

IMPROVING LAW ENFORCEMENT OFFICER SAFETY AND
WELLNESS THROUGH DATA ACT OF 2024

MAY 8, 2024.—Committed to the Committee of the Whole House on the State of the
Union and ordered to be printed

Mr. JORDAN, from the Committee on the Judiciary,
submitted the following

R E P O R T

together with

DISSENTING VIEWS

[To accompany H.R. 7581]

[Including cost estimate of the Congressional Budget Office]

The Committee on the Judiciary, to whom was referred the bill (H.R. 7581) to require the Attorney General to develop reports relating to violent attacks against law enforcement officers, and for other purposes, having considered the same, reports favorably thereon with an amendment and recommends that the bill as amended do pass.

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The amendment is as follows:

Strike all that follows after the enacting clause and insert the following:

SECTION 1. SHORT TITLE.

This Act may be cited as the “Improving Law Enforcement Officer Safety and Wellness Through Data Act of 2024”.

SEC. 2. FINDINGS.

Congress finds the following:

(1) There has been a rise in anti-police rhetoric and a corresponding rise in violence against law enforcement officers.

(2) In 2022, a total of 60 police officers were feloniously killed in the line of duty.

(3) Nearly 30 percent of police officer killings in 2022 were caused by unprovoked attacks or ambushes on officers.

(4) Law enforcement officers bravely put themselves at risk for the betterment of society.

(5) A data collection that represents the full circumstances surrounding violent attacks and ambush attacks on law enforcement officers is vital for the provision of needed Federal resources to Federal, State, and local law enforcement officers.

(6) Police suffer assaults and other offenses that do not rise to the level of Law Enforcement Officers Killed and Assaulted or National Incident-Based Reporting System reporting due to the frequency of such incidents, lower risk to officers, and minimal administrative resources to report such frequent events.

(7) The mental health of law enforcement officers has suffered due to overwork, recruitment issues, and the general stress of their work.

(8) The people of the United States will always remember the victims of these hateful attacks against law enforcement officers and stand in solidarity with individuals affected by these senseless tragedies and incidents of hate that have affected law enforcement communities and their families.

(9) The United States must demonstrate to its brave law enforcement officers that they are important, valued, and respected.

(10) Congress has made a commitment to helping communities protect the lives of their police officers, as evidenced by the Bulletproof Vest Partnership Grant Program Reauthorization Act of 2015 (Public Law 114–155; 130 Stat. 389) and other laws.

(11) Subsection (c) of the Uniform Federal Crime Reporting Act of 1988 (34 U.S.C. 41303(c)) requires the Attorney General to “acquire, collect, classify, and preserve national data on Federal criminal offenses as part of the Uniform Crime Reports” and requires all Federal departments and agencies that investigate criminal activity to “report details about crime within their respective jurisdiction to the Attorney General in a uniform matter and on a form prescribed by the Attorney General”.

SEC. 3. ATTACKS ON LAW ENFORCEMENT OFFICERS REPORTING REQUIREMENT.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Attorney General, in consultation with the Director of the Federal Bureau of Investigation, the Director of the National Institute of Justice, and the Director of the Criminal Justice Information Services Division of the Federal Bureau of Investigation, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report that includes—

(1) the number of offenders that intentionally target law enforcement officers because of their status as law enforcement officers;

(2) the number of incidents reported to the Law Enforcement Officers Killed and Assaulted Data Collection that occur through the coordinated actions of 2 or more parties;

(3) a description of the Federal response to ambushes and violent attacks on Federal law enforcement officers;

(4) a detailed survey of what State and local responses are to ambushes and violent attacks on State and local law enforcement officers;

(5) recommendations for improving State, local, and Federal responses to ambushes and violent attacks on law enforcement officers;

(6) a detailed survey of Federal and State-based training programs that law enforcement officers receive in preparation for violent attacks, including ambush attacks;

(7) an analysis of the effectiveness of the programs described in paragraph (6) in preparing law enforcement officers for violent attacks, including ambush attacks;

(8) recommendations on how to improve State, local, and Federal training programs for law enforcement officers relating to ambush attacks;

(9) an analysis of, with respect to the Patrick Leahy Bulletproof Vest Partnership under part Y of title I of the Omnibus Crime Control and Safe Streets Act of 1968 (34 U.S.C. 10530 et seq.)—

(A) the efficacy of the Partnership in distributing protective gear to law enforcement officers across the United States, including any location-specific limitations to the distribution under such Partnership; and

(B) the general limitations of the Partnership, including any location-specific limitations to the distributions under the Partnership, considering the fact that law enforcement officers are suffering from ambush attacks;

(10) an analysis of the ability of the Department of Justice to combine the Law Enforcement Officers Killed and Assaulted Data Collection and a 09C Justifiable Homicide report for officer-involved shooting reports and any roadblocks to producing a clear report with such information;

(11) an analysis of the ability of the Criminal Justice Information Services of the Federal Bureau of Investigation to expand data collection to include a suspect offender's level of injury at the time of a reported Law Enforcement Officers Killed and Assaulted Data Collection incident;

(12) an analysis of the existence and extent of, and reasons for, disparities in the availability and reporting of data between—

(A) data relating to ambush attacks against law enforcement officers; and

(B) other types of violent crime data; and

(13) an analysis of any additional legislative tools or authorities that may be helpful or necessary to assist in deterring ambush attacks against law enforcement officers.

(b) DEVELOPMENT.—In developing the report required under subsection (a), the Attorney General, the Director of the Federal Bureau of Investigation, the Director of the National Institute of Justice, and the Director of the Criminal Justice Information Services Division of the Federal Bureau of Investigation, shall consult relevant stakeholders, including—

(1) Federal, State, Tribal, and local law enforcement agencies; and

(2) nongovernmental organizations, international organizations, academies, or other entities.

SEC. 4. AGGRESSION AGAINST LAW ENFORCEMENT OFFICERS REPORTING REQUIREMENT.

(a) IN GENERAL.—Not later than 270 days after the date of enactment of this Act, the Attorney General, in consultation with the Director of the Federal Bureau of Investigation and the Director of the National Institute of Justice, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on—

(1) an analysis of the ability to implement a new category in the Uniform Crime Reporting System and the National Incident-Based Reporting System on aggressive actions, conduct, or other trauma-inducing incidents against law enforcement officers that, as of the date of enactment of this Act, are not reported in such systems;

(2) the level of detail the category described in paragraph (1) would include and the standard of evidence that would be used for any reported incidents;

(3) an analysis of how to engage State and local law enforcement agencies in reporting the data described in paragraph (1), despite the fact that such data is beyond the standard crime-based reporting to the systems described in paragraph (1);

(4) an analysis of potential uses by the Department of Justice and any component agencies of the Department of Justice of the data described in paragraph (1);

(5) an analysis of the existence and extent of, and reasons for, disparities in the availability and reporting of data between—

(A) data relating to aggressive actions or other trauma-inducing incidents against law enforcement officers that do not rise to the level of crimes; and

(B) other types of violent crime data; and

(6) an analysis of additional legislative tools or authorities that may be helpful or necessary to assist in deterring aggressive actions, conduct, or other trauma-inducing incidents against law enforcement officers.

(b) DEVELOPMENT.—In developing the report under subsection (a), the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of the National Institute of Justice shall consult relevant stakeholders, including—

- (1) Federal, State, Tribal, and local law enforcement agencies; and
- (2) nongovernmental organizations, international organizations, academies, or other entities.

SEC. 5. MENTAL HEALTH AND WELLNESS REPORTING REQUIREMENT.

(a) **IN GENERAL.**—Not later than 270 days after the date of enactment of this Act, the Attorney General, in consultation with the Director of the Federal Bureau of Investigation and the Director of the National Institute of Justice, shall submit to the Committee on the Judiciary of the Senate and the Committee on the Judiciary of the House of Representatives a report on—

- (1) the types, frequency, and severity of mental health and stress-related responses of law enforcement officers to aggressive actions or other trauma-inducing incidents against law enforcement officers;
- (2) mental health and stress-related resources or programs that are available to law enforcement officers at the Federal, State, and local levels, especially peer-to-peer programs;
- (3) the extent to which law enforcement officers use the resources or programs described in paragraph (2);
- (4) the availability of, or need for, mental health screening within Federal, State, and local law enforcement agencies; and
- (5) additional legislative tools or authorities that may be helpful or necessary to assist in assessing, monitoring, and improving the mental health and wellness of Federal, State, and local law enforcement officers.

(b) **DEVELOPMENT.**—In developing the report required under subsection (a), the Attorney General, the Director of the Federal Bureau of Investigation, and the Director of the National Institute of Justice shall consult relevant stakeholders, including—

- (1) Federal, State, Tribal and local law enforcement agencies; and
- (2) nongovernmental organizations, international organizations, academies, or other entities.

Purpose and Summary

H.R. 7581, the Improving Law Enforcement Officer Safety and Wellness Through Data Act, introduced by Rep. Dan Bishop (R-NC), would fill gaps in the reporting of attacks targeting law enforcement officers. The bill requires the Attorney General to develop a series of reports related to violent attacks on law enforcement officers, the efficacy of current data collection related to violent attacks on law enforcement officers, and the efficacy of programs intended to provide protective equipment and wellness resources to law enforcement officers.

Background and Need for the Legislation

Democrat-run Cities Defunded Their Police

Due to the radical left’s “defund the police” movement, Democrat-run cities across the United States reduced funding for police departments, which left their cities without an adequate law enforcement presence to address the surge in violent crime.¹ Los Angeles reduced its police department’s budget by \$150 million.² New York City made cuts amounting to \$1 billion from the New York Police Department (NYPD).³ Chicago’s then-Mayor Lori Lightfoot approved a decrease of approximately \$80 million for the Chicago Police Department budget.⁴ In 2021, Washington, D.C. slashed the

¹ Rep. Clay Higgins, *Democrats’ push to defund police caused crime to spike*, WASH. EXAMINER (Jun. 22, 2022).

² Audrey Conklin, *LA ‘Defund’ Police Budget Cuts Force Department to Dissolve Sexual Assault Unit that Investigated Weinstein*, FOX NEWS (Nov. 12, 2020).

³ Scottie Andrew and Kristina Sgueglia, *New York Police Department’s budget has been slashed by \$1 billion*, CNN (July 1, 2020).

⁴ *After caving to the defund movement in 2020, Chicago Mayor Lightfoot proposes more police funding as crime continues to spiral*, THE NATIONAL POLICE SUPPORT FUND (Oct. 21, 2021).

Metropolitan Police Department (MPD) budget by roughly \$15 million.⁵ The subsequent years unsurprisingly saw a significant uptick in violent crime in these cities, which can be attributed to these decisions to defund law enforcement.⁶

According to the Major City Chiefs Association (MCCA), the spike in violent crime in 2020 worsened in 2021. The MCCA reported that violent crime in the majority of big cities across the U.S. remains high compared to 2019, with homicides in the U.S. increasing by over 36 percent.⁷ Out of the 70 cities included in MCCA's data, 69 cities saw increases in at least one category of violent crimes in 2021, which include homicide, rape, robbery, and aggravated assault.⁸

After this spike in crime, some Democrats refused to acknowledge their own policy failures and instead blamed firearms, economic downturns, and perceived deficiencies in federal law enforcement support.⁹ For example, Chicago Mayor Lightfoot reached out to Attorney General Merrick Garland, pushing for an increase in Bureau of Alcohol, Tobacco, Firearms & Explosives (ATF) agents in Chicago to address illegal firearms.¹⁰ The Chicago Police Department would have been best situated to address elevated levels of violent crime in Chicago if Mayor Lightfoot had worked to increase funding for the department instead of cutting its funding by approximately \$80 million.

However, some Democrats realized the effects of their catastrophic decisions and reversed course. For example, San Francisco Mayor London Breed initially diverted \$120 million from the police budget towards social initiatives, only to recalibrate her approach in light of rising crime and committed to strengthen the police force and counter the criminal elements in the city.¹¹ Within three years, almost all large Democrat-led cities reversed course on their decision to defund law enforcement and augmented their police department budgets, with many Democrats stepping away from the “defund the police” narrative altogether.¹² In 2023 after Washington, D.C., experienced its deadliest year in more than 20 years,¹³ Mayor Muriel Bowser proposed legislation to reverse many of the anti-police reforms.¹⁴ The legislation also sought to target organized retail crime as well as the issue of open-air drug markets in the District.¹⁵ Mayor Bowser admitted the original police reform

⁵Eric Flack, *Verify: Did DC 'Defund the Police'?*, WASH. POST (Apr. 20, 2021).

⁶Higgins, *supra* note 1.

⁷Press Release, Major Cities Chiefs Association, MCCA Releases Violent Crime Report (Feb. 10, 2022).

⁸Major Cities Chiefs Association, Violent Crime Survey—Agency Totals (2020–2021), <https://majorcitieschiefs.com/wp-content/uploads/2022/02/MCCA-Violent-Crime-Report-2021-and-2020-Year-End.pdf>.

⁹Alec Schemmel, *Mayor who pushed to defund police by \$80M pleads with feds to help with rampant crime*, FOX 17 NASHVILLE (Dec. 22, 2021).

¹⁰*Id.*

¹¹*Id.*

¹²*Id.*

¹³Emily Davies, John D. Harden and Peter Hermann, *2023 was District's deadliest year in more than two decades* THE WASHINGTON POST (Jan. 1, 2024), <https://www.washingtonpost.com/dc-md-vb/interactive/2024/dc-crime-homicide-victims-shooting-violence/>.

¹⁴Melissa Koenig, *DC mayor proposes rolling back progressive police reforms amid spike in violent crimes* N.Y. POST (Oct. 24, 2023), <https://nypost.com/2023/10/24/news/dc-mayor-proposes-rolling-back-progressive-police-reforms/>.

¹⁵*Id.*

legislation did not “match the daily practice of safe and effective policing.”¹⁶

Rogue Prosecutors Refusing to Enforce the Law

Another significant reason for the increase in crime over the past several years is the prevalence of rogue prosecutors who prioritize radical left-wing initiatives over public safety. Dozens of these rogue prosecutors owe their election victories, in large part, to far-left political action committees.¹⁷ These rogue prosecutors made left-wing initiatives more important than public safety. Their goal is to fundamentally change the criminal justice system by replacing both Republican and Democrat law-and-order prosecutors with pro-criminal, anti-victim extremists who ignore the law, abuse their offices, and allow crime to rise in their jurisdictions.¹⁸ These prosecutors generally fail to charge criminals, or permit criminals to be charged on low-level crimes, allowing them to return to communities to reoffend.

Police Recruitment Crisis

Police departments across the country are experiencing significant recruitment challenges, as officers have been leaving the force in droves. In 2023, the San Francisco Police Department was down over 600 officers compared to 2020, approximately thirty percent of the department.¹⁹ The MPD in Washington, D.C., has the lowest number of officers it has had in the past fifty years.²⁰ Since 2019, the Chicago force has lost 3,300 officers, and as of October 2022, it had only replaced roughly half of those departures.²¹ As of March 2023, there were 1,500 vacancies within the Chicago Police Department.²²

In an effort to hire more law enforcement officers, police departments have “expanded the geographic area from which they draw recruits, offered hiring bonuses and multiyear contracts, beefed up recruiting efforts, decreased onboarding obstacles and adjusted admission requirements.”²³ For example, D.C.’s MPD is offering a \$25,000 hiring bonuses for new MPD recruits.²⁴ On March 2, 2024, the City of Dunwoody, Georgia announced it is increasing its hiring bonuses for new recruits to \$15,000.²⁵ Alameda County, California,

¹⁶ *Id.*

¹⁷ Zack Smith and Charles Stimson, *Meet Chesa Boudin, the Rogue Prosecutor Wreaking Havoc in San Francisco*, THE HERITAGE FOUNDATION (Aug. 11, 2021) <https://www.heritage.org/crime-and-justice/commentary/meet-chesa-boudin-the-rogue-prosecutor-wreaking-havoc-san-francisco>.

¹⁸ *Id.*

¹⁹ Robert Klemko, *Police agencies are desperate to hire. But they say few want the job.*, WASH. POST (May 27, 2023), <https://www.washingtonpost.com/national-security/2023/05/27/police-vacancies-hiring-recruiting-reform/>.

²⁰ *Id.*

²¹ Elliott Ramos et al., *Chicago Police Department Struggles as Burnt-Out Cops Quit, With Some Heading to Suburbs*, CBS NEWS CHI. (Oct. 11, 2022).

²² Glenn Minnis, *With 1,500 Vacancies, Chicago Police Ramp Up Recruiting Efforts*, THE CENTER SQUARE (Mar. 28, 2023).

²³ *Id.*

²⁴ Press Release, Government of the District of Columbia, Mayor Bowser Announces Increase in Hiring Bonuses for New MPD Recruits, <https://mayor.dc.gov/release/mayor-bowser-announces-increase-hiring-bonuses-new-mpd-recruits> (last visited Mar. 7, 2024).

²⁵ WSB Staff, *Dunwoody increases hiring bonuses for new police recruits to \$15,000*, WSB ATLANTA (Mar. 2, 2024), <https://www.msn.com/en-us/news/crime/dunwoody-increases-hiring-bonuses-for-new-police-recruits-to-15000/ar-BB1jbUxq>.

just outside San Francisco, is offering a \$75,000 recruitment bonus that will be paid out installments over several years.²⁶

Escalating Attacks on Law Enforcement Officers

The effects of defunding the police, electing rogue prosecutors, and leftist criminal justice policies can all be seen through the continuous attacks on police officers. In 2022, 328 officers were shot in the line of duty,²⁷ there were 88 ambush-style attacks against police officers, and 31 of those officers lost their lives.²⁸ When those statistics were released, Patrick Yoes, national president of the Fraternal Order of Police (FOP) described 2022 “one of the most dangerous years for law enforcement in recent history due to the increase of violence directed towards law enforcement officers”²⁹ In 2023, 378 officers were shot in the line of duty, with 115 ambush-style attacks,³⁰ and 20 officers lost their lives because of these attacks.³¹ FOP President Yoes grimly reported:

Last year, over 330 police officers were shot in the line of duty. With the COVID-19 pandemic behind us and after so many Americans have seen the tragic consequences of the defund the police movement, it was our hope that these numbers would be a high-water mark. We were wrong. Instead, 378 officers were shot in the line of duty in 2023, the highest number the FOP has ever recorded.³²

Improving Law Enforcement Officer Safety and Wellness Through Data Act

Currently, basic information on attacks on law enforcement is collected by the FBI’s Law Enforcement Officers Killed and Assaulted (LEOKA) program.³³ While the program collects information such as the circumstance of the assault and the weapon used,³⁴ it does not contain information or recommendations to help prevent further attacks on law enforcement officers. The Improving Law Enforcement Officer Safety and Wellness Through Data Act would help to prevent attacks by increasing the categories of information that can be voluntarily reported, including the intention and coordination of criminals.³⁵ It would also direct DOJ to examine adding additional categories to the Uniform Crime Reporting System such as aggressive actions, conduct, or other trauma-inducing incidents against law enforcement officers. The bill will also

²⁶ CBS Staff, Police departments offering bonuses, incentives to new recruits and experienced officers to fill Bay Area openings, CBS NEWS (Sep. 26, 2023), <https://www.cbsnews.com/sanfrancisco/essentials/police-recruiting-bonuses-bay-area-officers-incentives/>.

²⁷ Press Release, National Fraternal Order of Police, Updated 29 December: One of the Most Dangerous Years for Law Enforcement, <https://fop.net/2022/12/updated-29-december-one-of-the-most-dangerous-years-for-law-enforcement/> (last visited Apr. 10, 2024).

²⁸ *Id.*

²⁹ *Id.*

³⁰ Press Release, National Fraternal Order of Police, 378 Officers Shot in the Line of Duty in 2023, <https://fop.net/2024/01/378-officers-shot-in-the-line-of-duty-in-2023/> (last visited Apr. 11, 2024).

³¹ *Id.*

³² *Id.*

³³ Federal Bureau of Investigation, Law Enforcement Officers Assaulted in 2021 (last visited Apr. 11, 2024), <https://leb.fbi.gov/bulletin-highlights/additional-highlights/crime-data-law-enforcement-officers-assaulted-in-2021>.

³⁴ *Id.*

³⁵ Press Release, Senator Chuck Grassley, Grassley, Colleagues Reignite Effort to Improve Reporting of Attacks on Law Enforcement, <https://www.grassley.senate.gov/news/news-releases/grassley-colleagues-reignite-effort-to-improve-reporting-of-attacks-on-law-enforcement> (last accessed April 11, 2024).

provide further transparency on the mental health impacts of attacks on law enforcement officers and examine the availability and extent of mental health resources for police officers.³⁶

Hearings

For the purposes of clause 3(c)(6)(A) of House rule XIII, the following hearing was used to develop H.R. 7581: “Victims of Violent Crime in Manhattan” was held Monday, April 17, 2023, before the House Committee on the Judiciary. The Committee heard from the following witnesses:

- Jose Alba, former Manhattan bodega clerk;
- Madeline Brame, Chairwoman of the Victims Rights Reform Council and mother of a homicide victim;
- Jennifer Harrison, Founder of Victims Rights NY;
- Paul DiGiacomo, President of the New York City’s Detectives’ Endowment Association;
- Robert F. Holden, New York City Council (D–District 30);
- Barry Borgen, father of a victim of antisemitic hate crime;
- Jim Kessler, Co-Founder and Senior Vice President for Policy of Third Way; and
- Rebecca Fischer, Executive Director of New Yorkers Against Gun Violence.

The hearing examined how Manhattan District Attorney Alvin Bragg’s pro-crime, anti-victim policies have led to an increase in violent crime and a dangerous community for New York City residents, including law enforcement officers.

A related hearing includes “Victims of Violent Crime in the District of Columbia on October 12, 2023, before the Subcommittee on Crime and Federal Government Surveillance of the House Committee on the Judiciary. The Subcommittee heard from the following witnesses:

- Gaynor Jablonski, Washington, D.C. business owner attacked on June 29, 2023, inside of his business in front of his 4-year-old son;
- Charles Stimson, crime control, national security, homeland security, and drug policy expert at the Heritage Foundation, Deputy Director of the Edwin Meese III Center for Legal and Judicial Studies;
- Mitchell Sobolevsky, victim of robbery at gunpoint in Washington, D.C.;
- Greg Pemberton, Metropolitan Police Department Detective, Chairman of the D.C. Police Union;
- Lindsey Appiah, Deputy Mayor for Public Safety and Justice; and
- Myisha Richards, firefighter paramedic, District of Columbia Fire and Emergency Medical Services Department.

The hearing examined the rise of violent crime in Democrat-run Washington, D.C., and the lack of prosecutions and prosecutorial accountability.

³⁶*Id.*

Committee Consideration

On April 17, 2024, the Committee met in open session and ordered the bill, H.R. 7581, favorably reported with an amendment in the nature of a substitute by voice vote, a quorum being present.

Committee Votes

In compliance with clause 3(b) of House rule XIII, the Committee states that no recorded votes were taken during consideration of H.R. 7581.

Committee Oversight Findings

In compliance with clause 3(c)(1) of House rule XIII, the Committee advises that the findings and recommendations of the Committee, based on oversight activities under clause 2(b)(1) of rule X of the Rules of the House of Representatives, are incorporated in the descriptive portions of this report.

New Budget Authority and Tax Expenditures

Clause 3(c)(2) of rule XIII of the Rules of the House of Representatives does not apply where a cost estimate and comparison prepared by the Director of the Congressional Budget Office under section 402 of the Congressional Budget Act of 1974 has been timely submitted prior to filing of the report and is included in the report. Such a cost estimate is included in this report.

Congressional Budget Office Cost Estimate

With respect to the requirement of clause 3(c)(3) of rule XIII of the Rules of the House of Representatives and section 402 of the *Congressional Budget Act of 1974*, the Committee has received the enclosed cost estimate for H.R. 7581 from the Director of the Congressional Budget Office:

H.R. 7581, Improving Law Enforcement Officer Safety and Wellness Through Data Act of 2024			
As ordered reported by the House Committee on the Judiciary on April 17, 2024			
By Fiscal Year, Millions of Dollars	2024	2024-2029	2024-2034
Direct Spending (Outlays)	0	0	0
Revenues	0	0	0
Increase or Decrease (-) in the Deficit	0	0	0
Spending Subject to Appropriation (Outlays)	1	3	not estimated
Increases <i>net direct spending</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Statutory pay-as-you-go procedures apply? No	
Increases <i>on-budget deficits</i> in any of the four consecutive 10-year periods beginning in 2035?	No	Mandate Effects	
		Contains intergovernmental mandate?	No
		Contains private-sector mandate?	No

H.R. 7581 would require the Department of Justice (DOJ) to report to the Congress about violent attacks on law enforcement officers, including the responses of federal, state, and local govern-

ments to such attacks and how to improve the reporting of those attacks. The bill also would require DOJ to report to the Congress on how traumatic incidents affect the mental health and wellness of officers.

Based on the costs of similar reports, CBO estimates that implementing H.R. 7581 would cost \$3 million over the 2024–2029 period. Any related spending would be subject to the availability of appropriated funds.

The CBO staff contact for this estimate is Jeremy Crimm. The estimate was reviewed by H. Samuel Papenfuss, Deputy Director of Budget Analysis.

PHILLIP L. SWAGEL,
Director, Congressional Budget Office.

Committee Estimate of Budgetary Effects

With respect to the requirements of clause 3(d)(1) of rule XIII of the Rules of the House of Representatives, the Committee adopts as its own the cost estimate prepared by the Director of the Congressional Budget Office pursuant to section 402 of the *Congressional Budget Act of 1974*.

Duplication of Federal Programs

Pursuant to clause 3(c)(5) of House rule XIII, no provision of H.R. 7581 establishes or reauthorizes a program of the federal government known to be duplicative of another federal program.

Performance Goals and Objectives

The Committee states that pursuant to clause 3(c)(4) of House rule XIII, H.R. 7581 requires the Attorney General to develop a series of reports related to violent attacks on law enforcement officers, the efficacy of current data collection related to violent attacks on law enforcement officers, and the efficacy of programs intended to provide protective equipment and wellness resources to law enforcement officers.

Advisory on Earmarks

In accordance with clause 9 of House rule XXI, H.R. 7581 does not contain any congressional earmarks, limited tax benefits, or limited tariff benefits as defined in clauses 9(d), 9(e), or 9(f) of House rule XXI.

Federal Mandates Statement

The Committee adopts as its own the estimate of federal mandates prepared by the Director of the Congressional Budget Office pursuant to section 423 of the *Unfunded Mandates Reform Act*.

Advisory Committee Statement

No advisory committees within the meaning of section 5(b) of the Federal Advisory Committee Act were created by this legislation.

Applicability to Legislative Branch

The Committee finds that the legislation does not relate to the terms and conditions of employment or access to public services or accommodations within the meaning of section 102(b)(3) of the Congressional Accountability Act (Pub. L. 104–1).

Section-by-Section Analysis

Sec. 1. Short Title: “Improving Law Enforcement Officer Safety and Wellness Through Data Act of 2024”.

Sec. 2. Findings. Details the continued trend of law enforcement attacks and reasserts Congress’s commitment to helping protect lives of police officers.

Sec. 3. Attacks on Law Enforcement Officers Reporting Requirement. Requires the Attorney General to submit a report to Congress that includes: (1) the number of attacks intentionally targeting police officers; (2) whether attacks occurred through the actions of two or more parties; (3) a description of the federal response on attacks against federal law enforcement officers; (4) a survey detailing state and local responses to attacks; (5) recommendations for improving responses to attacks; (6) A survey of training programs officers receive in preparation for attacks; (7) an analysis of the above programs; (8) recommendations on improving the above programs; (9) an analysis of the efficacy of distributing protective gear and any limitations that exist; (10) an analysis of DOJ’s ability to expand data collection to the suspect offender’s level of injury; (12) an analysis of any existence of disparities in reporting; and (13) an analysis of any additional legislative tools or authorities helpful to deter ambush attacks. It also requires the Attorney General and others to consult with relevant stakeholders, including law enforcement agencies, nongovernment organizations, and others.

Sec. 4. Aggression Against Law Enforcement Officers Reporting Requirement. Requires the Attorney General to submit to Congress a report analyzing the ability to implement a new category of reporting in the Uniform Crime Reporting System and the National Incident-Based Reporting System, how to engage state and local law enforcement agencies in reporting the data, any disparities, and additional legislative tools or authorities helpful in deterring aggressive actions.

Sec. 5. Mental Health and Wellness Reporting Requirement. Requires the Attorney General to report to Congress on the type of mental health and stress-responses of law enforcement officers to aggressive attacks, the programs available, the use of those programs, and any additional tools needed to improve mental health and wellness.

Dissenting Views

H.R. 7581, the “Improving Law Enforcement Officer Safety and Wellness Through Data Act,” will not result in the collection of any new information about law enforcement. It merely mandates reporting from the Attorney General based on data collected by state, local, and tribal law enforcement agencies. The report itself is entirely duplicative of existing reporting requirements. This legislation falls far short of meaningful progress on officer safety and represents an enormous step backwards from legislation offered by the Democratic majority in the 117th Congress.

I. BACKGROUND

This legislation would require the Attorney General, in consultation with other federal officials and stakeholders, to report on attacks on law enforcement officers, aggression against officers that falls below the level of an attack, and officer mental health. The bill refers to several existing reporting requirements and federal programs, explained below.

The FBI’s Uniform Crime Reporting (UCR) Program collects data from more than 18,000 city, university and college, county, state, tribal, and federal law enforcement agencies. Agencies participate voluntarily and submit their crime data either through a state UCR program or directly to the FBI’s UCR Program.¹

The FBI annually publishes a report, *Law Enforcement Officers Killed and Assaulted* (LEOKA), to provide information about officers who were killed, intentionally or accidentally, and officers who were assaulted while performing their duties. The FBI collects these data through the UCR LEOKA data collection.² Line-of-duty officer deaths have been collected and published annually since 1937. In 1971, in response to calls from law enforcement executives, the UCR expanded its collection of LEOKA data to include greater detail that could aid the FBI in preventing and investigating officer deaths.³

The FBI also collects crime data through the National Incident Based Reporting System (NIBRS). NIBRS was implemented to improve the overall quality of crime data collected by law enforcement and includes detailed information on victims, known offenders, relationships between victims and offenders, arrestees, and property involved in crimes.⁴ Beginning in January 2021, the UCR Program ended data collection through the Summary Reporting System (an

¹ FBI, *Crime/Law Enforcement Stats (Uniform Crime Reporting Program)*, FBI.GOV, <https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr>, (last visited May 8, 2024).

² FBI, *About LEOKA*, FBI: UCR, <https://ucr.fbi.gov/leoka/2019/resource-pages/about-leoka>, (last visited May 8, 2024).

³ Id.

⁴ FBI, *National Incident-Based Reporting System (NIBRS)*, FBI.GOV, <https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr/nibrs>, (last visited May 8, 2024).

aggregate of monthly tallies of crimes) so that it could encourage the full participation of law enforcement reporting through NIBRS, which would improve the detail of crime data available to the FBI.

The bill refers to “09C Justifiable Homicide” reporting, a category of reporting in NIBRS. When a law enforcement agency reports an 09C Justifiable Homicide, the agency is asked to further provide whether the incident was a “criminal killed by [a] private citizen” or a “criminal killed by [a] police officer.”⁵ The agency is also asked to include whether the incident involved “(A) Criminal Attacked Police Officer and That Officer Killed Criminal, (B) Criminal Attacked Police Officer and Criminal Killed by Another Police Officer, (C) Criminal Attacked a Civilian, (D) Criminal Attempted Flight from a Crime, (E) Criminal Killed in Commission of a Crime, (F) Criminal Resisted Arrest, (G) Unable to Determine/Not Enough Information.”⁶

II. CONCERNS

This legislation is unlikely to provide any meaningful improvements to officer safety or mental health because it only requires reporting from the Attorney General and fails to build on the work of President Biden, the Attorney General, and past Congresses to improve officer safety and mental health.

While the collection of accurate law enforcement data is important, this bill is unlikely to provide new information. By necessity, data about incidents of violence against law enforcement officers must be initially collected and reported, if at all, by tribal, state, and local authorities who would know about these incidents, not the Attorney General. The federal government collects this data through tribal, state, and local participation in voluntary data reporting programs like those described above. But nothing in this bill provides any resources for more agencies to participate in those data collections, nor does it mandate any kind of reporting by those agencies. Given that there is nothing in the bill to expand the underlying body of data that is available to the Attorney General and others, it is unlikely that the reporting required by the bill will be able to deliver any new insights that might improve officer safety. By contrast, the George Floyd Justice in Policing Act, which passed the House in the 117th Congress, would provide new data because it would condition the receipt of Byrne grants on the reporting of certain incidents and would support data collection and reporting through additional grants to reporting agencies.

This legislation also fails to add any reporting requirements related to incidents in which law enforcement officers use force against civilians. Unlike data on officer deaths, the FBI has only collected nationwide data on law enforcement use-of-force incidents since 2019.⁷ As the FBI notes that, “National Use-of-Force Data Collection offers big-picture insights, rather than information on specific incidents. The collection does not assess or report whether

⁵ Uniform Crime Reporting Program, *Data Declaration: Justifiable Homicide by Aggravated Assault/Homicide Circumstance* (2012) available at <https://ucr.fbi.gov/nibrs/2012/data-declarations/data-declaration-justifiable-homicide-circumstance-by-aggravated-assault-homicide-circumstance-2012>.

⁶ *Id.*

⁷ FBI, *National Use of Force Data Collection*, FBI.GOV, <https://www.fbi.gov/how-we-can-help-you/more-fbi-services-and-information/ucr/use-of-force>, (last visited May 8, 2024).

officers followed their department's policy or acted lawfully.”⁸ The George Floyd Justice in Policing Act would substantially improve data collection on both attacks on law enforcement and law enforcement use-of-force so that we would have nationwide data that accurately portrays violent interactions between law enforcement and the public, regardless of who was targeted in the incident.

The mental health reporting provisions of the bill are also unlikely to improve officer wellness because they fail to build on the work of past Congresses and the Biden Administration regarding those issues. In the 115th Congress, we passed the Law Enforcement Mental Health and Wellness Act, a bipartisan, bicameral bill signed into law by President Obama, which directed the Department of Defense, the Department of Veterans Affairs, and DOJ's Office of Community Oriented Policing Services to report on mental health practices and services that could be adopted by law enforcement and the programs already available to them. It also expanded the availability of grant funds for law enforcement mental health and developed new educational resources. Building on this work, President Biden issued a 2022 Executive Order on Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety.⁹ This executive order required the Attorney General to develop and publish a report on best practices to address law enforcement officer wellness and to make recommendations regarding the prevention of death by suicide of law enforcement officers. The Attorney General has already complied with this executive order, so we already know much more about the mental health resources and needs of law enforcement than would be gained through this legislation. Rather than retread our steps, we should be moving forward to help our law enforcement agencies implement the important work done by the Administration so that more officers can access the support they need.

When examined critically, it is clear this legislation is pure messaging, designed to support a Republican narrative that emphasizes fear and lawlessness and feigns support for the welfare of law enforcement officers, while failing to actually invest in them. The legislation notably omits the fact that crime is rapidly declining, in part due to the efforts of law enforcement and support from the federal government, because that does not fit with this narrative. The bill also makes findings about attacks and ambushes faced by law enforcement while failing to mention that President Trump incited an insurrection in which over 140 law enforcement officers were attacked while bravely defending the Capitol, Congress, and our democracy. The vast majority of House Republicans have refused to condemn then-President Trump or those who participated in the violent attacks on law enforcement on January 6, 2021.

III. CONCLUSION

Nothing in this bill makes a single police officer safer or invests a single dollar in officer wellness. By contrast, last Congress, Democrats passed numerous bipartisan bills that improved law en-

⁸*Id.*

⁹Executive Order 14074: Advancing Effective, Accountable Policing and Criminal Justice Practices to Enhance Public Trust and Public Safety, May 25, 2022. Federal Register, vol. 87, pp 32945–32963.

forcement officer safety and wellness like the Protecting America's First Responders Act, including the Public Safety Officer Support Act, the Confidentiality Opportunities for Peer Support (COPS) Counseling Act, and the Law Enforcement De-Escalation Training Act. But this Congress, House Republicans are refusing to follow suit, instead offering this bill that merely sounds helpful, but isn't.

Further, nothing in this bill improves or provides additional data collection. This legislation falls far short of the George Floyd Justice in Policing Act, which would require the reporting of uses of force by or against a law enforcement officers as a condition of the receipt of certain grants and would invest in better data collection and reporting.

Right now, at least seven bipartisan law enforcement bills, many led by Republicans, have been passed by the Democratic-led Senate and are awaiting consideration in the House. These are bills that would actually improve the welfare of law enforcement officers and are priorities for the groups who represent them. But, so far, House Republicans have only advanced one of these bills. While House Republicans continue to prioritize messaging over meaningful legislation, Democrats will continue to work with law enforcement organizations on substantive proposals.

For these reasons, I dissent, and I urge all of my colleagues to oppose this legislation.

JERROLD NADLER,
Ranking Member.

