers involved in shootings in the Uniform Crime
10 Reports authorized under section 534 of title 28,
11 United States Code.

12 (6) Requirement of mandatory reporting to the
13 Federal Bureau of Investigation as part of the Uni-
14 form Crime Reports by State and local law enforce-
15 ment agencies of the number of justifiable homicides
16 committed by law enforcement officers.

17 (7) Creation of effective training methods and
18 mental counseling of a law enforcement officer to
19 understand what is and is not a real threat to his
20 or her safety and the safety of others, to focus on
21 objective criteria in the identification of such
22 threats, and to examine his or her reactions to pre-
23 sumed threats for any latent racial bias, animus, or
24 hostility.

1 (8) Creation of adequate training, in the deter-
2 mination of the Attorney General, for police officers
3 dealing with mentally ill persons.

4 (9) Requirement by the Attorney General of
5 transparency in internal discipline and accountability
6 in law enforcement agencies.

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