

SIDE-BY-SIDE COMPARISON OF PROPOSALS

Area of Reform	Justice in Policing Act	JUSTICE Act	Executive Order
Qualified Immunity	<ul style="list-style-type: none"> Nuanced reform to section 1983 of Civil Rights Act. Specifically, the bill adds in: “[Qualified immunity] shall not be a defense or immunity to any action brought under this section against a local law enforcement officer or state corrections officer. 	<ul style="list-style-type: none"> No reform. 	<ul style="list-style-type: none"> No reform.
Police Tactics (e.g. chokeholds, no-knock warrants)	<ul style="list-style-type: none"> Makes chokeholds a civil rights violation. No-knock ban applicable to federal warrants in drug cases. Withholds federal law enforcement grants from states who don’t ban chokeholds or no-knock warrants. 	<ul style="list-style-type: none"> Withholds federal law enforcement grants from states who don’t ban chokeholds. Narrowly defines chokehold. Allows exceptions to chokehold where the use of deadly force is allowed by law. Requires annual reporting of no-knock warrants to DOJ. Reduces funding if local jurisdiction doesn’t report the data. 	<ul style="list-style-type: none"> Encourages state and local jurisdictions to adopt chokehold bans by saying the attorney general should not certify independent credentialing organizations unless those organizations require law enforcement agencies to ban chokeholds. No reform to no-knock warrants.
Police Training	<ul style="list-style-type: none"> Establish a training program to cover racial bias, implicit bias, procedural justice and duty to intervene. Mandate training at federal level and condition federal funding on adopting the training at the local & state level. 	<ul style="list-style-type: none"> Similarly, requires DOJ to establish trainings for de-escalation, duty to intervene and responding to behavioral health crises. Requires AG to study and compile “best practices” to become a clearinghouse for local officers. 	<ul style="list-style-type: none"> Requires DOJ to work with credentialing bodies to establish de-escalation and use of force training.
Reporting & Reviewing Police Misconduct	<ul style="list-style-type: none"> Requires DOJ to establish a centralized database of use of force data. Requires any law enforcement agency receiving federal money to report all data on use of force, as well as traffic stops and frisks. Demographic data of anyone involved in incident. Provides grants to state AGs to create independent investigation for law enforcement misconduct or use of force. Requires state and local law enforcement agencies to use existing federal funds to implement body cameras. 	<ul style="list-style-type: none"> 20-year maximum sentence for officers that falsifying police reports. Creates a new problem to provide grants to local law enforcement to purchase and utilize body cameras. Failure to use leads to a 25% reduction in federal funding. 	<ul style="list-style-type: none"> Requires the Justice Department to set up a use-of-force database in his executive order, but only to track “excessive use of force related to law enforcement matters, accounting for applicable privacy and due process rights”.

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National Police Misconduct Database	<ul style="list-style-type: none"> Establishes a national misconduct registry. Requires info to be made public and does not provide for anonymity. 	<ul style="list-style-type: none"> Relies on an FBI database already existing. FBI would publish. Requires law enforcement agencies receiving federal money to report use of force information including demographic on the officer and the individual force was used against. 	<ul style="list-style-type: none"> Establishes a national misconduct registry. Published by DOJ in aggregated and anonymized data.
Pattern & Practice Investigations	<ul style="list-style-type: none"> Gives DOJ subpoena power for pattern and practice investigations. Also, provides grants to state AGs to conduct pattern and practice investigations. 	<ul style="list-style-type: none"> No reform. 	<ul style="list-style-type: none"> No reform.
Militarization of Police Officers	<ul style="list-style-type: none"> Prevent transfers of equipment inappropriate for local policing, such as military weapons, long-range acoustic devices, grenade launchers, weaponized drones, armored military vehicles, and grenades or similar explosives. Requires recipients to certify they can account for all military weapons and equipment. 	<ul style="list-style-type: none"> No reform. 	<ul style="list-style-type: none"> No reform.
Other Notable Reforms	<ul style="list-style-type: none"> Bans all law enforcement agencies from racial profiling and allows individuals to pursue “civil action for declaratory or injunctive relief” to enforce it. Adopts the Anti-Lynching Act. 	<ul style="list-style-type: none"> Makes it a crime subject to a 15-year maximum sentence for federal law enforcement officers to engage in a sexual acts with individuals in their custody, regardless of consent. Adopts the Anti-Lynching Act. Incorporates the Commission on the Social Status of Black Men and Boys. Funds Smithsonian education program. 	