



EXPLAINER

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Comparison of the George Floyd Justice in Policing Act and JUSTICE Act

Last Updated June 24, 2020

On June 8, Congressional Democrats released [H.R. 7120/S.3912](#), the [George Floyd Justice in Policing Act](#) in both the House and Senate. On June 17, Senate Republicans countered with [S. 3985](#), the [Just and Unifying Solutions to Invigorate Communities Everywhere \(JUSTICE\) Act](#). The Democratic bill includes strong provisions on police accountability, use of force, and racial profiling. It generally conditions or repurposes existing funds, and all newly authorized grants go through the discretionary appropriations process. The Republican bill largely relies on grants, training, and commissions. It lacks specificity on reporting requirements and makes no serious effort to address systemic racism in policing. Instead, the Republican bill throws money at the problem without real reform, sending more than \$1.3 billion in additional funds to law enforcement outside of the normal appropriations process.

The following chart compares specific provisions in both bills. Requirements listed below are generally mandates at the federal level and conditions for federal funds to incentivize similar changes at the state and local level. Dollar values are included for direct appropriations but not authorizations of appropriations.

Issue	George Floyd Justice in Policing Act ¹ (Democratic)	JUSTICE Act (Republican)
Prosecuting Police Brutality	Makes police misconduct easier to prosecute by changing the standard from “willfully” to “knowingly and recklessly” (Sec. 101)	Not addressed
Qualified Immunity	Reforms qualified immunity to allow individuals to collect damages when law enforcement officers violate legal rights (Sec. 102)	Not addressed

¹ Reflects the [Amendment in the Nature of a Substitute](#) adopted in the House Judiciary Committee on June 17, 2020.

Issue	George Floyd Justice in Policing Act (Democratic)	JUSTICE Act (Republican)
Investigations	<p>Provides the Justice Department's Civil Rights Division subpoena power for pattern and practice investigations and authorizes grants to state attorneys general for pattern and practice investigations (Sec. 103)</p> <p>Helps state attorney generals develop independent investigation processes for police misconduct and excessive use of force (Sec. 104)</p>	<p>Creates a criminal penalty (20-year maximum) for falsifying reports filed in connection to a civil rights violation resulting in serious bodily injury or death (Sec. 106)</p>
Standards and Best Practices	<p>Requires the Justice Department to create law enforcement accreditation standard recommendations based on President Obama's Taskforce on 21st Century Policing and authorizes grants to implement policing best practices</p> <p>Requires a federal study of law, rules, and procedures that allow law enforcement to delay investigation of police misconduct, and creates a National Task Force on Law Enforcement Oversight</p> <p>Mandates federal data collection from federal, state, and local law enforcement agencies on traffic violation stops, pedestrian stops, stop-and-frisk, and uses of deadly force including race, ethnicity, age, and gender of the officers and members of the public involved (Sec. 105)</p>	<p>Establishes National Criminal Justice Commission with \$14 million in funding and tasks it with recommending best practices, studying Use of Force Review Boards, and studying office engagement on mental health issues (Titles VII & IX)</p> <p>Requires Justice Department to submit to Congress a proposal on improving police accountability (Sec. 904)</p>
Police Misconduct Records	<p>Creates a federal registry of all federal, state, and local law enforcement officers that compiles misconduct complaints, discipline records, termination records, and records of certification (Title II, Subtitle A)</p>	<p>Requires individual law enforcement agencies to maintain employment and disciplinary records for 30 years and review an officer's records before hiring</p> <p>\$100 million for grants (Title III)</p>

Issue	George Floyd Justice in Policing Act (Democratic)	JUSTICE Act (Republican)
Police Reporting on Use of Force	<p>Requires quarterly reporting on use-of-force events</p> <p>Requires reporting by national origin, sex, race, ethnicity, age, disability, language proficiency, and housing status of each civilian against whom the law enforcement officer used force; the reason force was used; and specific information on each incident (Title II, Subtitle B)</p>	<p>Requires annual reporting on use-of-force events but does not specify what incident, officer, and subject information should be reported (Sec. 101 & 103)</p> <p>\$112 million for grants (Sec. 104)²</p>
Racial Profiling	<p>Prohibits law enforcement from profiling based on “actual or perceived race, ethnicity, national origin, religion, gender, gender identity, or sexual orientation”</p> <p>Requires training, policies, and practices to prevent racial profiling</p> <p>Requires data collection by race, ethnicity, national origin, gender, and religion to monitor racial profiling (Title III, Subtitle A)</p>	Not addressed
Training on Racial Bias and Duty to Intervene	Training on racial bias, implicit bias, procedural justice, and the duty to intervene (Sec. 361)	<p>\$500 million for training on duty to intervene only (Sec. 602)</p> <p>\$10 million for education program on the history of racism (Title VIII, Subtitle B)</p>
Ban on No-Knock Warrants in Drug Cases	Bans no-knock warrants in drug cases (Sec. 362)	Only requires annual reporting on use of no-knock warrants (Sec. 102-104)
Chokehold Ban	Bans use of chokeholds and carotid holds as a civil rights violation (Sec. 363)	Requires agency policies to prohibit chokeholds “except when deadly force is authorized” (Sec. 105)

² Grants are for compliance with both Sec. 101 (use of force reporting) and 102 (reporting on no-knock warrants).

Issue	George Floyd Justice in Policing Act (Democratic)	JUSTICE Act (Republican)
Use-of-Force Standard and Deescalation	<p>Changes the use-of-force standard from reasonableness to only when necessary to prevent death or serious bodily injury</p> <p>Requires officers to employ de-escalation techniques and use deadly force only as a last resort (Sec. 364)</p>	<p>Only creates training on alternatives to use of force, de-escalation, and behavioral health crises</p> <p>\$350 million for grants (Sec. 601)</p>
Law Enforcement Militarization	<p>Limit the transfer of military-grade equipment to state and local law enforcement (Sec. 365)</p>	<p>Not addressed</p>
Public Safety Innovation	<p>Allows grants for local task forces on public safety innovations, crisis intervention teams, and hiring law enforcement officers who are residents of the communities they serve (Sec. 366)</p>	<p>Grants to hire recruiters and enroll candidates in law enforcement academies who have demographic characteristics similar to the community (Title VIII, Subtitle A)</p>
Police Cameras	<p>Requires federal uniformed police officers to wear body cameras and required marked federal police vehicles to have dashboard cameras</p> <p>Requires state and local law enforcement agencies to use federal funds to ensure use of body cameras</p> <p>Requires policies and procedures for use of body-worn cameras, privacy rights, and data retention (Title III, Subtitle C)</p>	<p>\$500 million in matching grants for body-worn cameras and development of best practices and procedures</p> <p>Conditions federal funds on state and local disciplinary policies for intentional failure to use body-worn cameras (Title II)</p>
Hate Crimes	<p>Emmett Till Anti-Lynching Act (Title IV)</p>	<p>Justice for Victims of Lynching Act, which is same as Emmett Till Anti-Lynching Act except for title (Title IV)</p>
Other Provisions	<p>Not addressed³</p>	<p>Commission on the Social Status of Black Men and Boys (Title V)</p> <p>Prohibits a law enforcement officer from engaging in a sexual act while acting under the color of law with \$25 million in funding (Title X)</p>

³ H.R. 1636, the Commission on the Social Status of Black Men and Boys Act is moving as a standalone bill led by Rep. Frederica Wilson in the House. H.R. 1574, the Closing the Law Enforcement Consent Loophole Act, is moving as a standalone bill led by Rep. Jackie Speier.