



The George Floyd JUSTICE Act Discussion Draft

Our country is united in outrage over the tragic killing of George Floyd and a determination that it will never happen again. We now have a historic opportunity to come together and enact real, meaningful, and bipartisan police reform. This discussion draft builds on the work of Senator Tim Scott and House Democrats, as well as feedback from other Members of Congress and key stakeholders. Together, we can honor the memory of George Floyd while supporting good police officers who risk their lives to protect us every day.

Discussion Draft Section-by-Section

Sec. 1: H.R. 7188, *Walter Scott Notification Act* – Require (tied to grant eligibility) reporting uses of force that cause death or serious injury to the established FBI data collection

Sec. 2: Breonna Taylor Notification Act – Require states (tied to grant eligibility) to provide data on the use of no-knock search warrant

Sec. 3: Making Police Recruiting Reflective of Community – Expand DOJ COPS grants to hire recruiters and enroll law enforcement officer candidates who have racial and ethnic characteristics similar to their community

Sec. 4: Increase Funding for Body-Worn Camera Partnership Program – Law enforcement must wear body cameras during arrests and detentions; must also provide training on using/storing video

Sec. 5: Penalties for Failure to Use Body-Worn Cameras – Reduce grants for state and local law enforcement that fail to enact policies penalizing failure to use issued body-worn cameras (i.e., turning off camera or mysterious “malfunctions”)

Sec. 6: Police Employment Record Preservation – Require states (tied to grant eligibility) to maintain a system for sharing records of law enforcement officers. When making a hiring decision, law enforcement agency must search the system and obtain records of applicant. Records to include the good (commendations) and the bad (complaints, disciplinary, internal investigations)

Sec. 7: Justice for Victims of Lynching Act – New crime of “conspiracy to commit a hate crime” is added to the criminal code

Sec. 8: Commission on the Social Status of Black Men and Boys – Established within the U.S. Commission on Civil Rights to conduct a systematic study of the conditions affecting black men and boys, including homicide rates, arrest and incarceration rates, poverty, violence, fatherhood, mentorship, drug abuse, death rates, disparate income and wealth levels, school performance in all grade levels including postsecondary education and college, and health issues

Sec. 9: National Criminal Justice Commission – Establish a 14-person bipartisan commission charged with completing an 18-month, comprehensive review of the national criminal justice system, including federal, state, local and tribal criminal justice systems.

Sec. 10: De-escalation Training – Create a pilot program for law enforcement training and instruction that would comply with an accredited standard in areas like de-escalation, verbal communication with civilians, community relations, and bias awareness.

Sec. 11: Chokeholds – Ban (tied to grant eligibility) the use of chokeholds and carotid holds

Sec. 12: Collective Bargaining Reform – Ensures unions are not able to protect bad police officers

Sec. 13: Increase Funding for Mental Health Resources – Increase funding for mental health and suicide prevention resources to support police officers

Sec. 14: Qualified immunity – May not be used as a blanket protection when a court determines excessive force or an unnecessary weapons discharge occurred during an arrest

Sec. 15: Excessive Force Review Board – Established to determine what defines excessive force

Sec. 16: Reform Pattern and Practice Investigations – Improve the U.S. Department of Justice, Civil Rights Division’s pattern and practice investigations

Sec. 17: Duty to Intervene – Grant funding requiring training on policies that impose a duty on officers to intervene when they observe a fellow officer using excessive force