

116TH CONGRESS
2^D 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.

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

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

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

5 (B) to educate and train the next genera-
6 tion of researchers in areas of social and behav-
7 ioral sciences research relevant to policing poli-
8 cies and practices in democratic societies.

9 (2) RESEARCHER-LAW ENFORCEMENT PART-
10 NERSHIPS.—

11 (A) IN GENERAL.—The Director of the
12 National Science Foundation shall carry out a
13 program to award grants, on a competitive
14 basis, to institutions of higher education or
15 nonprofit organizations (or consortia of such in-
16 stitutions or organizations) to improve the fair-
17 ness and efficacy of policing policies and prac-
18 tices, including by reducing the incidence and
19 mitigating the negative consequences of exces-
20 sive and lethal use of force by law enforcement.

21 (B) PARTNERSHIPS.—In order to be eligi-
22 ble to receive a grant under this subsection, an
23 institution of higher education or nonprofit or-
24 ganization (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 (e) 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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