

116TH CONGRESS  
2D SESSION

# H. R. 7188

To require law enforcement agencies to report the use of lethal force, and  
for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 11, 2020

Mr. TIMMONS (for himself, Mr. CLINE, Ms. HERRERA BEUTLER, Mr. HURD  
of Texas, and Mr. BISHOP of North Carolina) introduced the following  
bill; which was referred to the Committee on the Judiciary

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## A BILL

To require law enforcement agencies to report the use of  
lethal force, 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 “Walter Scott Notifica-  
5 tion Act of 2020”.

6 **SEC. 2. DEFINITIONS.**

7 In this Act—

8 (1) the term “law enforcement officer” has the  
9 meaning given the term in section 3673 of title 18,  
10 United States Code; and

1           (2) the term “State” has the meaning given the  
2           term in section 901(a) of title I of the Omnibus  
3           Crime Control and Safe Streets Act of 1968 (34  
4           U.S.C. 10251(a)).

5 **SEC. 3. STATE INFORMATION REGARDING USE OF LETHAL**  
6 **FORCE BY LAW ENFORCEMENT OFFICERS.**

7           (a) IN GENERAL.—For each fiscal year in which a  
8           State receives funds for a program described in subsection  
9           (c), the State shall report to the Attorney General, on an  
10          annual basis and pursuant to guidelines established by the  
11          Attorney General, information regarding any discharge of  
12          a firearm by a law enforcement officer which results in  
13          the death of a civilian.

14          (b) INFORMATION REQUIRED.—The report required  
15          under subsection (a) shall contain information that, at a  
16          minimum, includes—

17                 (1) the number of decedents and the number of  
18                 law enforcement officers who discharged a firearm;

19                 (2) the age, sex, race, and ethnicity of each de-  
20                 cedent;

21                 (3) any mental health issue of a decedent that  
22                 was observed or reported;

23                 (4) the age, sex, race, and ethnicity of each law  
24                 enforcement officer;

25                 (5) a brief description of the event;

1           (6) the alleged criminal activity of each dece-  
2           dent prior to the use of force;

3           (7) whether each decedent was armed and the  
4           type of weapon the decedent had;

5           (8) a description of the weapon used by each  
6           law enforcement officer;

7           (9) a brief description of any injury sustained  
8           by a law enforcement officer;

9           (10) a brief description of the finding of the law  
10          enforcement agency as to whether the use of deadly  
11          force was justified or unjustified; and

12          (11) the case disposition, including whether—

13                (A) the case was cleared by departmental  
14                review or referred to a prosecuting authority;

15                (B) criminal charges were filed;

16                (C) prosecution was declined;

17                (D) a grand jury returned a No True Bill;

18          or

19                (E) a court entered an acquittal or a con-  
20          viction.

21          (c) COMPLIANCE.—

22                (1) INELIGIBILITY FOR FUNDS.—For any fiscal  
23          year beginning after the date of enactment of this  
24          Act, a State that fails to comply with subsection (a),  
25          shall be subject to a 10-percent reduction of the

1 funds that would otherwise be allocated for that fis-  
2 cal year to the State under subpart 1 of part E of  
3 title I of the Omnibus Crime Control and Safe  
4 Streets Act of 1968 (34 U.S.C. 10151 et seq.),  
5 whether characterized as the Edward Byrne Memo-  
6 rial State and Local Law Enforcement Assistance  
7 Programs, the Local Government Law Enforcement  
8 Block Grants Program, the Edward Byrne Memorial  
9 Justice Assistance Grant Program, or otherwise.

10 (2) REALLOCATION.—Amounts not allocated  
11 under a program referred to in paragraph (1) to a  
12 State for failure to comply with subsection (a) shall  
13 be reallocated under the program to States that have  
14 complied with subsection (a).

15 (d) PREFERENTIAL CONSIDERATION.—Section 1701  
16 of title I of the Omnibus Crime Control and Safe Streets  
17 Act of 1968 (34 U.S.C. 10381) is amended by adding at  
18 the end the following:

19 “(n) USE OF FORCE REPORTING.—

20 “(1) PREFERENTIAL CONSIDERATION.—For the  
21 first fiscal year beginning after the date of enact-  
22 ment of this subsection and the 3 fiscal years there-  
23 after, the Attorney General may give preferential  
24 consideration, where feasible, to an application from  
25 an applicant in a State that is in full compliance

1 with section 3(a) of the Walter Scott Notification  
2 Act of 2020.

3 “(2) REDUCTION OF GRANT AMOUNTS.—Begin-  
4 ning in the fifth fiscal year beginning after the date  
5 of enactment of this subsection, a State that fails to  
6 comply with section 3(a) of the Walter Scott Notifi-  
7 cation Act of 2020 shall be subject to a 20-percent  
8 reduction of the funds that would otherwise be allo-  
9 cated for the fiscal year to the State under this part.

10 “(3) REALLOCATION.—Amounts not allocated  
11 under this part to a State for failure to comply with  
12 section 3(a) of the Walter Scott Notification Act of  
13 2020 shall be reallocated to States that have com-  
14 plied with such section.”.

15 (e) INDEPENDENT AUDIT AND REVIEW.—Not later  
16 than 1 year after the date of enactment of this Act, and  
17 each year thereafter, the Attorney General shall conduct  
18 an audit and review of the information provided under  
19 subsection (a) to determine whether each State receiving  
20 funds under section 505(a) of title I of the Omnibus Crime  
21 Control and Safe Streets Act of 1968 (34 U.S.C.  
22 10156(a)) or under part Q of title I of the Omnibus Crime  
23 Control and Safe Streets Act of 1968 (34 U.S.C. 10381  
24 et seq.) unless the State has ensured, to the satisfaction

1 of the Attorney General, that the State is in substantial  
2 compliance with the requirements of this section.

3 (f) PUBLIC AVAILABILITY OF DATA.—

4 (1) IN GENERAL.—Not later than 1 year after  
5 the date of enactment of this Act, and each year  
6 thereafter, the Attorney General shall publish, and  
7 make available to the public, a report containing the  
8 data reported to the Attorney General under sub-  
9 section (a).

10 (2) PRIVACY PROTECTIONS.—Nothing in this  
11 subsection shall be construed to supersede the re-  
12 quirements or limitations under section 552a of title  
13 5, United States Code (commonly known as the  
14 “Privacy Act of 1974”).

15 (g) GUIDANCE.—Not later than 180 days after the  
16 date of enactment of this Act, the Attorney General, in  
17 coordination with the Director of the Federal Bureau of  
18 Investigation, shall issue guidance on best practices relat-  
19 ing to establishing standard data collection systems that  
20 capture the information required to be reported under sub-  
21 section (a), which shall include standard and consistent  
22 definitions for terms.

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