

116TH CONGRESS
2D SESSION

H. R. 7536

To amend the Violent Crime Control and Law Enforcement Act of 1994, to permit the attorney general of a State to bring a civil action to eliminate a pattern or practice of violating rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

JULY 9, 2020

Ms. KELLY of Illinois (for herself, Mr. RICHMOND, and Mr. RASKIN) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To amend the Violent Crime Control and Law Enforcement Act of 1994, to permit the attorney general of a State to bring a civil action to eliminate a pattern or practice of violating rights, privileges, or immunities secured or protected by the Constitution or laws of the United States, 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 “State Attorneys Gen-
5 eral Empowerment Act of 2020”.

1 **SEC. 2. CAUSE OF ACTION REGARDING POLICE PATTERN**
2 **OR PRACTICE.**

3 (a) STATE ENFORCEMENT.—Section 210401(b) of
4 the Violent Crime Control and Law Enforcement Act of
5 1994 (34 U.S.C. 12601(b)) is amended by inserting after
6 “the Attorney General, for or in the name of the United
7 States” the following: “, or the attorney general of any
8 State, for or in the name of that State, to the extent the
9 violation has occurred within that State”.

10 (b) SUBPOENA AUTHORITY.—Section 210401 of the
11 Violent Crime Control and Law Enforcement Act of 1994
12 (34 U.S.C. 12601) is amended—

13 (1) in subsection (b), by striking “paragraph
14 (1)” and inserting “subsection (a)”; and

15 (2) by adding at the end the following:

16 “(c) SUBPOENA AUTHORITY.—In carrying out the
17 authority in subsection (b), the Attorney General or an
18 attorney general of a State may require by subpoena the
19 production of all information, documents, reports, an-
20 swers, records, accounts, papers, and other data in any
21 medium (including electronically stored information), as
22 well as any tangible thing and documentary evidence, and
23 the attendance and testimony of witnesses necessary in the
24 performance of the Attorney General or attorney general
25 of a State under subsection (b). Such a subpoena, in the
26 case of contumacy or refusal to obey, shall be enforceable

1 by order of any appropriate district court of the United
2 States.”.

3 (c) DATA ON EXCESSIVE USE OF FORCE.—Section
4 210402(a) of the Violent Crime Control and Law Enforce-
5 ment Act of 1994 (34 U.S.C. 12602(a)) is amended—

6 (1) by striking “The Attorney General” and in-
7 serting the following:

8 “(1) FEDERAL COLLECTION OF DATA.—The
9 Attorney General”; and

10 (2) by adding at the end the following:

11 “(2) STATE COLLECTION OF DATA.—The attor-
12 ney general of a State may, through appropriate
13 means, acquire data about the use of excessive force
14 by law enforcement officers and such data may be
15 used by the attorney general in conducting investiga-
16 tions under section 210401.”.

17 (d) GRANT PROGRAM.—

18 (1) GRANTS AUTHORIZED.—The Attorney Gen-
19 eral may award a grant to a State to assist the
20 State in conducting pattern and practice investiga-
21 tions at the State level.

22 (2) ELIGIBILITY.—In order for a State to be el-
23 igible for a grant under paragraph (1), the attorney
24 general of the State, or similar State official, shall
25 have the authority to conduct pattern and practice

1 investigations, as described in section 210401 of the
2 Violent Crime Control and Law Enforcement Act of
3 1994 (34 U.S.C. 12601), of governmental agencies
4 in the State.

5 (3) APPLICATION.—A State seeking a grant
6 under paragraph (1) shall submit an application in
7 such form, at such time, and containing such infor-
8 mation as the Attorney General may require.

9 (4) FUNDING.—There are authorized to be ap-
10 propriated \$100,000,000 to the Attorney General for
11 each of fiscal years 2020 through 2022 to carry out
12 this subsection.

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