

116TH CONGRESS
1ST SESSION

H. R. 119

To require the Attorney General to issue rules pertaining to the collection and compilation of data on the use of deadly force by law enforcement officers.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2019

Mr. COHEN (for himself, Mr. CONNOLLY, Mr. CUMMINGS, Mr. GRIJALVA, Mr. HASTINGS, Ms. JACKSON LEE, Ms. JAYAPAL, Mr. JOHNSON of Georgia, Mr. KHANNA, Ms. LEE of California, Mr. MEEKS, Ms. NORTON, Mr. PALLONE, Mr. RASKIN, Mr. RUSH, Ms. SCHAKOWSKY, Mr. SERRANO, and Mr. VARGAS) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require the Attorney General to issue rules pertaining to the collection and compilation of data on the use of deadly force by law enforcement officers.

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 “National Statistics on
5 Deadly Force Transparency Act of 2019”.

1 **SEC. 2. ATTORNEY GENERAL TO ISSUE REGULATIONS.**

2 (a) REGULATIONS.—Not later than 6 months after
3 the date of enactment of this Act, the Attorney General,
4 in consultation with stakeholders, including Federal,
5 State, and local law enforcement agencies and community,
6 professional, research, and civil rights organizations, shall
7 issue regulations for the collection and compilation of data
8 pertaining to the use of deadly force by Federal, State,
9 or local law enforcement officers.

10 (b) REQUIREMENTS.—The regulations issued under
11 subsection (a) shall—

12 (1) require the collection of data on all in-
13 stances wherein deadly force was used by a Federal,
14 State, or local law enforcement officer;

15 (2) require that the data collected shall—

16 (A) include identifying characteristics of
17 the person who was the target of the use of
18 deadly force and the officer who used deadly
19 force, including—

20 (i) race or ethnicity;

21 (ii) gender;

22 (iii) approximate age; and

23 (iv) the actual or perceived religious
24 affiliation;

25 (B) include the date, time, and location of
26 such use of deadly force;

1 (C) include the alleged criminal activity of
2 the person who was the target of the use of
3 deadly force;

4 (D) include the nature of the deadly force
5 used, including the use of a firearm;

6 (E) include an explanation, if any, from
7 the relevant law enforcement agency on why
8 deadly force was used;

9 (F) include a copy of any use of deadly
10 force guidelines in effect at the relevant law en-
11 forcement agency at the time deadly force was
12 used;

13 (G) include a description of any non-lethal
14 efforts employed to apprehend or subdue the
15 person who was the target of the use of deadly
16 force before deadly force was used; and

17 (H) not include personally identifiable in-
18 formation described in section 4;

19 (3) provide that a standardized form shall be
20 made available to law enforcement agencies for the
21 submission of data collected pursuant to this Act to
22 the Department of Justice;

23 (4) require that law enforcement agencies com-
24 pile data using the standardized form made available
25 under paragraph (3), and submit the form to the

1 Department of Justice Bureau of Justice Statistics
2 and any other component of the Department of Jus-
3 tice that the Attorney General determines appro-
4 priate; and

5 (5) require that law enforcement agencies shall
6 maintain all data collected under this Act for not
7 less than 4 years.

8 **SEC. 3. DUTIES OF THE BUREAU OF JUSTICE STATISTICS.**

9 The Department of Justice Bureau of Justice Statis-
10 tics shall provide to Congress and make available to the
11 public the data collected pursuant to this Act, excluding
12 any personally identifiable information described in section
13 4.

14 **SEC. 4. LIMITATIONS ON PUBLICATION OF DATA.**

15 The name or identifying information of a law enforce-
16 ment officer, person who was the target of the use of dead-
17 ly force, or any other individual involved in any activity
18 for which data is collected and compiled under this Act
19 shall not be—

20 (1) released to the public;

21 (2) disclosed to any person, except for—

22 (A) such disclosures as are necessary to
23 comply with this Act;

24 (B) disclosures of information regarding a
25 particular person to that person; or

1 (C) disclosures pursuant to litigation; or
2 (3) subject to disclosure under section 552 of
3 title 5, United States Code (commonly known as the
4 Freedom of Information Act), except for disclosures
5 of information regarding a particular person to that
6 person.

7 **SEC. 5. BYRNE JAG GRANT REDUCED FOR FAILURE TO RE-**
8 **PORT.**

9 In the case of a State or unit of local government
10 that received a grant award under subpart 1 of part E
11 of title I of the Omnibus Crime Control and Safe Streets
12 Act of 1968 (42 U.S.C. 3750 et seq.), if that State or
13 unit of local government fails substantially to comply with
14 the requirement under section 2 for a fiscal year, the At-
15 torney General shall reduce the amount that would other-
16 wise be awarded to that State or unit of local government
17 under such grant program in the following fiscal year by
18 10 percent.

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