

114TH CONGRESS
1ST SESSION

S. 1610

To eliminate racial profiling by law enforcement officers, promote accountability for State and local law enforcement agencies, reenfranchise citizens, eliminate sentencing disparities, and promote re-entry and employment programs, and for other purposes.

IN THE SENATE OF THE UNITED STATES

JUNE 18, 2015

Mr. CARDIN (for himself and Ms. MIKULSKI) introduced the following bill;
which was read twice and referred to the Committee on the Judiciary

A BILL

To eliminate racial profiling by law enforcement officers, promote accountability for State and local law enforcement agencies, reenfranchise citizens, eliminate sentencing disparities, and promote re-entry and employment programs, 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; TABLE OF CONTENTS.**

4 (a) SHORT TITLE.—This Act may be cited as the
5 “Building and Lifting Trust In order to Multiply Opportu-
6 nities and Racial Equality Act of 2015” or the “BALTI-
7 MORE Act”.

1 (b) TABLE OF CONTENTS.—The table of contents for
2 this Act is as follows:

Sec. 1. Short title; table of contents.

TITLE I—LAW ENFORCEMENT REFORM

Subtitle A—End Racial Profiling Act

Sec. 101. Short title.

Sec. 102. Definitions.

PART I—PROHIBITION OF RACIAL PROFILING

Sec. 111. Prohibition.

Sec. 112. Enforcement.

PART II—PROGRAMS TO ELIMINATE RACIAL PROFILING BY FEDERAL LAW
ENFORCEMENT AGENCIES

Sec. 121. Policies to eliminate racial profiling.

PART III—PROGRAMS TO ELIMINATE RACIAL PROFILING BY STATE, LOCAL,
AND INDIAN TRIBAL LAW ENFORCEMENT AGENCIES

Sec. 131. Policies required for grants.

Sec. 132. Involvement of Attorney General.

Sec. 133. Data collection demonstration project.

Sec. 134. Best practices development grants.

Sec. 135. Authorization of appropriations.

PART IV—DATA COLLECTION

Sec. 141. Attorney General to issue regulations.

Sec. 142. Publication of data.

Sec. 143. Limitations on publication of data.

PART V—DEPARTMENT OF JUSTICE REGULATIONS AND REPORTS ON RACIAL
PROFILING IN THE UNITED STATES

Sec. 151. Attorney General to issue regulations and reports.

PART VI—MISCELLANEOUS PROVISIONS

Sec. 161. Severability.

Sec. 162. Savings clause.

Subtitle B—Police CAMERA Act

Sec. 181. Short title.

Sec. 182. Matching grant program for law enforcement body-worn cameras.

Subtitle C—Department of Justice Grant Programs and Law Enforcement
Reform

Sec. 191. Improving law enforcement officer training.

Sec. 192. Requirement for DOJ grant programs.

Sec. 193. Improving crime statistic reporting.

Sec. 194. Sense of Congress on reporting of crime statistics.

TITLE II—VOTING RIGHTS REFORM AND CIVIL RIGHTS RESTORATION

Subtitle A—Democracy Restoration

- Sec. 201. Short title.
- Sec. 202. Findings.
- Sec. 203. Rights of citizens.
- Sec. 204. Enforcement.
- Sec. 205. Notification of restoration of voting rights.
- Sec. 206. Definitions.
- Sec. 207. Relation to other laws.
- Sec. 208. Federal prison funds.
- Sec. 209. Effective date.

Subtitle B—Restoration of Federal Jury Service

- Sec. 221. Qualifications for jury service.

TITLE III—SENTENCING LAW REFORM

- Sec. 301. Short title.
- Sec. 302. Reclassification of low-level felonies.
- Sec. 303. Weighing of controlled substances mixed with food products.
- Sec. 304. Applicability to pending and past cases.
- Sec. 305. Emergency authority for united states sentencing commission.
- Sec. 306. Establishment of the safe neighborhoods and schools fund.

TITLE IV—RE-ENTRY AND EMPLOYMENT LAW REFORM

Subtitle A—Improvements to the Second Chance Act

- Sec. 401. Improvements to existing programs.

Subtitle B—Workforce Innovation and Opportunity Act Reentry Employment Opportunities

- Sec. 411. Authorization of appropriations for the Reentry Employment Opportunities program.

Subtitle C—Sense of Congress

- Sec. 421. Sense of Congress.

1 **TITLE I—LAW ENFORCEMENT**
2 **REFORM**
3 **Subtitle A—End Racial Profiling**
4 **Act**

5 **SEC. 101. SHORT TITLE.**

6 This subtitle may be cited as the “End Racial
7 Profiling Act of 2015”.

8 **SEC. 102. DEFINITIONS.**

9 In this subtitle:

10 (1) COVERED PROGRAM.—The term “covered
11 program” means any program or activity funded in
12 whole or in part with funds made available under—

13 (A) the Edward Byrne Memorial Justice
14 Assistance Grant Program under part E of title
15 I of the Omnibus Crime Control and Safe
16 Streets Act of 1968 (42 U.S.C. 3750 et seq.);
17 and

18 (B) the “Cops on the Beat” program
19 under part Q of title I of the Omnibus Crime
20 Control and Safe Streets Act of 1968 (42
21 U.S.C. 3796dd et seq.), except that no pro-
22 gram, project, or other activity specified in sec-
23 tion 1701(b)(13) of such part shall be a covered
24 program under this paragraph.

1 (2) GOVERNMENTAL BODY.—The term “govern-
2 mental body” means any department, agency, special
3 purpose district, or other instrumentality of Federal,
4 State, local, or Indian tribal government.

5 (3) HIT RATE.—The term “hit rate” means the
6 percentage of stops and searches in which a law en-
7 forcement officer finds drugs, a gun, or something
8 else that leads to an arrest. The hit rate is cal-
9 culated by dividing the total number of searches by
10 the number of searches that yield contraband. The
11 hit rate is complementary to the rate of false stops.

12 (4) INDIAN TRIBE.—The term “Indian tribe”
13 has the meaning given the term in section 102 of the
14 Federally Recognized Indian Tribe List Act of 1994
15 (25 U.S.C. 479a).

16 (5) LAW ENFORCEMENT AGENCY.—The term
17 “law enforcement agency” means any Federal,
18 State, local, or Indian tribal public agency engaged
19 in the prevention, detection, or investigation of viola-
20 tions of criminal, immigration, or customs laws.

21 (6) LAW ENFORCEMENT AGENT.—The term
22 “law enforcement agent” means any Federal, State,
23 local, or Indian tribal official responsible for enfore-
24 ing criminal, immigration, or customs laws, includ-

1 ing police officers and other agents of a law enforce-
2 ment agency.

3 (7) RACIAL PROFILING.—The term “racial
4 profiling” means the practice of a law enforcement
5 agent or agency relying, to any degree, on actual or
6 perceived race, ethnicity, national origin, religion,
7 gender, gender identity, or sexual orientation in se-
8 lecting which individual to subject to routine or
9 spontaneous investigatory activities or in deciding
10 upon the scope and substance of law enforcement ac-
11 tivity following the initial investigatory procedure,
12 except when there is trustworthy information, rel-
13 evant to the locality and timeframe, that links a per-
14 son with a particular characteristic described in this
15 paragraph to an identified criminal incident or
16 scheme.

17 (8) ROUTINE OR SPONTANEOUS INVESTIGATORY
18 ACTIVITIES.—The term “routine or spontaneous in-
19 vestigatory activities” means the following activities
20 by a law enforcement agent:

21 (A) Interviews.

22 (B) Traffic stops.

23 (C) Pedestrian stops.

24 (D) Frisks and other types of body
25 searches.

1 (E) Consensual or nonconsensual searches
2 of the persons, property, or possessions (includ-
3 ing vehicles) of individuals using any form of
4 public or private transportation, including mo-
5 torists and pedestrians.

6 (F) Data collection and analysis, assess-
7 ments, and predicated investigations.

8 (G) Inspections and interviews of entrants
9 into the United States that are more extensive
10 than those customarily carried out.

11 (H) Immigration-related workplace inves-
12 tigations.

13 (I) Such other types of law enforcement
14 encounters compiled for or by the Federal Bu-
15 reau of Investigation or the Department of Jus-
16 tice Bureau of Justice Statistics.

17 (9) REASONABLE REQUEST.—The term “rea-
18 sonable request” means all requests for information,
19 except for those that—

20 (A) are immaterial to the investigation;

21 (B) would result in the unnecessary dislo-
22 sure of personal information; or

23 (C) would place a severe burden on the re-
24 sources of the law enforcement agency given its
25 size.

1 (10) STATE.—The term “State” means each of
 2 the 50 States, the District of Columbia, the Com-
 3 monwealth of Puerto Rico, and any other territory
 4 or possession of the United States.

5 (11) UNIT OF LOCAL GOVERNMENT.—The term
 6 “unit of local government” means—

7 (A) any city, county, township, town, bor-
 8 rough, parish, village, or other general purpose
 9 political subdivision of a State;

10 (B) any law enforcement district or judicial
 11 enforcement district that—

12 (i) is established under applicable
 13 State law; and

14 (ii) has the authority to, in a manner
 15 independent of other State entities, estab-
 16 lish a budget and impose taxes; or

17 (C) any Indian tribe that performs law en-
 18 forcement functions, as determined by the Sec-
 19 retary of the Interior.

20 **PART I—PROHIBITION OF RACIAL PROFILING**

21 **SEC. 111. PROHIBITION.**

22 No law enforcement agent or law enforcement agency
 23 shall engage in racial profiling.

1 **SEC. 112. ENFORCEMENT.**

2 (a) REMEDY.—The United States, or an individual
3 injured by racial profiling, may enforce this part in a civil
4 action for declaratory or injunctive relief, filed either in
5 a State court of general jurisdiction or in a district court
6 of the United States.

7 (b) PARTIES.—In any action brought under this part,
8 relief may be obtained against—

9 (1) any governmental body that employed any
10 law enforcement agent who engaged in racial
11 profiling;

12 (2) any agent of such body who engaged in ra-
13 cial profiling; and

14 (3) any person with supervisory authority over
15 such agent.

16 (c) NATURE OF PROOF.—Proof that the routine or
17 spontaneous investigatory activities of law enforcement
18 agents in a jurisdiction have had a disparate impact on
19 individuals with a particular characteristic described in
20 section 102(7) shall constitute prima facie evidence of a
21 violation of this part.

22 (d) ATTORNEY'S FEES.—In any action or proceeding
23 to enforce this part against any governmental body, the
24 court may allow a prevailing plaintiff, other than the
25 United States, reasonable attorney's fees as part of the

1 costs, and may include expert fees as part of the attorney's
2 fee.

3 **PART II—PROGRAMS TO ELIMINATE RACIAL**
4 **PROFILING BY FEDERAL LAW ENFORCE-**
5 **MENT AGENCIES**

6 **SEC. 121. POLICIES TO ELIMINATE RACIAL PROFILING.**

7 (a) IN GENERAL.—Federal law enforcement agencies
8 shall—

9 (1) maintain adequate policies and procedures
10 designed to eliminate racial profiling; and

11 (2) cease existing practices that permit racial
12 profiling.

13 (b) POLICIES.—The policies and procedures de-
14 scribed in subsection (a)(1) shall include—

15 (1) a prohibition on racial profiling;

16 (2) training on racial profiling issues as part of
17 Federal law enforcement training;

18 (3) the collection of data in accordance with the
19 regulations issued by the Attorney General under
20 section 141;

21 (4) procedures for receiving, investigating, and
22 responding meaningfully to complaints alleging ra-
23 cial profiling by law enforcement agents; and

1 (5) any other policies and procedures the Attor-
2 ney General determines to be necessary to eliminate
3 racial profiling by Federal law enforcement agencies.

4 **PART III—PROGRAMS TO ELIMINATE RACIAL**
5 **PROFILING BY STATE, LOCAL, AND INDIAN**
6 **TRIBAL LAW ENFORCEMENT AGENCIES**

7 **SEC. 131. POLICIES REQUIRED FOR GRANTS.**

8 (a) IN GENERAL.—An application by a State, a unit
9 of local government, or a State, local, or Indian tribal law
10 enforcement agency for funding under a covered program
11 shall include a certification that such State, unit of local
12 government, or law enforcement agency, and any law en-
13 forcement agency to which it will distribute funds—

14 (1) maintains adequate policies and procedures
15 designed to eliminate racial profiling; and

16 (2) has eliminated any existing practices that
17 permit or encourage racial profiling.

18 (b) POLICIES.—The policies and procedures de-
19 scribed in subsection (a)(1) shall include—

20 (1) a prohibition on racial profiling;

21 (2) training on racial profiling issues as part of
22 law enforcement training;

23 (3) the collection of data in accordance with the
24 regulations issued by the Attorney General under
25 section 141; and

1 (4) participation in an administrative complaint
2 procedure or independent audit program that meets
3 the requirements of section 132.

4 (c) EFFECTIVE DATE.—This section shall take effect
5 12 months after the date of enactment of this Act.

6 **SEC. 132. INVOLVEMENT OF ATTORNEY GENERAL.**

7 (a) REGULATIONS.—

8 (1) IN GENERAL.—Not later than 6 months
9 after the date of enactment of this Act and in con-
10 sultation with stakeholders, including Federal, State,
11 tribal, and local law enforcement agencies and com-
12 munity, professional, research, and civil rights orga-
13 nizations, the Attorney General shall issue regula-
14 tions for the operation of administrative complaint
15 procedures and independent audit programs to en-
16 sure that such programs and procedures provide an
17 appropriate response to allegations of racial profiling
18 by law enforcement agents or agencies.

19 (2) GUIDELINES.—The regulations issued
20 under paragraph (1) shall contain guidelines that
21 ensure the fairness, effectiveness, and independence
22 of the administrative complaint procedures and inde-
23 pendent auditor programs.

24 (b) NONCOMPLIANCE.—If the Attorney General de-
25 termines that the recipient of a grant from any covered

1 program is not in compliance with the requirements of sec-
2 tion 131 or the regulations issued under subsection (a),
3 the Attorney General shall withhold, in whole or in part
4 (at the discretion of the Attorney General), funds for 1
5 or more grants to the recipient under the covered pro-
6 gram, until the recipient establishes compliance.

7 (c) PRIVATE PARTIES.—The Attorney General shall
8 provide notice and an opportunity for private parties to
9 present evidence to the Attorney General that a recipient
10 of a grant from any covered program is not in compliance
11 with the requirements of this part.

12 **SEC. 133. DATA COLLECTION DEMONSTRATION PROJECT.**

13 (a) COMPETITIVE AWARDS.—

14 (1) IN GENERAL.—The Attorney General may,
15 through competitive grants or contracts, carry out a
16 2-year demonstration project for the purpose of de-
17 veloping and implementing data collection programs
18 on the hit rates for stops and searches by law en-
19 forcement agencies. The data collected shall be
20 disaggregated by race, ethnicity, national origin,
21 gender, and religion.

22 (2) NUMBER OF GRANTS.—The Attorney Gen-
23 eral shall provide not more than 5 grants or con-
24 tracts under this section.

1 (3) ELIGIBLE GRANTEES.—Grants or contracts
2 under this section shall be awarded to law enforce-
3 ment agencies that serve communities where there is
4 a significant concentration of racial or ethnic minori-
5 ties and that are not already collecting data volun-
6 tarily.

7 (b) REQUIRED ACTIVITIES.—Activities carried out
8 with a grant under this section shall include—

9 (1) developing a data collection tool and report-
10 ing the compiled data to the Attorney General; and

11 (2) training of law enforcement personnel on
12 data collection, particularly for data collection on hit
13 rates for stops and searches.

14 (c) EVALUATION.—Not later than 3 years after the
15 date of enactment of this Act, the Attorney General shall
16 enter into a contract with an institution of higher edu-
17 cation (as defined in section 101 of the Higher Education
18 Act of 1965 (20 U.S.C. 1001)) to analyze the data col-
19 lected by each of the grantees funded under this section.

20 (d) AUTHORIZATION OF APPROPRIATIONS.—There
21 are authorized to be appropriated to carry out activities
22 under this section—

23 (1) \$5,000,000, over a 2-year period, to carry
24 out the demonstration program under subsection
25 (a); and

1 (2) \$500,000 to carry out the evaluation under
2 subsection (c).

3 **SEC. 134. BEST PRACTICES DEVELOPMENT GRANTS.**

4 (a) GRANT AUTHORIZATION.—The Attorney General,
5 through the Bureau of Justice Assistance, may make
6 grants to States, local law enforcement agencies, and units
7 of local government to develop and implement best prac-
8 tice devices and systems to eliminate racial profiling.

9 (b) USE OF FUNDS.—The funds provided under sub-
10 section (a) shall be used for programs that include the
11 following purposes:

12 (1) The development and implementation of
13 training to prevent racial profiling and to encourage
14 more respectful interaction with the public.

15 (2) The acquisition and use of technology to fa-
16 cilitate the accurate collection and analysis of data.

17 (3) The development and acquisition of feed-
18 back systems and technologies that identify officers
19 or units of officers engaged in, or at risk of engag-
20 ing in, racial profiling or other misconduct.

21 (4) The establishment and maintenance of an
22 administrative complaint procedure or independent
23 auditor program.

24 (c) EQUITABLE DISTRIBUTION.—The Attorney Gen-
25 eral shall ensure that grants under this section are award-

1 ed in a manner that reserves an equitable share of funding
 2 for small and rural law enforcement agencies.

3 (d) APPLICATION.—Each State, local law enforce-
 4 ment agency, or unit of local government desiring a grant
 5 under this section shall submit an application to the Attor-
 6 ney General at such time, in such manner, and accom-
 7 panied by such information as the Attorney General may
 8 reasonably require.

9 **SEC. 135. AUTHORIZATION OF APPROPRIATIONS.**

10 There are authorized to be appropriated such sums
 11 as are necessary to carry out this part.

12 **PART IV—DATA COLLECTION**

13 **SEC. 141. ATTORNEY GENERAL TO ISSUE REGULATIONS.**

14 (a) REGULATIONS.—Not later than 6 months after
 15 the date of enactment of this Act, the Attorney General,
 16 in consultation with stakeholders, including Federal,
 17 State, and local law enforcement agencies and community,
 18 professional, research, and civil rights organizations, shall
 19 issue regulations for the collection and compilation of data
 20 under sections 121 and 131.

21 (b) REQUIREMENTS.—The regulations issued under
 22 subsection (a) shall—

23 (1) provide for the collection of data on all rou-
 24 tine or spontaneous investigatory activities;

25 (2) provide that the data collected shall—

1 (A) be collected by race, ethnicity, national
2 origin, gender, and religion, as perceived by the
3 law enforcement officer;

4 (B) include the date, time, and location of
5 such investigatory activities;

6 (C) include detail sufficient to permit an
7 analysis of whether a law enforcement agency is
8 engaging in racial profiling; and

9 (D) not include personally identifiable in-
10 formation;

11 (3) provide that a standardized form shall be
12 made available to law enforcement agencies for the
13 submission of collected data to the Department of
14 Justice;

15 (4) provide that law enforcement agencies shall
16 compile data on the standardized form made avail-
17 able under paragraph (3), and submit the form to
18 the Civil Rights Division and the Department of
19 Justice Bureau of Justice Statistics;

20 (5) provide that law enforcement agencies shall
21 maintain all data collected under this subtitle for not
22 less than 4 years;

23 (6) include guidelines for setting comparative
24 benchmarks, consistent with best practices, against
25 which collected data shall be measured;

1 (7) provide that the Department of Justice Bu-
2 reau of Justice Statistics shall—

3 (A) analyze the data for any statistically
4 significant disparities, including—

5 (i) disparities in the percentage of
6 drivers or pedestrians stopped relative to
7 the proportion of the population passing
8 through the neighborhood;

9 (ii) disparities in the hit rate; and

10 (iii) disparities in the frequency of
11 searches performed on racial or ethnic mi-
12 nority drivers and the frequency of
13 searches performed on non-minority driv-
14 ers; and

15 (B) not later than 3 years after the date
16 of enactment of this Act, and annually there-
17 after—

18 (i) prepare a report regarding the
19 findings of the analysis conducted under
20 subparagraph (A);

21 (ii) provide such report to Congress;

22 and

23 (iii) make such report available to the
24 public, including on a website of the De-
25 partment of Justice; and

1 (8) protect the privacy of individuals whose
2 data is collected by—

3 (A) limiting the use of the data collected
4 under this subtitle to the purposes set forth in
5 this subtitle;

6 (B) except as otherwise provided in this
7 subtitle, limiting access to the data collected
8 under this subtitle to those Federal, State,
9 local, or tribal employees or agents who require
10 such access in order to fulfill the purposes for
11 the data set forth in this subtitle;

12 (C) requiring contractors or other non-gov-
13 ernmental agents who are permitted access to
14 the data collected under this subtitle to sign use
15 agreements incorporating the use and disclosure
16 restrictions set forth in subparagraph (A); and

17 (D) requiring the maintenance of adequate
18 security measures to prevent unauthorized ac-
19 cess to the data collected under this subtitle.

20 **SEC. 142. PUBLICATION OF DATA.**

21 The Department of Justice Bureau of Justice Statis-
22 tics shall provide to Congress and make available to the
23 public, together with each annual report described in sec-
24 tion 141, the data collected pursuant to this subtitle, ex-

1 cluding any personally identifiable information described
2 in section 143.

3 **SEC. 143. LIMITATIONS ON PUBLICATION OF DATA.**

4 The name or identifying information of a law enforce-
5 ment officer, complainant, or any other individual involved
6 in any activity for which data is collected and compiled
7 under this subtitle shall not be—

8 (1) released to the public;

9 (2) disclosed to any person, except for—

10 (A) such disclosures as are necessary to
11 comply with this subtitle;

12 (B) disclosures of information regarding a
13 particular person to that person; or

14 (C) disclosures pursuant to litigation; or

15 (3) subject to disclosure under section 552 of
16 title 5, United States Code (commonly known as the
17 Freedom of Information Act), except for disclosures
18 of information regarding a particular person to that
19 person.

1 **PART V—DEPARTMENT OF JUSTICE REGULA-**
2 **TIONS AND REPORTS ON RACIAL PROFILING**
3 **IN THE UNITED STATES**

4 **SEC. 151. ATTORNEY GENERAL TO ISSUE REGULATIONS**
5 **AND REPORTS.**

6 (a) REGULATIONS.—In addition to the regulations re-
7 quired under sections 133 and 141, the Attorney General
8 shall issue such other regulations as the Attorney General
9 determines are necessary to implement this subtitle.

10 (b) REPORTS.—

11 (1) IN GENERAL.—Not later than 2 years after
12 the date of enactment of this Act, and annually
13 thereafter, the Attorney General shall submit to
14 Congress a report on racial profiling by law enforce-
15 ment agencies.

16 (2) SCOPE.—Each report submitted under
17 paragraph (1) shall include—

18 (A) a summary of data collected under sec-
19 tions 121(b)(3) and 131(b)(3) and from any
20 other reliable source of information regarding
21 racial profiling in the United States;

22 (B) a discussion of the findings in the
23 most recent report prepared by the Department
24 of Justice Bureau of Justice Statistics under
25 section 141(b)(7);

1 (C) the status of the adoption and imple-
2 mentation of policies and procedures by Federal
3 law enforcement agencies under section 121
4 and by the State and local law enforcement
5 agencies under sections 131 and 132; and

6 (D) a description of any other policies and
7 procedures that the Attorney General believes
8 would facilitate the elimination of racial
9 profiling.

10 **PART VI—MISCELLANEOUS PROVISIONS**

11 **SEC. 161. SEVERABILITY.**

12 If any provision of this subtitle, or the application
13 of such a provision to any person or circumstance, is held
14 to be unconstitutional, the remainder of this subtitle and
15 the application of the remaining provisions of this subtitle
16 to any person or circumstance shall not be affected there-
17 by.

18 **SEC. 162. SAVINGS CLAUSE.**

19 Nothing in this subtitle shall be construed—

20 (1) to limit legal or administrative remedies
21 under section 1979 of the Revised Statutes of the
22 United States (42 U.S.C. 1983), section 210401 of
23 the Violent Crime Control and Law Enforcement
24 Act of 1994 (42 U.S.C. 14141), the Omnibus Crime
25 Control and Safe Streets Act of 1968 (42 U.S.C.

1 3701 et seq.), or title VI of the Civil Rights Act of
 2 1964 (42 U.S.C. 2000d et seq.);

3 (2) to affect any Federal, State, or tribal law
 4 that applies to an Indian tribe because of the polit-
 5 ical status of the tribe; or

6 (3) to waive the sovereign immunity of an In-
 7 dian tribe without the consent of the tribe.

8 **Subtitle B—Police CAMERA Act**

9 **SEC. 181. SHORT TITLE.**

10 This subtitle may be cited as the “Police Creating
 11 Accountability by Making Effective Recording Available
 12 Act of 2015” or the “Police CAMERA Act”.

13 **SEC. 182. MATCHING GRANT PROGRAM FOR LAW ENFORCE-** 14 **MENT BODY-WORN CAMERAS.**

15 Title I of the Omnibus Crime Control and Safe
 16 Streets Act of 1968 (42 U.S.C. 3711 et seq.) is amended
 17 by adding at the end the following:

18 **“PART LL—MATCHING GRANT PROGRAM FOR**

19 **LAW ENFORCEMENT BODY-WORN CAMERAS**

20 **“SEC. 3021. GRANT PROGRAM AUTHORIZED.**

21 “(a) IN GENERAL.—The Assistant Attorney General
 22 for the Office of Justice Programs (in this section referred
 23 to as the ‘Assistant Attorney General’) may make grants
 24 to States, units of local government, and Indian tribes to
 25 purchase or lease body-worn cameras for use by State,

1 local, and tribal law enforcement officers (as defined in
2 section 2503) and expenses related to the implementation
3 of a body-worn camera program in order to deter excessive
4 force, improve accountability and transparency of use of
5 force by law enforcement officers, assist in responding to
6 complaints against law enforcement officers, and improve
7 evidence collection.

8 “(b) DURATION OF GRANTS.—

9 “(1) IN GENERAL.—Grants awarded under this
10 part shall be 2 years in duration.

11 “(2) DISBURSEMENT OF GRANT AMOUNT.—In
12 disbursing a grant awarded to an entity under this
13 section—

14 “(A) upon awarding the grant to the enti-
15 ty, the Assistant Attorney General shall dis-
16 burse 50 percent of the total grant amount to
17 the entity; and

18 “(B) upon demonstration by the entity of
19 completion of the requirements in subsection
20 (d)(1), the Assistant Attorney General shall dis-
21 burse the remaining 50 percent of the total
22 grant amount to the entity.

23 “(c) USE OF FUNDS.—Grants awarded under this
24 section shall be—

1 “(1) distributed directly to the State, unit of
2 local government, or Indian tribe; and

3 “(2) used for—

4 “(A) the purchase or lease of body-worn
5 cameras for law enforcement officers on patrol
6 in the jurisdiction of the grantee;

7 “(B) any costs relating to the implementa-
8 tion of a body-worn camera program, including
9 law enforcement officer training or the storage
10 or maintenance of data collected under a body-
11 worn camera program; or

12 “(C) implementing policies or procedures
13 to comply with the requirements described in
14 subsection (d).

15 “(d) REQUIREMENTS.—

16 “(1) IN GENERAL.—The Assistant Attorney
17 General shall award a grant under this section to a
18 State, unit of local government, or Indian tribe re-
19 questing the grant that commits to—

20 “(A) establishing policies and procedures
21 in accordance with the requirements described
22 in paragraph (2) before law enforcement offi-
23 cers use of body-worn cameras;

24 “(B) adopting data collection and retention
25 protocols as described in paragraph (3) before

1 law enforcement officers use of body-worn cam-
2 eras;

3 “(C) making the policies and protocols de-
4 scribed in subparagraphs (A) and (B) available
5 to the public; and

6 “(D) complying with the requirements for
7 use of data under paragraph (4).

8 “(2) REQUIRED POLICIES AND PROCEDURES.—
9 An entity receiving a grant under this section
10 shall—

11 “(A) develop with community input and
12 publish for public view policies and protocols
13 for—

14 “(i) the safe and effective use of body-
15 worn cameras;

16 “(ii) the secure storage, handling, and
17 destruction of data collected by body-worn
18 cameras;

19 “(iii) protecting the privacy rights of
20 any individual who may be recorded by a
21 body-worn camera; and

22 “(iv) the release of any data collected
23 by a body-worn camera in accordance with
24 the open records laws, if any, of the State;
25 and

1 “(B) conduct periodic evaluations of the
2 security of the storage and handling of the
3 body-worn camera data.

4 “(3) DATA COLLECTION AND RETENTION PRO-
5 TOCOL.—The data collection and retention protocol
6 described in this paragraph is a protocol that—

7 “(A) requires—

8 “(i) a law enforcement officer who is
9 wearing a body-mounted camera to provide
10 an explanation if an activity that is re-
11 quired to be recorded by the body-mounted
12 camera is not recorded;

13 “(ii) a law enforcement officer who is
14 wearing a body-mounted camera to obtain
15 consent to be recorded from a crime victim
16 or witness before interviewing the victim or
17 witness;

18 “(iii) the collection of data unrelated
19 to a legitimate law enforcement purpose be
20 minimized to the greatest extent prac-
21 ticable;

22 “(iv) the system used to store data
23 collected by body-worn cameras shall log
24 all viewing, modification, or deletion of
25 stored data and shall prevent, to the great-

1 est extent practicable, the unauthorized ac-
2 cess or disclosure of stored data;

3 “(v) any law enforcement officer be
4 prohibited from accessing the stored data
5 without an authorized purpose; and

6 “(vi) the law enforcement agency to
7 collect and report data on—

8 “(I) incidences of use of force,
9 disaggregated by race, ethnicity, gen-
10 der, and age of the victim;

11 “(II) the number of complaints
12 filed against law enforcement officers;

13 “(III) the disposition of com-
14 plaints filed against law enforcement
15 officers; and

16 “(IV) the number of times cam-
17 era footage is used for evidence collec-
18 tion in investigations of crimes;

19 “(B) allows an individual to file a com-
20 plaint with a law enforcement agency relating
21 to the improper use of body-worn cameras; and

22 “(C) complies with any other requirements
23 established by the Assistant Attorney General.

24 “(4) USE OR TRANSFER OF DATA.—

1 “(A) IN GENERAL.—Data collected by an
2 entity receiving a grant under this section from
3 a body-mounted camera shall be used only in
4 internal and external investigations of mis-
5 conduct by a law enforcement agency or officer,
6 if there is reasonable suspicion that a recording
7 contains evidence of a crime, or for limited
8 training purposes. The Assistant Attorney Gen-
9 eral shall establish rules to ensure that the data
10 is used only for the purposes described in this
11 subparagraph.

12 “(B) PROHIBITION ON TRANSFER.—Ex-
13 cept as provided in subparagraph (B), an entity
14 receiving a grant under this section may not
15 transfer any data collected by the entity from
16 a body-mounted camera to another law enforce-
17 ment or intelligence agency.

18 “(C) EXCEPTIONS.—

19 “(i) CRIMINAL INVESTIGATION.—An
20 entity receiving a grant under this section
21 may transfer data collected by the entity
22 from a body-mounted camera to another
23 law enforcement agency or intelligence
24 agency for use in a criminal investigation
25 if the requesting law enforcement or intel-

1 ligence agency has reasonable suspicion
2 that the requested data contains evidence
3 relating to the crime being investigated.

4 “(ii) CIVIL RIGHTS CLAIMS.—An enti-
5 ty receiving a grant under this section may
6 transfer data collected by the law enforce-
7 ment agency from a body-mounted camera
8 to another law enforcement agency for use
9 in an investigation of any right, privilege,
10 or immunity secured or protected by the
11 Constitution or laws of the United States.

12 “(e) MATCHING FUNDS.—

13 “(1) IN GENERAL.—Except as provided in para-
14 graph (3), the Federal share of the cost of a pro-
15 gram carried out using a grant under this part may
16 not exceed 75 percent of the total cost of the pro-
17 gram.

18 “(2) INDIAN ASSISTANCE.—Any funds appro-
19 priated by Congress for the activities of any agency
20 of an Indian tribal government or the Bureau of In-
21 dian Affairs performing law enforcement functions
22 on any Indian lands may be used to provide the non-
23 Federal share of the matching requirement described
24 in paragraph (1).

1 “(3) WAIVER.—The Assistant Attorney General
2 may waive, in whole or in part, the matching re-
3 quirement described in paragraph (1) in the case of
4 fiscal hardship, as determined by the Assistant At-
5 torney General.

6 “(f) ALLOCATION OF FUNDS.—For fiscal years 2015
7 and 2016, of the amounts appropriated to the Office of
8 Justice Programs, \$10,000,000 shall be used to carry out
9 this part.

10 **“SEC. 3022. APPLICATIONS.**

11 “(a) IN GENERAL.—To request a grant under this
12 part, the chief executive of a State, unit of local govern-
13 ment, or Indian tribe shall submit an application to the
14 Assistant Attorney General in such form and containing
15 such information as the Assistant Attorney General may
16 reasonably require.

17 “(b) REGULATIONS.—Not later than 90 days after
18 the date of the enactment of this part, the Assistant Attor-
19 ney General shall promulgate regulations to implement
20 this part, including the information that shall be included
21 and the requirements that the States, units of local gov-
22 ernment, and Indian tribes must meet in submitting the
23 applications required under this section.

1 **“SEC. 3023. STUDY.**

2 “(a) IN GENERAL.—Not later than 2 years after the
3 date on which all grants are awarded under this part, the
4 Assistant Attorney General shall conduct a study on—

5 “(1) the efficacy of body-worn cameras in deter-
6 ring excessive force by law enforcement officers;

7 “(2) the impact of body-worn cameras on the
8 accountability and transparency of the use of force
9 by law enforcement officers;

10 “(3) the impact of body-worn cameras on re-
11 sponses to and adjudications of complaints of exces-
12 sive force;

13 “(4) the effect of the use of body-worn cameras
14 on the safety of law enforcement officers on patrol;

15 “(5) the effect of the use of body-worn cameras
16 on public safety;

17 “(6) the impact of body-worn cameras on evi-
18 dence collection for criminal investigations;

19 “(7) issues relating to the secure storage and
20 handling of data from the body-worn cameras;

21 “(8) issues relating to the privacy of citizens
22 and officers recorded on body-worn cameras;

23 “(9) issues relating to the public’s access to
24 body-worn camera footage;

25 “(10) the need for proper training of law en-
26 forcement officers that use body-worn cameras;

1 “(11) best practices in the development of pro-
2 tocols for the safe and effective use of body-worn
3 cameras; and

4 “(12) any other factors that the Assistant At-
5 torney General determines are relevant in evaluating
6 the efficacy of body-worn cameras.

7 “(b) REPORT.—Not later than 180 days after the
8 date on which the study required under subsection (a) is
9 completed, the Assistant Attorney General shall submit to
10 Congress a report on the study.”.

11 **Subtitle C—Department of Justice**
12 **Grant Programs and Law En-**
13 **forcement Reform**

14 **SEC. 191. IMPROVING LAW ENFORCEMENT OFFICER TRAIN-**
15 **ING.**

16 (a) REPORT.—Not later than 6 months after the date
17 of enactment of this Act, the Attorney General shall sub-
18 mit a report to Congress on a plan to assist State and
19 local law enforcement agencies to improve training in use
20 of force, identifying racial and ethnic bias, and conflict
21 resolution, through the course of officers’ careers, which
22 shall include the development of Field Training Program
23 policies and the examination of ways to partner with na-
24 tional law enforcement organizations to promote con-
25 sistent standards for high quality training and assessment.

1 (b) CONTENTS.—The report required under sub-
2 section (a) shall contain best practices, model policies, and
3 a training toolkit for local law enforcement, as well as free
4 or reduced-cost courses for law enforcement agencies.

5 **SEC. 192. REQUIREMENT FOR DOJ GRANT PROGRAMS.**

6 A State or local law enforcement agency applying for
7 a law enforcement related grant administered by the De-
8 partment of Justice, including any grant awarded under
9 the Edward Byrne Memorial Justice Assistance Grant
10 Program established under subpart I of of part E of title
11 I of the Omnibus Crime Control and Safe Streets Act of
12 1968 (42 U.S.C. 3750 et seq.) or awarded under the
13 COPS grant program under section 1701 of title I of the
14 Omnibus Crime Control and Safe Streets Act of 1968 (42
15 U.S.C. 3796dd), shall include in the application for the
16 grant a report on how the officers of the law enforcement
17 agency are trained in the use of force, racial and ethnic
18 bias, de-escalating conflicts, and constructive engagement
19 with the public.

20 **SEC. 193. IMPROVING CRIME STATISTIC REPORTING.**

21 (a) REPORT.—Not later than 6 months after the date
22 of enactment of this Act, the Attorney General shall sub-
23 mit to Congress a report on a plan of action for helping
24 law enforcement agencies upgrade their information tech-
25 nology systems in order to submit National Incident-

1 Based Reporting System data, including detailed crime in-
2 cident data, such as arrests and officer-involved shootings,
3 in a timely manner.

4 (b) REQUIREMENTS.—The plan required under sub-
5 section (a) shall include—

6 (1) reasonable cost estimates for setting up in-
7 formation technology systems to connect into the
8 Criminal Justice Information Services Division of
9 the Department of Justice; and

10 (2) a timetable for getting law enforcement
11 agencies to submit the data described in subsection
12 (a).

13 **SEC. 194. SENSE OF CONGRESS ON REPORTING OF CRIME**
14 **STATISTICS.**

15 It is the sense of Congress that all State and local
16 law enforcement agencies receiving grant awards under
17 the Edward Byrne Memorial Justice Assistance Grant
18 Program established under subpart I of of part E of title
19 I of the Omnibus Crime Control and Safe Streets Act of
20 1968 (42 U.S.C. 3750 et seq.) or the COPS grant pro-
21 gram under section 1701 of title I of the Omnibus Crime
22 Control and Safe Streets Act of 1968 (42 U.S.C. 3796dd)
23 should submit, in a timely manner, their National Inci-
24 dent-Based Reporting System data to the Criminal Justice

1 Information Services Division of the Department of Jus-
2 tice.

3 **TITLE II—VOTING RIGHTS RE-**
4 **FORM AND CIVIL RIGHTS**
5 **RESTORATION**

6 **Subtitle A—Democracy Restoration**

7 **SEC. 201. SHORT TITLE.**

8 This subtitle may be cited as the “Democracy Res-
9 toration Act of 2015”.

10 **SEC. 202. FINDINGS.**

11 Congress makes the following findings:

12 (1) The right to vote is the most basic constitu-
13 tive act of citizenship. Regaining the right to vote
14 reintegrates individuals with criminal convictions
15 into free society, helping to enhance public safety.

16 (2) Article I, section 4, of the Constitution
17 grants Congress ultimate supervisory power over
18 Federal elections, an authority which has repeatedly
19 been upheld by the United States Supreme Court.

20 (3) Basic constitutional principles of fairness
21 and equal protection require an equal opportunity
22 for citizens of the United States to vote in Federal
23 elections. The right to vote may not be abridged or
24 denied by the United States or by any State on ac-
25 count of race, color, gender, or previous condition of

1 servitude. The 13th, 14th, 15th, 19th, 24th, and
2 26th Amendments to the Constitution empower Con-
3 gress to enact measures to protect the right to vote
4 in Federal elections. The 8th Amendment to the
5 Constitution provides for no excessive bail to be re-
6 quired, nor excessive fines imposed, nor cruel and
7 unusual punishments inflicted.

8 (4) There are 3 areas where discrepancies in
9 State laws regarding criminal convictions lead to un-
10 fairness in Federal elections—

11 (A) the lack of a uniform standard for vot-
12 ing in Federal elections leads to an unfair dis-
13 parity and unequal participation in Federal
14 elections based solely on where a person lives;

15 (B) laws governing the restoration of vot-
16 ing rights after a criminal conviction vary
17 throughout the country and persons in some
18 States can easily regain their voting rights
19 while in other States persons effectively lose
20 their right to vote permanently; and

21 (C) State disenfranchisement laws dis-
22 proportionately impact racial and ethnic minori-
23 ties.

24 (5) Two States do not disenfranchise individ-
25 uals with criminal convictions at all (Maine and

1 Vermont), but 48 States and the District of Colum-
2 bia have laws that deny convicted individuals the
3 right to vote while they are in prison.

4 (6) In some States disenfranchisement results
5 from varying State laws that restrict voting while in-
6 dividuals are under the supervision of the criminal
7 justice system or after they have completed a crimi-
8 nal sentence. In 35 States, convicted individuals may
9 not vote while they are on parole and 31 of those
10 States disenfranchise individuals on felony probation
11 as well. In 11 States, a conviction can result in life-
12 time disenfranchisement.

13 (7) Several States deny the right to vote to in-
14 dividuals convicted of certain misdemeanors.

15 (8) An estimated 5,850,000 citizens of the
16 United States, or about 1 in 40 adults in the United
17 States, currently cannot vote as a result of a felony
18 conviction. Of the 5,850,000 citizens barred from
19 voting, only 25 percent are in prison. By contrast,
20 75 percent of the disenfranchised reside in their
21 communities while on probation or parole or after
22 having completed their sentences. Approximately
23 2,600,000 citizens who have completed their sen-
24 tences remain disenfranchised due to restrictive
25 State laws. In 6 States—Alabama, Florida, Ken-

1 tucky, Mississippi, Tennessee, and Virginia—more
2 than 7 percent of the total population is
3 disenfranchised.

4 (9) In those States that disenfranchise individ-
5 uals post-sentence, the right to vote can be regained
6 in theory, but in practice this possibility is often
7 granted in a non-uniform and potentially discrimina-
8 tory manner. Disenfranchised individuals must ei-
9 ther obtain a pardon or an order from the Governor
10 or an action by the parole or pardon board, depend-
11 ing on the offense and State. Individuals convicted
12 of a Federal offense often have additional barriers to
13 regaining voting rights.

14 (10) State disenfranchisement laws dispropor-
15 tionately impact racial and ethnic minorities. Eight
16 percent of the African-American population, or
17 2,000,000 African-Americans, are disenfranchised.
18 Given current rates of incarceration, approximately
19 1 in 3 of the next generation of African-American
20 men will be disenfranchised at some point during
21 their lifetime. Currently, 1 of every 13 African-
22 Americans are rendered unable to vote because of
23 felony disenfranchisement, which is a rate 4 times
24 greater than non African-Americans. 7.7 percent of
25 African-Americans are disenfranchised whereas only

1 1.8 percent of non African-Americans are. In 3
2 States—Florida (23 percent), Kentucky (22 per-
3 cent), and Virginia (20 percent)—more than 1 in 5
4 African-Americans are unable to vote because of
5 prior convictions.

6 (11) Latino citizens are disproportionately
7 disenfranchised based upon their disproportionate
8 representation in the criminal justice system. If cur-
9 rent incarceration trends hold, 17 percent of Latino
10 men will be incarcerated during their lifetimes, in
11 contrast to less than 6 percent of non-Latino White
12 men. When analyzing the data across 10 States,
13 Latinos generally have disproportionately higher
14 rates of disenfranchisement compared to their pres-
15 ence in the voting age population. In 6 out of 10
16 States studied in 2003, Latinos constitute more
17 than 10 percent of the total number of persons
18 disenfranchised by State felony laws. In 4 States
19 (California, 37 percent; New York, 34 percent;
20 Texas, 30 percent; and Arizona, 27 percent),
21 Latinos were disenfranchised by a rate of more than
22 25 percent.

23 (12) Disenfranchising citizens who have been
24 convicted of a criminal offense and who are living
25 and working in the community serves no compelling

1 State interest and hinders their rehabilitation and
2 reintegration into society.

3 (13) State disenfranchisement laws can sup-
4 press electoral participation among eligible voters by
5 discouraging voting among family and community
6 members of disenfranchised persons. Future elec-
7 toral participation by the children of disenfranchised
8 parents may be impacted as well.

9 (14) The United States is the only Western de-
10 mocracy that permits the permanent denial of voting
11 rights for individuals with felony convictions.

12 **SEC. 203. RIGHTS OF CITIZENS.**

13 The right of an individual who is a citizen of the
14 United States to vote in any election for Federal office
15 shall not be denied or abridged because that individual has
16 been convicted of a criminal offense unless such individual
17 is serving a felony sentence in a correctional institution
18 or facility at the time of the election.

19 **SEC. 204. ENFORCEMENT.**

20 (a) ATTORNEY GENERAL.—The Attorney General
21 may, in a civil action, obtain such declaratory or injunctive
22 relief as is necessary to remedy a violation of this subtitle.

23 (b) PRIVATE RIGHT OF ACTION.—

24 (1) IN GENERAL.—A person who is aggrieved
25 by a violation of this subtitle may provide written

1 notice of the violation to the chief election official of
2 the State involved.

3 (2) RELIEF.—Except as provided in paragraph
4 (3), if the violation is not corrected within 90 days
5 after receipt of a notice under paragraph (1), or
6 within 20 days after receipt of the notice if the viola-
7 tion occurred within 120 days before the date of an
8 election for Federal office, the aggrieved person
9 may, in a civil action, obtain declaratory or injunc-
10 tive relief with respect to the violation.

11 (3) EXCEPTION.—If the violation occurred
12 within 30 days before the date of an election for
13 Federal office, the aggrieved person need not provide
14 notice to the chief election official of the State under
15 paragraph (1) before bringing a civil action to obtain
16 declaratory or injunctive relief with respect to the
17 violation.

18 **SEC. 205. NOTIFICATION OF RESTORATION OF VOTING**

19 **RIGHTS.**

20 (a) STATE NOTIFICATION.—

21 (1) NOTIFICATION.—On the date determined
22 under paragraph (2), each State shall notify in writ-
23 ing any individual who has been convicted of a
24 criminal offense under the law of that State that
25 such individual has the right to vote in an election

1 for Federal office pursuant to the Democracy Res-
2 toration Act of 2015 and may register to vote in any
3 such election.

4 (2) DATE OF NOTIFICATION.—

5 (A) FELONY CONVICTION.—In the case of
6 such an individual who has been convicted of a
7 felony, the notification required under para-
8 graph (1) shall be given on the date on which
9 the individual—

10 (i) is sentenced to serve only a term
11 of probation; or

12 (ii) is released from the custody of
13 that State (other than to the custody of
14 another State or the Federal Government
15 to serve a term of imprisonment for a fel-
16 ony conviction).

17 (B) MISDEMEANOR CONVICTION.—In the
18 case of such an individual who has been con-
19 victed of a misdemeanor, the notification re-
20 quired under paragraph (1) shall be given on
21 the date on which such individual is sentenced
22 by a State court.

23 (b) FEDERAL NOTIFICATION.—

24 (1) NOTIFICATION.—Any individual who has
25 been convicted of a criminal offense under Federal

1 law shall be notified in accordance with paragraph
2 (2) that such individual has the right to vote in an
3 election for Federal office pursuant to the Democ-
4 racy Restoration Act of 2015 and may register to
5 vote in any such election.

6 (2) DATE OF NOTIFICATION.—

7 (A) FELONY CONVICTION.—In the case of
8 such an individual who has been convicted of a
9 felony, the notification required under para-
10 graph (1) shall be given—

11 (i) in the case of an individual who is
12 sentenced to serve only a term of proba-
13 tion, by the Assistant Director for the Of-
14 fice of Probation and Pretrial Services of
15 the Administrative Office of the United
16 States Courts on the date on which the in-
17 dividual is sentenced; or

18 (ii) in the case of any individual com-
19 mitted to the custody of the Bureau of
20 Prisons, by the Director of the Bureau of
21 Prisons, during the period beginning on
22 the date that is 6 months before such indi-
23 vidual is released and ending on the date
24 such individual is released from the cus-
25 tody of the Bureau of Prisons.

1 (B) MISDEMEANOR CONVICTION.—In the
2 case of such an individual who has been con-
3 victed of a misdemeanor, the notification re-
4 quired under paragraph (1) shall be given on
5 the date on which such individual is sentenced
6 by a court established by an Act of Congress.

7 **SEC. 206. DEFINITIONS.**

8 For purposes of this subtitle:

9 (1) CORRECTIONAL INSTITUTION OR FACIL-
10 ITY.—The term “correctional institution or facility”
11 means any prison, penitentiary, jail, or other institu-
12 tion or facility for the confinement of individuals
13 convicted of criminal offenses, whether publicly or
14 privately operated, except that such term does not
15 include any residential community treatment center
16 (or similar public or private facility).

17 (2) ELECTION.—The term “election” means—

18 (A) a general, special, primary, or runoff
19 election;

20 (B) a convention or caucus of a political
21 party held to nominate a candidate;

22 (C) a primary election held for the selec-
23 tion of delegates to a national nominating con-
24 vention of a political party; or

1 (D) a primary election held for the expres-
2 sion of a preference for the nomination of per-
3 sons for election to the office of President.

4 (3) FEDERAL OFFICE.—The term “Federal of-
5 fice” means the office of President or Vice President
6 of the United States, or of Senator or Representa-
7 tive in, or Delegate or Resident Commissioner to,
8 the Congress of the United States.

9 (4) PROBATION.—The term “probation” means
10 probation, imposed by a Federal, State, or local
11 court, with or without a condition on the individual
12 involved concerning—

13 (A) the individual’s freedom of movement;

14 (B) the payment of damages by the indi-
15 vidual;

16 (C) periodic reporting by the individual to
17 an officer of the court; or

18 (D) supervision of the individual by an of-
19 ficer of the court.

20 **SEC. 207. RELATION TO OTHER LAWS.**

21 (a) STATE LAWS RELATING TO VOTING RIGHTS.—
22 Nothing in this subtitle shall be construed to prohibit the
23 States from enacting any State law which affords the right
24 to vote in any election for Federal office on terms less
25 restrictive than those established by this subtitle.

1 (b) CERTAIN FEDERAL ACTS.—The rights and rem-
 2 edies established by this subtitle are in addition to all
 3 other rights and remedies provided by law, and neither
 4 rights and remedies established by this subtitle shall su-
 5 percede, restrict, or limit the application of the Voting
 6 Rights Act of 1965 (52 U.S.C. 10301 et seq.) or the Na-
 7 tional Voter Registration Act (52 U.S.C. 20501 et seq.).

8 **SEC. 208. FEDERAL PRISON FUNDS.**

9 No State, unit of local government, or other person
 10 may receive or use, to construct or otherwise improve a
 11 prison, jail, or other place of incarceration, any Federal
 12 funds unless that person has in effect a program under
 13 which each individual incarcerated in that person’s juris-
 14 diction who is a citizen of the United States is notified,
 15 upon release from such incarceration, of that individual’s
 16 rights under section 203.

17 **SEC. 209. EFFECTIVE DATE.**

18 This subtitle shall apply to citizens of the United
 19 States voting in any election for Federal office held after
 20 the date of the enactment of this Act.

21 **Subtitle B—Restoration of Federal**
 22 **Jury Service**

23 **SEC. 221. QUALIFICATIONS FOR JURY SERVICE.**

24 Section 1865(b) of title 28, United States Code, is
 25 amended—

1 (1) in the matter preceding paragraph (1), by
 2 striking “he” and inserting “the person”; and

3 (2) by striking paragraph (5) and inserting the
 4 following:

5 “(5) has a charge pending for the commission
 6 of a crime punishable by imprisonment for more
 7 than 1 year.”.

8 **TITLE III—SENTENCING LAW**
 9 **REFORM**

10 **SEC. 301. SHORT TITLE.**

11 This title may be cited as the “Reclassification to En-
 12 sure Smarter and Equal Treatment Act of 2015” or the
 13 “RESET Act”.

14 **SEC. 302. RECLASSIFICATION OF LOW-LEVEL FELONIES.**

15 (a) IN GENERAL.—Part D of the Controlled Sub-
 16 stances Act (21 U.S.C. 841 et seq.) is amended—

17 (1) in section 404(a) (21 U.S.C. 844(a))—

18 (A) in the fourth sentence—

19 (i) by striking “2 years” and inserting
 20 “1 year”;

21 (ii) by striking “\$2,500” and insert-
 22 ing “\$1,000”;

23 (iii) by striking “3 years” and insert-
 24 ing “1 year”; and

1 (iv) by striking “\$5,000” and insert-
2 ing “\$1,000”; and

3 (B) by striking the fifth sentence and in-
4 serting the following: “Notwithstanding any
5 penalty provided in this subsection, any person
6 who commits an offense under this subsection
7 for the possession of a date rape drug (as de-
8 fined in section 401(g)(2)) after a prior convic-
9 tion under this title or title III, or a prior con-
10 viction for any drug, narcotic, or chemical of-
11 fense chargeable under the law of any State,
12 has become final, shall be sentenced to a term
13 of imprisonment for not less than 15 days but
14 not more than 2 years, and shall be fined a
15 minimum of \$2,500 and if any person commits
16 such offense after 2 or more prior convictions
17 under this title or title III, or 2 or more prior
18 convictions for any drug, narcotic, or chemical
19 offense chargeable under the law of any State,
20 or a combination of 2 or more such offenses
21 have become final, such person shall be sen-
22 tenced to a term of imprisonment for not less
23 than 90 days but not more than 3 years, and
24 shall be fined a minimum of \$5,000.”; and

1 (2) in section 422(b) (21 U.S.C. 863(b)), by
2 striking “three years” and inserting “1 year”.

3 (b) **ELIMINATION OF INCREASED PENALTIES FOR**
4 **COCAINE OFFENSES WHERE THE COCAINE INVOLVED IS**
5 **COCAINE BASE.—**

6 (1) **CONTROLLED SUBSTANCES ACT.—**The fol-
7 lowing provisions of the Controlled Substances Act
8 (21 U.S.C. 801 et seq.) are repealed:

9 (A) Clause (iii) of section 401(b)(1)(A).

10 (B) Clause (iii) of section 401(b)(1)(B).

11 (2) **CONTROLLED SUBSTANCES IMPORT AND**
12 **EXPORT ACT.—**The following provisions of the Con-
13 trolled Substances Import and Export Act (21
14 U.S.C. 951 et seq.) are repealed:

15 (A) Subparagraph (C) of section
16 1010(b)(1).

17 (B) Subparagraph (C) of section
18 1010(b)(2).

19 **SEC. 303. WEIGHING OF CONTROLLED SUBSTANCES MIXED**
20 **WITH FOOD PRODUCTS.**

21 (a) **IN GENERAL.—**Part D of the Controlled Sub-
22 stances Act (21 U.S.C. 841 et seq.) is amended by adding
23 at the end the following:

1 **“SEC. 424. WEIGHING OF CONTROLLED SUBSTANCES MIXED**
2 **WITH FOOD PRODUCTS.**

3 “In determining the weight of a controlled substance
4 or mixture of controlled substances that is in compound
5 with a food product for purposes of this title or title III,
6 the weight of the food product shall not be included.”.

7 (b) TECHNICAL AND CONFORMING AMENDMENT.—
8 The table of contents for the Controlled Substances Act
9 (21 U.S.C. 801 et seq.) is amended by inserting after the
10 item relating to section 423 the following:

“Sec. 424. Weighing of controlled substances mixed with food products.”.

11 **SEC. 304. APPLICABILITY TO PENDING AND PAST CASES.**

12 (a) PENDING CASES.—This title, and the amend-
13 ments made by this title, shall apply to any offense that
14 was committed before the date of enactment of this Act,
15 if a sentence for the offense has not been imposed as of
16 such date of enactment.

17 (b) PAST CASES.—In the case of a defendant who,
18 before the date of enactment of this Act, was convicted
19 of an offense for which the penalty is amended by this
20 title and was sentenced to a term of imprisonment for the
21 offense, the sentencing court may, on motion of the de-
22 fendant or the Director of the Bureau of Prisons, or on
23 its own motion, reduce the term of imprisonment for the
24 offense, after considering the factors set forth in section
25 3553(a) of title 18, United States Code, to the extent the

1 factors are applicable, if such a reduction is consistent
2 with—

3 (1) this title and the amendments made by this
4 title; and

5 (2) applicable policy statements issued by the
6 United States Sentencing Commission.

7 **SEC. 305. EMERGENCY AUTHORITY FOR UNITED STATES**
8 **SENTENCING COMMISSION.**

9 (a) REVIEW AND AMENDMENT.—As soon as prac-
10 ticable after the date of enactment of this Act, the United
11 States Sentencing Commission, pursuant to its authority
12 under section 994 of title 28, United States Code, shall
13 review and, if appropriate, amend the Federal sentencing
14 guidelines and policy statements applicable to any person
15 convicted of an offense affected by section 302, 303, or
16 304.

17 (b) AUTHORIZATION.—In carrying out subsection (a),
18 the Commission may amend the Federal sentencing guide-
19 lines in accordance with the procedures set forth in section
20 21(a) of the Sentencing Act of 1987 (28 U.S.C. 994 note)
21 as though the authority under that section had not ex-
22 pired.

23 **SEC. 306. ESTABLISHMENT OF THE SAFE NEIGHBORHOODS**
24 **AND SCHOOLS FUND.**

25 (a) ESTABLISHMENT.—

1 (1) IN GENERAL.—There is established in the
2 Treasury of the United States a fund to be known
3 as the Safe Neighborhoods and Schools Fund (re-
4 ferred to in this section as the “Fund”).

5 (2) CONTINUAL APPROPRIATION.—Amounts in
6 the Fund shall be continuously appropriated without
7 regard to fiscal year carrying out this section and
8 shall be considered general fund revenues which may
9 be appropriated pursuant to Article I of the Con-
10 stitution of the United States.

11 (b) FUNDING APPROPRIATION.—

12 (1) IN GENERAL.—

13 (A) CALCULATION OF SAVINGS.—On or be-
14 fore July 31, 2016, and on or before July 31
15 of each fiscal year thereafter, the Attorney Gen-
16 eral shall calculate the savings that accrued
17 from the implementation of this title during the
18 fiscal year ending June 30, as compared to the
19 fiscal year preceding the date of enactment of
20 this Act. The calculation shall be final and shall
21 not be adjusted for any subsequent changes in
22 the underlying data.

23 (B) REQUIREMENT.—In making the cal-
24 culation required under subparagraph (A), the
25 Attorney General shall use actual data or best

1 available estimates where actual data is not
2 available.

3 (C) CERTIFICATION.—Not later than Au-
4 gust 1 of each fiscal year, the Attorney General
5 shall submit to Congress a certification of the
6 results of the calculation required under sub-
7 paragraph (A).

8 (2) TRANSFER OF FUNDS.—

9 (A) IN GENERAL.—Before August 15,
10 2016, and before August 15 of each fiscal year
11 thereafter, the Secretary of the Treasury shall
12 transfer, out of any amounts in the general
13 fund of the Treasury not otherwise appro-
14 priated, to the Fund an amount equal to 50
15 percent of the amount calculated for that fiscal
16 year under paragraph (1).

17 (B) TREATMENT OF TRANSFERRED
18 FUNDS.—Amounts transferred to the Fund
19 under subparagraph (A)—

20 (i) shall be used exclusively for the
21 purposes of this section; and

22 (ii) shall not be subject to appropria-
23 tion or transfer by Congress for any other
24 purpose.

1 (C) AVAILABILITY OF FUNDS.—Amounts
2 transferred to the Fund under subparagraph
3 (A) shall remain available until expended with-
4 out regard to fiscal year.

5 (c) DISTRIBUTION OF AMOUNTS IN THE SAFE
6 NEIGHBORHOODS AND SCHOOLS FUND.—

7 (1) IN GENERAL.—Not later than August 15 of
8 each fiscal year beginning in 2016, of the total
9 amount transferred to the Fund for the fiscal year—

10 (A) 30 percent shall be made available to
11 the Secretary of Education, to administer a
12 grant program to public agencies aimed at im-
13 proving outcomes for public school pupils in
14 kindergarten and grades 1 to 12, inclusive, by
15 reducing truancy and supporting students who
16 are at risk of dropping out of school or are vic-
17 tims of crime;

18 (B) 20 percent shall be transferred to the
19 Crime Victims Fund, for grants to trauma re-
20 covery centers to provide services to victims of
21 crime; and

22 (C) 50 percent shall be made available to
23 the Director of the Administrative Office of the
24 United States Courts, acting through the Fed-
25 eral Reentry/Drug Court program, for grants to

1 public agencies aimed at supporting mental
2 health treatment, substance abuse treatment,
3 and diversion programs for people in the crimi-
4 nal justice system, with an emphasis on pro-
5 grams that reduce recidivism of people con-
6 victed of less serious crimes, such as those cov-
7 ered by this measure, and those who have sub-
8 stance abuse and mental health problems.

9 (2) LIMITATION.—For each program described
10 in paragraph (1), the agency responsible for admin-
11 istering the program may not spend more than 5
12 percent of the amounts made available to the agency
13 from the Fund on an annual basis for administrative
14 costs.

15 (3) AUDIT.—Not later than 2 years after the
16 date of enactment of this Act and once every 2 years
17 thereafter, the Attorney General shall—

18 (A) conduct an audit of the grant pro-
19 grams described in paragraph (1) to ensure the
20 amounts are disbursed and expended solely ac-
21 cording to this section; and

22 (B) report the findings of the audit con-
23 ducted under subparagraph (A) to the relevant
24 committees of Congress.

1 (4) COSTS OF PROGRAM.—Any costs incurred
2 by the Attorney General in connection with the ad-
3 ministration of the Fund, including the costs of the
4 calculation and the audit required, shall be deducted
5 from the Safe Neighborhoods and Schools Fund be-
6 fore the funds are allocated under paragraph (1).

7 (5) SUPPLEMENTAL FUNDS.—Any amounts
8 made available under grant programs described in
9 paragraph (1) shall be used to supplement State or
10 local funds for the same purpose and shall not sup-
11 plant such State or local funds.

12 (6) RULE OF CONSTRUCTION.—Nothing in this
13 section shall be construed to obligate an agency to
14 provide programs or levels of service described in
15 this section above the level for which funding has
16 been provided under this section.

17 **TITLE IV—RE-ENTRY AND**
18 **EMPLOYMENT LAW REFORM**
19 **Subtitle A—Improvements to the**
20 **Second Chance Act**

21 **SEC. 401. IMPROVEMENTS TO EXISTING PROGRAMS.**

22 Section 2976 of title I of the Omnibus Crime Control
23 and Safe Streets Act of 1968 (42 U.S.C. 3797w) is
24 amended by striking subsection (a) and inserting the fol-
25 lowing:

1 “(a) GRANT AUTHORIZATION.—The Attorney Gen-
2 eral shall make grants to States, local governments, terri-
3 tories, or Indian tribes, or any combination thereof (in this
4 section referred to as an ‘eligible entity’), in partnership
5 with interested persons (including Federal corrections and
6 supervision agencies), service providers, and nonprofit or-
7 ganizations for the purpose of strategic planning and im-
8 plementation of adult and juvenile offender reentry
9 projects.”.

10 **Subtitle B—Workforce Innovation**
11 **and Opportunity Act Reentry**
12 **Employment Opportunities**

13 **SEC. 411. AUTHORIZATION OF APPROPRIATIONS FOR THE**
14 **REENTRY EMPLOYMENT OPPORTUNITIES**
15 **PROGRAM.**

16 Section 169 of the Workforce Innovation and Oppor-
17 tunity Act (29 U.S.C. 3224) is amended by adding at the
18 end the following:

19 “(d) AUTHORIZATION OF APPROPRIATIONS FOR THE
20 REENTRY EMPLOYMENT OPPORTUNITIES PROGRAM.—In
21 addition to the funds authorized to be appropriated under
22 section 172(d), there is authorized to be appropriated to
23 carry out the Reentry Employment Opportunities program
24 under this section \$200,000,000 for each fiscal year.”.

1 **Subtitle C—Sense of Congress**

2 **SEC. 421. SENSE OF CONGRESS.**

3 It is the sense of Congress that the President should
4 require that Federal contractors incorporate “fair chance”
5 hiring practices, including requiring Federal contractors
6 and agencies to refrain from asking job applicants about
7 prior convictions until later in the hiring process.

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