

118TH CONGRESS
1ST SESSION

H. R. 6456

To direct the National Institute of Justice to collect, study, and analyze data on incidents in which children have been seriously harmed or killed by law enforcement officers who were acting in their capacity as law enforcement officers.

IN THE HOUSE OF REPRESENTATIVES

NOVEMBER 17, 2023

Ms. WATERS (for herself, Mrs. MCBATH, Ms. ADAMS, Mrs. BEATTY, Mr. BOWMAN, Mr. CÁRDENAS, Mr. CARSON, Mr. CARTER of Louisiana, Mrs. CHERFILUS-McCORMICK, Ms. CROCKETT, Mr. DAVIS of Illinois, Mr. EVANS, Ms. GARCIA of Texas, Mr. GREEN of Texas, Mr. GRIJALVA, Mr. IVEY, Mr. JACKSON of Illinois, Mr. JOHNSON of Georgia, Ms. KELLY of Illinois, Ms. LEE of California, Ms. LEE of Pennsylvania, Ms. NORTON, Ms. PRESSLEY, Mr. THANEDAR, Mr. THOMPSON of Mississippi, Ms. WILLIAMS of Georgia, and Ms. WILSON of Florida) introduced the following bill; which was referred to the Committee on the Judiciary

A BILL

To direct the National Institute of Justice to collect, study, and analyze data on incidents in which children have been seriously harmed or killed by law enforcement officers who were acting in their capacity as law enforcement officers.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

1 **SECTION 1. SHORT TITLE.**

2 This Act may be cited as the “Confronting Police Vi-
3 olence Against Children Act of 2023”.

4 **SEC. 2. FINDINGS.**

5 Congress finds the following:

6 (1) The duty of American law enforcement is to
7 uphold the law and to serve and protect the public.

8 (2) Many law enforcement officers are dedi-
9 cated to public service and perform their duties dili-
10 gently and responsibly, creating safer communities.

11 (3) There have been multiple reports in recent
12 years of children being seriously harmed or killed by
13 law enforcement officers who were acting in their ca-
14 pacity as law enforcement officers.

15 (4) In 2014, 12-year-old Tamir Rice was shot
16 and killed by a law enforcement officer in Ohio with-
17 in seconds of the officer arriving on the scene.

18 (5) In 2017, 17-year-old Armando Garcia-Muro
19 was shot and killed by a ricocheting bullet, which
20 was fired by a law enforcement officer at a dog in
21 California.

22 (6) In 2018, 16-year-old Anthony Jacob “AJ”
23 Weber was shot and killed by a law enforcement of-
24 ficer in California who fired several shots into his
25 upper body.

1 (7) In 2020, 16-year-old Eric Parsa, who had
2 autism, died in Louisiana after being restrained face
3 down on the pavement for over 9 minutes by mul-
4 tiple law enforcement officers, one of whom put him
5 in a choke hold, while Parsa was experiencing a
6 mental health crisis.

7 (8) In 2020, 13-year-old Linden Cameron, who
8 has Asperger’s Syndrome, was shot by a law en-
9 forcement officer in Utah while experiencing a men-
10 tal health crisis, after his mother dialed 911 for
11 help.

12 (9) In 2021, 1-year-old Legend Smalls was shot
13 in the head by a law enforcement officer in Texas
14 after the officer opened fire on a suspect who alleg-
15 edly attempted to steal the vehicle in which Smalls
16 was seated.

17 (10) In 2021, 13-year-old Adam Toledo was fa-
18 tally shot by a law enforcement officer in Illinois
19 while his hands were in the air.

20 (11) In 2021, 14-year-old Valentina Orellana-
21 Peralta was shot and killed by a law enforcement of-
22 ficer in California.

23 (12) In 2022, a 13-year-old boy identified as
24 “A.G.” was shot by a law enforcement officer in Illi-

1 nois causing a major spinal cord injury while his
2 hands were in the air.

3 (13) In 2023, 11-year-old Aderrien Murry was
4 shot in the chest by a law enforcement officer in
5 Mississippi after he called the police to his home for
6 help.

7 (14) In 2023, 14-year-old Jor'Dell Richardson
8 was fatally shot and killed by a law enforcement offi-
9 cer in Colorado. Jor'Dell Richardson begged to be
10 taken to the hospital before he died.

11 (15) Law enforcement officers lack the training
12 and resources necessary to effectively address issues
13 of mental health, and these issues may be more ap-
14 propriately handled with assistance from mental
15 health experts and social workers.

16 (16) Reports of incidents in which children are
17 killed by law enforcement officers erode the trust of
18 the American people in law enforcement officers and
19 the agencies and systems they represent, and such
20 reports therefore undermine the ability of law en-
21 forcement officers and agencies to carry out their
22 mission of protecting the public.

23 (17) A thorough investigation of the cir-
24 cumstances surrounding incidents of children being
25 seriously harmed or killed by law enforcement offi-

1 cers would help policymakers enact policies to ad-
2 dress these tragic incidents of violence in order to
3 protect children and improve the effectiveness of law
4 enforcement.

5 **SEC. 3. REPORT AND RECOMMENDATIONS.**

6 (a) IN GENERAL.—Not later than 1 year after the
7 enactment of this Act, the Director of the National Insti-
8 tute of Justice shall prepare and submit a report to Con-
9 gress studying incidents in which children were seriously
10 harmed or killed by Federal, State, Tribal, or local law
11 enforcement officers who were acting in their official ca-
12 pacity as law enforcement officers (whether or not the offi-
13 cer was on duty) during the 15-year period prior to the
14 date of enactment of this Act.

15 (b) REQUIRED REVIEW.—In preparing the report re-
16 quired under this section, the Director shall, at a min-
17 imum, review and include in the report the following:

18 (1) Demographic data and analysis pertaining
19 to—
20 (A) the age of the victims;
21 (B) the race and ethnicity of the victims;
22 (C) the gender of the victims; and
23 (D) the socioeconomic status of the vic-
24 tims.

25 (2) Information and analysis pertaining to—

1 (A) whether the officers who were respon-
2 sible for each incident of serious harm or death
3 were affiliated with Federal, State, Tribal, or
4 local law enforcement agencies;

5 (B) the rank, years of experience, and
6 amount of training the officers had at the time
7 of the incidents;

8 (C) whether the incidents occurred in
9 urban, suburban, rural, or tribal locations;

10 (D) the circumstances surrounding the in-
11 cidents;

12 (E) the seriousness of the harm suffered
13 by the victims, including the extent to which the
14 harm was fatal;

15 (F) whether the victims had developmental,
16 physical, or mental disabilities at the time of
17 the incidents;

18 (G) whether the victims were experiencing
19 a mental health crisis at the time of the inci-
20 dents;

21 (H) the presence and use of recording de-
22 vices by the law enforcement officers during the
23 incidents;

24 (I) the presence and use of recording de-
25 vices by bystanders during the incidents;

1 (J) whether the incidents involved harm to
2 or the death of other individuals, including
3 other law enforcement officers, associates of the
4 child, or members of the public, and if so,
5 whose actions directly led to the additional
6 deaths or harm;

7 (K) reports of excessive force having been
8 used by the law enforcement officers prior to
9 the incidents;

10 (L) whether the use of force by the law en-
11 forcement officers was determined to be justi-
12 fied and proportional, on what basis any such
13 determination was made, and by whom; and

14 (M) the consequences faced by the law en-
15 forcement officers who were responsible for the
16 harm or death.

17 (c) REQUIRED CONSULTATION.—In preparing the re-
18 port required under this section, the Director shall meet
19 with, and consider any facts and analyses offered by, pros-
20 ecutors, defense attorneys, family attorneys, judges, med-
21 ical experts, non-profit organizations, victims service pro-
22 viders, culturally specific organizations, Federal, State,
23 Tribal, and local courts, Federal, State, Tribal, and local
24 law enforcement agencies, State and local elected officials,

1 and individuals with academic expertise in the study of
2 law enforcement.

3 (d) FINDINGS AND RECOMMENDATIONS.—The Direc-
4 tor shall include in the report required under this section
5 recommendations regarding—

6 (1) best practices or guidelines for law enforce-
7 ment agencies to adopt in order to prevent the ex-
8 cessive use of force by law enforcement officers and
9 protect children from the excessive use of force;

10 (2) the best practices to train and equip law en-
11 forcement officers to handle situations involving chil-
12 dren, including—

13 (A) children with physical and mental dis-
14 abilities; and

15 (B) children experiencing mental health
16 crises;

17 (3) best practices to ensure that children de-
18 scribed in subparagraphs (A) and (B) of paragraph
19 (2) receive help from qualified professionals who are
20 equipped to deescalate situations and provide the
21 proper resources to families; and

22 (4) Federal legislation to prevent the excessive
23 use of force by law enforcement officers and protect
24 children from the excessive use of force.

1 (e) DEFINITION.—In this section, the term “child”
2 means an individual who is under 18 years of age.

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