

103<sup>D</sup> CONGRESS  
1<sup>ST</sup> SESSION

# H. R. 3355

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety.

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## IN THE HOUSE OF REPRESENTATIVES

OCTOBER 26, 1993

Mr. BROOKS (for himself and Mr. SCHUMER) introduced the following bill;  
which was referred to the Committee on the Judiciary

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## A BILL

To amend the Omnibus Crime Control and Safe Streets Act of 1968 to allow grants to increase police presence, to expand and improve cooperative efforts between law enforcement agencies and members of the community to address crime and disorder problems, and otherwise to enhance public safety.

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

3 **SEC. 101. COMMUNITY POLICING; “COPS ON THE BEAT”.**

4 (a) IN GENERAL.—Title 1 of the Omnibus Crime  
5 Control and Safe Streets Act of 1968 (42 U.S.C. 3711  
6 et seq.) is amended by—

- 1 (1) redesignating Part Q as Part R;  
2 (2) redesignating section 1701 as section 1801;  
3 and  
4 (3) inserting after Part P the following new  
5 Part:

6 **“PART Q—PUBLIC SAFETY AND COMMUNITY**  
7 **POLICING; ‘COPS ON THE BEAT’**

8 **“SEC. 1701. AUTHORITY TO MAKE PUBLIC SAFETY AND**  
9 **COMMUNITY POLICING GRANTS.**

10 “(a) GRANT AUTHORIZATION.—The Attorney Gen-  
11 eral is authorized to make grants to units of State and  
12 local government, and to other public and private entities,  
13 to increase police presence, to expand and improve cooper-  
14 ative efforts between law enforcement agencies and mem-  
15 bers of the community to address crime and disorder prob-  
16 lems, and otherwise to enhance public safety.

17 “(b) REHIRING AND HIRING GRANT PROJECTS.—  
18 Grants made under the authority of subsection (a) of this  
19 section may be used for programs, projects, and other ac-  
20 tivities to—

21 “(1) rehire law enforcement officers who have  
22 been laid off as a result of State and local budget  
23 reductions for deployment in community-oriented po-  
24 licing; and

1           “(2) hire new, additional career law enforce-  
2           ment officers for deployment in community-oriented  
3           policing across the Nation.

4           “(c) Additional grant projects.—Grants made under  
5           the authority of subsection (a) of this section also may  
6           include programs, projects, and other activities to—

7           “(1) increase the number of law enforcement  
8           officers involved in activities that are focused on  
9           interaction with members of the community on  
10          proactive crime control and prevention by redeploy-  
11          ing officers to such activities;

12          “(2) provide specialized training to law enforce-  
13          ment officers to enhance their conflict resolution,  
14          mediation, problem solving, service, and other skills  
15          needed to work in partnership with members of the  
16          community;

17          “(3) increase police participation in multidisci-  
18          plinary early intervention teams;

19          “(4) develop new technologies to assist State  
20          and local law enforcement agencies in reorienting  
21          the emphasis of their activities from reacting to  
22          crime to preventing crime;

23          “(5) develop and implement innovative pro-  
24          grams to permit members of the community to assist

1 State and local law enforcement agencies in the pre-  
2 vention of crime in the community;

3 “(6) establish innovative programs to reduce,  
4 and keep to a minimum, the amount of time that  
5 law enforcement officers must be away from the  
6 community while awaiting court appearances;

7 “(7) establish and implement innovative pro-  
8 grams to increase and enhance proactive crime con-  
9 trol and prevention programs involving law enforce-  
10 ment officers and young persons in the community;  
11 and

12 “(8) develop and establish new administrative  
13 and managerial systems to facilitate the adoption of  
14 community-oriented policing as an organization-wide  
15 philosophy.

16 “(d) PREFERENTIAL CONSIDERATION OF APPLICA-  
17 TIONS FOR CERTAIN GRANTS.—In awarding grants under  
18 this part, the Attorney General may give preferential con-  
19 sideration to grants for hiring and rehiring additional ca-  
20 reer law enforcement officers that involve a non-Federal  
21 contribution exceeding the 25% minimum under sub-  
22 section (h) of this section.

23 “(e) TECHNICAL ASSISTANCE.—(1) The Attorney  
24 General may provide technical assistance to units of State  
25 and local government, and to other public and private enti-

1 ties, in furtherance of the purposes of section 101 of the  
2 Violent Crime Control and Law Enforcement Act of 1993.

3 “(2) The technical assistance provided by the Attor-  
4 ney General may include the development of a flexible  
5 model that will define for State and local governments,  
6 and other public and private entities, definitions and strat-  
7 egies associated with community or problem-oriented po-  
8 licing and methodologies for its implementation.

9 “(3) The technical assistance provided by the Attor-  
10 ney General may include the establishment and operation  
11 of training centers or facilities, either directly or by con-  
12 tracting or cooperative arrangements. The functions of the  
13 centers or facilities established under this paragraph may  
14 include instruction and seminars for police executives,  
15 managers, trainers and supervisors concerning community  
16 or problem-oriented policing and improvements in police-  
17 community interaction and cooperation that further the  
18 purposes of section 101 of the Violent Crime Control and  
19 Law Enforcement Act of 1993.

20 “(f) UTILIZATION OF DEPARTMENT OF JUSTICE OF-  
21 FICES AND SERVICES.—The Attorney General may utilize  
22 any office or service of the Department of Justice in carry-  
23 ing out this part.

24 “(g) MINIMUM AMOUNT.—Each qualifying state, to-  
25 gether with grantees within the state, shall receive in each

1 fiscal year pursuant to subsection (a) of this not less than  
2 0.25% of the total amount appropriated in the fiscal year  
3 for grants pursuant to that subsection. As used in this  
4 subsection, “qualifying state” means any state which has  
5 submitted an application for a grant, or in which an eligi-  
6 ble entity has submitted an application for a grant, which  
7 meets the requirements prescribed by the Attorney Gen-  
8 eral and the conditions set out in this part.

9 “(h) MATCHING FUNDS.—The portion of the costs  
10 of a program, project, or activity provided by a grant  
11 under subsection (a) of this section may not exceed 75  
12 percent, unless the Attorney General waives, wholly or in  
13 part, the requirement under this subsection of a non-Fed-  
14 eral contribution to the costs of a program, project, or ac-  
15 tivity. In relation to a grant for a period exceeding one  
16 year for hiring or re-hiring career law enforcement offi-  
17 cers, the Federal share shall decrease from year to year,  
18 looking towards the continuation of the increased hiring  
19 level using State or local sources of funding following the  
20 conclusion of Federal support, as provided in an approved  
21 plan pursuant to section 1702(c)(8) of this part.

22 “(i) ALLOCATION OF FUNDS.—The funds available  
23 under this part shall be allocated as provided in section  
24 1001(a)(11)(B) of this Act.

1       “(j) TERMINATION OF GRANTS FOR HIRING OFFI-  
2 CERS.—The authority under subsection (a) of this section  
3 to make grants for the hiring and rehiring of additional  
4 career law enforcement officers shall lapse at the conclu-  
5 sion of six years from the date of enactment of this part.  
6 Prior to the expiration of this grant authority, the Attor-  
7 ney General shall submit a report to Congress concerning  
8 the experience with and effects of such grants. The report  
9 may include any recommendations the Attorney General  
10 may have for amendments to this part and related provi-  
11 sions of law in light of the termination of the authority  
12 to make grants for the hiring and rehiring of additional  
13 career law enforcement officers.

14 **“SEC. 1702. APPLICATIONS.**

15       “(a) IN GENERAL.—No grant may be made under  
16 this part unless an application has been submitted to, and  
17 approved by, the Attorney General.

18       “(b) FORM AND CONTENT OF APPLICATION.—An ap-  
19 plication for a grant under this part shall be submitted  
20 in such form, and contain such information, as the Attor-  
21 ney General may prescribe by regulation or guidelines.

22       “(c) COMPLIANCE WITH REGULATIONS OR GUIDE-  
23 LINES.—In accordance with the regulations or guidelines  
24 established by the Attorney General, each application for  
25 a grant under this part shall—

1           “(1) include a long-term strategy and detailed  
2           implementation plan that reflects consultation with  
3           community groups and appropriate private and pub-  
4           lic agencies and reflects consideration of the state-  
5           wide strategy under section 503(a)(1) of the Omni-  
6           bus Crime Control and Safe Streets Act of 1968 (42  
7           U.S.C. 3753(a)(1));

8           “(2) demonstrate a specific public safety need;

9           “(3) explain the locality’s inability to address  
10          the need without federal assistance;

11          “(4) identify related governmental and commu-  
12          nity initiatives which complement or will be coordi-  
13          nated with the proposal;

14          “(5) certify that there has been appropriate co-  
15          ordination with all affected agencies;

16          “(6) outline the initial and ongoing level of  
17          community support for implementing the proposal  
18          including financial and in-kind contributions or  
19          other tangible commitments;

20          “(7) specify plans for obtaining necessary sup-  
21          port and continuing the proposed program, project,  
22          or activity following the conclusion of Federal sup-  
23          port; and

1           “(8) if the application is for a grant for hiring  
2           or rehiring additional career law enforcement offi-  
3           cers—

4                   “(A) specify plans for the assumption by  
5                   the grantee of a progressively larger share of  
6                   the cost in the course of time, looking towards  
7                   the continuation of the increased hiring level  
8                   using State or local sources of funding following  
9                   the conclusion of Federal support;

10                   “(B) assess the impact, if any, of the in-  
11                   crease in police resources on other components  
12                   of the criminal justice system; and

13                   “(C) explain how the grant will be utilized  
14                   to re-orient the affected law enforcement agen-  
15                   cy’s mission towards community-oriented polic-  
16                   ing or enhance its involvement in or commit-  
17                   ment to community-oriented policing.

18 **“SEC. 1703. REVIEW OF APPLICATIONS BY STATE OFFICE.**

19           “(a) IN GENERAL.—Except as provided in subsection  
20 (c) or (d), an applicant for a grant under this part shall  
21 submit an application to the State office designated under  
22 section 507 of the Omnibus Crime Control and Safe  
23 Streets Act of 1968 (42 U.S.C. 3757) in the State in  
24 which the applicant is located for initial review.

1       “(b) INITIAL REVIEW OF APPLICATION.—(1) The  
2 State office referred to in subsection (a) of this section  
3 shall review applications for grants under this part sub-  
4 mitted to it, based upon criteria specified by the Attorney  
5 General by regulation or guidelines.

6       “(2) Upon completion of the reviews required by  
7 paragraph (1) of this subsection, the State office referred  
8 to in subsection (a) of this section shall determine which,  
9 if any, of the application for grants under this part are  
10 most likely to be successful in achieving the purposes of  
11 section 101 of the Violent Crime Control and Law En-  
12 forcement Act of 1993.

13       “(3)(A) Based upon the determinations made under  
14 paragraph (2) of this subsection, the State office referred  
15 to in subsection (a) of this section shall list the applica-  
16 tions for grants under this part in order of their likelihood  
17 to achieve the purposes of section 101 of the Violent Crime  
18 Control and law Enforcement Act of 1993, and shall sub-  
19 mit the list along with all grant applications and support-  
20 ing materials received to the Attorney General.

21       “(B) In making the submission to the Attorney Gen-  
22 eral required by subparagraph (A) of this paragraph, the  
23 State office referred to in subsection (a) of this section  
24 may recommend that a particular application or applica-

1 tions should receive special priority and provide supporting  
2 reasons for the recommendation.

3 “(c) DIRECT APPLICATION TO THE ATTORNEY GEN-  
4 ERAL BY CERTAIN MUNICIPALITIES.—Notwithstanding  
5 subsection (a) of this section, municipalities whose popu-  
6 lation exceeds 100,000 may submit an application for a  
7 grant under this part directly to the Attorney General. For  
8 purposes of this subsection, “municipalities whose popu-  
9 lation exceeds 100,000” means units of local government  
10 or law enforcement agencies having jurisdiction over areas  
11 with populations exceeding 100,000, and consortia or as-  
12 sociations that include one or more such units of local gov-  
13 ernment or law enforcement agencies.

14 “(d) DIRECT APPLICATION TO THE ATTORNEY GEN-  
15 ERAL BY OTHER APPLICANTS.—Notwithstadning sub-  
16 section (a) of this section, if a State chooses not to carry  
17 out the functions described in subsection (b) of this sec-  
18 tion, an applicant in the State may submit an application  
19 for a grant under this part directly to the Attorney Gen-  
20 eral.

21 **“SEC. 1704. RENEWAL OF GRANTS.**

22 “(a) IN GENERAL.—Except for grants made for hir-  
23 ing or rehiring additional career law enforcement officers,  
24 a grant under this part may be renewed for up to two  
25 additional years after the first fiscal year during which

1 a recipient receives its initial grant if the Attorney General  
2 determines that the funds made available to the recipient  
3 were used in a manner required under an approved appli-  
4 cation and if the recipient can demonstrate significant  
5 progress in achieving the objectives of the initial applica-  
6 tion.

7 “(b) GRANTS FOR HIRING.—Grants made for hiring  
8 or rehiring additional career law enforcement officers may  
9 be renewed for up to five years, subject to the require-  
10 ments of subsection (a) of this section, but notwithstand-  
11 ing the limitation in that subsection concerning the num-  
12 ber of years for which grants may be renewed.

13 “(c) MULTI-YEAR GRANTS.—A grant for a period ex-  
14 ceeding one year may be renewed as provided in this sec-  
15 tion, except that the total duration of such a grant includ-  
16 ing any renewals may not exceed three years, or six years  
17 if it is a grant made for hiring or rehiring additional ca-  
18 reer law enforcement officers.

19 **“SEC. 1705. LIMITATION ON USE OF FUNDS.**

20 “(a) NON-SUPPLANTING REQUIREMENT.—Funds  
21 made available under this part to State or local govern-  
22 ments shall not be used to supplant State or local funds,  
23 but will be used to increase the amount of funds that  
24 would, in the absence of Federal funds, be made available  
25 from State or local sources.

1       “(b) ADMINISTRATIVE COSTS.—No more than 5% of  
2 the funds available under this part may be used for the  
3 costs of States in carrying out the functions described in  
4 section 1703(b) or other administrative costs.

5       “(c) NON-FEDERAL COSTS.—State and local units of  
6 government may use assets received through the Assets  
7 Forfeiture equitable sharing program to cover the non-fed-  
8 eral portion of programs, projects, and activities funded  
9 under this part.

10       “(d) HIRING COSTS.—Funding provided under this  
11 part for hiring or rehiring a career law enforcement officer  
12 may not exceed \$75,000, unless the Attorney General  
13 grants a waiver from this limitation.

14 **“SEC. 1706. PERFORMANCE EVALUATION.**

15       “(a) EVALUATION COMPONENTS.—Each program,  
16 project, or activity funded under this part shall contain  
17 an evaluation component, developed pursuant to guidelines  
18 established by the Attorney General. The evaluations re-  
19 quired by this subsection shall include outcome measures  
20 that can be used to determine the effectiveness of the  
21 funded programs, projects, and activities. Outcome meas-  
22 ures may include crime and victimization indicators, qual-  
23 ity of life measures, community perceptions, and police  
24 perceptions of their own work.

1       “(b) PERIODIC REVIEW AND REPORTS.—The Attor-  
2 ney General shall review the performance of each grant  
3 recipient under this part. The Attorney General may re-  
4 quire a grant recipient to submit to the Attorney General  
5 the results of the evaluations required under subsection  
6 (a) and such other data and information as the Attorney  
7 General deems reasonably necessary to carry out the re-  
8 sponsibilities under this subsection.

9       **“SEC. 1707. REVOCATION OR SUSPENSION OF FUNDING.**

10       “If the Attorney General determines, as a result of  
11 the reviews required by section 1706 of this part, or other-  
12 wise, that a grant recipient under this part is not in sub-  
13 stantial compliance with the terms and requirements of  
14 an approved grant application submitted under section  
15 1702 of this part, the Attorney General may revoke or  
16 suspend funding of that grant, in whole or in part.

17       **“SEC. 1708. ACCESS TO DOCUMENTS.**

18       “(a) BY THE ATTORNEY GENERAL.—The Attorney  
19 General shall have access for the purpose of audit and ex-  
20 amination to any pertinent books, documents, papers, or  
21 records of a grant recipient under this part, as well as  
22 the pertinent books, documents, papers, or records of  
23 State and local governments, persons, businesses, and  
24 other entities that are involved in programs, projects, or  
25 activities for which assistance is provided under this part.

1       “(b) BY THE COMPTROLLER GENERAL.—The provi-  
 2 sions of subsection (a) of this section shall also apply with  
 3 respect to audits and examinations conducted by the  
 4 Comptroller General of the United States or by an author-  
 5 ized representative of the Comptroller General.

6       **“SEC. 1709. GENERAL REGULATORY AUTHORITY.**

7       “The Attorney General is authorized to promulgate  
 8 regulations and guidelines to carry out this part.

9       **“SEC. 1710. DEFINITION.**

10       “For the purposes of this part, the term ‘career law  
 11 enforcement officer’ means a person hired on a permanent  
 12 basis who is authorized by law or by a State or local public  
 13 agency to engage in or supervise the prevention, detection,  
 14 or investigation of violations of criminal laws.”

15       (b) TECHNICAL AMENDMENT.—The table of contents  
 16 of title I of the Omnibus Crime Control and Safe Streets  
 17 Act of 1968 (42 U.S.C. 3711, et seq.) is amended by strik-  
 18 ing the material relating to Part Q and inserting the fol-  
 19 lowing:

“PART Q—PUBLIC SAFETY AND COMMUNITY POLICING; ‘COPS ON THE  
 BEAT’

“Sec. 1701. Authority to make public safety and community policing  
 grants.

“Sec. 1702. Applications.

“Sec. 1703. Review of applications by State office.

“Sec. 1704. Renewal of grants.

“Sec. 1705. Limitation on use of funds.

“Sec. 1706. Performance evaluation.

“Sec. 1707. Revocation or suspension of funding.

“Sec. 1708. Access to documents.

“Sec. 1709. General regulatory authority.

“Sec. 1710. Definition.

**1 SEC. 102. AUTHORIZATION OF APPROPRIATIONS.**

2 (a) AUTHORIZATION.—Section 1001(a) of title I of  
3 the Omnibus Crime Control and Safe Streets Act of 1968  
4 (42 U.S.C. 2793) is amended—

5 (1) in paragraph (3) by striking “and N.” and  
6 inserting “N, O, P, and Q.”; and

7 (2) by adding at the end the following new  
8 paragraph:

9 “(11)(A) There are authorized to be appro-  
10 priated to carry out Part Q, to remain available  
11 until expended, \$200,000,000 for fiscal year 1994  
12 and \$650,000,000 for each of the fiscal years 1995,  
13 1996, 1997, 1998, and 1999.

14 “(B) Of funds available under Part Q in any  
15 fiscal year, up to 5% may be used for technical as-  
16 sistance under section 1701(e) or for evaluations or  
17 studies carried out or commissioned by the Attorney  
18 General in furtherance of the purposes of Part Q,  
19 and up to 5% may be used for the costs of States  
20 in carrying out the functions described in section  
21 1703(b) or other administrative costs. Of the re-  
22 maining funds, 60% shall be allocated for grants  
23 pursuant to applications submitted as provided in  
24 section 1703(a) or (d), and 40% shall be allocated

1 for grants pursuant to applications submitted as  
2 provided in section 1703(c). Of the funds available  
3 in relation to grants pursuant to applications sub-  
4 mitted as provided in section 1703(a) or (d), at least  
5 85% shall be applied to grants for the purposes  
6 specified in section 1701(b), and no more than 15%  
7 may be applied to other grants in furtherance of the  
8 purposes of Part Q. Of the funds available in rela-  
9 tion to grants pursuant to applications submitted as  
10 provided in section 1703(c), at least 85% shall be  
11 applied to grants for the purposes specified in sec-  
12 tion 1701(b), and no more than 15% may be applied  
13 to other grants in furtherance of the purposes of  
14 Part Q.”.

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