

# Stop Excessive Force in Immigration Act

*Setting clear standards, transparency, and accountability to protect communities and ensure public safety.*

## Clear Use of Force Standards

- Limits use of deadly force in Federal immigration enforcement to situations where there is reasonable belief that “imminent danger of death or serious physical injury” to personnel or another person is present. Limits the discharging of firearms under certain circumstances, such as limiting discharging of firearms on a moving vehicle where other objectively reasonable options exist, including moving out of the path of the vehicle.
- Limits use of force in Federal immigration enforcement to situations where there is “no reasonably effective, safe, and feasible alternate” and requires any force used to be proportional to the level of threat encountered.
- Emphasizes de-escalation and establishes a stronger, clearer standard for when force may be used. Limitations include circumstances where it is necessary, consistent with the broader law enforcement principle that reducing the need for force improves safety for officers and the public.
- Requires Federal immigration personnel to intervene and report if they witness other personnel using excessive force.

## Mandatory Training

- Agencies will be required to update their use of force policies, de-escalation guidance, and camera compliance protocols.
- Imposes new annual training requirements on the use of force, de-escalation, First and Fourth Amendment rights, preventing racial profiling, and applying the affirmative duty to intervene to stop excessive force and to render medical aid.

## Improving Standards and Transparency in Operations

- Limits use of face masks and requires clear identifying uniforms in operations, allowing exceptions for operations targeting national security threats, for environmental hazards, covert operations, and when not wearing identification is necessary to safely target a public safety threat.
- Requires body-worn and vehicle cameras for immigration law enforcement and more consistent camera usage. Establishes recording storage and maintenance requirements.
- Restricts the use of certain prohibited equipment by personnel, such as tear gas, flash-bangs, and pepper balls. Prohibits Federal immigration personnel from carrying prohibited equipment, with limited exceptions. This prohibition is limited if there is prior approval from a supervisory officer for operations targeting a specified national security or public safety threat, and the personnel are properly trained and certified for the use of that equipment.

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- Allows the establishment of backup teams trained and certified for the use of restricted equipment, and clarifies that lawful First Amendment activities are not enough to deem the safety of personnel at risk to justify the use of restricted equipment.
- Establishes a biannual requirement for the Department of Homeland Security and the Department of Justice to report on the use of force (deadly and nondeadly), assaults against Federal immigration enforcement personnel, instances where Federal immigration enforcement personnel operate without uniform or with masks, and to report on instances of impersonations of immigration enforcement personnel.
- Requires the Department of Homeland Security to create a database to document use of force, significant incidents, and allegations of civil rights abuses that can be reviewed by Congressional committee members, and a desensitized version available to the public.
- Requires the Department of Homeland Security to create a database with proof of training and certification for the use of restricted equipment by personnel, and requires accountability for supervisors who allow violations of the equipment restrictions.

### **Ensuring Accountability for Violations**

- Requires the Office of Civil Rights and Civil Liberties of the Department of Homeland Security and the Office of the Inspector General of the Department of Justice to investigate violations of policy.
- Encourages the Federal government to allow state or local authorities to investigate a Federal immigration enforcement personnel's excessive use of force that results in death or serious bodily injury.

### **Notice to State and Local Authorities to Ensure Officer and Public Safety**

- Requires advance notice to state and local authorities before immigration operations in their jurisdiction, helping deconflict operations and support public safety and emergency response coordination.