

Congress of the United States
Washington, DC 20515

June 16, 2020

The Honorable Jose Serrano
Chairman
Subcommittee on Commerce, Justice, Science, and
Related Agencies
House Appropriations Committee
H-307, The Capitol
Washington, D.C. 20515

The Honorable Robert Aderholt
Ranking Member
Subcommittee on Commerce, Justice, Science, and
Related Agencies
House Appropriations Committee
1016 Longworth House Office Building
Washington, D.C. 20515

Dear Chairman Serrano and Ranking Member Aderholt:

As you continue your work on the fiscal year 2021 Commerce, Justice, Science, and Related Agencies Appropriations bill, we request that you please include the following provisions, as an addendum to our original requests:

Enhancing Accountability in Law Enforcement

1. *New Report Language:* The Committee is concerned about reports showing that the Department of Justice (DOJ) has significantly reduced the utilization of its Civil Rights Division for “Pattern or Practice” Investigations. The committee supports “Pattern or Practice” investigations because they are an important tool for helping to improve and remedy law enforcement agencies that have shown a pattern of excessive force, biased policing, and other practices deemed unconstitutional. Therefore, the Committee provides an additional \$30,000,000 over the 2020 allocation for the DOJ’s Civil Rights Division to fully utilize “Pattern or Practice” investigations to help improve our nation’s law enforcement agencies and ensure they operate in a constitutional manner. The committee also notes that the due process rights of all rank and file law enforcement officials shall be adhered to and respected in regards to “Pattern or Practice” investigations. The Department is directed to report back to the Committee, within 60 days of the passage of this Act, on progress made in this regard.
2. *New Report Language:* The Committee is aware the Federal Bureau of Investigation (FBI) is the primary agency responsible for investigating violations of federal civil rights statutes. The committee notes the importance of these investigations and supports the FBI in its efforts to protect the civil rights of all Americans. Therefore, the Committee provides an additional \$20,000,000 over the 2020 appropriation for the FBI to increase its efforts to conduct civil rights investigations. The Committee notes that the due process rights of all those investigated shall be adhered to and respected. The FBI is directed to report back to

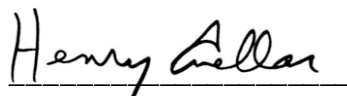
the Committee, within 60 days of the passage of this Act, on progress made in this regard.


3. *New Report Language:* The Committee supports the Department of Justice's Community Relations Service (CRS) and the important work it does to mediate community disputes. The CRS conducts important training for local law enforcement officials so that they may better connect with their communities in order to better respond to hate crimes and discrimination. Therefore, the Committee provides an additional \$10,000,000 over the FY2020 appropriated amount for the Service. The Committee also notes that rank-and-file group(s), if any, within any subject jurisdiction be included as primary stakeholders in the planning and executing of training and mediation. The Department is directed to report back to the Committee, within 60 days of the passage of this Act, on progress made in this regard.
4. *New Report Language:* The Committee remains concerned about the Department of Justice's (DOJ) 2017 memorandum overhauling the original intentions of the Collaborative Reform Initiative Program. The committee supports the original intent of the program which focused on community policing and law enforcement reform. The committee reminds the DOJ that this program was critical in providing thorough technical assistance and recommendations to law enforcement agencies who voluntarily requested assistance. Therefore, the committee provides no less than an additional \$20,000,000 for the Collaborative Reform Initiative Program under the COPS Hiring Account with the specific intent of providing technical assistance to law enforcement agencies seeking to improve their community policing practices and reforming their agencies. The committee notes that this program is not a "one size fits all" approach and that rank-and-file representatives must also be included and recognized as primary stakeholders in efforts made through this program. The Department is directed to report back to the Committee, within 60 days of the passage of this Act, on progress made in this regard.
5. *New Report Language:* The Committee is concerned about the lack of comprehensive data on police misconduct and supports transparency in our law enforcement agencies. Therefore, the committee provides an additional \$5,000,000 for the Department of Justice to create a national police misconduct registry that notes records of complaints, discipline, records of certification, and termination of both federal and local law enforcement officers. It shall especially note instances of Use of Force. In addition, it shall be noted that records of discipline means any written document regarding an allegation of misconduct by a law enforcement officer that is substantiated and is adjudicated by a government agency or court, including such an allegation that results in an adverse action by the employing law enforcement agency or criminal charges. The DOJ shall make this registry publicly available, when permissible, pursuant to federal privacy protection laws. In addition, the due process rights of all rank and file law enforcement officials shall be adhered to and respected. Furthermore, the Committee provides an additional \$5,000,000 for the Department of Justice to establish a federal internal review system that maintains records of police applicants who have been disqualified by local, county, or state departments. It shall also be administered

pursuant to federal privacy protection laws. In addition, the due process rights of all rank and file law enforcement officials shall be adhered to and respected. The Department is directed to report back to the Committee, within 60 days of the passage of this Act, on progress made in this regard.

6. *New Report Language:* The Committee supports the use of Police Integrity Units by local prosecutors and believes they are critical in reviewing police misconduct and ensuring accountability. Therefore, the Committee provides an additional \$50,000,000, for the Edward Byrne Memorial Justice Assistance Formula Grant (JAG) program under DOJ, to help local prosecutors set up new police integrity units. The grants shall be provided directly to local governments to establish these units and hire local prosecutors, investigators, and support staff. The Committee also notes that these units shall be established in consultation with rank and file law enforcement officials and shall protect the due process rights of all those investigated. The Committee also believes local police departments should conduct more extensive misconduct investigations through their internal affairs offices. Therefore, the Committee provides an additional \$50,000,000, under this heading, to provide additional staff and resources to local law enforcement offices' internal oversight efforts. The funding shall be used to hire investigators, support staff, and procure software and technology for internal affairs investigations. The committee also notes that the due process rights of all rank and file law enforcement officials shall be adhered to and respected in regards to internal affairs investigations. The Department is directed to report back to the Committee, within 60 days of the passage of this Act, on progress made in this regard.
7. *New Report Language:* The Committee appreciates the important work of the Justice and Mental Health Collaboration Program (JMHCP). The Committee recognizes that local law enforcement agencies may lack sufficient training to safely respond in situations involving persons with mental health issues. Therefore, the Committee provides an additional \$100,000,000, over the FY2020 appropriated amount, to fund JMHCP grants dedicated to the creation of law enforcement programs to train local officers in appropriate strategies when responding to individuals with mental health issues. In addition, the grants shall be used to retain mental health profession liaisons to coordinate with local law enforcement agencies and assist officers in managing situations involving those with a mental illness. The Committee also notes that rank-and-file representatives should be involved in the development of policies and curricula. The Department is directed to report back to the Committee, within 60 days of the passage of this Act, on progress made in this regard.

Sincerely,


Henry Cuellar
Member of Congress
28th District of Texas


Will Hurd M.C.
Member of Congress
23rd District of Texas

