

**AMENDMENT TO RULES COMMITTEE PRINT 118-**

**4**

**OFFERED BY MR. D'ESPOSITO OF NEW YORK**

Page 1, after line 4, insert the following (and redesignate provisions accordingly):

**1 SEC. 2. FINDINGS.**

2 Congress finds the following:

3 (1) That calls to “defund”, “disband”, “dis-

4 mantle”, or “abolish” the police should be con-

5 demned and rule of law should be strictly main-

6 tained.

7 (2) Local law enforcement officers take an oath

8 to never betray the public trust.

9 (3) In the course of investigations into officers

10 who have allegedly exhibited misconduct, local law

11 enforcement should have certain rights to ensure a

12 fair administration of justice, including—

13 (A) a local law enforcement officer’s inher-

14 ent right to self-defense against physical

15 threats;

16 (B) a local law enforcement officer’s right

17 to legal recourse if a civilian attempts to assault

18 the officer;

1 (C) a local law enforcement officer's right  
2 to be protected from physical harassment tar-  
3 geting the officer;

4 (D) a local law enforcement officer's right  
5 to equipment necessary for personal protection;

6 (E) a local law enforcement officer's right  
7 to counsel or a representative present at any  
8 interview conducted as part of an investigation;

9 (F) a local law enforcement officer's right  
10 to be informed of the nature of the investiga-  
11 tion before any interview commences, including  
12 the name of the complainant and sufficient in-  
13 formation to reasonably apprise the officer of  
14 the allegations;

15 (G) during questioning in the course of an  
16 investigation a local law enforcement officer's  
17 right—

18 (i) to not be subjected to any offensive  
19 language;

20 (ii) to not be threatened with depart-  
21 mental, civil, or criminal charges; and

22 (iii) to not receive financial or pro-  
23 motional inducement;

24 (H) a local law enforcement officer's right  
25 to a hearing, with notification in advance of the

1 date, access to transcripts, other relevant docu-  
2 ments, and evidence;

3 (I) a local law enforcement officer's right  
4 to have the opportunity to respond to adverse  
5 accusations; and

6 (J) a local law enforcement officer's right  
7 to not be disciplined for exercising a Fifth  
8 Amendment right to remain silent unless grant-  
9 ed immunity that such statements will not be  
10 used against the officer in any criminal pro-  
11 ceeding.

12 (4) In order to ensure these investigations are  
13 conducted in a manner that protects the public, re-  
14 spects the rights of local law enforcement personnel,  
15 and is conducive to good order and discipline.

16 (5) States across the country are encouraged to  
17 adopt a "Bill of Rights" for local law enforcement  
18 personnel for protections related to investigation and  
19 prosecution arising from conduct during official per-  
20 formance of duties.

21 (6) The local law enforcement community pro-  
22 tects our streets, acknowledges the rights of all  
23 Americans, and keeps citizens safe from harm.

24 (7) Local law enforcement officers are recog-  
25 nized for their public service to all, knowing they

1 face extremely dangerous situations while carrying  
2 out their duties.

3 (8) A healthy and collaborative relationship be-  
4 tween local law enforcement officers and the commu-  
5 nities they serve is essential to creating mutually re-  
6 spectful dialogue

7 **SEC. 3. SENSE OF CONGRESS.**

8 It is the sense of Congress that:

9 (1) Local law enforcement agencies and officers  
10 shall be recognized for their tireless work to protect  
11 us and make our communities safer.

12 (2) Calls to “defund”, “disband”, “dismantle”,  
13 or “abolish” the police shall be condemned;

14 (3) Dialogue between local law enforcement and  
15 their respective communities shall be encouraged to  
16 improve public safety, and engage all of society’s  
17 stakeholders.

18 (4) The rights of police officers to carry out  
19 their duties to protect our communities with integ-  
20 rity and to have essential protections during the  
21 course of an investigation shall be respected.

