

118TH CONGRESS
2D SESSION

S. _____

To provide for grants for States that require fair and impartial police training for law enforcement officers of that State and to incentivize States to enact laws requiring the independent investigation and prosecution of the use of deadly force by law enforcement officers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

Ms. DUCKWORTH introduced the following bill; which was read twice and referred to the Committee on _____

A BILL

To provide for grants for States that require fair and impartial police training for law enforcement officers of that State and to incentivize States to enact laws requiring the independent investigation and prosecution of the use of deadly force by law enforcement officers, 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 “Police Training and
5 Independent Review Act of 2024”.

1 **SEC. 2. GRANTS FOR TRAINING AND INDEPENDENT INVE-**
2 **TIGATION AND PROSECUTION.**

3 Title I of the Omnibus Crime Control and Safe
4 Streets Act of 1968 (34 U.S.C. 10101 et seq.) is amended
5 by adding at the end the following:

6 **“PART PP—GRANTS FOR TRAINING AND INDE-**
7 **PENDENT INVESTIGATION AND PROSECU-**
8 **TION**

9 **“SEC. 3061. GRANT AUTHORITY.**

10 “(a) IN GENERAL.—The Attorney General may make
11 a grant to a State for purposes of implementing the train-
12 ing requirements described in section 3062(a) and an
13 independent prosecution of law enforcement statute as de-
14 scribed in section 3063.

15 “(b) TERM.—The term of a grant under subsection
16 (a) shall be 1 fiscal year.

17 **“SEC. 3062. TRAINING ON FAIR AND IMPARTIAL POLICING.**

18 “(a) TRAINING REQUIREMENT.—The requirements
19 of this subsection are as follows:

20 “(1) A State shall require that all individuals
21 enrolled in an academy of a law enforcement agency
22 of the State and all law enforcement officers of the
23 State complete a training session on fair and impar-
24 tial policing each year, which includes—

25 “(A) anti-bias training on implicit and ex-
26 plicit bias on the basis of race, religion, eth-

1 nicity, national origin, gender, sexual orienta-
2 tion, gender identity, and disability;

3 “(B) training regarding—

4 “(i) cultural diversity;

5 “(ii) police interaction with individuals
6 with mental illness or behavioral, mental,
7 or physical disabilities;

8 “(iii) crisis intervention; and

9 “(iv) de-escalation tactics;

10 “(C) scenario-based training; and

11 “(D) a requirement that officers dem-
12 onstrate proficiency in the subjects of the train-
13 ing through scenario-based tests.

14 “(2) Each law enforcement officer and each in-
15 dividual enrolled in an academy of a law enforce-
16 ment agency of a State shall complete—

17 “(A) initial training described in para-
18 graph (1) of not less than 8 hours; and

19 “(B) not less than 4 hours of training de-
20 scribed in paragraph (1) every year thereafter.

21 “(3) A State shall certify to the Attorney Gen-
22 eral that all individuals enrolled in an academy of a
23 law enforcement agency of the State and all law en-
24 forcement officers of the State have completed the

1 training sessions described in paragraph (1) in ac-
2 cordance with paragraph (2).

3 “(b) COMPLIANCE AND INELIGIBILITY.—

4 “(1) COMPLIANCE DATE.—To be eligible for a
5 grant under this part, a State shall, subject to para-
6 graphs (2) and (3), be in compliance with the train-
7 ing requirements under subsection (a) not later than
8 240 days after the date of enactment of this part,
9 except that the Attorney General may grant an addi-
10 tional 120 days to a State that is making good faith
11 efforts to comply with that subsection.

12 “(2) COMPLIANCE BEFORE START OF FISCAL
13 YEAR.—A State that fails to achieve compliance with
14 the training requirements under subsection (a) in
15 accordance with paragraph (1) of this subsection
16 shall be eligible for a grant under this part for a fis-
17 cal year (subject to section 3063) if, on the last day
18 of the previous fiscal year, the State was in compli-
19 ance with those requirements.

20 “(3) INELIGIBILITY.—A State that was eligible
21 for a grant under this part and that, as of the last
22 day of a fiscal year, is not in compliance with the
23 training requirements under subsection (a) shall not
24 be eligible for a grant under this part during the
25 next fiscal year.

1 “(c) VERIFICATION.—The attorney general of a State
2 receiving a grant under this part shall verify that the
3 training of individuals enrolled in an academy of a law
4 enforcement agency of the State and all law enforcement
5 officers of the State meets the requirements under sub-
6 section (a).

7 “(d) AUDIT REQUIREMENTS.—For each fiscal year
8 for which grants are made under this part, the Inspector
9 General of the Department of Justice shall conduct audits
10 of an appropriate number, as determined by the Inspector
11 General, of States receiving such a grant to ensure compli-
12 ance with the training requirements under subsection (a).

13 **“SEC. 3063. INDEPENDENT REVIEW OF LAW ENFORCEMENT**
14 **USE OF DEADLY FORCE.**

15 “To be eligible for a grant under this part for a fiscal
16 year, a State shall, as of the last day of the prior fiscal
17 year, have enacted and have in effect an independent pros-
18 ecution of law enforcement statute.

19 **“SEC. 3064. DEFINITIONS.**

20 “In this part:

21 “(1) The term ‘deadly force’ means that force
22 which a reasonable person would consider likely to
23 cause death or serious bodily harm.

24 “(2) The term ‘independent prosecution’, with
25 respect to a criminal investigation or prosecution of

1 a law enforcement officer's use of deadly force, in-
2 cludes using 1 or more of the following methods:

3 “(A) Using an agency or civilian review
4 board that investigates and independently re-
5 views all officer use-of-force allegations.

6 “(B) Assigning the attorney general of the
7 State in which the alleged crime was committed
8 to conduct the criminal investigation and pros-
9 ecution.

10 “(C) Adopting a procedure under which an
11 automatic referral is made to a special pros-
12 ecutor appointed and overseen by the attorney
13 general of the State in which the alleged crime
14 was committed.

15 “(D) Having law enforcement agencies
16 agree to and implement memoranda of under-
17 standing with other law enforcement agencies
18 under which the other law enforcement agen-
19 cies—

20 “(i) shall conduct the criminal inves-
21 tigation; and

22 “(ii) upon conclusion of the criminal
23 investigation, shall file a report with the
24 attorney general of the State containing a
25 determination regarding whether—

1 “(I) the use of deadly force was
2 appropriate; and

3 “(II) any action should be taken
4 by the attorney general of the State.

5 “(E) Using an independent prosecutor.

6 “(3) The term ‘independent prosecution of law
7 enforcement statute’ means a statute requiring an
8 independent prosecution in a criminal matter in
9 which—

10 “(A) 1 or more of the possible defendants
11 is a law enforcement officer;

12 “(B) 1 or more of the alleged offenses in-
13 volves the law enforcement officer’s use of dead-
14 ly force in the course of carrying out that offi-
15 cer’s duty; and

16 “(C) the law enforcement officer’s use of
17 deadly force resulted in a death or injury.

18 “(4) The term ‘independent prosecutor’ means,
19 with respect to a criminal investigation or prosecu-
20 tion of a law enforcement officer’s use of deadly
21 force, a prosecutor who—

22 “(A) does not live or work in the same
23 county as the county in which the alleged crime
24 was committed; and

1 “(B) would not be involved in the prosecu-
2 tion in the ordinary course of that prosecutor’s
3 duties.”.