

117TH CONGRESS
1ST SESSION

H. R. 4189

To direct the Attorney General to convene a national working group to study proactive strategies and best practices to ensure the inclusion of community satisfaction and trust in policing performance measurement, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JUNE 25, 2021

Ms. SPANBERGER (for herself and Mr. TAYLOR) introduced the following bill;
which was referred to the Committee on the Judiciary

A BILL

To direct the Attorney General to convene a national working group to study proactive strategies and best practices to ensure the inclusion of community satisfaction and trust in policing performance measurement, 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; FINDINGS.**

4 (a) **SHORT TITLE.**—This Act may be cited as the
5 “Measuring What Matters Act”.

6 (b) **FINDINGS.**—Congress finds the following:

1 (1) On December 18, 2014, President Barack
2 Obama signed an Executive order establishing the
3 Task Force on 21st Century Policing. The President
4 charged the task force with identifying best practices
5 and offering recommendations on how policing prac-
6 tices can promote effective crime reduction while
7 building public trust.

8 (2) The task force, which met 7 times in Janu-
9 ary and February of 2015, brought the 11 members
10 of the task force together with more than 100 indi-
11 viduals from diverse stakeholder groups—police offi-
12 cers and executives, community members, civic lead-
13 ers, advocates, researchers, academics, and others—
14 in addition to many others who submitted written
15 testimony to study the problems from all perspec-
16 tives.

17 (3) The task force recommendations, each with
18 action items, were organized around six main topic
19 areas or “pillars”, with the first being the Building
20 Trust and Legitimacy Pillar.

21 (4) Recommendation 1.7 under the Building
22 Trust and Legitimacy Pillar found that police de-
23 partments should track the level of trust in police by
24 their communities just as they measure changes in
25 crime.

1 (5) The 1.7.1 action item of recommendation
2 1.7 was that the Federal Government should develop
3 survey tools and instructions for use of such a model
4 to prevent local departments from incurring the ex-
5 pense and to allow for consistency across jurisdic-
6 tions.

7 **SEC. 2. ESTABLISHMENT OF WORKING GROUP.**

8 Not later than 90 after the date of enactment of this
9 Act, the Attorney General shall establish a national work-
10 ing group, to be known as the U.S. Commission on Re-
11 forming Police Metrics, to study best practices and re-
12 sources needed to—

13 (1) measure public trust in police institutions
14 through the inclusion of community input; and

15 (2) properly integrate the findings of the com-
16 munity input in police performance measurement.

17 **SEC. 3. DUTIES OF THE WORKING GROUP.**

18 In carrying out the study described in section 2, the
19 working group shall—

20 (1) develop findings on the best means of facili-
21 tating community input on—

22 (A) community trust in the procedural jus-
23 tice of policing institutions; and

24 (B) information on what the community
25 believes about local crime, how to fight it, and

1 how its relationship with police serves or im-
2 pedes progress;

3 (2) develop the means of inclusion and proper
4 weighing of community input into police perform-
5 ance measurement;

6 (3) develop best practices to increase commu-
7 nity trust and satisfaction with police performance;

8 (4) develop estimates and descriptions of the
9 funding, resources, and proactive strategies nec-
10 essary for Federal, State, and local police to success-
11 fully implement a system that includes community
12 input in police performance measurement; and

13 (5) develop findings and best practices for in-
14 stilling a sense of shared responsibility between com-
15 munities and the police for public safety through en-
16 gagement, and accurate metrics related to public
17 safety measurement.

18 **SEC. 4. MEMBERS OF THE WORKING GROUP.**

19 (a) COMPOSITION.—The working group shall be com-
20 posed of such representatives of Federal departments and
21 agencies, non-Federal policing institutions, nongovern-
22 mental organizations, community-based organizations,
23 and academic institutions as the Attorney General deter-
24 mines appropriate. The Attorney General shall invite rep-

1 representatives from the following organizations to be mem-
2 bers of the working group:

3 (1) The Director of the Office of Community
4 Oriented Policing Services of the Department of
5 Justice.

6 (2) The Office of Justice Programs of the De-
7 partment of Justice.

8 (3) Community-based organizations and Civil
9 Rights groups, to include—

10 (A) the National Association for the Ad-
11 vancement of Colored People;

12 (B) UnidosUS;

13 (C) the League of United Latin American
14 Citizens;

15 (D) the Japanese American Citizens
16 League;

17 (E) the Organization of Chinese Ameri-
18 cans;

19 (F) Muslim Advocates;

20 (G) the Council on American-Islamic Rela-
21 tions;

22 (H) the National Congress of American In-
23 dians;

24 (I) the National Organization for Women;

1 (J) the American Association of University
2 Women;

3 (K) the Leadership Conference on Civil
4 and Legal Rights;

5 (L) the Religious Action Center of Reform
6 Judaism;

7 (M) the National Collection of Churches;

8 (N) the United States Conference of
9 Catholic Bishops;

10 (O) the American Civil Liberties Union;

11 (P) the National Association for Civilian
12 Oversight of Law Enforcement;

13 (Q) the Mexican American Legal Defense
14 and Educational Fund; and

15 (R) the American Law Institute.

16 (4) Policing Institutions and Local Government
17 Organizations, to include—

18 (A) Major Cities Chiefs Association;

19 (B) the Fraternal Order of Police;

20 (C) the National Sheriffs Association;

21 (D) the National Police Foundation;

22 (E) the Police Executive Research Forum;

23 (F) the National Association of Police Or-
24 ganizations;

1 (G) the National District Attorneys Asso-
2 ciation;

3 (H) the Conference of Mayors;

4 (I) the International Association of Chiefs
5 of Police;

6 (J) the National Association of Counties;

7 and

8 (K) the Law Enforcement Action Partner-
9 ship.

10 (b) CONTINUATION OF MEMBERSHIP.—If a member
11 of a working group was appointed based on membership
12 in an agency or organization and the member ceases to
13 be a member of such agency or organization, such member
14 shall cease to be a member of the working group on the
15 date on which the member ceases to be a member of such
16 agency or organization.

17 (c) TERMS.—Each member should be appointed for
18 the life of the working group.

19 (d) VACANCY.—Any member appointed to fill a va-
20 cancy occurring before the expiration of the term for which
21 the member's predecessor was appointed shall be ap-
22 pointed only for the remainder of that term. A member
23 may serve after the expiration of that member's term until
24 a successor has taken office. A vacancy in the working

1 group shall be filled in the manner in which the original
2 appointment was made.

3 (e) COMPENSATION.—Members of the working group
4 shall serve without pay.

5 (f) QUORUM.—A simple majority of the members
6 constitutes a quorum, but a lesser number may hold hear-
7 ings.

8 (g) CHAIRPERSON.—The Chairperson of the working
9 group shall be the Director of the Office of Community
10 Oriented Policing Services of the Department of Justice.

11 (h) MEETINGS.—The working group shall hold vir-
12 tual meetings monthly, and any subgroup of the working
13 group shall hold additional meetings as necessary.

14 **SEC. 5. STAFF OF WORKING GROUP; EXPERTS AND CON-**
15 **SULTANTS.**

16 (a) STAFF.—The Chairperson of the working group
17 may appoint and fix the pay of additional personnel as
18 the Chairperson considers appropriate.

19 (b) EXPERTS AND CONSULTANTS.—The Chairperson
20 may procure temporary and intermittent services under
21 section 3109(b) of title 5, United States Code.

22 (c) DETAILEES.—Upon request of the Chairperson,
23 the head of any Federal department or agency may detail,
24 on a reimbursable basis, any of the personnel of that de-

1 partment or agency to the working group to assist it in
2 carrying out its duties under this Act.

3 **SEC. 6. POWERS OF THE WORKING GROUP.**

4 (a) HEARINGS AND SESSIONS.—The working group
5 may, for the purpose of carrying out this Act, hold hear-
6 ings, sit and act at times and places, take testimony, and
7 receive evidence as the working group considers appro-
8 priate. The working group may administer oaths or affir-
9 mations to witnesses appearing before it.

10 (b) POWERS OF MEMBERS AND AGENTS.—Any mem-
11 ber or agent of the working group may, if authorized by
12 the Chairperson, take any action which the working group
13 is authorized to take by this section, including requesting
14 information and data.

15 (c) OBTAINING OFFICIAL DATA.—The working group
16 may secure directly from any department or agency of the
17 United States information necessary to enable it to carry
18 out this Act. Upon request of the Chairperson of the work-
19 ing group, the head of that department or agency shall
20 furnish that information to the working group.

21 (d) MAILS.—The working group may use the United
22 States mails in the same manner and under the same con-
23 ditions as other departments and agencies of the United
24 States.

1 (e) ADMINISTRATIVE SUPPORT SERVICES.—Upon
2 the request of the working group, the Administrator of
3 General Services shall provide to the working group, on
4 a reimbursable basis, the administrative support services
5 necessary for the working group to carry out its respon-
6 sibilities under this Act.

7 **SEC. 7. REPORT.**

8 Not later than 270 days after the date of enactment
9 of this Act, the working group shall submit to the Attorney
10 General, the Committees on the Judiciary of the House
11 of Representatives and the Senate, and the Committees
12 on Appropriations of the House of Representatives and the
13 Senate, a report, which shall contain a detailed statement
14 of the findings and conclusions of the working group, to-
15 gether with its recommendations for a pilot program.

16 **SEC. 8. TERMINATION.**

17 (a) IN GENERAL.—The working group shall termi-
18 nate 120 days after submission of the report, unless the
19 Attorney General determines that such termination is not
20 appropriate.

21 (b) RECONVENING GROUP.—In the case that the
22 working group terminates, the Attorney General may re-
23 convene the working group in accordance with this Act.

1 **SEC. 9. PILOT PROGRAM.**

2 (a) IN GENERAL.—Not later than 180 days after the
3 working group submits its report to Congress, the Attor-
4 ney General shall establish a competitive pilot program
5 which shall award grants to police departments and sher-
6 iffs departments that carry out the recommendations of
7 the working group’s report. The purpose of the pilot pro-
8 gram shall be to provide technical assistance and financial
9 support to local police departments and sheriffs depart-
10 ments in carrying out the recommendations of the working
11 group.

12 (b) APPLICATIONS.—To receive a grant under this
13 section, a police department or sheriffs department shall
14 submit to the Attorney General an application at such
15 time, in such manner, and containing such information as
16 the Attorney General may require.

17 (c) LIMITED MEMBERSHIP IN PILOT PROGRAM.—To
18 ensure a group of participating agencies representative of
19 the United States, the Attorney General shall limit partici-
20 pation in the pilot program to not more than 15 agencies
21 nationwide. When selecting these agencies, the Attorney
22 General shall ensure the inclusion of—

23 (1) at least three police departments from
24 major United States cities;

25 (2) at least two police departments from mid-
26 sized United States cities;

1 (3) at least one police department serving a
2 suburban county;

3 (4) at least one Tribal police department;

4 (5) at least two police departments serving
5 rural counties; and

6 (6) at least two sheriffs departments.

7 (d) OTHER CONSIDERATIONS.—In selecting partici-
8 pants for the pilot program, the Attorney General shall
9 consider—

10 (1) whether the agency is, as of the date of sub-
11 mission of the application, or has been, during the
12 5-year period before such submission, subject to a
13 consent decree or a pattern or practice investigation
14 by the Department of Justice under section 210401
15 of the Violent Crime Control and Law Enforcement
16 Act of 1994 (34 U.S.C. 12601); and

17 (2) whether the agencies participating are rep-
18 resentative when considering—

19 (A) geography;

20 (B) race; and

21 (C) socioeconomic makeup.

22 (e) REPORT.—The Attorney General shall submit to
23 Congress on an annual basis a report, which shall in-
24 clude—

1 (1) information related to the operation of the
2 pilot program under this section, including police
3 performance measurements used by participating po-
4 lice departments and any changes in department
5 practices implemented by agencies in response to the
6 new performance measures; and

7 (2) the recommendations of the advisory group
8 described in subsection (f).

9 (f) ADVISORY GROUP.—

10 (1) IN GENERAL.—The Attorney General shall
11 form an advisory group, including members of the
12 working group and such other members as the At-
13 torney General may designate, to oversee the pilot
14 program established under this section and make
15 recommendations for the improvement of such pro-
16 gram.

17 (2) FINAL REPORT.—The advisory group
18 formed under paragraph (1) shall submit to the At-
19 torney General and Congress a report on—

20 (A) any findings with respect to the pilot
21 program;

22 (B) recommendations with respect to how
23 best practices of the pilot program may be in-
24 corporated in programs and practices of the
25 Department of Justice; and

1 (C) a recommendation with respect to
2 whether the pilot program should be reauthor-
3 ized permanently.

4 **SEC. 10. AUTHORIZATION OF APPROPRIATIONS.**

5 There is authorized to be appropriated from the gen-
6 eral fund of the Treasury such sums as may be necessary
7 to carry out this Act.

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