

116TH CONGRESS
1ST SESSION

H. R. 125

To provide for grants for States that require sensitivity training for law enforcement officers of that State and to incentivize States to enact laws requiring the independent investigation and prosecution of the use of deadly force by law enforcement officers, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JANUARY 3, 2019

Mr. COHEN (for himself, Mr. CLAY, Mrs. BEATTY, Mr. CARSON of Indiana, Mr. BLUMENAUER, Mr. RASKIN, Ms. CASTOR of Florida, Ms. CLARKE of New York, Mr. DANNY K. DAVIS of Illinois, Ms. DELAURO, Mrs. DINGELL, Mr. ENGEL, Ms. ESHOO, Ms. KAPTUR, Ms. KELLY of Illinois, Mr. KHANNA, Mr. MCGOVERN, Mr. MCNERNEY, Mr. MEEKS, Ms. MOORE, Ms. NORTON, Ms. ROYBAL-ALLARD, Mr. RYAN, Ms. SCHAKOWSKY, Mr. SCHIFF, Mr. SCOTT of Virginia, Mr. SERRANO, Mr. TAKANO, Mr. THOMPSON of Mississippi, Mr. VEASEY, Ms. WATERS, Mrs. WATSON COLEMAN, Mr. PASCRELL, and Ms. VELÁZQUEZ) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To provide for grants for States that require sensitivity training for law enforcement officers of that State and to incentivize States to enact laws requiring the independent investigation and prosecution of the use of deadly force by law enforcement officers, 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.**

2 This Act may be cited as the “Police Training and
3 Independent Review Act of 2019”.

4 **SEC. 2. GRANTS FOR TRAINING AND SENSITIVITY AND THE**
5 **USE OF INDEPENDENT PROSECUTORS.**

6 Title I of the Omnibus Crime Control and Safe
7 Streets Act of 1968 (et seq.) is amended by adding at the
8 end the following:

9 **“PART NN—GRANTS FOR TRAINING AND**
10 **INDEPENDENT PROSECUTION**

11 **“SEC. 3041. IN GENERAL.**

12 “The Attorney General may make a grant to a State
13 each fiscal year for purposes of carrying out the require-
14 ments of section 3042(a) and 3043. The term of such
15 grant shall be 1 year.

16 **“SEC. 3042. TRAINING ON DIVERSITY AND SENSITIVITY FOR**
17 **LAW ENFORCEMENT.**

18 “(a) **TRAINING REQUIREMENT.**—The requirements
19 of this subsection are as follows:

20 “(1) A State shall require that all individuals
21 enrolled in an academy of a law enforcement agency
22 of the State and all law enforcement officers of the
23 State fulfill a training session on sensitivity each fis-
24 cal year, including training on ethnic and racial bias,
25 cultural diversity, and police interaction with the dis-
26 abled, mentally ill, and new immigrants. In the case

1 of individuals attending an academy, such training
2 session shall be for 8 hours, and in the case of all
3 other law enforcement officers, the training session
4 shall be for 4 hours.

5 “(2) A State shall certify to the Attorney Gen-
6 eral of the United States that such training sessions
7 have been completed.

8 “(b) COMPLIANCE AND INELIGIBILITY.—

9 “(1) COMPLIANCE DATE.—The period specified
10 under this paragraph is the period beginning 120
11 days after the date of enactment of this part, to
12 comply with subsection (a), except that—

13 “(A) the Attorney General may grant an
14 additional 120 days to a State that is making
15 good faith efforts to comply with such sub-
16 section; and

17 “(B) the Attorney General shall waive the
18 requirements of subsection (a) if compliance
19 with such subsection by a State would be un-
20 constitutional under the constitution of such
21 State.

22 “(2) INELIGIBILITY.—A State that is not in
23 compliance with the requirements of subsection (a)
24 during a fiscal year is not eligible for a grant under
25 this part.

1 **“SEC. 3043. INDEPENDENT REVIEW OF LAW ENFORCEMENT**
2 **USE OF DEADLY FORCE.**

3 “In the case of a State that fails by the end of a
4 fiscal year to enact or have in effect an independent pros-
5 ecution of law enforcement law, that State is not eligible
6 for a grant under this part.

7 **“SEC. 3044. DEFINITIONS.**

8 “In this part:

9 “(1) The term ‘deadly force’ means that force
10 which a reasonable person would consider likely to
11 cause death or serious bodily harm.

12 “(2) The term ‘independent prosecution of law
13 enforcement law’ means a statute requiring the ap-
14 pointment of an independent prosecutor to conduct
15 any criminal investigation and prosecution in
16 which—

17 “(A) one or more of the possible defend-
18 ants is a law enforcement officer;

19 “(B) one or more of the alleged offenses
20 involves the law enforcement officer’s use of
21 deadly force in the course of carrying out that
22 officer’s duty; and

23 “(C) the law enforcement officer’s use of
24 deadly force resulted in a death or injury.

1 “(3) The term ‘independent prosecutor’ means,
2 with respect to a criminal investigation or prosecu-
3 tion, a prosecutor who—

4 “(A) does not live or work in the same
5 county as the county in which the alleged crime
6 was committed; and

7 “(B) would not be involved in the prosecu-
8 tion in the ordinary course of that prosecutor’s
9 duties.”.

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