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(Original Signature of Member)

116TH CONGRESS
2D SESSION

H. R. _____

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

Ms. JOHNSON of Texas introduced the following bill; which was referred to the Committee on _____

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”.

6 **SEC. 2. FINDINGS.**

7 Congress finds the following:

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

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

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

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

20 (5) Along with better data, more social and be-
21 havioral research is needed to improve our under-
22 standing of the potential factors that influence ex-
23 cessive use of force as well as the related psycho-
24 logical and social effects of such incidents on individ-
25 uals and communities.

1 **SEC. 3. DEFINITIONS.**

2 In this Act:

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

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

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

23 (4) **NON-PROFIT ORGANIZATION.**—The term
24 “non-profit organization” means an organization de-
25 scribed in section 501(c)(3) of the Internal Revenue

1 Code of 1986 and exempt from tax under section
2 501(a) of such code.

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

21 **SEC. 4. AGENCY ACTIVITIES.**

22 (a) NATIONAL SCIENCE FOUNDATION.—

23 (1) RESEARCH.—The Director of the National
24 Science Foundation shall award grants, on a com-
25 petitive basis, to institutions of higher education or

1 nonprofit organizations (or consortia of such institu-
2 tions or organizations)—

3 (A) to support social and behavioral re-
4 search on—

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

9 (ii) the causes and consequences of
10 police violence;

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

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

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

1 (B) to educate and train the next genera-
2 tion of researchers in areas of social and behav-
3 orial sciences research relevant to policing poli-
4 cies and practices in democratic societies.

5 (2) RESEARCHER-LAW ENFORCEMENT PART-
6 NERSHIPS.—

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

17 (B) PARTNERSHIPS.—In order to be eligi-
18 ble to receive a grant under this subsection, an
19 institution of higher education or nonprofit or-
20 ganization (or consortia of such institutions or
21 organizations) shall enter into a partnership
22 with—

23 (i) one or more law enforcement agen-
24 cy;

1 (ii) one or more community-based or-
2 ganization; or

3 (iii) one or more professional law en-
4 forcement association.

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

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

15 (A) to review the research literature and
16 identify research gaps related to policing poli-
17 cies and practices, including research into the
18 causes, consequences, and mitigation of police
19 violence;

20 (B) to present a compendium of promising
21 policing policies and practices, including those
22 shown to reduce the incidence and mitigate the
23 negative consequences of police violence;

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

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

8 (b) NATIONAL INSTITUTE OF STANDARDS AND
9 TECHNOLOGY.—

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

20 (A) conduct research to support efforts to
21 improve biometric identification systems, includ-
22 ing in areas related to conformity assessment,
23 image interoperability, and capture device cer-
24 tification;

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

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

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

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

21 (2) BIOMETRICS VENDOR TEST PROGRAM.—

22 (A) IN GENERAL.—The Secretary, acting
23 through the Director of the National Institute
24 of Standards and Technology, shall carry out a
25 test program to provide biometrics vendors the

1 opportunity to test biometric identification tech-
2 nologies.

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

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

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

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

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

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

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

21 (e) DEPARTMENT OF HOMELAND SECURITY.—

22 (1) IN GENERAL.—The Secretary of Homeland
23 Security, acting through the Under Secretary for
24 Science and Technology, in consultation with the
25 Federal Law Enforcement Training Centers, shall

1 establish a program with the purpose of reducing ex-
2 cessive use of force and lethal use of force by law
3 enforcement.

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

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

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

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

21 (D) conduct outreach to Federal, State,
22 local, and tribal law enforcement agencies, aca-
23 demia, researchers, practitioners, and trainers
24 to share information and disseminate guidelines
25 and best practices.

1 **SEC. 5. AUTHORIZATION OF APPROPRIATIONS.**

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

5 (1) \$10,000,000 to the Director of the National
6 Science Foundation;

7 (2) \$2,000,000 to the Director of the National
8 Institute of Standards and Technology; and

9 (3) \$2,000,000 to the Secretary of Homeland
10 Security.