

117TH CONGRESS
2D SESSION

S. 3981

To require the Attorney General to develop reports relating to violent attacks against law enforcement officers, and for other purposes.

IN THE SENATE OF THE UNITED STATES

MARCH 31, 2022

Mr. GRASSLEY (for himself, Mr. LUJÁN, Mr. TILLIS, Ms. HASSAN, and Mr. CASSIDY) introduced the following bill; which was read twice and referred to the Committee on the Judiciary

A BILL

To require the Attorney General to develop reports relating to violent attacks against law enforcement officers, 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 “Improving Law En-
5 forcement Officer Safety and Wellness Through Data
6 Act”.

7 **SEC. 2. FINDINGS.**

8 Congress finds the following:

1 (1) There has been a rise in anti-police rhetoric
2 and a corresponding rise in violence against law en-
3 forcement officers.

4 (2) 2021 was the deadliest year for police offi-
5 cer killings since 1995, with the exception of the
6 September 11, 2001 attacks, with a total of 73 po-
7 lice officers feloniously killed in the line of duty.

8 (3) Nearly 44 percent of police officer killings
9 in 2021 were caused by unprovoked attacks or am-
10 bushes on officers.

11 (4) In 2021, there was a 58.7 percent increase
12 in police officers killed from the 46 police officers
13 killed in 2020.

14 (5) Law enforcement officers bravely put them-
15 selves at risk for the betterment of society.

16 (6) A data collection that represents the full
17 circumstances surrounding violent attacks and am-
18 bush attacks on law enforcement officers is vital for
19 the provision of needed Federal resources to Fed-
20 eral, State, and local law enforcement officers.

21 (7) Police suffer assaults and other offenses
22 that do not rise to the level of Law Enforcement Of-
23 ficers Killed and Assaulted or National Incident-
24 Based Reporting System reporting due to the fre-
25 quency of such incidents, lower risk to officers, and

1 minimal administrative resources to report such fre-
2 quent events.

3 (8) The mental health of law enforcement offi-
4 cers has suffered due to overwork, recruitment
5 issues, and the general stress of their work.

6 (9) The people of the United States will always
7 remember the victims of these hateful attacks
8 against law enforcement officers and stand in soli-
9 darity with individuals affected by these senseless
10 tragedies and incidents of hate that have affected
11 law enforcement communities and their families.

12 (10) The United States must demonstrate to its
13 brave law enforcement officers that they are impor-
14 tant, valued, and respected.

15 (11) Congress has made a commitment to help-
16 ing communities protect the lives of their police offi-
17 cers, as evidenced by the Bulletproof Vest Partner-
18 ship Grant Program Reauthorization Act of 2015
19 (Public Law 114–155; 130 Stat. 389) and other
20 laws.

21 (12) Subsection (c) of the Uniform Federal
22 Crime Reporting Act of 1988 (34 U.S.C. 41303(c))
23 requires the Attorney General to “acquire, collect,
24 classify, and preserve national data on Federal
25 criminal offenses as part of the Uniform Crime Re-

1 ports” and requires all Federal departments and
2 agencies that investigate criminal activity to “report
3 details about crime within their respective jurisdic-
4 tion to the Attorney General in a uniform matter
5 and on a form prescribed by the Attorney General”.

6 **SEC. 3. ATTACKS ON LAW ENFORCEMENT OFFICERS RE-**
7 **PORTING REQUIREMENT.**

8 (a) IN GENERAL.—Not later than 270 days after the
9 date of enactment of this Act, the Attorney General, in
10 consultation with the Director of the Federal Bureau of
11 Investigation, the Director of the National Institute of
12 Justice, and the Director of the Criminal Justice Informa-
13 tion Services Division of the Federal Bureau of Investiga-
14 tion, shall submit to the Committee on the Judiciary of
15 the Senate and the Committee on the Judiciary of the
16 House of Representatives a report that includes—

17 (1) the number of offenders that intentionally
18 target law enforcement officers because of their sta-
19 tus as law enforcement officers;

20 (2) the number of incidents reported to the
21 Law Enforcement Officers Killed and Assaulted
22 Data Collection that occur through the coordinated
23 actions of 2 or more parties;

1 (3) a description of the Federal response to am-
2 bushes and violent attacks on Federal law enforce-
3 ment officers;

4 (4) a detailed survey of what State and local re-
5 sponses are to ambushes and violent attacks on
6 State and local law enforcement officers;

7 (5) recommendations for improving State, local,
8 and Federal responses to ambushes and violent at-
9 tacks on law enforcement officers;

10 (6) a detailed survey of Federal and State-
11 based training programs that law enforcement offi-
12 cers receive in preparation for violent attacks, in-
13 cluding ambush attacks;

14 (7) an analysis of the effectiveness of the pro-
15 grams described in paragraph (6) in preparing law
16 enforcement officers for violent attacks, including
17 ambush attacks;

18 (8) recommendations on how to improve State,
19 local, and Federal training programs for law en-
20 forcement officers relating to ambush attacks;

21 (9) an analysis of, with respect to the Patrick
22 Leahy Bulletproof Vest Partnership under part Y of
23 title I of the Omnibus Crime Control and Safe
24 Streets Act of 1968 (34 U.S.C. 10530 et seq.)—

1 (A) the efficacy of the Partnership in dis-
2 tributing protective gear to law enforcement of-
3 ficers across the United States, including any
4 location-specific limitations to the distribution
5 under such Partnership; and

6 (B) the general limitations of the Partner-
7 ship, including any location-specific limitations
8 to the distributions under the Partnership, con-
9 sidering the fact that law enforcement officers
10 are suffering from ambush attacks;

11 (10) an analysis of the ability of the Depart-
12 ment of Justice to combine the Law Enforcement
13 Officers Killed and Assaulted Data Collection and a
14 09C Justifiable Homicide report for officer-involved
15 shooting reports and any roadblocks to producing a
16 clear report with such information;

17 (11) an analysis of the ability of the Criminal
18 Justice Information Services of the Federal Bureau
19 of Investigation to expand data collection to include
20 a suspect offender's level of injury at the time of a
21 reported Law Enforcement Officers Killed and As-
22 sailed Data Collection incident;

23 (12) an analysis of the existence and extent of,
24 and reasons for, disparities in the availability and
25 reporting of data between—

1 (A) data relating to ambush attacks
2 against law enforcement officers; and

3 (B) other types of violent crime data; and

4 (13) an analysis of any additional legislative
5 tools or authorities that may be helpful or necessary
6 to assist in deterring ambush attacks against law en-
7 forcement officers.

8 (b) DEVELOPMENT.—In developing the report re-
9 quired under subsection (a), the Attorney General, the Di-
10 rector of the Federal Bureau of Investigation, the Director
11 of the National Institute of Justice, and the Director of
12 the Criminal Justice Information Services Division of the
13 Federal Bureau of Investigation, shall consult relevant
14 stakeholders, including—

15 (1) Federal, State, Tribal, and local law en-
16 forcement agencies; and

17 (2) nongovernmental organizations, inter-
18 national organizations, academies, or other entities.

19 **SEC. 4. AGGRESSION AGAINST LAW ENFORCEMENT OFFI-**
20 **CERS REPORTING REQUIREMENT.**

21 (a) IN GENERAL.—Not later than 270 days after the
22 date of enactment of this Act, the Attorney General, in
23 consultation with the Director of the Federal Bureau of
24 Investigation and the Director of the National Institute
25 for Justice, shall submit to the Committee on the Judici-

1 ary of the Senate and the Committee on the Judiciary of
2 the House of Representatives a report on—

3 (1) an analysis of the ability to implement a
4 new category in the Uniform Crime Reporting Sys-
5 tem and the National Incident-Based Reporting Sys-
6 tem on aggressive actions, conduct, or other trauma-
7 inducing incidents against law enforcement officers
8 that, as of the date of enactment of this Act are not
9 reported in such systems;

10 (2) the level of detail the category described in
11 paragraph (1) would include and the standard of
12 evidence that would be used for any reported inci-
13 dents;

14 (3) an analysis of how to engage State and local
15 law enforcement agencies in reporting the data de-
16 scribed in paragraph (1), despite the fact that such
17 data is beyond the standard crime-based reporting to
18 the systems described in paragraph (1);

19 (4) an analysis of potential uses by the Depart-
20 ment of Justice and any component agencies of the
21 Department of Justice of the data described in para-
22 graph (1);

23 (5) an analysis of the existence and extent of,
24 and reasons for, disparities in the availability and
25 reporting of data between—

1 (A) data relating to aggressive actions or
2 other trauma-inducing incidents against law en-
3 forcement officers that do not rise to the level
4 of crimes; and

5 (B) other types of violent crime data; and

6 (6) an analysis of additional legislative tools or
7 authorities that may be helpful or necessary to assist
8 in deterring aggressive actions, conduct, or other
9 trauma-inducing incidents against law enforcement
10 officers.

11 (b) DEVELOPMENT.—In developing this report under
12 subsection (a), the Attorney General, the Director of the
13 Federal Bureau of Investigation, and the Director of the
14 National Institute of Justice shall consult relevant stake-
15 holders, including—

16 (1) Federal, State, Tribal, and local law en-
17 forcement agencies; and

18 (2) nongovernmental organizations, inter-
19 national organizations, academies, or other entities.

20 **SEC. 5. MENTAL HEALTH AND WELLNESS REPORTING RE-**
21 **QUIREMENT.**

22 (a) IN GENERAL.—Not later than 270 days after the
23 date of enactment of this Act, the Attorney General, in
24 consultation with the Director of the Federal Bureau of
25 Investigation and the Director of the National Institute

1 for Justice, shall submit to the Committee on the Judici-
2 ary of the Senate and the Committee on the Judiciary of
3 the House of Representatives a report on—

4 (1) the types, frequency, and severity of mental
5 health and stress-related responses of law enforce-
6 ment officers to aggressive actions or other trauma-
7 inducing incidents against law enforcement officers;

8 (2) mental health and stress-related resources
9 or programs that are available to law enforcement
10 officers at the Federal, State, and local levels, espe-
11 cially peer-to-peer programs;

12 (3) the extent to which law enforcement officers
13 use the resources or programs described in para-
14 graph (2);

15 (4) the availability of, or need for, mental
16 health screening within Federal, State, and local law
17 enforcement agencies; and

18 (5) additional legislative tools or authorities
19 that may be helpful or necessary to assist in assess-
20 ing, monitoring, and improving the mental health
21 and wellness of Federal, State, and local law en-
22 forcement officers.

23 (b) DEVELOPMENT.—In developing the report re-
24 quired under subsection (a), the Attorney General, the Di-
25 rector of the Federal Bureau of Investigation, and the Di-

1 rector of the National Institute of Justice shall consult
2 relevant stakeholders, including—

3 (1) Federal, State, Tribal and local law enforce-
4 ment agencies; and

5 (2) nongovernmental organizations, inter-
6 national organizations, academies, or other entities.

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