

116TH CONGRESS  
2D SESSION

# H. R. 7252

To provide for research to examine law enforcement policies and practices, including the causes, consequences, and mitigation of excessive use of force, and for other purposes.

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## IN THE HOUSE OF REPRESENTATIVES

JUNE 18, 2020

Ms. JOHNSON of Texas introduced the following bill; which was referred to the Committee on Science, Space, and Technology, and in addition to the Committees on Homeland Security, and the Judiciary, for a period to be subsequently determined by the Speaker, in each case for consideration of such provisions as fall within the jurisdiction of the committee concerned

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## A BILL

To provide for research to examine law enforcement policies and practices, including the causes, consequences, and mitigation of excessive use of 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 “Promoting Fair and  
5 Effective Policing Through Research Act”.

1 **SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) Despite the pivotal role police officers play  
4 in preventing and controlling crime, there are sig-  
5 nificant gaps in research on the fairness and efficacy  
6 of policing policies and practices, including those re-  
7 lated to use of force.

8 (2) The lack of accurate and comprehensive  
9 data on police use of force is often cited as one of  
10 the most significant barriers to identifying and un-  
11 derstanding patterns of police use of excessive force  
12 against civilians.

13 (3) The best available evidence reveals in-  
14 creased likelihood of police use of force against peo-  
15 ple of color, people with disabilities, LGBT people,  
16 people with mental health conditions, people with  
17 low incomes, and those at the intersections of these  
18 groups.

19 (4) Biases in advanced policing technologies, in-  
20 cluding biometric identification systems, have the po-  
21 tential to exacerbate such disparities.

22 (5) Along with better data, more social and be-  
23 havioral research is needed to improve our under-  
24 standing of the potential factors that influence ex-  
25 cessive use of force as well as the related psycho-

1       logical and social effects of such incidents on individ-  
2       uals and communities.

3   **SEC. 3. DEFINITIONS.**

4       In this Act:

5           (1) COMMUNITY-BASED ORGANIZATION.—The  
6       term “community-based organization” means a  
7       grassroots organization that monitors the issue of  
8       police misconduct and that has a national presence  
9       and membership, such as the National Association  
10      for the Advancement of Colored People (NAACP),  
11      the American Civil Liberties Union (ACLU), the  
12      National Council of La Raza, the National Urban  
13      League, the National Congress of American Indians,  
14      and the National Asian Pacific Legal Consortium  
15      (NAPALC).

16          (2) INSTITUTION OF HIGHER EDUCATION.—The  
17      term “institution of higher education” has the  
18      meaning given the term in section 101 of the Higher  
19      Education Act of 1965 (20 U.S.C. 1001).

20          (3) LAW ENFORCEMENT AGENCY.—The term  
21      “law enforcement agency” means any Federal,  
22      State, or local public agency engaged in the preven-  
23      tion, detection, or investigation of violations of crimi-  
24      nal, immigration, or customs law.

1           (4) NON-PROFIT ORGANIZATION.—The term  
2           “non-profit organization” means an organization de-  
3           scribed in section 501(c)(3) of the Internal Revenue  
4           Code of 1986 and exempt from tax under section  
5           501(a) of such code.

6           (5) PROFESSIONAL LAW ENFORCEMENT ASSO-  
7           CIATION.—The term “professional law enforcement  
8           association” means a law enforcement membership  
9           association that works for the needs of Federal,  
10          State, local, or Indian tribal law enforcement agen-  
11          cies and with the civilian community on matters of  
12          common interest, such as the Hispanic Police Com-  
13          mand Officers Association (HAPCOA), the National  
14          Asian Pacific Officers Association (NAPOA), the  
15          National Black Police Association (NBPA), the Na-  
16          tional Organization of Black Law Enforcement Ex-  
17          ecutives (NOBLE), Women in Law Enforcement,  
18          the Native American Law Enforcement Association  
19          (NALEA), the International Association of Chiefs of  
20          Police (IACP), the National Sheriffs’ Association  
21          (NFA), the Fraternal Order of Police (FOP), and  
22          the National Association of School Resource Offi-  
23          cers.

24   **SEC. 4. AGENCY ACTIVITIES.**

25          (a) NATIONAL SCIENCE FOUNDATION.—

1           (1) RESEARCH.—The Director of the National  
2       Science Foundation shall award grants, on a com-  
3       petitive basis, to institutions of higher education or  
4       nonprofit organizations (or consortia of such institu-  
5       tions or organizations)—

6           (A) to support social and behavioral re-  
7       search on—

8           (i) policies and practices of law en-  
9       forcement agencies and related outcomes,  
10      including the use of data and technology  
11      by law enforcement agencies;

12          (ii) the causes and consequences of  
13      police violence;

14          (iii) interventions designed to mitigate  
15      police use of excessive force, including de-  
16      escalation training and advanced policing  
17      technologies;

18          (iv) organizational configurations and  
19      personnel practices in law enforcement  
20      agencies, such as recruitment, training,  
21      oversight, performance standards, decision-  
22      making, methods of supervising officers,  
23      resource allocation, and the role of police  
24      leadership; and

(v) the role of cooperation among law enforcement agencies and the communities served by such agencies in reducing crime and ensuring community safety; and

(B) to educate and train the next generation of researchers in areas of social and behavioral sciences research relevant to policing policies and practices in democratic societies.

(2) RESEARCHER-LAW ENFORCEMENT PARTNERSHIPS.—

(A) IN GENERAL.—The Director of the National Science Foundation shall carry out a program to award grants, on a competitive basis, to institutions of higher education or nonprofit organizations (or consortia of such institutions or organizations) to improve the fairness and efficacy of policing policies and practices, including by reducing the incidence and mitigating the negative consequences of excessive and lethal use of force by law enforcement.

(B) PARTNERSHIPS.—In order to be eligible to receive a grant under this subsection, an institution of higher education or nonprofit organization (or consortia of such institutions or

1 organizations) shall enter into a partnership  
2 with—

3 (i) one or more law enforcement agen-  
4 cy;

5 (ii) one or more community-based or-  
6 ganization; or

7 (iii) one or more professional law en-  
8 forcement association.

9 (C) ANNUAL MEETING.—The Director of  
10 the National Science Foundation, in consulta-  
11 tion with the Attorney General of the United  
12 States, shall convene an annual meeting of the  
13 partnerships participating under this section to  
14 foster greater national collaboration.

15 (3) NATIONAL ACADEMIES STUDY.—Not later  
16 than 45 days after the date of enactment of this  
17 Act, the Director shall enter into an agreement with  
18 the Academies to conduct a study—

19 (A) to review the research literature and  
20 identify research gaps related to policing poli-  
21 cies and practices, including research into the  
22 causes, consequences, and mitigation of police  
23 violence;

24 (B) to present a compendium of promising  
25 policing policies and practices, including those

1 shown to reduce the incidence and mitigate the  
2 negative consequences of police violence;

3 (C) identify barriers to widespread and  
4 sustained implementation of such policies and  
5 practices; and

6 (D) to make recommendations to the  
7 Foundation, the Department of Justice, law en-  
8 forcement agencies, and other relevant stake-  
9 holders on measures to address such barriers.

10 (b) NATIONAL INSTITUTE OF STANDARDS AND  
11 TECHNOLOGY.—

12 (1) IN GENERAL.—The Secretary of Commerce,  
13 acting through the Director of the National Institute  
14 of Standards and Technology, shall establish a pro-  
15 gram to support measurement research to inform  
16 the development of best practices, benchmarks,  
17 methodologies, procedures, and voluntary consensus  
18 standards for biometric identification systems and  
19 other advanced policing tools to assess and improve  
20 fairness in such systems. In carrying out such pro-  
21 gram, the Director shall—

22 (A) conduct research to support efforts to  
23 improve biometric identification systems, includ-  
24 ing in areas related to conformity assessment,

1 image interoperability, and capture device cer-  
2 tification;

3 (B) establish common definitions and char-  
4 acterizations for biometric identification sys-  
5 tems, including fairness, bias, validation, trans-  
6 parency, safety, privacy, security, robustness,  
7 and other properties;

8 (C) produce data sets that are curated,  
9 standardized, representative, secure, and pri-  
10 vacy protected for biometric identification tech-  
11 nology research, development, and use;

12 (D) provide outreach, coordination, and  
13 technical support to relevant industry and non-  
14 industry stakeholders and standards develop-  
15 ment organizations to assist such entities in the  
16 development of best practices and voluntary  
17 standards; and

18 (E) develop such standard reference mate-  
19 rial as the Director of the National Institute of  
20 Standards and Technology determines is appro-  
21 priate to further the development of such stand-  
22 ards.

23 (2) BIOMETRICS VENDOR TEST PROGRAM.—

24 (A) IN GENERAL.—The Secretary, acting  
25 through the Director of the National Institute

1 of Standards and Technology, shall carry out a  
2 test program to provide biometrics vendors the  
3 opportunity to test biometric identification tech-  
4 nologies.

5 (B) ACTIVITIES.—In carrying out the pro-  
6 gram under subparagraph (A), the Director  
7 shall—

8 (i) conduct research and testing to im-  
9 prove and benchmark the accuracy, effi-  
10 cacy, and fairness of biometric identifica-  
11 tion systems, including research and test-  
12 ing on demographic variations, capture de-  
13 vices, presentation attack detection, tem-  
14 plate protection, de-identification, and  
15 comparison of algorithm and human facial  
16 recognition capability;

17 (ii) produce public-facing reports of  
18 the findings from such testing for a gen-  
19 eral audience;

20 (iii) in coordination with the Depart-  
21 ment of Homeland Security, provide guid-  
22 ance to law enforcement agencies to sup-  
23 port decision-making with respect to acqui-  
24 sition and implementation of biometric

1 identification systems and related tech-  
2 nologies; and

3 (iv) conduct such other activities as  
4 the Director of the National Institute of  
5 Standards and Technology determines ap-  
6 propriate.

7 (C) FUNDING.—To carry out this sub-  
8 section, the Director of the National Institute  
9 of Standards and Technology may enter into  
10 contracts, including cooperative research and  
11 development arrangements, grants, cooperative  
12 agreements, and other transactions as the Di-  
13 rector determines appropriate.

14 (D) PARTNERSHIPS WITH OTHER FED-  
15 ERAL AGENCIES.—In addition to such sums as  
16 may be authorized to be appropriated or other-  
17 wise made available to carry out this section,  
18 the Director may accept funds from other de-  
19 partments and agencies of the Federal Govern-  
20 ment, and from the State and local govern-  
21 ments, to carry out the program under this sub-  
22 section.

23 (c) DEPARTMENT OF HOMELAND SECURITY.—

24 (1) IN GENERAL.—The Secretary of Homeland  
25 Security, acting through the Under Secretary for

1 Science and Technology, in consultation with the  
2 Federal Law Enforcement Training Centers, shall  
3 establish a program with the purpose of reducing ex-  
4 cessive use of force and lethal use of force by law  
5 enforcement.

6 (2) ACTIVITIES.—In carrying out such pro-  
7 gram, the Secretary shall—

8 (A) support research and data analysis to  
9 improve training, policies, and practices to sup-  
10 port development of guidelines and best prac-  
11 tices for recruitment and training of law en-  
12 forcement officials to reduce excessive use of  
13 force and mitigate racial bias in policing;

14 (B) develop, test, and evaluate innovative  
15 tools or technologies to assist in risk assessment  
16 and provide law enforcement agencies with  
17 tools, restraints, and maneuvers that are non-  
18 lethal or less harmful than tools, restraints, and  
19 maneuvers used by such agencies;

20 (C) provide the scientific basis for a na-  
21 tional standard for police use of force contin-  
22 uums; and

23 (D) conduct outreach to Federal, State,  
24 local, and tribal law enforcement agencies, aca-  
25 demia, researchers, practitioners, and trainers

1           to share information and disseminate guidelines  
2           and best practices.

3 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

4       There are authorized to be appropriated for each of  
5 fiscal years 2021 through 2026 to carry out the activities  
6 in this Act—

7           (1) \$10,000,000 to the Director of the National  
8       Science Foundation;

9           (2) \$2,000,000 to the Director of the National  
10       Institute of Standards and Technology; and

11          (3) \$2,000,000 to the Secretary of Homeland  
12       Security.

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