

114TH CONGRESS
2D SESSION

H. R. 6216

To require State and local law enforcement agencies to submit information about law enforcement investigations to the Attorney General, and for other purposes.

IN THE HOUSE OF REPRESENTATIVES

SEPTEMBER 28, 2016

Mr. VEASEY introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To require State and local law enforcement agencies to submit information about law enforcement investigations to the Attorney General, 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 “Preservation of Public
5 Evidence Act of 2016”.

1 **SEC. 2. REQUIREMENT TO SUBMIT INFORMATION ABOUT**
2 **INVESTIGATIONS TO THE ATTORNEY GEN-**
3 **ERAL.**

4 (a) REQUIREMENT.—A State receiving any amount
5 under a grant program covered by section 3(a) shall re-
6 quire each law enforcement agency of that State, and of
7 each unit of local government of that State, to submit to
8 the Attorney General, for any incident being investigated
9 by such law enforcement agency wherein a person was in-
10 jured or killed by a law enforcement officer or while in
11 the custody of a law enforcement agency, copies or records
12 of any the following that pertain to the incident:

13 (1) Any record or information.

14 (2) Any item of evidence.

15 (3) Any photographs.

16 (4) Any videos, including footage from dash-
17 board cameras and body-worn cameras.

18 (5) Any witness statements.

19 (6) Any other tangible documents.

20 (b) PUBLICATION.—The Attorney General shall pre-
21 serve materials submitted under subsection (a) and may
22 publish them or descriptions thereof, subject to any appli-
23 cable limitation under law, upon request of any person,
24 as the Attorney General determines appropriate.

25 **SEC. 3. ELIGIBILITY FOR FEDERAL FUNDS.**

26 (a) COVERED PROGRAMS.—

1 (1) IN GENERAL.—For purposes of this Act, a
2 grant program is covered by this section if—

3 (A) the program is carried out by or under
4 the authority of the Attorney General; and

5 (B) the program may provide amounts to
6 States for law enforcement purposes.

7 (2) LIST.—For each fiscal year, the Attorney
8 General shall prepare a list identifying each program
9 that meets the criteria of paragraph (1) and provide
10 that list to each State.

11 (b) COMPLIANCE.—For each fiscal year, any amount
12 that a State would otherwise receive for that fiscal year
13 under a grant program covered by this section shall be
14 reduced by 10 percent, unless the chief executive of the
15 State submits to the Attorney General—

16 (1) a certification that each law enforcement
17 agency of the State, and of each unit of local govern-
18 ment of the State, is in full compliance with the re-
19 quirements of section 2; or

20 (2) an assurance that not less than 5 percent
21 of such amount shall be used only for the purpose
22 of enabling law enforcement agency of the State,
23 and of each unit of local government of the State to
24 comply with the requirements of section 2, so as to

1 ensure that a certification under paragraph (1) may
2 be submitted thereafter.

3 (c) REPORT ON NONCOMPLIANCE.—Not later than
4 the last day of each fiscal year, the Attorney General shall
5 publish a report listing each State wherein a law enforce-
6 ment agency of the State, or of a unit of local government
7 of the State, has not complied with the requirements of
8 section 2 for that fiscal year.

9 (d) REDISTRIBUTION OF AMOUNTS.—Amounts under
10 a grant program not granted by reason of a reduction
11 under subsection (b), shall be granted to one or more enti-
12 ties not subject to such reduction or such prohibition, sub-
13 ject to the other laws governing that program.

14 (e) EFFECTIVE DATE.—The first grants to which
15 subsection (b) applies are grants for the fiscal year begin-
16 ning October 1, 2017.

17 **SEC. 4. ENHANCED FUNDING FOR BODY CAMERA GRANTS.**

18 For fiscal year 2017, out of any money in the Treas-
19 ury not otherwise appropriated, there is appropriated an
20 additional amount for State and Local Law Enforcement
21 Activities—Community Oriented Policing Services—Com-
22 munity Oriented Policing Services Programs of
23 \$10,000,000, to be used for grants under part Q of the
24 Omnibus Crime Control and Safe Streets Act of 1968,

- 1 which shall be used for the acquisition and use of body-
- 2 worn cameras by law enforcement officers.

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