

118TH CONGRESS  
2D SESSION

# S. 4844

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.

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## IN THE SENATE OF THE UNITED STATES

JULY 30, 2024

Ms. DUCKWORTH (for herself, Mr. MERKLEY, Mr. WYDEN, Ms. BALDWIN, Ms. CORTEZ MASTO, Mr. PADILLA, Ms. CANTWELL, Mr. KAINE, Ms. HIRONO, Mr. BLUMENTHAL, Mr. WELCH, Mr. SANDERS, and Mr. DURBIN) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

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## 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,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Police Training and  
3 Independent Review Act of 2024”.

4 **SEC. 2. GRANTS FOR TRAINING AND INDEPENDENT INVESTIGATION AND PROSECUTION.**

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

9 **“PART PP—GRANTS FOR TRAINING AND INDEPENDENT INVESTIGATION AND PROSECUTION**

12 **“SEC. 3061. GRANT AUTHORITY.**

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

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

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

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

23 “(1) A State shall require that all individuals  
24 enrolled in an academy of a law enforcement agency  
25 of the State and all law enforcement officers of the

1 State complete a training session on fair and impar-  
2 tial policing each year, which includes—

3 “(A) anti-bias training on implicit and ex-  
4 plicit bias on the basis of race, religion, eth-  
5 nicity, national origin, gender, sexual orienta-  
6 tion, gender identity, and disability;

7 “(B) training regarding—

8 “(i) cultural diversity;

9 “(ii) police interaction with individuals  
10 with mental illness or behavioral, mental,  
11 or physical disabilities;

12 “(iii) crisis intervention; and

13 “(iv) de-escalation tactics;

14 “(C) scenario-based training; and

15 “(D) a requirement that officers dem-  
16 onstrate proficiency in the subjects of the train-  
17 ing through scenario-based tests.

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

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

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

1           “(3) A State shall certify to the Attorney Gen-  
2           eral that all individuals enrolled in an academy of a  
3           law enforcement agency of the State and all law en-  
4           forcement officers of the State have completed the  
5           training sessions described in paragraph (1) in ac-  
6           cordance with paragraph (2).

7           “(b) COMPLIANCE AND INELIGIBILITY.—

8           “(1) COMPLIANCE DATE.—To be eligible for a  
9           grant under this part, a State shall, subject to para-  
10          graphs (2) and (3), be in compliance with the train-  
11          ing requirements under subsection (a) not later than  
12          240 days after the date of enactment of this part,  
13          except that the Attorney General may grant an addi-  
14          tional 120 days to a State that is making good faith  
15          efforts to comply with that subsection.

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

24          “(3) INELIGIBILITY.—A State that was eligible  
25          for a grant under this part and that, as of the last

1 day of a fiscal year, is not in compliance with the  
2 training requirements under subsection (a) shall not  
3 be eligible for a grant under this part during the  
4 next fiscal year.

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

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

17 **“SEC. 3063. INDEPENDENT REVIEW OF LAW ENFORCEMENT**  
18 **USE OF DEADLY FORCE.**

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

23 **“SEC. 3064. DEFINITIONS.**

24 “In this part:

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

4           “(2) The term ‘independent prosecution’, with  
5           respect to a criminal investigation or prosecution of  
6           a law enforcement officer’s use of deadly force, in-  
7           cludes using 1 or more of the following methods:

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

11                   “(B) Assigning the attorney general of the  
12                  State in which the alleged crime was committed  
13                  to conduct the criminal investigation and pros-  
14                  ecution.

15                   “(C) Adopting a procedure under which an  
16                  automatic referral is made to a special pros-  
17                  ecutor appointed and overseen by the attorney  
18                  general of the State in which the alleged crime  
19                  was committed.

20                   “(D) Having law enforcement agencies  
21                  agree to and implement memoranda of under-  
22                  standing with other law enforcement agencies  
23                  under which the other law enforcement agen-  
24                  cies—

1                   “(i) shall conduct the criminal inves-  
2                   tigation; and

3                   “(ii) upon conclusion of the criminal  
4                   investigation, shall file a report with the  
5                   attorney general of the State containing a  
6                   determination regarding whether—

7                               “(I) the use of deadly force was  
8                               appropriate; and

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

11                   “(E) Using an independent prosecutor.

12                   “(3) The term ‘independent prosecution of law  
13                   enforcement statute’ means a statute requiring an  
14                   independent prosecution in a criminal matter in  
15                   which—

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

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

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

24                   “(4) The term ‘independent prosecutor’ means,  
25                   with respect to a criminal investigation or prosecu-

1       tion of a law enforcement officer’s use of deadly  
2       force, a prosecutor who—

3               “(A) does not live or work in the same  
4               county as the county in which the alleged crime  
5               was committed; and

6               “(B) would not be involved in the prosecu-  
7               tion in the ordinary course of that prosecutor’s  
8               duties.”.

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